



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 April 15th, 2021**

**Present: Eric Bernstein, Co-chair (voting)
Alan Rosenberg, Co-chair (voting)
Chris Duncan, Member (voting)
Brendan Denehy, Selectboard Representative (voting)
Eric Pauer, Alternate, (voting for Ron Pelletier)
Valérie Rearick, Town Planner**

Eric called the meeting to order and noted that they are meeting remotely under the governor's Executive Order 2020-04 and Executive Orders #12 and #23. In following with these orders, he asked each Board member to state where they are, why they are there and who, if anyone, is in the room with them. All members responded.

Eric B. asked Eric P. to vote for Ron Pelletier who could not attend the meeting. **Eric P.** said yes.

Nomination of Co-Chairs

*Eric B. moved to nominate Alan as Co-Chair. Seconded by Chris. Roll call. All voted Yes.
Alan moved to nominate Eric B. as Co-Chair. Seconded by Chris. Roll call. All voted Yes.*

Minutes

Brendan moved to approve the minutes of the March 11th work session as written. Seconded by Alan. Roll call vote Alan, Brendan, Eric B. voted Yes. Eric P. and Chris abstained.

Brendan moved to approve the minutes of the March 18th regular meeting as written. Seconded by Chris. Roll call Alan, Chris, Eric B. and Brendan voted Yes. Eric P. abstained.

Brendan moved to approve the minutes of the March 24th special meeting as written. Seconded by Alan. Roll call vote: Alan, Eric B., Brendan voted Yes. Eric P. and Chris abstained.

Membership – Appointment of Alternates, Recommendations to the Selectboard

The Board received two letters/emails from residents interested in being appointed as Alternate Members: Scott Grenier and Dennis Bechis. **Eric B.** asked each of the candidates to introduce themselves after which time the Board made the following motions:

Alan moved to recommend to the Selectboard that Scott Grenier be appointed as an Alternate Member for a three-year term expiring March 31, 2024. Eric P. seconded. Roll call vote Alan, Brendan, Chris, Eric B., and Eric P. all voted Yes.

Chris moved to recommend to the Selectboard that Dennis Bechis be appointed as an Alternate Member for a one-year term expiring March 31, 2022. Eric P. seconded. Roll call vote Alan, Brendan, Chris, Eric B., and Eric P. all voted Yes.

Re-Adopt the Code of Ethics

Alan moved to re-adopt the Code of Ethics, as adopted by the Selectboard on April 5th, 2021. Chris seconded. Roll call vote Alan, Brendan, Chris, Eric B., and Eric P. all voted Yes.

Establish a School & Town Services Committee under RSA 674:22.

Eric B. explained that the Special Town Meeting held on March 28th directed the Board to establish this Committee based on the finding submitted by the Board after their March 25th meeting. **Eric B.** said that we need to have Charter for the Committee. The Town voted to: “*Direct the Brookline Planning Board to commission a study of school and town services to be performed in accordance with RSA 674:22 to determine if there is a demonstrated need to regulate the timing of development based upon the Town’s lack of capacity to accommodate anticipated growth. Further, as the discretion of the study, to review the Town of Brookline, NH Zoning and Land Use Ordinance to determine any changes that may be necessary to address development within the Town of Brookline or any other business related thereto. Further, that the Members of the study Committee shall be appointed by the Planning Board. Further, that a report shall be submitted to the Planning Board no later than September 30, 2021*”.

Eric B. said that the Board can use this language for the Charter.

Eric P. asked if this committee is going to be a separate committee from the Brookline School District is going to establish. **Eric B.** said that it is going to be a separate committee and he believes that the School already had a plan to create a committee. The committee the Board is discussing tonight is going to look at school, but also at Town services. When it comes to gather sources and data, there is no reason why this information could not be shared between the two committees. **Alan** added that the basis of the finding was because of capacity issue at the school and agreed that both committees could work together. **Eric P.** asked if the School Committee was going to work on K -6 or include the Coop. **Alan** said he believes that the committee will look at the K – 6 classes but we should find out and if looking at the Coop, the Planning Board committee should interface with then to gather some information.

Eric B. said that the School & Town Committee study goal is to align with RSA 674:22 because of the moratorium on building permits that was voted at the Special Town Meeting. **Alan** added that the letters from the Superintendent specifically address the Brookline K-6 classes.

Eric B. said that he agrees that Brookline School Board has jurisdiction on these classes, but it may be good to look at additional information in case a need to look at growth management is necessary.

The Board then discussed the formation of this committee, including how many members should be appointed. **Chris** said that 7 to 9 members would be good number, based on his experience with the Melendy Pond Committee. **Chris** added we need to consider the short-time period and the many areas that need to be looked at. **Eric P.** agreed, adding that the committee will need to look at all Town Departments and the schools. He also asked about the timeline about the report to the Board.

Eric B. said that based on the finding, the report is due by the end of September. **Valérie** said that if the Committee was going to consider bringing back a growth ordinance, the Board would need to wording by September as well as we will start working on public hearings in October/November for warrant articles to be presented at the 2022 Town Meeting. After **Eric P.** asked, **Alan** explained that Ordinances are voted on at Town Meeting, regulations are adopted by the Planning Board after public hearing during regular meetings.

Eric P. asked about timeline to present ordinances to Town Meeting. **Eric B.** explained the reason we would need final wording by September is because all ordinances are submitted to Town Counsel for review, then the Board has to schedule public hearings before the ordinances are given to the Town Clerk to put on the ballot.

Going back to the number of members on the Committee, the Board agreed that 7 would be a good number. Next step being the composition, and after discussion, **Alan** suggested to have following members: 1 from the Planning Board, 1 from the Selectboard, 1 from the Brookline School District (who be the interface with the Brookline School District Committee), 1 from the Coop, 1 from the Brookline Town Departments, and 2 members from the public.

The Town Departments would include Fire, Ambulance, Police, Emergency Management, DWP and Library. Coop would include someone from the SAU, Coop School Board, etc. All members of the Committee would

need to be Brookline residents. **Brendan** said that on a previous committee he was on, they had someone from the SAU who was not a Brookline resident but provided information / data from the SAU to the committee. **Brendan** added that the Committee could have a Coop resource instead of a member. **Chris** agreed with **Brendan**. **Eric B.** said that he likes the idea to have 3 at-large members. **Chris** shared the experience on the Melendy Pond Committee when many people were participating and brought subjects they did not anticipate. Having resources is a great asset. He would like to have Town people involved. He would like to see one member from the Planning Board, one from the Selectboard, one from the Town Departments, someone from the Brookline School District would be good as we would not duplicate efforts and they could share their finding with our committee. And have 3 at-large members. **Brendon, Alan, Eric B.** agreed.

As for the Charter, **Eric B.** suggested: *"The School and Town Study Committee shall report by September 30, 2021 to demonstrate if there is a demonstrated need to regulate the timing of development based upon the Town's lack of capacity to accommodate anticipated growth based on the finding".* **Alan** said that was good.

Brendon pointed out that the Planning Board would meet on September 16, then in October. **Eric B.** said that we discussed this, and it would be the case when the Board will have a special meeting after the September 16th regular meeting to review the report the Committee and move things along. **Eric P.** said that he would make sense to have a draft before the September meeting, review and have a final discussion at the end of September.

Eric B. said that we will have a Planning Board meeting on the Committee who will keep us informed. **Alan** agreed and said this will give us an idea of the directions the Committee is taking.

Alan said that he would like to have the representative of the Planning Board be the Chair of the Committee. Also, there are two residents interested in being on the Committee.

Eric B. said that we should wait until Ron Pelletier attends to designate a Planning Board representative as Ron may be interested in being on the committee. Also, the committee cannot get going until we have all the representatives. **Eric P.** said that we should advertise to find at-large members.

Establishment of the Committee.

Eric P. moved to form the committee with the numbers that were identified and advertise for at-large members to be appointed by the Planning Board, with the Charter we specified. Brendan seconded. Roll call: Eric B., Alan, Chris, Brendan, and Eric P. voted Yes.

Eric B. said that, in our mail, we have interests from members of the community: Michele Decoteau and Colleen Micavich.

Starting with **Michelle**, **Eric B.** asked them to introduce themselves and their interest in serving on the Committee.

Eric B. said that with her experience in Land Use and data collection, Michele would be great candidate for the Committee and asked the Board to make a motion,

Brendan moved to appoint Michele Decoteau as an at-large members of the School and Town Study Committee. Seconded by Chris. Roll call: Alan, Brendan, Chris, Eric B., and Eric P. voted Yes.

Colleen also introduced herself and added that there was a third person attending the meeting who was interested.

The Board acknowledged Colleen's legal and education background and agreed that she would be a great candidate for the Committee. **Eric B.** asked for a motion.

Brendan moved to appoint Colleen Micavich as an at-large members of the School and Town Study Committee. Seconded by Chris. Roll call: Alan, Brendan, Chris, Eric B., and Eric P. voted Yes.

Eric B. asked if there were any other community members interested in joining the Committee.

Abe Hartman (Mountain Road) introduce himself and presented his interests in being on the Committee.

Alan said that Abe's experience in data collection would be great. **Eric B.** asked again if any members of the audience would be interested.

Brendan moved to appoint Abe Hartman as an at-large members of the School and Town Study Committee. Seconded by Chris. Roll call: Alan, Brendan, Chris, Eric B., and Eric P. voted Yes.

Brendan said that someone should reach out to Town Departments and School District representative. **Eric B.** agreed and asked Valérie to assist with this. **Valérie** said absolutely, she would take care of it. She also suggested to have the Selectmen to designate one of their members to the Committee. **Eric B.** clarified that the School representative does not have to be a School Board member and ideally, it would be someone already on their own Committee, but it could be a volunteer on the School Board, or a volunteer representative.

Eric P. asked about having information available on the website as they did for another committee he was on. **Tad Putney** said that he would set up a dedicated page for this Committee and add an email for this committee in case people have questions.

Re-Establish a Well-Water Committee, Re: Goals, Charter for 2021

Lindsay Machado, member of the 2020 committee, attended the meeting and prepared a rough draft with goals for this year for the Board to discuss.

- To revise the earlier proposed ordinances/ regulations as advised by the Planning Board after legal review? Basically, ask how we can push the already proposed items into fruition.
- Consider applying for federal or state grants that would support town-wide hydrogeological studies and/or cost and feasibility study of a public water supply for the town.
- |Continue to engage with the Nashua Regional Planning Commission to develop GIS maps that reflect town areas of high or low risk relative to water supply.
- Initiate a survey via the town website to track private water well issues. Data will be tracked by the Brookline Conservation Committee to monitor areas of concern.
- Irrigation ordinances (i.e. consider restricting systems in areas where historical well problems have been identified in the past. Alternatively, consider requiring that new or existing homes wishing to install an irrigation system should demonstrate that their current well is adequate or provide documentation that shows another well for irrigation use has been dug, or the current well has been upgraded to handle the additional burden.

Lindsay said that they also have a potential new member, Brady Halligan. **Lindsay** explained that last year, the Committee had a huge load of work and she would like to concentrate on a couple of items. The above list she submitted is a list of suggestions, not for all items to be addressed necessarily.

Eric B. questions if the Board could re-establish the Committee from last year or if we have to create a new Committee. **Chris** said that he believes that last year was a one-year Committee. **Eric B.** said that we have to create this new Committee, appoint members. **Chris** agreed. **Alan** said the 2020 Committee was chartered with deliverables but does not remember if there was a finish date. **Eric B.** said that he would like to know if the Board need to start over. **Chris** said that the 2021 Committee will have new goals that should be identified. **Lindsay** said last year, there was a member from the Planning Board, one from the Conservation Commission, and three at-large members. **Tad Putney** said that this was done during the February 20th, 2020 Planning Board meeting. **Eric B.** questioned if the Board should re-appoint members from last year. **Alan** said that some of the past members representing different Boards may have changed.

Eric B. suggested to re-establish the Committee, appoint available members today, and have a new Charter. The Board discussed main items they would like to see coming from the Committee, one big item being data collection of water availability, funding for hydrogeological studies. **Alan** said that he also would like to see the survey that would be put on the website. **Eric B.** would like to see at least those two items, and it can be expanded as we go or leave room for a third item that can be of interest to the Planning Board. **Alan** suggested making updates to what was submitted last year. **Valérie** said that, last year, the Board discussed having a town ordinance, versus a zoning ordinance because this topic is not really zoning related, but a town-wide issue. A town ordinance would also be easier enforceable. **Eric B. and Alan** agreed. **Eric B.** said that he remembers that it was to be submitted for legal review but did not know if it was done. **Valérie** said that it was not submitted because the Board did not receive a proposed ordinance, only a couple of suggested sentences. What the Board needs is a proposed ordinance and/or regulations for Town Counsel to review and advice on what type of direction the Board should take to adopt it. **Lindsay** said that she would work on this.

Tad said that it would be very helpful to have a one-page Charter for this Committee to have as reference for future reference. He would be happy to help putting it together. All agreed that it would be a good thing to have.

Valérie will reach out to the Conservation Commission to have one of their members on the Committee.

Brendan mentioned a DES webinar on May 19th and 20th on water source protection. After **Eric B.** asked, **Brendan** said that he would like to see the Charter before the Board re-establish the Committee. This will help him decide if he want to spend his time on it. **Alan** said this will be an opportunity to reach out to the Conservation Commission and for them to see who want to participate.

Eric B. asked for reviewing the Charter and appoint members to the next agenda. **Lindsay** asked if anyone she reach out should be on the next meeting. **Eric B.** said that anyone interested in assisting with the Committee, their attendance would be recommended.

2021 Capital Improvement Committee – Members and Schedule

Alan said last year, the CIC had five members: a representative from the Finance Committee, **Tad** represented the Selectboard, and two at-large representatives. **Jay Kramarczyk** who was a past member sounds like he is interested this year again. **Tad** said that he would be happy to be on the CIC this year and offered to reach out to the Finance Committee as well as post on the website and Facebook to look for another at-large member. **Alan** will update the template and generate all the emails to Town Departments and Schools, set a mid-July date for final submissions. This will give enough time to the CIC to review and prepare a final draft to be submitted in October/November. This will allow the inclusion of any warrant article(s) from the findings (refereeing to the school/town study committee and the school district), see what the capital needs might be.

Updates from Planning Board Committees

Brendan said that Selectboard had their organizing session and he is the representative on the Planning Board, with **Steve Russo** being the Selectboard alternate.

Chris gave updates on the Recreation Committee goals for the summer.

Eric B. said that the EDC met last night, and they are planning on talking with business owners who are interested in starting a Brookline Business Association at their May meeting. Also discussed what events may be going on this year / early next year.

Eric P. asked about the Town Master Plan which is supposed to be redone every 10 years. The last one was published in 2012. **Eric B.** said that we did some parts of it and asked **Valérie** to put this discussion on the May agenda. **Alan** said that we updated a couple of chapters and discussed ongoing updates of other chapters. **Michele Decoteau** said that next year will be a good time to look at the Master Plan as the new Census will be coming out by the end of the year or next year with all fresh data to incorporate to the Master Plan. **Eric P.** agreed with **Michele**, so did the Board.

Adjourn

Brendan made a motion to adjourn at 9:00 pm. Chris seconded. Roll call vote Alan, Brendan, Chris, Eric B., and Eric P. all voted Yes.

Eric Bernstein, Co-chair _____

Alan Rosenberg, Co-chair _____

Chris Duncan, Member _____

Brendan Denehy, Selectboard Representative _____

Eric Pauer, Alternate _____

Minutes submitted by **Valérie Rearick**
Next Scheduled Planning Board Meeting: May 20th, 2021