



**TOWN OF
BROOKLINE, NEW HAMPSHIRE
PLANNING DEPARTMENT**

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**Planning Board Minutes
July 21, 2022**

Present: Alan Rosenberg, Co-chair (voting)
Eric Bernstein, Co-chair (voting)
Scott Grenier, Member (voting)
Michele Decoteau, Town Planner
Caleb Cheng, Nashua Regional Planning Commission
Chris Dresser, Town Counsel

Absent: Chris Duncan, Member
Brendan Denehy, Selectboard Representative Alternate
Eric Pauer, Alternate
Steve Russo, Selectboard Representative

General Business

- A. Rosenberg called the meeting to order at 7:04 PM and read the rules for a hybrid meeting:
- Any meeting attendees participating via Zoom are asked to activate the “mute” function until called upon by the chair.
 - Meeting attendees via Zoom must use the “raise hand” function under the “reactions” tab to participate in the meeting – and will be permitted to comment once and if called upon by the chair.
 - Anyone providing comments during the meeting must first identify their name and address.
 - The “chat” function for Zoom participants will be disabled by the meeting administrator or otherwise not addressed; “chat” items will not be part of the public meeting/record.
 - Meeting attendees via Zoom will not be listed as attendees in the minutes (except Board members).
 - The meeting’s physical location is the official meeting room. Should technical difficulties arise with the remote portion, the meeting will continue at the physical location.

Mail

The Board reviewed mail folder. No comments.

Minutes of 2022.06.16

E. Bernstein MOVED to approve the June 16, 2022, minutes. S. Grenier SECONDED.

Discussion: None

Vote: All in favor (3 – aye, 0- nay, 0- abstain).

Case Review

SP#2022-B: H-042 – Jay Chrystal: Housing for Older Persons Development, 23 Main Street

A. Rosenberg opened the meeting.

R. Haight, Meridian Land Services, appeared in addition to the applicant, J. Chrystal. M. Decoteau reviewed the staff report noting the new documents. The applicant provided elevations and a floor plan for the club house. She summarized the Town Engineer review that requested more information on

stormwater flow, more detail on the roadway section, and more detail on the retaining wall proposed. She noted that there was additional review by the Fire Chief asking for detail on safety measures at the club house. She also noted that the Conservation Commission declined to review and that the Nashua River Watershed Association completed an informal review that made suggestions on ways the development could have less of an impact on the environment.

M. Decoteau noted that the DPW director provided his review and comment. He said that the hybrid of public and private road was going to be dangerous. He recommended that the road remain private. The Board and applicant discussed that the Brookline Zoning Ordinance and Site Plan Regulations are silent on private roads. The Board discussed that the state RSAs allow private roads and that the applicant could ask the Zoning Board of Adjustment for additional relief for additional dwellings off a single private driveway. If the town owned the road, could someone else do the maintenance? R. Haight expressed concern that the dwellings have marketable access so people could buy and live in the houses.

At 7:45 PM cable and internet went down and the meeting was no longer recorded. As stated in the agenda, the physical meeting location hosted the official meeting.

R. Haight said that they provided preliminary ground water test data and he noted the landscaping plan on Revision C of the plans. He included the floor plan of the club house and all the elevations in the plan set he handed out.

R. Haight explained the lighting plan. Porches will have down cast lighting that won't spill off the porch. They are planning to add a streetlight at the top of the road that will illuminate the entire circle.

The Board returned to the question of the road. The Board asked Town Counsel that since the Town Zoning Ordinance doesn't speak to private roads, can this rely on state statute. Town Counsel said that safety standards would still have to be met. The Board discussed that making this a private road removed ambiguity. W. Scales said that this could be a driveway since all the dwellings are on a single lot but there were limits to the number of dwellings off a shared driveway in the Zoning Ordinance and driveway regulations. Town Counsel will review the question.

A. Rosenberg asked about the landscape plan and if it would limit the chemicals used. R. Haight said the landscape plan limits the chemicals used. It was noted that on the private section of the road, the applicant would be using snowplow drivers that were Green SnoPro certified since they were trained in how to use fewer chemicals.

Abutter Questions:

T. Quarles (32 Main St.) said he had concerns about the amount of material being excavated. He referred to the letter from D. Bechis that estimated 3 million cubic feet of material would be removed. T. Quarles asked why this much excavation was happening without an excavation permit. The applicant said they have an Alteration of Terrain application into the state that describes the excavation and environmental concerns.

T. Quarles asked about the driveway access and signage and if DOT would provide a permit. The applicant said they were still in process with DOT regarding a streetlight, stop sign and curb cut.

M. Kimball (15 Shady Rock Road) asked about how this was going to stay a housing for older persons development. Could this be sold to someone else in 15 years? Town Counsel said that there are restrictions on the deeds that require this to stay age restricted.

W. Scales (49 Dupaw Gould Road) added that each property needs to have access and the HOP access is very special in town. These dwellings are all on a single lot.

B. Doherty (11 Ruonala Road) said that the octopus design could have been done legally but no one wanted that, and this is a better plan. The Planning Board is stuck between the old ways and the 21st century. He said that the monuments should be set back a bit from the entrance to the development. It would be easier for delivery drivers.

E. Bernstein MOVED to continue case SP# 2022.B:H:042 to August 18, 2022, at 7 PM. S. Grenier SECONDED.

Discussion: None

Vote: All in favor (3 – aye, 0 - nay, 0 - abstain).

After a comment from T. Quarles, the Board agreed to amend the minutes.

E. Bernstein MOVED to amend the minutes of 06.16.22 in line 73 adding “DOT would need to ...” and S. Grenier SECONDED.

Discussion: None

Vote: All in favor (3 – aye, 0 - nay, 0 - abstain).

Business Meeting – Continued

Workforce Housing Assessment Review

A. Rosenberg said the Board was reviewing the final Annual Assessment of Brookline’s Fair Share of workforce housing.

C. Cheng shared the final Workforce Housing Assessment with the Board. He said that the report incorporated the feedback from the Town at the last meeting. He noted that Brookline is in the HUD (Housing and Urban Development) Nashua Metro Fair Market Rent Area and the Nashua Affordable Family Median Income (AFMI). He said he sharpened the report using current mortgage rates and Brookline tax rates. C. Cheng said he made some changes to explain the tables and graphics better. Page 4 had the explanation of how the data on Page 3 concluded that the maximum price of a work force owner-occupied home in Brookline is \$406,000. C. Cheng reviewed how many houses with mortgages and without mortgages would be valued at \$406,000 or less. He reviewed the final conclusions with the Board.

E. Bernstein MOVED to make a finding that based on the Brookline Workforce Housing Fair Share Analysis by NRPC dated July 18, 2022, that as of July 2022, Brookline meets its fair share of regional Workforce Housing. S. Grenier SECONDED.

Discussion: None

Vote: All in favor (3 – aye, 0 - nay, 0 - abstain).

Master Plan

Discussion was tabled until more Board members were present.

Ordinance and Regulations list for review and revision

The Board clarified the process for Zoning Ordinance changes.

M. Decoteau said that with new planning staff, this is a great opportunity for a different perspective. She provided a list of some places in the Zoning Ordinance the Board may want to review. They need to prioritize what they want to work on.

P. Cook (10 Main St) asked how the list was created. M. Decoteau said she queried Town Hall staff, asked some of the ZBA members, and added some items based on her experience. Definitions and a table of uses across districts are excellent places to start review when you have new staff.

S. Sacherski (Building Inspector) noted that he had added some items to the list. A short discussion on septic systems, enforcement, and if a Building Code Ordinance was needed.

P. Cook said he thought the Accessory Dwelling Unit (ADU) ordinance was in good shape. Others agreed.

G. Smith (42 Rocky Pond Road) asked about the Residential – Agricultural district and if we should adopt state RSA definitions. Could we incorporate the definitions of Agriculture and Agritourism into our Zoning Ordinance and then it wouldn't have to be changed all the time. C. Dresser (Town Counsel) discussed Agritourism and that other towns were struggling with what that meant to different parties. B. Doherty asked how did the list of Uses in the Residential – Agricultural district come to be? M. Decoteau said she'd have to research that. L. Maclean (14 Winterberry Lane) said that agriculture and agritourism should be clarified. Sometimes the rules change and then it is hard to have a business. She suggested the Planning Board rely on state definitions. J. Cook (10 Main Street) said zoning in Brookline started in 1968 and our current zoning still reflects that start but now we can come up with something new.

The Board discussed what to have a priority for review. They said definitions, a table of uses, split zoning and private roads were all good places to start. W. Scales offered to make a first draft of parts of Section 800 and the Board accepted. The Board decided ADU review could wait. The Board wanted to seek input from the Board members who were not present before finalizing the priorities.

Impact Fees

The Board noted that the Impact Fees are usually reviewed at the beginning of budget season in September. They would review the addition of the DPW building at that point.

Website

M. Decoteau discussed some of the changes to the Planning Board webpage including adding case related documents and meeting materials. There was general discussion about including the meeting materials to the front page of the Town website, but consensus was that would make it harder to find. The Board suggested that meeting materials be added to the Planning Board front page or the calendar.

Adjourn

E. Bernstein MOVED to adjourn the meeting at 10:34 PM. S. Grenier SECONDED.

Discussion: None

Vote: All in favor (3 – aye, 0 - nay, 0 - abstain).

Respectfully Submitted by Michele Decoteau, Town Planner

Approved 2022.09.01