

Potential Zoning Amendments				
Priority	Zoning Amends	Description	Reference (s)	Notes
	Non-conforming Uses, Structures, and Lots	Illustration needs updating	ZO 800	<p>From Webb Scales: I believe that the small rectangle in the center of the diagram, including the portion which is unshaded and the portion which is hatched as "setback", should be shaded as "Existing Structure". If you look back at previous editions of the Ordinance, you'll find the diagram so shaded. (The key feature is that "Proposal 'A'" is supposed to violate the front setback no more than the existing structure, such that it qualifies for a Special Exception...but this isn't apparent without the existing violation of the setback being properly shaded!)</p> <p>The next item is the fact that paragraph at the top of the page seems to indicate that the diagram is more than illustrative and is in fact a normative part of the Ordinance. While a picture might be worth a thousand words, I don't think that using it instead of words is a good idea. And, this is further borne out by the fact that the diagram is followed by an explanation. I don't mind having the diagram in the document, but I really think that the paragraph under 800.03 should contain all the requirements, and that the diagram and explanation should be clearly labeled as "not normative".</p> <p>Finally, the explanation under "Proposal 'C'" should be modified: the Ordinance cannot stipulate the requirements for what can be done under a Variance...that is, the whole point of a Variance is to grant relief from the Ordinances. "Proposal 'C'", to the extent that we keep it, should only say that a Variance is required</p>
	Accessory Dwelling Units	Review and Clarify	ZO 2000	2002.00 - do we need a SE for an ADU that meets all the requirements? SE could be used for ADUs that are oversized or detached for additional review needing interpretation. 2002.01 - Do we want to allow for detached ADUs? Can detached ADUs be by SE? 2004.01 - two means of egress - can this INCLUDE a window?
	Definitions	Review	ZO 200	What definitions are missing? Short-term rental (Tourist Home??), duplex, temporary or short term rental,
	Industrial-Commercial	Update Allowed Uses	ZO 502.00	Suggest to substitute "Houses of Worship" for "Churches", Consider a Table of Uses for all Zones
	Residential-Agricultural	Review Allowed Uses	ZO 602.00	Suggest to substitute "Houses of Worship" for "Churches, synagogues, parish houses, convents"; Farming and Forestry Activities permitted incidental to residential use - no farming without a farmhouse? Consider a Table of Uses for all Zones
	Split Zoning		TBD	Update Ordinance to specifically reference how to address split zoning situations
	Workforce Housing	Change 30 year requirement to in perpetuity	ZO 629.00.2	WFH needs to be reformatted to match the rest of the Ordinance with section headings throughout. In addition, consider changing the affordability to be retained in perpetuity rather than sunset after 30 years.
	Lot of Record	clarification	ZO 901.01 & 2	Clarify the nature of the uses from 1972 or narrow the "by right" options
	GMO	timing	ZO 1400	Review dates of building permits and reformat to be consistent with the rest of the ZO
	Sign Ordinance	application	ZO 1609 & 10	Consider putting all applications in Regulations for ease of change
	Driveways	application	ZO 1800	Consider putting all applications in Regulations for ease of change
	Multifamily overlay zone			From NRPC Audit in 2017 - does Brookline want to add an overlay district to allow multiunit dwellings?
	Mixed use			does Brookline want to add mixed use in certain areas, certain uses, or with a form-based code for "downtown" Brookline?
	HOP		ZO 2200	What is working and not working in the recent applications. What about creating open space development ordinance and having HOP be a syu
	Lighting	applicability	ZO 2300	Lighting should be reviewed for applicability - currently only applies to NRSP.
	Bed and Breakfasts	Update	ZO 2400	Address short term rentals, tent site rentals, add severability
	ZBA	Review	ZO 2600	Review the first section, consider adding cross reference to floodplain appeals, consider adding Building Permit Board of Appeals to duties
	Floodplain	Review	ZO 1200	Needs to be reformatted and reviewed for any FEMA or Emergency Management recommendations
	Residential-Agricultural	Adopt State statutes into purpose	ZO 602.00	<p>From Bob Waite and his family: We would like to suggest that the board adopt the following State of New Hampshire statute in regards to the agriculture zone in which we live. It is understood that farms invest in labor, preparation and planting far before opening their doors for the first harvest, this is considered it's original start of operation. We suggest Brookline adopt and mirror the New Hampshire State guidelines for residence/farm in the agriculture zone enhancing support of the Right-to-Farm statute with the original intent to support the long term investment of the family farm, enhance the New Hampshire rural life and protect it from any current or changing fad, either by residence, appointed/elected officials or suburban sprawl.</p> <p>We would propose the Board adopt these Statutes: RSA 432:32–35 is New Hampshire’s Right-to-Farm statute. RSA 432:33 provides: No agricultural operation shall be found a public or private nuisance as a result of changed conditions in or around the locality of the agricultural operation, if such agricultural operation has been in operation for one year or more and if it was not a nuisance at the time it began operation. Further, the operation shall not be found to be “negligent or improper when they conform to federal, state and local laws, rules and regulations.” RSA 432:34.</p> <p>RSA 674:32-d. RSA 21:34-a, II(b)(5) Marketing includes agritourism as “attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.” Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farm operations, or active involvement in the activity of the farm.</p>
	Residential-Agricultural			From Bob Wait and his family: We would also propose that any abutter that suggest that a farm has become a nuisance, present evidence that the abutter filing the complaint has not reconfigured their property in any manner that would increase or create the suggested nuisance and that they resided at the property prior to the farms initial operation This may limit false and misleading nuisance claims.

Level of Involvement

W. Scales offered to
write first draft