



**TOWN OF
BROOKLINE, NEW HAMPSHIRE**

PLANNING BOARD

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**PLANNING BOARD MEETING
Minutes
September 15, 2016**

Present: Alan Rosenberg, Co-Chair
Eric Bernstein, Co-Chair
Brendan Denehy, Selectboard Representative
Richard Randlett, Member
Jill Adams, Alternate, voting for Ron Pelletier
Valérie Rearick, Town Planner

Absent: Ron Pelletier, Member

Minutes

Brendan made a motion to approve the minutes of the August 18, 2016 Planning Board Meeting Minutes as amended. Eric seconded. Voted yes 3-0.

Road Bond – Ames Road, Phase 3 and Withee Drive

Alan read the letter from Dennis LaBombard, LaBombard Engineering, LLC.

Brendan made a motion to recommend that the Selectboard release the Maintenance bond for Ames Road, Phase 3 and Withee Drive. Richard seconded. Voted yes 4-0.

Alan asked Jill to vote for Ron Pelletier.

Alan read the Public Hearing Opening Statement.

CASES REVIEW

2016-3: J-16, Chandler Rev. Trust, Eastman Development: 12 lot conventional subdivision.
Continued from the August 18th meeting.

In attendance for this hearing Phil Chandler & Bennett Chandler, owners. Randy Haight, with Meridian Land Services, LLC. Laura Flanagan, Realtor. Carl Bertolami and Meghan D'Agostino, abutters.

Randy provided the Board with an updated set of plans that were also submitted to Dennis LaBombard on September 9th for his review. Also submitted tonight were 2 new waiver requests from Sections 7.3.c and 5.1.11 of the Subdivision Regulations: curb and site distance. A cover sheet was added, as requested at the previous meeting.

Randy said we need to first look at the waiver. **Alan** said let's look at one at the time. The first one : *"The applicant requests a hearing and the granting of a waiver and to allow a curbed road*

to slope toward the pavement for a short distance because, as the Town Engineer points out in his review of September 12, 2016, is not really applicable to a curbed roadway.”

Randy said that when the regulations were put in place we did not have curbed roads. **Brendan** asked for some explanations on the curb section. **Dennis** said that when there is no curb on the road, you want the driveway to slope away from the road so when the driveway comes to the road you have a puddle that forms there. When you have a curb, you have a 6-inches difference in elevation between the top and the bottom of the driveway. You have a 6-inch bump and you need to put a driveway through there. You want to ramp up from the gutter to a high point of the driveway which is hopefully a short distance from the road. 10 feet into the driveway will slope towards the road and you get a little drainage, the rest of the driveway from that point slopes away.

Carl Bertolami asked about a curb that he could not see on the plan at the last meeting. **Randy** said that the road always had a curb on it and has a sidewalk. You cannot have water running on the sidewalk and the water drains underground. This always has been on the plan’s profiles.

Eric moved to grant the waiver request from Section 7.3.c of the Subdivision Regulation based on the Town Engineer recommendation and due to the physical constraint of a curbed road. Seconded by Richard. Voted yes 5-0.

Alan read the second waiver request: *“The applicant also requests a hearing and the granting of a waiver from section 5.1.11 which provides that all street intersections shall have all season safe sight distance of four hundred feet in both directions to allow an all season sight distance of 380’ when looking northerly from the proposed road intersection with Wildwood Drive and allow an all season sight distance of 349’ when looking westerly from the proposed roads intersection”*.

Alan said that technically, because we have 2 different intersections, we have 2 different waivers.

At **Alan’s** request, **Randy** explained how a sight distance was calculated. **Randy** said that the 400’ is a NH DOT requirement and does not necessarily apply to rural roads.

Valérie said that she wished she would have received these waiver requests before the meeting in order to contact the Police and Emergency Departments and get their input on the sight distance. Also, before any action on these waiver requests is taken, she would like to discuss the street light at the intersection with Wildwood.

Randy said that we visited the same circumstances with the Felzani subdivision on Mountain Road and there was no input from the emergency departments. **Valérie** again suggested obtaining Emergency Departments’ opinion for the Board’s consideration. **Eric** said that he agreed.

Alan, referring to the Mountain Road subdivision, said that the difference with the present case, it will potentially connect to Route 13.

Meghan asked about the speed limit. **Randy** said that the whole town is 30 mph unless otherwise posted. She added that she agreed on contacting the Emergency Departments. She has contacted the Police Department about people speeding. The road is very narrow and there have been incidents when there are construction vehicles on the street or vehicles delivering the mail, it is very difficult for 2-way traffic; people have to have to wait or go around. She said that she also was concerned about kid’s safety. **Meghan** said that people are speeding and safety is a concern on Wildwood Drive. Another concern is a school bus stop in the future.

Dennis said that because of the existing Wildwood Drive and built lots, there is not much they (the applicant) can do about sight distance. The other (new) intersection may get some flexibility and we can rearrange the lots. Generally speaking, **Dennis** said that he was not too worried about it.

Alan asked if the waiver was not granted, what would happen. **Randy** said that the access to J-16 was reserved during a lot line adjustment. If the waiver is not granted the subdivision will not happen. **Alan** said that he agreed with Eric. The Board should have received the waiver requests sooner.

Jill asked about speed bumps. **Valérie** said that it would be a question for the Road Agent. More discussion followed about sight distance.

Dennis said that he originally looked at profiles with a 400' sight distance and after a few reviews of updated plans, they are now asking for a waiver. It's been a process, going back and forth.

Phil Chandler asked what 20 feet difference was making. Also, they are making tremendous improvements. There is no evidence that 400 feet has more value than 200 feet. It's in the regulations. There is no mechanism that shows there is more safety between the two. There was a discussion about vehicles "then, and now", braking better. **Richard** said that nowadays, people are driving faster than way back then. **Rosie** said that was a good point.

Alan said that there would be a hardship not granting the waiver. The Board will have a workshop about sight distance and we will consider what people think.

Alan asked for a motion. The Board can grant the waiver, deny the waiver or ask for more information and continue the case at the next meeting. **Eric** said that he would like to table the motion.

65-day – The case could be continued to the next meeting without request for an extension.

Brendan, referring to the street light, said that the entire subdivision should be considered and the waiver request should consider both intersection. **Alan** agreed. The Board will set this aside for now. The Board will also table the waiver for the intersection of the 2 new roads, as, if the Wildwood Drive would not be granted, this would affect the second one.

Randy said that not granting the waiver would be wrong as it would require more grading. **Alan** said that if any adjustments were going to be needed, there was no reason to discuss this further tonight. **Randy** said that there is not a long travel time between the 2 new roads intersection.

Eric said that his recommendation was to wait until we get more input, act on the first sight distance waiver (with Wildwood) and discuss it. **Alan** agreed. **Eric** added that will give a chance for the Board to look at the situation.

The Board asked Valérie to look at what other towns have for sight distance regulations in order to discuss this in the future.

Carl Bertolami asked about stop signs. **Valérie** said that new developments have to install a stop sign at each intersection.

The Board and applicant discussed further the sight distance issue, stop signs, and other safety matters, including the 3-way stop signs to compensate with the lack of sight distance.

The Board agreed to continue this particular discussion at the next meeting.

Alan went through all 15 items listed in Dennis' latest report, dated September 12, 2016.

One of the main discussion was about the retaining wall at station 50+40 – 53+19. **Randy** said that what will be constructed would need to be approved by Dennis prior to construction. **Dennis** said that he would need to review a design before it is approved by the Board.

Randy said that all issues listed by Dennis were addressed and put in writing on the report itself, as provided to the Board at the beginning of the meeting.

Alan summarized stating that the main things to discuss further were the guardrail and the waiver request.

Alan then discussed the items listed in the Staff Report.

Valérie said that Street naming has been submitted to the Historical Society, then to the Emergency Management for recommendation. Ultimately, the Selectboard makes the final decision, based on the Town Ordinance. Acceptable road names would be Marjory Road, Eastman Road and Ridge Road. **Laura Flanagan** asked if it could be a *Drive* instead of a *Road*. The Board confirmed.

The applicants preferred Marjory Drive and Eastman Drive. The Board had no objection.

Valérie will send a letter of recommendation to the Selectboard to name the 2 new potential roads on J-16.

Street light at the intersection of Wildwood and “Marjory Drive”

A lengthily discussion took place. **Phil Chandler** said in the past, the town tried to avoid street lights because of dark skies. He asked if it was a new policy. **Alan** said that the requirement was added to the regulations after recommendation from the Emergency Departments. Since then, all new roads connecting to existing road have to have a street light. Additionally, all lights have to be downcast.

Bennett said that he would not have an issue buying a nice street light pole instead of one of those “goose neck” ones.

The street light is required at the intersection with Wildwood Drive and shall be added to the plan.

Discussion continued about requesting a street light at the intersection of the 2 new roads and the Board did not feel the need based on the short length of future “Eastman Drive”.

Brendan made a motion to continue case NRSP 2016-3: J-16 to the October 20th, 2016 Planning Board meeting. Eric seconded. Voted yes 5-0.

9:00 pm – NRSP#2016-H:K-23-3, Joseph Gulla. Self-Storage Units.

In attendance for this hearing Joseph Gulla, applicant, Nathan Chamberlin from Fieldstone Land Consultants PLLC. Mark and Bonnie Fessenden, abutters

Nathan presented the plan that was updated since the conceptual discussion that occurred at the August P.B. meeting.

Valérie said that she did not have many issues with the proposed plan, just wanted to get some clarification, and went through the items listed in her Staff Report with Nathan answering questions.

Waiver request from section 6.1.01(i). Soil Mapping.

Nathan explained that the requirement was instituted in many municipalities in the 1980’s prior to the adoption of more stringent mapping requirements. The Board agreed that the high intensity soils map was not necessary.

Brendan moved to grant the waiver request from Section 6.1.01(i) of the Subdivision Regulations because the level of mapping done satisfies local, state and federal standards. The applicant has expended considerable resources to demonstrate that the lot can support the proposed development, including detailed wetland mapping, field survey and extensive soil testing with 4 test pits being performed for the subject lot to support the stormwater design. Completing a HIS map of the parcel

will not provide any additional information to the Planning Board and will create an unnecessary financial hardship **Richard seconded. Voted YES 5-0.**

Alan asked if the application was complete. **Valérie** said yes and ready for acceptance. **Eric moved to accept the application. Seconded by Jill. Voted YES 5-0.**

Conditional Use Permit – Aquifer Protection District – Section 1306.

Alan read the related regulations for maximum impervious surface in the Industrial/Commercial District

The maximum impervious surface is 60% and the application is proposing 45%.

Brendan moved to grant the waiver request for 45% impervious surface with the associated additional runoff. Seconded by Richard. Voted YES 5/0.

Use of salt and wetland area - It was clarified that, because the buildings will be made of metal, there will be no use of salt at all. This addresses the concern the Conservation Commission had. **Dennis LaBombard** who also reviewed the application had no major issues with the proposed plans/drainage.

Among items discussed were snow storage, trash container, signage, lighting, hours of operation, location of a Knock Box. No storage of hazardous materials.

Alan read an email received from **Keith Thomson**, Abutter. His main concerns were addressed and answered. **Nathan** said that there will be a substantial amount of trees between the storage units and his house. Lighting will be all downcast. There will be a dumpster located on the site. Regarding the hours of operation, as for most storage units, people come and go, mostly during the weekend but noise is minimal.

Valérie went over the proposed conditions of approval listed in her Staff Report.

- All fees for Engineering and Staff application review and meeting(s) attendance shall be paid within a month of approval.
- If the applicant intends to have a sign on the property, a sign permit shall be applied for with the Building Inspector.
- The applicant shall contact the Fire Department regarding the location of the required Knox Box prior to the issuance of the C.O.
- There shall be no storage of hazardous material or bulk fuels in any of the units.
- The Planning Board shall review any changes/modifications to the site plan as approved during the (September 15, 2016) public hearing.

Eric moved to approve the NRSP # 2016-H: K-23-3 with the conditions as listed in the Staff Report. Seconded by Brendan. Voted YES 5-0.

Proposed Zoning Amendments

Valérie provided the Board with a list of zoning amendments, mostly “housekeeping” items, no major changes, for their review. She will have a formatted list of amendments for the next meeting for discussion prior to scheduling the required public hearings.

Committee Updates

Accessory Dwelling Units Committee

Webb Scale was present to discuss necessary amendments to the ordinance in order to comply with new ADU regulated by RSA that will take effect in June 2017. **Webb** said that he would

like to recast the ordinance and review the criteria for the special exception. The ADU Committee will meet one more time and will submit proposed changes to the Board.

Capital Improvements Committee

Alan presented the draft CIP. He changed a bit the way projects are presented, listing them all in one table at the top of each department. All members liked this much better. Some information is still missing and **Valérie** will contact departments in order to obtain clarification / additional comments on their submissions.

Economic Development Committee

Valérie reminded everyone about the Sunday, October 2nd Bridal Show.

Selectboard

Brendan said that the Selectboard discussed the lack of 3-way power in some areas in the Commercial/Industrial District. **Valérie** said that Tad Putney has scheduled a meeting with Eversource next Tuesday.

Richard made a motion to adjourn at 10:00 pm. Brendan seconded. Voted YES 5-0.

Alan Rosenberg, Co-Chair _____

Eric Bernstein, Co-Chair _____

Brendan Denehy, Selectboard Representative _____

Richard Randlett, Member _____

Jill Adams, Alternate, Voting for Ron _____

**The next Regular Planning Board meeting will be October 20, 2016.
Minutes submitted by Valérie Rearick.**