



Telephone (603) 673-8855
Fax (603) 673-8136

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

**P.O. BOX 360 – 1 Main Street
BROOKLINE, NH 03033-0360**

<http://www.brooklinenh.us>

**Planning Board
Minutes
January 20, 2022**

Present: Alan Rosenberg, Co-chair (voting)
Chris Duncan, Member (voting)
Ron Pelletier, Member (voting)
Brendan Denehy, Selectboard Representative (voting)
Scott Grenier, Alternate (voting for Eric)
Dennis Bechis, Alternate
Valérie Rearick, Town Planner (via zoom)

Absent: Eric Bernstein, Co-chair, and Eric Pauer, Alternate

Alan called the meeting to order 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.

Alan asked Scott to vote for Eric. **Scott** agreed.

Minutes

Chris made a motion to approve the December 16, 2021 minutes as amended. **Ron** seconded.
Vote yes 4-0.

Road Bond: Countryside Drive Construction Bond

Alan read the letter from Dennis LaBombard (LaBombard Engineering and the Town Engineer). The letter from Dennis stated nothing had changed since last year. He and Jerry Farwell had reviewed the road back in September of 2021 to discuss what needed to be done to finish this up. **Dennis** stated he had listed those items in the field report but eventually Jerry did not have time to get to this project. The base pavement appears to remain in good shape. Dennis noted not everything was 100% visible due to snow cover but had no reason to believe that there were any

issues other than what he noted in the field report as of September 16, 2021. Bond amount was approved at \$78,000 last year and at this time he would recommend keeping the same amount for the coming year. **Alan** said there's a letter to the selectman from the planning board recommending a performance guarantee to be renewed in the amount of \$78,000 for the completion of countryside Dr, lot C-4 subdivision (same amount as last year). The performance guarantees shall be set in accordance with the amended section 4.8 and 4.9 of the subdivision regulations and be in place prior to the issuance of any building permit. **Chris made a motion to recommend to the selectboard to renew the performance bond in the amount of \$78,000. Brendan seconded. Vote yes 5-0.**

Minutes

Brendan made a motion to approve the November 4, 2021 Planning Board minutes as written. Alan seconded. Vote yes 5-0.

Public Hearing: Zoning Ordinance Proposed Amendments

Alan opened the public hearing.

Alan read the first 4 proposed amendments:

- Amend sections 603.03, 603.06, 902.01, 902.02, and 1501(f) to increase the minimum square footage from 80,000 to 88,000.
- Amend sections 901.02, 902.01, 902.02 to increase the minimum square footage from 40,000 to 44,000.
- Amend sections 603.04, and 603.06 (d) to increase the minimum square footage from 160,00 to 176,000.
- Amend sections 603.03, 603.04, 603.06 (a) & (d), and 1505.05 to read: (...) excluding wetlands, water bodies and land in the 100-year floodplain.

With no comments from the Board or the Public.

Alan read the next amendment:

- Update section 620.00, Workforce Housing Option as written.

Brendan said this process has been a little different whereas they had a committee put together all this information instead of the Planning Board. The Board hasn't really had the opportunity to review and make changes to this and he has a proposed change. ***Brendan made a motion to remove from Workforce Housing Ordinance Section 625 procedural requirements:***

1. If the Town's existing housing stock is sufficient to accommodate its Fair Share of the current and reasonably foreseeable regional need for workforce housing as documented in the Nashua Regional Planning Commission's most recent Needs Assessment; the Town shall be deemed to be in compliance with RSA 672:1, III-e and RSA 674:59 in accordance with the provisions of RSA 674:59 III and no development intended to qualify as workforce housing or mixed development under this Ordinance shall be approved or permitted by the Planning Board, or the Town.

2. If the Town's existing housing stock is not sufficient to accommodate its fair share of the current and reasonably foreseeable regional need for workforce housing as documented in the Nashua Regional Planning Commission's most recent Needs Assessment; applications for workforce housing, or a mixed development, may be considered. However, no development intended to qualify as workforce housing or a mixed development under this ordinance shall be permitted or approved by the Planning Board or the Town if, when combined with the existing housing stock, the development would exceed the Town's fair share of the current and reasonably foreseeable regional need for workforce housing as documented in the Nashua Regional Planning Commission's most recent Needs Assessment.

3. The determination of the Town's ability to meet its fair share of the current and reasonably foreseeable regional need for workforce housing; as documented in the Nashua Regional Planning Commission's most recent Needs Assessment; shall, at a minimum, be determined every year by the Brookline Planning Board. The determination should be completed no later than November 30th. A written report including the determination by the Planning Board shall be completed in time to be included in the next Town Annual Report. Additionally, the Planning Board may, at their discretion, choose to review the reasonably foreseeable regional need for workforce housing at any time."

Then recommends renumbering paragraphs 4, 5, and 6.

Brendan said the main reason he has suggested this change is because it limits the Planning Board's ability to do its job if somebody was to request a workforce housing project.

Ron said this seems like a substantial change. **Brendan** said due to the process being a little different he doesn't believe this ordinance was worked on by the Planning Board as it should have been, and it never received a yes or no by the Planning Board he's been waiting to make the comment and wasn't sure when the appropriate time was. He did Express his concerns at a work session, but nothing was changed. **Alan** said you are correct the Workforce Housing Ordinance and the Growth Management Ordinance were submitted by the committee and not by the Planning Board as it normally does. **Michele Decoteau** (Lorden Lane and Committee Member) said she respectfully disagrees she said the committee had sent the drafts to the Planning Board starting in September they had worked sessions scheduled to work on these documents. **Alan** said that was correct; at some of those meetings the draft was just submitted 30 minutes prior to the Planning Board work session. He believes the committee has done amazing work. **Scott** said if this is agreed upon tonight it may not be able to go to town meeting. **Alan** said these are substantial changes and if the consensus of the Board is to remove these sections, they may not be able to put this on the ballot. He personally appreciates the thought that went into the change that Brendan has proposed. This has been a challenging issue, but he believes, with all the work that the committee put into to amending the Workforce Housing Ordinance, it should be placed on the ballot and allow the townspeople to use their voice. Over the next year, they can work on these corrections if they feel it needs to be done for the 2023 town meeting. **Chris** said he also appreciates the thought that went into the proposed amendment and he appreciates the time the Committee has spent on this as well. He also believes it should be placed on the ballot. **Brendan said there was no second to his motion so he will withdraw his proposed changes.** There were no further comments from the Board or the public.

Alan read the next amendment:

- Reinstate section 1400.00, Growth Management Ordinance, with updated language

Attorney Bob Parodi said he has a proposed change to the wording under section 1403.00

Applicability to read as follows:

"This ordinance shall apply to lots within the Town of Brookline, except for those lots used expressly for and in accordance with RSA 354-A:15 and the Town of Brookline Zoning and Land Use Ordinance, Section 2200, Housing for Older Persons and those lots exempted by RSA 674:39."

Bob Parodi said your town attorney does not believe this is a substantial change and could be added to this section at this time. This is what the state allows.

Scott made a motion to

- Amend sections 603.03, 603.06, 902.01, 902.02, and 1501(f) to increase the minimum square footage from 80,000 to 88,000.
- Amend sections 901.02, 902.01, 902.02 to increase the minimum square footage from 40,000

to 44,000.

- Amend sections 603.04, and 603.06 (d) to increase the minimum square footage from 160,00 to 176,000.

- Amend sections 603.03, 603.04, 603.06 (a) & (d), and 1505.05 to read: (...) excluding wetlands, water bodies and land in the 100-year floodplain.

- Update section 620.00, Workforce Housing Option as written.

- Reinstate section 1400.00, Growth Management Ordinance, with updated language for Section 1405 Requirements #4, 5th paragraph down will read “Reaching substantial completion shall vest, in the approved subdivision plat, the rights defined in RSA 674:39, 5-year Exemption. Lots that are part of an approved subdivision with vested rights, may apply for a building permit at any point in the calendar year. These building permits shall be subtracted from the total available number of permits for that calendar year.” and amend Section 1403 Applicability to now read “This ordinance shall apply to lots within the Town of Brookline, except for those lots used expressly for and in accordance with RSA 354-A:15 and the Town of Brookline Zoning and Land Use Ordinance, Section 2200, Housing for Older Persons and those lots exempted by RSA 674:39.” Also, to have the Town Clerk add these proposed Zoning amendments to the ballot for the March 2022 Town Meeting. Brendan seconded. Vote yes 5-0.

Brendan moved to close the public hearing at 7:46 pm. Chris seconded. Vote yes 5-0 .

Capital Improvement Plan

Alan said he had sent out the final draft of the CIP. Brendan said on page 16 section 7.2.3, it lists a wheeled excavator; this piece of equipment was purchased so that can be removed as a line item. Brendan said the Brookline Public Works department was able to purchase that piece of equipment at the end of last year. Alan said he will make that correction and send the final draft out to Valérie. Brendan made a motion that they adopt the capital improvement plan with the proposed amendment removing the line item of the wheeled excavator . Chris seconded. Vote yes 5 - 0.

Adjourn

Chris moved to adjourn the meeting at 7:55 pm. Brendan seconded. Vote yes 5-0.

Alan Rosenberg, Co-chair _____

Ron Pelletier, Member _____

Brendan Denehy, Selectboard Representative _____

Chris Duncan, Member _____

Scott Grenier, Alternate _____

Minutes submitted by Kristen Austin.

Next scheduled Planning Board Meeting will be February 17, 2022