



**TOWN OF
BROOKLINE, NEW HAMPSHIRE**

PLANNING BOARD

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PLANNING BOARD MEETING

Minutes

August 18, 2016

Present: Eric Bernstein, Co-Chair (voting)
Alan Rosenberg, Co-Chair (voting)
Ron Pelletier, Member (voting)
Brendan Denehy, Selectboard Representative
Valérie Rearick, Town Planner

Absent: Richard Randlett, Member, and Jill Adams, Alternate

Minutes

Brendan made a motion to approve the minutes of the June 16, 2016 Planning Board Meeting Minutes as written. Alan seconded. Vote yes 4-0. (No meeting in July)

Road Bond – Wildwood Drive Phase II

Eric said there is a letter from Dennis LaBombard, LaBombard Engineering, LLC. stating that everything appears to be in good shape. The Fire Department also stated they had no issues with the cistern.

Brendan made a motion to recommend that the Selectboard release the Maintenance bond for Wildwood Drive Phase II. Ron seconded. Vote yes 4-0.

Public Hearing – Non-Residential Site Plan Regulations: proposed amendment to section 4.5 Fire Protection

Eric read the hearing notice “Pursuant to RSA 675:6 and 675:7 the Planning Board shall hold a public hearing to consider an amendment to the Non-Residential Site Plan regulations section 4.5 by adding the paragraph “Pursuant to RSA 154:2, III and NFPA [I] I .7.6, all existing and new businesses, including residential businesses (AKA Home Businesses), shall have an annual Fire and Life Safety Inspection conducted by the Brookline Fire Department.”

There was no comment from the public.

Brendan said they have discussed this at previous meetings he believes this is a good idea.

Alan made a motion to close the public hearing. Brendan seconded. Vote yes 4-0.

Alan made a motion to adopt the non-residential site plan regulations as published.

Brendan seconded. Vote yes 4-0.

Joseph Gulla, Conceptual Discussion: Development of Commercial/ Industrial property located at 63 Route 13, Lot K-23-3.

In attendance for this hearing Joseph Gulla applicant, Nathan Chamberlin from Fieldstone Land Consultants PLLC.

Nathan said he was here tonight representing Mr. Gulla. Mr. Gulla was here a couple of months ago and spoke about having an industrial type of use for the lot but that would require 3 phase power and that is not available for this section of Route 13 and to have it put in would be too costly. He is proposing self-storage units which is a low impact use for this lot. This area would be fenced in with four units. 2 units will be 30 x 130 and 2 units will be 30 x 120. They will pave all around the buildings. There will be a gated entrance. There will be no bathrooms so no septic system will be needed. They will have down cast lighting. The final plan they submit will have the lighting on it. **Brendan** asked if they would be using an impervious asphalt. **Nathan** said they are proposing an infiltration basin and open drainage swales. **Alan** asked if this will be the basic cement design. **Nathan** said this building will have a higher peak than most storage units in the area to give it a more New England feel. **Alan** asked if the lights will be on all night for security purposes. **Nathan** said they will be located by the eaves of the building and down cast shining on the pavement. **Valérie** asked if they could leave trees and vegetation to buffer the closest abutters. **Nathan** said they would be submitting the final plan next week.

NRSP 2016-G: A-6, Burbee Firewood, LLC: Firewood Processing

In attendance for this hearing is Nick Burbee business owner.

Valérie showed the Board on a plan presented by Nick where the Firewood Processing would be located on this lot. **Nick** said he is looking to move the firewood operation to the Brookline side of this lot. This area is about 1.7 acres. This is just the processing area he stores the product on the Milford side of this lot.

Alan made a motion to accept NRSP 2016-G: A-6. Ron seconds. Vote yes 4-0.

Brendan asked Nick if he sees the volume increasing in the future. **Nick** said right now he is just trying to stay small but could expand gradually. All the equipment he has right now is portable.

Ron asked if he expanded outside of the 1.7 acres that he is using right now would he need to come back to the Planning Board every time he expands a little. **Alan** said it doesn't specifically call for the 1.7 acres in the application. **Valérie** said they could just approve the business for this lot. **Ron** asked what the hours would be Nick said 7:00 am - 5:00 pm Monday thru Friday and 7:00 am - noon on Saturdays. **Brendan** said he knows there are streams located on this property but is this proposed processing area is not close to any of them. **Nick** said no there are no streams near the site. **Valérie** said there were no comments or concerns from any town Departments.

Eric read the conditions of approval:

1. All fees for application review and Staff attendance to the meeting(s) shall be paid within a month of approval.
2. If the applicant intends to have a sign on the property, a sign permit must be applied for with the Building Inspector.
3. The Planning Board shall review and changes / modifications to the site approved during the August 18, 2016 public hearing.

Brendan made a motion to approve NRSP 2016-G: A-6 with the recommended list of Conditions read. Ron seconded. Vote yes 4-0.

2016-3: J-16, Chandler Rev. Trust, Eastman Development: 12 lot conventional subdivision

In attendance for this hearing Phil Chandler & Bennett Chandler, owners. Randy Haight, with Meridian Land Services, LLC. Laura Flanagan, Realtor. David Fessenden and Mark Fessenden abutters (Lot G-52).

Randy said this is the formal application for a conventional subdivision of lot J-16 into 12 lots. They had met with the Planning Board a few months back and they had agreed that a conventional subdivision was the way to go. He also attended the last Conservation Commission meeting to discuss the subdivision and the conservation easements and they had no issues or comments. We also have a waiver request for the length of the road. This way they could provide access to lot G-52 and to Wyman Lane and out to Route 13 in the future. They have also addressed the first changes that Valérie and Dennis have sent over. What they are looking for today is to have the plan accepted so they can move forward. **Valérie** said there is a letter from emergency management stating the hammer head is ok and a letter from the Fire Department that states they may need to install sprinklers for lot J-16-3 and J-16-4 as they are past the 2,500 sf of a water source. A note should be added to the plan for that. **Eric** asked about the easements for this plan. **Randy** said all the legal documents have been submitted to Town Counsel for review.

Eric read the waiver request

“The proposed Subdivision was conceptually discussed with the Planning Board at the October 15, 2015 meeting. At that time the Planning Board made a finding that the Conventional Concept was preferred and that with the Conventional Concept, the lots are more realistic and offered a future access to abutting Lot G-52 and connection to Route 13.

The Applicant requests a hearing and the granting of a waiver from Section 4.8.01 of the Subdivision Regulations, which regulation provides that the length of a dead end street shall not exceed twelve hundred (1,200) feet in length and to allow a dead end road of one thousand nine hundred twenty-one and 46/100 (1,921.46) feet.

Pursuant to Section 6.1.01, this request for a modification of the regulation regarding road length is allowed when, in the opinion of the Board, specific circumstances surrounding the subdivision, or condition of the land in the subdivision, indicate that such modification will properly carry out the purposes and intent of the Master Plan mid of the subdivision regulations. The applicant submits and requests the Planning Board find that strict conformity to the regulations regarding road length would pose an unnecessary hardship to the applicant in this case and a waiver of the road length would not be contrary to the spirit or intent of the subdivision regulations. Alternatively, the specific circumstances relative to the subdivision and conditions of the land in such subdivision indicate that the waiver will properly carry out the spirit and intent of the regulations.”

Eric said this request only states that there would be a hardship. **Alan** said the waiver request should state what the hardships would be. **Randy** said one of the hardships would be that there wouldn't be a way to subdivide this lot to the full potential it would cut off at least 4 lots. A plan prepared in 1999 proposed a connection to Route 13 through Wyman Lane with the proposed length of the road it could happen.

Alan made a motion that the Board grants the waiver request from section 4.8.01 of the Brookline Subdivision regulations and finds for the following hardships:

- 1. To allow for the full development of the parcel.**
- 2. The topography of this parcel prevents the insulation of a turnaround at 1200 feet due to the wetland and setbacks.**
- 3. The topography dictates that the best place for a turnaround is at 1921.46 feet.**
- 4. Length of the road provides the potential for a second access via a future road consistent with the Brookline Master Plan.**

Ron seconded. Vote yes 4-0.

Ron said the length of the road makes a safer turn around for emergency management. **Brendan** said there is a letter from Dennis that lists 42 items that need to be corrected on this plan. Can we accept this with the outstanding work that needs to be completed? **Alan** said to accept the plan they need a complete application, a plan, the abutters notified, and fee's paid. **Valérie** said all those requirements have been met. **Alan made a motion to accept case NRSP 2016-3: J-16.**

Ron seconded. Vote yes 4-0.

Dennis said he just received a fresh set of drawings to review and he will send in any comments he has after reviewing them. **Alan** asked about street lights he doesn't see any listed on the plan. **Randy** said they don't show any on the plan but they will discuss it. Not sure how it works with underground utilities. **Bennett** said the owners don't want street lights in the area. They don't want them shining in the windows at night. **Valérie** said it is part of the subdivision regulations that it could be required at an intersection. This is a safety issue. **Bennett** said he believes that should be resident driven decision. **Eric** read section 5.3.01 of the subdivision regulations which states:

"The Board may require the installation of street lighting meeting Town requirements in any subdivision where it deems them appropriate and/or necessary, especially at the intersection of a subdivision road, way, drive, street or any other mean of access with an arterial or collector road. All required new street lights are done at the sole cost of the developer. All applications which include the creation of a new or upgraded road, way, drive, street or any other mean of access to a created lot for a new subdivision shall have underground utilities, installed according to specifications set by the appropriate utility companies. Utilities shall be located a minimum of seventeen (17) feet off the centerline of the roadway pavement. Utilities shall be located so as not to conflict with new or existing roadside drainage systems."

Alan said most lights have been put in for emergency management issues. They could look into alternative lighting. **Bennett** said adding a street light to the plan would have brought more people into this meeting because they don't want them in the neighborhood. **Brendan** suggested they ask Emergency Management and see what they recommend. The Board agreed. **Laura** said there are a lot of other intersections that are an issue other than this one. **Eric** said this is the plan in front of us right now that is being discussed. **Laura** said people aren't paying \$500,000 to \$900,000 for a home to have a light shining in their windows at night.

Eric said they also have two letters from abutters that could not make it to the meeting tonight.

Eric read the concerns listed in the letter from Alexander and Jennifer Lee at 24 Wildwood Drive which stated "

1. *Originally when we purchased and built our home on 24 Wildwood Dr. we were told there would be 4 lots not 12 lots behind our property. Building 12 lots will make the area very congested.*
2. *Traffic*
 - a. *Since Wildwood Dr. has been opened all the way through there has been a large amount of traffic cutting through from the other neighborhoods. Many of these cars speed through the neighborhood now created dangerous situations to both vehicles and pedestrians. There probably needs be more speed limit signs posted.*
 - b. *Adding 12 lots will increase the traffic by 24 vehicles or more thereby adding additional traffic and potential danger to both other vehicles and pedestrians.*
 - c. *Proposed future road out to Wyman Rd then Lorden Lane would be ideal to help with traffic.*

3. *Lot J-16 abuts our property so we would like to understand where the house and yard will be as we do not want to be in our backyard looking into the neighbor's backyard and/or house."*

Eric read the second letter from the Carl and Heather Bertolami, 30 Wildwood Drive, which states:

Future Road

When we purchased our property located at #30 Wildwood Drive (lot J-24-24) in 2014, we were given a copy of a plan for this development by the builder, Mr. Bennett Chandler. This plan did not include a "future road" which would connect this development to Wyman Rd. We are concerned about the amount of traffic this road would bring into our neighborhood. Rather than cut a new road for this development, is it possible to use Wyman Rd. to connect to the development instead? Neighbors have already addressed concerns regarding speeding on Wildwood Drive with the Police Dept. This "future road" would likely encourage drivers to avoid Averill Road and use Lorden Lane to Wyman, then though this proposed development to cut through to roads like High View, Taylor Drive, Talbot Drive, etc. After a discussion with Valerie Rearick on July 8", 2016, we had asked if the residents of Wyman Rd. were notified of this meeting as they would be abutters. The answer was no because it is a "future road." Refer to RSA 356-B: 3, XXIII.

Road Width and Emergency Vehicles

The current proposal for the new road off of Wildwood Drive runs along the side yard of our home. We have concerns for loss of privacy, but more importantly, we worry how emergency vehicles will be able to turn into or out of this road. There does not appear to be enough clearance for this and with potential cars coming in either direction, not enough room for them both to share the road. There is a large piece of ledge at the right upper corner of our yard, which would make taking a right onto this new road difficult. Heading down Wildwood Drive toward Averill Rd. there is a curve in the road which, in the winter time, is going to be very hazardous for cars turning into this road. Our concern is that cars in inclement weather may skid directly onto our front lawn, electric meter, utility box, or worse, into our home.

- *Refer to Town of Brookline Subdivision Regulations Section 3.1.01a, 3.1.01b, 5.1.08, 5.1.11, and 5.1.12.*
- *Refer to Subdivision Regulations Appendix A.1, A.2*
- *Refer to Brookline Master Plan to pg. 13:*

Drainage and Sidewalk

We also have concerns of drainage/runoff from the new road off Wildwood Drive onto our property. We currently have a small stream that runs behind our shed. We do not want to see an increase in runoff onto our property, as the water table in our backyard is only about 3 feet below the surface. Is it possible to place the sidewalk on the side nearest our home? It would add more distance from the road to our home. May we request privacy landscaping or fencing? Refer to Subdivision Regulations Appendix A.6.

Dennis said they can't have any additional run off from a new subdivision.

Conservation Land

There is an area of conservation land in lot J-16-11 that was regarded as "questionable" by Valerie Rearick per the above discussion. How can designated conservation land be

"questionable?" Either it is conservation land, or it isn't. We want to ensure that there are no threatened or endangered wildlife or habitats are destroyed as part of this development.

Randy said there will be a conservation easement on it. Eric said the Conservation Commission had no issues or comments.

Neighborhood

This is the marketing language used on the website: "When planning this neighborhood, our goal has been to create a livable, attractive setting with beautiful, superbly crafted homes while retaining the character of the countryside. We have set aside 26 acres of undeveloped land on which approximately one mile of walking trails will be provided, including several rustic bridges. This land is to be transferred to the Conservation Commission of the Town of Brookline when the project is completed. Access to this area will be facilitated by a sidewalk almost the length of Wildwood Drive within the neighborhood. The forest has been preserved and trees will be planted to replace some of those removed." Are any of these 26 acres now being repurposed for this new development? Before this new development is started, we would like to see this walking trail completed and the neighborhood provided with a map of these trails and locations of rustic bridges. The one trail we know of has not been fully maintained as described and promoted."

Randy said there are 26 acres from open space from Wildwood Subdivision. Also the sidewalks are on the Bertolami side of the Road as they have requested.

Laura said she was the realtor at that time and she spoke with them about it and they were sold the home at a reduced price. They knew this road would be going in.

Bennett said there is a Drainage Easement for their lot also and they agree to build a retaining wall which would be an added expense to himself.

Alan made a motion to continue case NRSP 2016-3: J-16 to the September 15, 2016 Planning Board meeting. Ron seconded. Vote yes 4-0.

Committee Updates

Capital Improvements Committee

Alan said he has received a bunch of submissions. He thanked everyone for sending them in. he will compile them and the goal is to have a draft for our September meeting. They can work out questions and suggestions at the next meeting.

Economic Development Committee

Ron said they have the Bridal Show coming up on October 2nd to be held at the Brookline Event Center. He also said Valérie is doing a great job at spreading the word through social media. The vendors are full for this event. **Valérie** said this year they have florists, jewelers, photographers, a DJ, photo booths, etc. This year the vendors are more wedding oriented.

Alan asked if the EDC look into what it would take or the cost process of adding 3 phase power to areas along Route 13 that may need it. **Brendan** said that he would talk to Tad.

Sidewalks and Trails Committee

Alan said they had an article in the August 14, 2016 Sunday Telegraph about the Sidewalk and Trails program. You can go online to read the article and take a survey about Brookline trails that is available on the telegraph website.

Selectboard

Brendan said the Selectboard met with Joe from NRPC about the energy tools box NRPC is trying to come up with. One clear example is in order to get rebates you have to show how much energy you use per month. Eversource has the ability to provide that information but they do not. This should be available to towns without having to check every bill and compile all that information.

TAPS Grant

Eric said tad has asked that the Board sign a letter of support for the Tap Grant. Eric read the letter *“The Brookline Planning Board strongly supports Brookline's 2016 Transportation Alternative Program application. The two segments included in the application would largely complete the Town's 2009 Sidewalk and Trail Connection Plan. That plan was developed through a joint effort between the Selectboard, Planning Board and Conservation Commission to significantly improve the connectivity and safety of the town's network of trails and sidewalks. It was a process that also included input from our residents. The new sidewalk and two pedestrian bridges would also support the town's updated Master Plan, which specifically called for these two segments to improve the safety and walkability of the town center.*

We note that the Selectboard's recently submitted Capital improvements Plan for 2017- 2022 includes \$150,000 in both 2017 and 2019 for continued investments in achieving the long-term goals of an integrated sidewalk and trail network in Brookline.” **Brendan made a motion to authorize Alan and Eric to sign the letter of support for the TAP Grant. Ron seconded. Vote yes 4-0.**

Brendan made a motion to adjourn at 8:05 pm. Alan seconded. Vote yes 4-0.

Eric Bernstein, Co-Chair _____

Alan Rosenberg, Co-Chair, _____

Ron Pelletier, Member _____

Brendan Denehy, Selectboard Representative, _____

**The next Regular Planning Board meeting will be September 15, 2016.
Minutes submitted by Kristen Austin.**