



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

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

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

**Staff:** Michele Decoteau, Town Planner

### 1. Call to Order

A. Rosenberg opened the meeting at 7:00 PM and read the hybrid meeting rules. E. Bernstein attended remotely for health reasons. He could both hear everyone and be heard by everyone.

### 2. Minutes & Mail

Mail – Noted

Minutes from 10.19.2023 (nonpublic), 11.02.2023 (public & nonpublic)

The Board decided to table the nonpublic minutes until the next meeting.

Minutes of 11.02.23

**C. Duncan MOVED to approve the minutes of Thursday, November 2, 2023 as presented. S. Grenier SECONDED.**

Discussion: None

Roll Call Vote:

- A. Rosenberg - yes
- C. Duncan - yes
- E. Bernstein - yes
- S. Grenier - yes
- S. Russo - abstain. Motion carried (4 - yes, 0 - no, 1 - abstain).

### 3. Workforce Housing Fair Share Calculation

M. Decoteau shared a document summarizing the Fair Share Calculation. The fair share calculation only looked at the most recent set of data for Brookline from the census, 2021. In addition with over 94% of the housing in town single family homes, owner occupied housing was used to calculate the fair share. Rental data was included in the report but with the caveat

that the rental data was a small data set and the margin of error was high. It was included for informational purposes only and not included in the final calculation.

The information in the Housing Needs Assessment for 2023, reported that before 2025, Brookline would need to add 119 new workforce housing units to the 2020 number of workforce housing units. If Brookline could do this with exactly one fifth of the units each year, that would be an additional 23.8 units/year. Between 2020 and 2021, Brookline added 55 units of workforce housing, meeting the need and with a few units extra.

The Board noted that there was a lot of variability in the data and discussed the future need for housing.

**C. Duncan proposed to make the finding that the Town of Brookline meets the current and foreseeable fair share of workforce housing requirement as noted in the Regional Housing Assessment 2023 and as summarized in Town of Brookline Workforce Housing Fair Share Analysis 2023. S. Grenier SECONDED.**

A. Rosenberg - yes

C. Duncan - yes

E. Bernstein - yes

S. Grenier - yes

S. Russo - yes. Motion carried (5 - yes, 0 - no, 0 - abstain).

8:10 PM

A. Rosenberg read the Public Hearing announcement.

#### **4. Public Hearing on Growth Management Ordinance**

A. Rosenberg read the Public Hearing Notice for the Growth Management Ordinance.

M. Decoteau shared a document summarizing the information provided by the school board on the projected numbers of students over the next few years and school capacity.

The Board discussed the need for a plan to accommodate the expected number of students over capacity. The GMO ordinance allows for a slowing of growth to give time to evaluate and plan for expansion of a town or school service. The Board discussed where the school board was in the planning process. The Board was hoping for more progress especially since the GMO Ordinance cannot stay in place forever. The Board agreed that the schools were still in the evaluation stage and that next year, the Board expected the schools to be in the plan stage - either with a capital plan to build or an alternative plan for addressing the additional classroom needs.

No public comments.

**E. Bernstein MOVED that the Board FINDS, after conducting our annual review and public hearing it is both appropriate and necessary to meet the purpose of Section 140I of the Ordinance and that this ordinance would be effective for another year based on the information provided by the school board outlining the continued expected growth in the Brookline school district and the recent engagement of a consultant to assess possible solutions to accommodate that growth. Additionally, the Board urges the Brookline School Board and the SAU to submit a proposal to the next CIP published in 2024 that addresses the expected growth unless an alternative solution has been put in place before then. S. Russo SECONDED.**

Discussion: None

A. Rosenberg - yes

C. Duncan - nay

E. Bernstein - yes

S. Grenier - yes

S. Russo - yes. Motion carried (4 - yes, 1 - no, 0 - abstain).

Calculated as below according to Section 1405, the number of building permits available for next year. A. Rosenberg shared:

Brookline's Population: 5753 (2022 based on US Census data)

Average Household Size is 3.10

NPRC regional growth rate: 5.7%

The number of Building Permits that may be issued by the Town of Brookline in any calendar year shall be limited to the following formula:

(Current Population \* NRPC Region Average Growth Rate) / 10 (to determine the average annual growth rate from the 10-year average) / (Average Number of People per house) = Number of Building Permits per calendar year. If the formula does not result in a whole number, the number shall be rounded up.

$[(5753 * 0.057)/10]/3.1 = \text{Building Permits 2024}$

$[(327.92)/10]/3.1 =$

$32.79/3.1 = 10.57$  which would be rounded up to 11.

**E. Berstein MOVED that the Board FINDS that the number of building permits for 2024 to be 11. S. Grenier SECONDED**

Discussion: None

A. Rosenberg - yes

C. Duncan - yes

E. Bernstein - yes

S. Grenier - yes

S. Russo - yes. Motion carried (5 - yes, 0 - no, 0 - abstain).

## **5. Public Hearings on Cases**

SD#2023-2:F-034 – 2 lot subdivision, approximately 167/169 Route 13

M. Decoteau noted that there was conditional approval and we are waiting for the fire department to provide a letter.

**C. Duncan MOVED to continue SD#2023-2:F-034 to December 21, 2023 at 7pm.**

Roll Call Vote:

A. Rosenberg - yes

C. Duncan - yes

E. Bernstein - yes

S. Grenier - yes

S. Russo - yes. Motion carried (5 - yes, 0 - no, 0 - abstain).

SD#2023-1:D-007 – 7 lot Open Space Subdivision, Route 13 – update

M. Decoteau reviewed the response of the Zoning Enforcement Officer. She noted that the engineer for the project said this project will remove 18,000 cubic yards of material. C. Duncan helped determine that with the road and drainage infrastructure, it was only about 80,000 square feet of disturbance. The AoT Bureau directs applicants who are disturbing less than the minimum requirement for an AoT to follow the three volumes of the NH Stormwater Manuals.

M. Decoteau will follow up with a second letter to the CEO with more details.

## **6. Ordinance Public Hearings**

Section 400 – Districts – update zoning map

The Board briefly discussed the need for an updated map. The current zoning map in the Ordinance is from 1997.

No public input.

**C. Duncan MOVED to add the amendment to Section 400 of an updated zoning map to the Town Warrant for March 2024. S. Grenier SECONDED.**

Discussion: None

Roll Call Vote:

A. Rosenberg - yes

C. Duncan - yes

E. Bernstein - yes

S. Grenier - yes

S. Russo - yes. Motion carried (5 - yes, 0 - no, 0 - abstain).

### Section 1200 – Floodplain Ordinance

The Board noted that changes include updating references to the new FEMA floodplain maps, updates to definitions, and removing duplicate information found elsewhere in the ordinance. The change is necessary for Brookline residents to get the lowest rate on flood insurance.

M. Decoteau noted that the current version says the “community” will keep records of any variances, but in the new version, the ZBA secretary will keep the records and share any floodplain variances with the Floodplain Manager.

**S. Grenier made a MOTION to continue the public hearing on Section 1200 Floodplain Ordinance to December 21, 2023 at 7:00 PM. S. Russo SECONDED.**

Discussion: None

Roll Call Vote:

- A. Rosenberg - yes
- C. Duncan - yes
- E. Bernstein - yes
- S. Grenier - yes
- S. Russo - yes. Motion carried (5 - yes, 0 - no, 0 - abstain).

### Section 1600 – Signs

This is a housekeeping change to move the application from the Ordinance to the Regulations in Section E: Fees and Applications.

The Board discussed the need to have the application in the Regulations prior to Town Meeting, then it can be updated after Town Meeting so there is no point that there is no application.

**C. Duncan MOVED to present the amendment of Section 1600 to the Town Warrant for March 2024. S. Grenier SECONDED.**

Discussion: None

Roll Call Vote:

- A. Rosenberg - yes
- C. Duncan - yes
- E. Bernstein - yes
- S. Grenier - yes
- S. Russo - yes. Motion carried (5 - yes, 0 - no, 0 - abstain).

### Section 1800 – Driveways

This is a housekeeping change to move the application from the Ordinance to the Regulations in

Section E: Fees and Applications.

**S. Russo MOVED to present the amendment of Section 1800 Driveway Ordinance to the Town Warrant for March 2024. S. Grenier SECONDED.**

Discussion: None

Roll Call Vote:

- A. Rosenberg - yes
- C. Duncan - yes
- E. Bernstein - yes
- S. Grenier - yes
- S. Russo - yes. Motion carried (5 - yes, 0 - no, 0 - abstain).

A. Rosenberg closed the public hearing.

## **7. Other business**

Review draft Ordinance changes for Dec 7 public hearing

The Board reviewed the draft proposed Ordinances for Sections 800/900, 1000, and 2450. All the requested changes have been made.

The Board requested Town Counsel provide an opinion on Section 800/900 and if it needed to be one or two votes. M. Decoteau shared that there is only one vacant nonconforming lot of record in the commercial district. M. Decoteau will share the same information regarding vacant nonconforming lots of record in the Res/Ag district at the next meeting.

Section 1000 will be a wholesale replacement and clarifies the regulator and the exemption process.

Finally a new section 2450 for Short Term Rentals. M. Decoteau shared that all the changes were made – thanks to Gohar Azarian.

**C. Duncan MOVED to add the proposed Zoning Ordinance changes to Sections 800/900, 1000, 2450 to the next scheduled Brookline Planning Board meeting on December 7, 2023, at 7 PM for a public hearing. S. Grenier SECONDED.**

Discussion: None

Roll Call Vote:

- A. Rosenberg - yes
- C. Duncan - yes
- E. Bernstein - yes
- S. Grenier - yes
- S. Russo - yes. Motion carried (5 - yes, 0 - no, 0 - abstain).

#### Staff report

M. Decoteau provided a calendar of meeting dates for next year and the Zoning Ordinance Sections and Master Plan chapters for review in 2024. The Board should plan to make changes at the next work session if any are needed.

M. Decoteau provided a draft of an Impact Fee procedure. The Board reviewed the document, made some suggestions for clarity, and agreed that this is likely to be a Selectboard Procedure since it involves multiple departments. A. Rosenberg asked about “payment plans” and what that could mean. C. Duncan noted that all fees still must be paid by the Certificate of Occupancy regardless of when it is assessed. M. Decoteau will review and with S. Russo, bring this to the Selectboard.

The Board discussed next steps for Impact Fees. The Board will be reviewing the current schedules, developing a tiered schedule, and new schedules in the new year.

#### **8. Adjournment**

**C. Duncan MOVED to adjourn the meeting at 10:04 PM. S. Russo SECONDED.**

Discussion: None

Roll Call Vote:

- A. Rosenberg - yes
- C. Duncan - yes
- E. Bernstein - yes
- S. Grenier - yes
- S. Russo - yes. Motion carried (5 - yes, 0 - no, 0 - abstain).

Respectfully submitted by M. Decoteau

Approved on: 2023.12.07