



BROOKLINE, NEW HAMPSHIRE

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

Thursday, March 16, 2023
Town Hall Meeting Room
Meeting Minutes

Present: Eric Bernstein, Co-chair
Alan Rosenberg, Co-chair
Chris Duncan, Member (Virtually)
Steve Russo, Selectboard Representative
Eric Pauer, Alternate (Virtually)

Absent: Scott Grenier, Member

Staff: Michele Decoteau, Town Planner

Attendees: Sam Foisie (Meridian Land Services) Ian Sarbacker (applicant), Stephanie Waite, Bob Waite

General Business

E. Bernstein called the meeting to order at 7:02 PM and read the hybrid meeting rules.

Minutes and review mail

02.16.2023 Minutes

Line 84 ... Board

A. Rosenberg MOVED to approve the 02.16.23 Planning Board meeting minutes as amended. C. Duncan SECONDED.

Discussion: None

Roll Call Vote:

A. Rosenberg – aye

E. Bernstein – aye

C. Duncan – aye

S. Russo – aye. Motion carries.

Public Hearings & Applications

E. Bernstein read the opening statement and asked E. Pauer to vote for S. Grenier.

SP#2023:F-004-3 Flawless Floors

E. Bernstein read the public notice and noted that this application has not been accepted yet.

M. Decoteau reviewed the remaining missing items for acceptance. S. Foisie reviewed the waiver requests and noted there were a few changes to the plans that addressed comments from other departments.

The first waiver request to Section 4.6.03.b of the Site Plan Regulations (Parking shall be next to, or behind the building). S. Foisie explained that strict compliance would put the parking in the rear over 4 feet above the front door, making an awkward transition. The parking in front fits the character of the commercial uses in the area. S. Foisie said that the grade in the front lot is approximately 1.8%, which is necessary for the ADA compliant parking space. This parking area will be primarily for customers and the side lot will be

primarily for business trucks and employees. I. Sarbacker said he has 5 trucks and 8-10 employees. The Board noted that he needed to add more parking.

The Board asked about how much encroachment there was into the setback. S. Foisie said on average 6 feet but the most was 10 feet. C. Duncan said he thought the parking being mostly on the side away from residential use.

S. Foisie said that the landscaping plan accounted for the parking lot being in front and which he noted was on a dead-end.

The Board asked for comments from abutters and the public. There were none.

A. Rosenberg MOVED to grant to waiver request to Section 4.6.03.b of the Brookline Site Plan Regulations regarding parking in front with the reasons being: 1) This plan minimized the disturbance of the lot, and 2) it is consistent with the other properties on Post Office Drive and commercial uses in the area. C. Duncan SECONDED.

Discussion: None

Roll Call Vote:

A. Rosenberg – aye

C. Duncan – aye

E. Bernstein – aye

E. Pauer - aye

S. Russo – aye. (5 – ayes, 0 – nays, 0 – abstain). Motion carries.

S. Foisie explained the second waiver request to Section 6.1.01.i of the Site Plan Regulation – certified soil analysis. When this lot was last subdivided to put in the Safety Complex, a master drainage plan was created and included the vacant lots. As long as the lots did not create over 35% impervious surface, this plan should suffice. S. Foisie noted that there was still a test pit dug for the septic system location. The Board asked about the location of the storm drain and where it drained into. M. Decoteau requested that a copy of the Operations and Maintenance Manual be provided to the Town with contact information in case of emergency. The Board discussed if there was a need for more information and, by consensus, decided there was not if the previous plan could be provided.

A. Rosenberg MOVED to grant the waiver request to Section 6.1.01.i of the Brookline Site Plan Regulations regarding high intensity soil maps. Because having the applicant pay for a such mapping would not provide more data than is already captured as part of the master stormwater plan for the safety complex and post office drive. S. Russo SECONDED.

Discussion: None

Roll Call Vote:

A. Rosenberg – aye

E. Bernstein – aye

E. Pauer - aye

C. Duncan – aye

S. Russo – aye. (5 – ayes, 0 – nays, 0 – abstain). Motion carries.

S. Foisie noted that the Staff Report called out that Section 6.1.01.gg was not met. The Board discussed the sign and its location. S. Foisie pointed out the sign notes stating that the sign would need a sign permit and may be lit. The Board discussed concerns about sight lines based on the location and if the sign would be lighted. The applicant said he was not planning on an internally lit sign and the Board recommended he review the Outdoor lighting Ordinance as well as the Sign Ordinance.

The Board, by consensus, decided that noting the location of the sign on the site plan was adequate information with the sign notes for them to determine sight lines were not impeded and that no waiver would be needed. C. Duncan noted that the waiver was for an artistic rendering of the sign, not a waiver for a sign permit.

The final waiver to Section 6.1.01.n. S. Foisie said that that the Board was provided with building elevations and the waiver request noted that the building is going to be red with either black or white trim. The Board discussed that the vivid picture the description painted but renderings provide information beyond elevations of a building. C. Duncan noted that the HVAC system is not shown just the pad. The Board noted that it is unclear if HVAC that is not on the building is required to be on a rendering of the building. When the Board reviews site plan regulations this summer, this will should be reviewed.

There were no comments from abutters or the public.

A. Rosenberg said that the applicant is correct and the Board should clarify if there are things on site, like HVAC, should they be included in a rendering. A picture is worth a thousand words. C. Duncan added if the HVAC is on the ground, with or without screening, a rendering of it would give the Board a better feel for the site. The Board noted that the color rendering is designed to help lay people understand what the site will look like.

S. Foisie and I. Sarbacker withdrew the waiver request.

The Board reviewed the last items needed for acceptance and asked about the retaining walls. S. Foisie said they did a redesign and will only need walls that are less than 4 feet tall. I. Starbacker indicated he'd prefer to use native stone from the site.

**A. Rosenberg MOVED to continue the case to April 20, 2023 at 7:00 PM. S. Russo
SECONDED.**

Discussion: None

Roll Call Vote:

A. Rosenberg – aye

E. Bernstein – aye

E. Pauer - aye

C. Duncan – aye

S. Russo – aye. (5 – ayes, 0 – nays, 0 – abstain). Motion carries.

Conceptual discussion with Pinky's Traveling Smokehouse

The applicant was unable to attend tonight.

Compliance hearing for Averill House Vineyard

E. Bernstein read the Public Notice. Bob and Stephanie Waite attended.

M. Decoteau provided the Board with three emails from B. Waite regarding the Vineyard. These emails note that this is a agricultural use on the property, a brief history of the Vineyard and the Town's interactions, and a review of how the events at the Vineyard are structured and account for about 20% of their revenue over the past five years. B. Waite shared that everything they do for events is geared toward selling wine. He explained how some of the tours are structured and how the adopt-a-vine works.

E. Bernstein asked how much of the wine sold is bottled on site? B. Waite said 100%. E. Bernstein asked what percentage of the wine produced is from their own grapes. B. Waite said 10%. S. Waite said they

are limited in the amount of grapes they can produce by the size of the lot. She noted that they wouldn't do anything on site to jeopardize their well either.

The Board discussed how to "unhome" the home business approval. M. Decoteau said she would find out.

A. Rosenberg said that the Board should make a finding. He suggested a finding that included Averill House Vineyard was in compliance with what is on file.

C. Duncan suggested something like: that due to new information that Averill House Vineyard is an agricultural use this use does not fall under the guidelines of the Home Business Ordinance and are therefore in compliance. The Board discussed the idea.

A. Rosenberg MOVED that the Board find Averill House Vineyard is an agricultural Use conducting agritourism and not subject to the Home Business Ordinance. C. Duncan SECONDED.

Discussion: None

Roll Call Vote:

A. Rosenberg – aye

E. Bernstein – aye

E. Pauer - aye

C. Duncan – aye

S. Russo – aye. (5 – ayes, 0 – nays, 0 – abstain). Motion carries.

Planning Board's Sub-Committee Reports

None

Other Business

RFPs – The Board reviewed both RFPs and noted that they should have proposals by the next meeting.

By-law update – M. Decoteau noted that no one had made changes but with the Town Meeting moved to the end of the month, the Board should plan to review the by laws in April.

Staff Update Vision Steering Committee – The Board suggested that M. Decoteau reach out to B. Denehy to schedule a time.

Site Plan threshold – M. Decoteau asked the Board what triggered the need for an amended site plan. The Board reviewed the Site Plan Regulations and the definitions including the definition of Change of Use. If a use falls under the definition, then a site plan would be required.

Sign questions – what constitutes a sign? Or Sign Master Plan – The Board discussed signs and in particular the menu board at Dunkin on Route 13. During the discussion of the site plan in 2018 the menu board was excluded as a sign since it wasn't visible from the frontage. If signage is added, then they would need a new sign permit – either through the Building Inspector or the Planning Board.

New NRPC Commissioner needed – The Board discussed the need for an additional commissioner and that the current commissioner does not want to be reappointed when the time comes. This would make an excellent job for an alternate.

Adjournment

A. Rosenberg MOVED to adjourn at 10:11 PM. S. Russo SECONDED.

Discussion: None

Roll Call Vote:

A. Rosenberg – aye

E. Bernstein – aye

E. Pauer - aye

C. Duncan – aye

S. Russo – aye. (5 – ayes, 0 – nays, 0 – abstain). Motion carries.

Respectfully submitted by M. Decoteau.

Approved on 05.04.2023