



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

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**Planning Board Minutes
October 20, 2022**

Present: Eric Bernstein, Co-chair
Alan Rosenberg, Co-chair
Scott Grenier, Member (Virtually)
Brendan Denehy, Selectboard Representative Alternate
Eric Pauer, Alternate (Virtually)
Absent: Chris Duncan, Member (Virtually)
Steve Russo, Selectboard Representative
Staff: Michele Decoteau, Town Planner

General Business

A. Rosenberg called the meeting to order at 7:05 PM

Mail

The Board reviewed mail folder. No comments.

Minutes of October 6, 2022

E. Pauer noted that he made an addition to the minutes regarding changes to two sections of the Ordinance and the Board clarified line 82.

E. Bernstein MOVED to accept the minutes of October 20, 2022, as amended. S. Grenier SECONDED.

Discussion: None

Vote:

A. Rosenberg – aye
E. Bernstein – aye
S. Grenier – aye. Motion carried (3-ayes, 0-nays, 0-abstentions).

A. Rosenberg asked E. Powers to vote for C. Duncan. B. Denehy will be voting in place of S. Russo as Selectboard Representative.

A. Rosenberg read the ground rules for a hybrid meeting.

Application Review

SP#2022-B:H-42

Jay Chrystal, Housing for Older Persons Development, 23 Main Street

E. Bernstein opened the public hearing. J. Chrystal as the applicant attended, R. Haight was the applicant's representative.

The applicant provided newly revised copies of the site plan. Revision H dated 10/18/2022.

The Board discussed numbering of the units and noted that unit numbers were consistent throughout the document and the E911 numbering was noted on pages 4 and 5.

The Board reviewed the potential Conditions of Approval for the pre-construction excavation. The discussion started with days of operation. The original condition was to limit the excavation to Monday through Friday and the Board discussed adding Federal Holidays.

The Board discussed timing of trucks entering and exiting during school bus pick up and drop off. The discussion centered around traffic intensity and safety concerns when the students would be waiting at the bus stop. The applicant agreed to inform drivers of the location of the bus stop and the expected timing of busses. The drivers must stop for school buses regardless.

The route of the trucks was discussed. Currently there is no buyer for the material and no way to know which direction the trucks would need to travel. The Board agree that the applicant should direct the excavation trucks to take state roads, which are designed to handle heavy traffic, when possible.

The Board discussed the fueling onsite and expressed concerns about possible environmental impacts. Everyone agreed the applicant would set up a fueling area likely near the entrance to the site and use a pad or secondary containment in case of spills. The fuel would come to the site in large fueling trucks, but not stay. In addition, the storage of fuel in temporary containers would be limited to 2 (two) five-gallon containers.

The applicant and Board agreed on the remaining excavation conditions with only minor updates. The final condition on a limit on the number of vehicles on site at one time was deleted as the site is small enough that it would be impractical to park vehicles on site. The size of the site was self-limiting as a parking area.

The fire suppression system was discussed and the question of recharge during a drought was raised. J. Chrystal said the recharge in the area this will be location would be more than adequate. The Board requested a final letter of approval from the Fire Chief regarding the fire suppression systems.

The discussion returned to roads and the impact of the excavation on roads. The Board decided that they wanted to have the Town Engineer review the excavation conditions regarding roads specifically. The Board discussed a no parking sign but Route 130 is a state road.

The Board invited comment from abutters and residents.

T. Quarles (32 Main Street) said he didn't think the excavation was necessary at all. The owner was flattening the lot to allow for more density. He said he had no opposition to a seven-lot development. He also took exception to the minutes from the last meeting and said he was misquoted.

T. Quarles said that this development was a violation of the spirit of the general Ordinance and the Housing for Older Persons Ordinance with the developer flattening the site so he can get more units on the site. He said he objects to the developer squeezing every dollar out of this site at the expense of the character and safety of neighborhood and it is contrary to the zoning of the town. He recommended the Board read the letter by A. Somers.

He continued to state that the amount of gravel removed was in excess of what is "incidental" and that this has been discussed previously. He said he didn't understand why the Planning Board didn't require an excavation permit. He said he was working to create a record. He said he was still concerned about traffic and heavy traffic at the same time as school busses with the current traffic speeding. He said that

this was an accident waiting to happen. It is simple to carve out the time. He said he was confused about fueling on-road vehicles and the larger excavator vehicles. A. Rosenberg clarified that the larger vehicles would not be fueled with a five gallon gas can. T. Quarles said that you need to clarify that on-road vehicles shouldn't be fueled on site. A. Rosenberg said that the dump trucks coming and going would not be fueled on site and the large vehicles would be refueled in a designated area with secondary containment during fueling. The applicant said that it would be by the new entrance since that will be the only entrance. T. Quarles said he wanted the prohibition of parking on Route 130 to be in place. He expressed concern about parking of large vehicles on his property. He wants parking on their site. These are his comments so far; he will add more comments.

D. Bechis (39 Pepperell Road) expressed concern about Brookline not following state and Brookline excavation laws. He was concerned about how other excavations were conducted in Brookline without a permit as well. In the NRWA study, the location was highly ranked wildlife habitat and some portions were ranked highest habitat in the region. He was concerned about the disturbance to the area during the excavation and the removal of material. He asked about buffers and if there were plans to retain buffers as a break for wildlife. He asked about recreation in the open space and if it was planned to be passive or active. He said there are two types of curbing and one is easier for wildlife to navigate. He noted the Nashua River Watershed Association recommended reducing the sidewalk size to reduce the impervious surface. He asked about a nitrogen modeling and he asked about deicing chemicals.

J. Chrystal said that he is planning using a something like a Green SnoPro certified plowing company. These would be trained plow drivers who don't use salt. The homeowners will only be able to treat near their front steps. He said that he will plan on xeriscaping the area and the only chemicals that are applied to the site will be done by the landscape company.

A. Rosenberg said that fueling during the excavation will be done in the designated area. A. Rosenberg asked about home heating oil or propane? J. Chrystal said this will be propane and likely to be an underground tank.

R. Haight said the sidewalks were already reduced as recommended and the curbs are what was recommended as well. A. Rosenberg asked about the recreation trails. R. Haight said they plan to have a trail and they have already given the river frontage to the Nissitissit River Land Trust. The other buffers are either going to the Town or will be maintained as open space.

A. Rosenberg asked about the septic system. R. Haight said this will be permitted by the state and they will review it. The location is planned to be in the center of the traffic circle. J. Chrystal said they have been doing as much as they can to minimize the impact to the wildlife and corridors.

The Board discussed if this application was ready for approval. The Board decided that without hearing a final approval from the Fire Chief and Town Engineer as well as a few other open issues, the Board was not ready to approve.

The applicant provided a letter requesting a 30-day extension for project review.

E. Bernstein MOVED to accept the 30-day extension for review to Nov 20, 2022. S. Grenier SECONDED.

Discussion: None

A. Rosenberg – aye

E. Bernstein – aye

B. Denehy – abstain

- E. Pauer – aye
- S. Grenier – aye. Motion carries (4 – ayes, 0 – nays, 1 – abstain).

E. Pauer MOVED to continue case SP#2022-B:H-42 to November 17, 2022, at 7:00 PM. S. Grenier SECONDED.

Discussion: None

- A. Rosenberg – aye
- E. Bernstein – aye
- B. Denehy – abstain
- E. Pauer – aye
- S. Grenier – aye. Motion carries (4 – ayes, 0 – nays, 1 – abstain).

SD#2018.I:C-4.8 – Countryside Road Subdivision -

The Board reviewed the request for two above ground utility poles on Ben Farnsworth Road. The Board discussed the location of the poles and determined that this is outside the subdivision, not part of the newly created roadway and didn't need to be part of the requirement for underground utilities. They thanked the developer for asking.

General Business - continued

InvestNH Grant – M. Decoteau shared that she had found the application that V. Rearick wrote to HousingNH for the creation of the Workforce Housing Ordinance many years ago. She will use this to inform the InvestNH application narrative.

Calendar – M. Decoteau shared a calendar of possible meeting dates for public hearings for the Ordinance changes.

Budget – M. Decoteau confirmed she doubled the legal budget as directed at the last work session and submitted that to the Town Administrator.

CIP – A. Rosenberg said this will be ready soon for review and it will be on the agenda for Nov 17, 2022. The Board agreed to invite the Capital Improvement Committee to that meeting. The Board discussed revisiting the CIP in the spring which might be easier for the schools.

E. Bernstein MOVED to adjourn at 9:28 PM. B. Denehy SECONDED.

Discussion: None

Discussion: None

- A. Rosenberg – aye
- E. Bernstein – aye
- B. Denehy – aye
- E. Pauer – aye
- S. Grenier – aye. Motion carries (5 – ayes, 0 – nays, 0 – abstain).

Respectfully submitted by Michele Decoteau, Town Planner & Board Secretary

Approved on: 2022.11.03