



TOWN OF
BROOKLINE, NEW HAMPSHIRE

Planning Department
P.O. Box 360 – 1 Main Street
Brookline, NH 03033

**Planning Board Minutes
January 5, 2023**

Present: Eric Bernstein, Co-chair
Alan Rosenberg, Co-chair
Scott Grenier, Member
Chris Duncan, Member
Eric Pauer, Alternate (virtually)
Absent: Steve Russo, Selectboard Representative
Staff: Michele Decoteau, Town Planner
Attendees: Steve Sacherski (Building Inspector), Webb Scales

Public Hearing

E. Bernstein read the public notice to continue the Public Hearing at 7:01 PM. This Public Hearing will review Sections 620 and 800.

A. Rosenberg MOVED to continue the Public Hearing as stated in the aforementioned public notice. C. Duncan SECONDED.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0- abstain). Motion carried.

Section 620

The Board reviewed the language and reorganized one paragraph for clarity. The Board discussed density and how to express this. The Board had a few grammar changes. No comments from the public.

A. Rosenberg MOVED to recommend to the Selectboard to place the amended Section 620 on the 2023 Warrant for March 2023 Town Meeting. C. Duncan SECONDED.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0- abstain). Motion carried.

Section 800

There were no changes since the last meeting and the Board wanted to review the changes proposed with Town Counsel before making any further changes in the draft. Depending on the feedback from Counsel, the Board would accept the changes he recommended.

Webb Scales (49 Dupaw Gould) said that the numbering on the draft should be checked so it is clear. In particular 800.02 b. The Board discussed what the numbering should be and all agreed.

There were no other comments from the public. The Board discussed putting this on a Public Hearing for January 19.

A. Rosenberg MOVED to put the proposed changes to Section 800 of the Brookline Zoning Ordinance Nonconforming Uses, Structures, and Lots to Public Hearing to be held on January 19, 2023, at 7:00 PM.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0- abstain). Motion carried.

A. Rosenberg MOVED to close the public hearing at 7:43 PM. C. Duncan SECONDED.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0- abstain). Motion carried.

The Board discussed the logistics of a discussion with Town Counsel.

Draft Review

Section 300 General Provisions

S. Sacherski made a minor suggestion to the language tighten the language. The Board agreed this was a good idea and that this will clarify the language for homeowners.

S. Sacherski shared information about RSA 676.13 and information he learned at a recent NH Building Officials meeting. The NH Building Officials will need to review the Ordinance and any changes that may affect building code before any enforcement actions are taken. C. Duncan noted that this clarification helps homeowners and addresses problems early. S. Sacherski said that he is developing internal procedures that will help address this.

Section 2200 Housing for Older Persons

M. Decoteau reviewed the definitions. The Board wanted to be sure that requirement impact fees for a residential development are included in the Site Plan and Subdivision Regulations.

M. Decoteau reviewed other changes proposed to design the development for Older Persons and making sure that open spaces and other changes incorporate site plans as well as subdivision plan.

The Board discussed buffers and reviewed buffer requirements across different parts of the Zoning Ordinance. In HOP lot lines for units or the area set aside for unit use is measured from the edge of the buffer rather than the lot line. The Board wanted to add a specific citation of a UNH authority for invasive species. The Board asked to confirm information about impact fees in the site plan regulations.

The setbacks should be consistent with other parts of the Zoning Ordinance. The Board added a line to clarify the way setbacks should be measured if buffers are present.

Section 1400 GMO

The Board discussed the timing of the application and permit distribution. The Board reorganized the information in one paragraph for clarity.

Road Review:

SD#2018.1:C-4 – Countryside Drive

The Board reviewed the letters from Phase 1 and Phase 2.

A. Rosenberg MOVED to recommend to the Selectboard Phase 1 of Countryside Drive with a maintenance bond of \$65,000 to remain in place for two winters which would be Spring 2024. C. Duncan SECONDED.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0- abstain). Motion carried.

The Board discussed the items on the Town Engineer's letter that remain and if they could recommend a conditional approval to the Selectboard.

A. Rosenberg MOVED to recommend to the Selectboard that they accept Countryside Phase 2, once the issues listed in the Town Engineer's Letter of January 5, 2023, are resolved and the road bond amount be set at \$60,500 as a maintenance bond and be held until Spring 2025.

Discussion: Did the Board want to leave this as "two winter seasons" from the time of acceptance. How is this different from them fixing this, and the town engineer report that. What if something else fails before the spring?

A. Rosenberg WITHDREW his motion.

Board decided to ask the Town Engineer to inspect again after the issues were resolved.

SD#2013-5:D-24 – Wright Road – Bond Review

The Board reviewed the letter from the Town Engineer.

A. Rosenberg MOVED to reduce the road construction bond for Wright Road to \$55,600 per the recommendation by the Town Engineer. S. Grenier SECONDED.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0 - abstain). Motion carried.

General business and staff update

December 1, 2022

A. Rosenberg MOVED to approve the minutes of December 1, 2022, as written. C. Duncan SECONDED.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0 - abstain). Motion carried.

C. Duncan MOVED to approve the Nonpublic Meeting Minutes from December 1, 2022, as presented. S. Grenier SECONDED.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0- abstain). Motion carried.

December 15, 2022

Lines 50 and 258 ... Change 2022 to 2023

Line 213 ... "here" not "her"

C. Duncan MOVED to approve the minutes of December 15, 2022, as amended. S. Grenier SECONDED.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0 - abstain). Motion carried.

Staff and Board Update

Town Report

M. Decoteau asked the Board for guidance on the Annual Report for the Town Report. The Board wanted to recap the cases for the year and staff changes.

Vision

M. Decoteau said that two Selectboard members have asked for a vision of the future of the Planning Department. She requested the Board share their ideas.

Voter's Guide

M. Decoteau said that she will begin working with Peter Webb on the guide.

Road salt

Road Salt in the Aquifer Protection District – M. Decoteau said that she was asked about salt use on the roads and driveways in the Aquifer Protection District. She asked for clarification of the use of road salt. The Board discussed ways to determine if salt is a problem in the Aquifer Protection area. The Board said they didn't know how to determine what a high or hazardous level of salt.

Conditional approval

The Board discussed conditional approval of applications and how to confirm that the conditions are met. The Board discussed some options for consideration of applications. The Board discussed the timing of material being submitted to the Planning Department. M. Decoteau provided the Board with a meeting calendar for 2023. The Board wanted to add a deadline for new information to be provided so there is adequate time for staff and Board review.

The Board discussed the process for acceptance of applications and if more conceptual hearings would help. The Board discussed the need to review Site Plan and Subdivision checklists and expectations of timing.

Adjourn

E. Bernstein MOVED to adjourn the meeting at 10:18 PM. C. Duncan SECONDED.

Discussion: None

Vote: All in Favor (4 – ayes, 0 - nays, 0 - abstain). Motion carried.

Respectfully submitted by M. Decoteau

Approved on: 01.19.23