



**TOWN OF  
BROOKLINE, NEW HAMPSHIRE**

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

MDecoteau@brooklinenh.gov    www.brooklinenh.gov

<b>Project Name: Housing for Older Persons – Farm Boy Properties</b>		
<b>MEETING DATE:</b> April 18, 2024	<b>APPLICANTS:</b> Farm Boy Properties, LLC 211 Route 13 Brookline, NH 03033	<b>APPLICATION TYPE:</b> Site Plan <b>APPLICATION NO:</b> SP#2004-6:D-073
<b>APPLICATION STATUS:</b> <input type="checkbox"/> Accepted: 65 days expires: June 22 <input type="checkbox"/> Approved: <input type="checkbox"/> Extension:	<b>APPLICANT'S REP:</b> Meridian Land Services 31 Old Nashua Road Amherst, NH 03031	<b>REVIEWED BY:</b> Michele Decoteau
<b>EXECUTIVE SUMMARY:</b> Farm Boy Properties, LLC is seeking site plan approval for a Housing for Older Person development on D-073 (1.26 acres) for three dwelling units and associated site improvements. This lot has private water and septic. This lot is located in the Commercial/Industrial District and a portion lies in the Aquifer Protection Overlay District.		

**LAND USE HISTORY**

1997 - November. Site plan approved for K-T Auto Leasing (max. 4 cars displayed) and Auto Electric and Diagnosing (max. 4 cars on site for electrical repair only)

2000 - July. Revised site plan for Pizza Express

2000 - December. Modified Pizza Express sign approved by Selectmen

2001 - Several discussions about revised uses, signs, garbage and oil disposal, parking

2021 - October. Formal revised site plan – request for a grease trap to be installed.

2003 - September. New septic system design approved by the State of NH

2004 - June. Complete new site plan for Rosie' Pizza and entire site plan

2004 - October. The Board authorizes Anrik Irrigation to operate a winter fishing business.

2008 - NRSP 2008-D:D-73. Hair Salon was approved to open on lower level

2009 - NRSP 2009-B:D-73. Coper Kettle Bakery on upper level was approved.

2020 - NRSP # 2020-H:D-73. Expansion of seating at Juanita's Restaurant was approved.

2023.10.12 ZBA Case 456 – Farm Boy Properties was granted a Variance to permit a Housing For Older Persons Development consisting of 1.28 acres not the 10 acres stated in Section 2203.02 of the Brookline Zoning Ordinance.

**Documents:**

<b>Name</b>	<b>Prepared/Submitted by</b>	<b>Date &amp; Notes</b>	<b>New?</b>
<b><u>Site Plan Application</u></b> <ul style="list-style-type: none"> <li>• Application</li> <li>• Fees</li> <li>• Abutter List</li> <li>• Waiver Requests</li> <li>• Building Floor Plans</li> <li>• Arial exhibit</li> <li>• Photo exhibit</li> </ul>	Meridian Land Services		X
Legal Review		04.08.2024	X
Fire Department Review		03.29.2024	X
Health Officer Review	J. Stewart	04.15.2024	X
Building Department Review		4/17/2024	X
Conservation Commission Review			
Selectboard Review		03.26.2024	X
Revision A	Applicant	04.02.2024	X
Nonrecorded reference plans	Applicant	04.02.2024	X
Appendices for Revision A	Applicant	04.02.2024	X
Common Driveway Covenants	Applicant	04.02.2024	X
Declaration of Open Space protection	Applicant	04.02.2024	X
Conditional Use Permit Narrative	Applicant	04.02.2024	X
Waiver Requests – updated	Applicant	04.02.2024	X
Response to the Town Letter	Applicant	04.02.2024	X
Staff Report I	Planning Staff		X

**PLANNING STAFF APPLICATION REVIEW & COMMENTS.**

Comments: Staff reviewed the plans dated March 19, 2024 and had the following comments:

1. Locus map on front page should be to a 1:400 scale (6.5.101b) – **Resolved on page 1/7**
2. Missing : Locations, Hights, size, and character of all signs and exterior lighting (6.1.01k) – **Lighting plan added to Revision A - pg 6/7**
3. Missing a storm drainage plan with drainage calculations (3.1.02d,6.1.01p) – **Requested a waiver**
4. Buffer zone – please define buffer zone between C/I and adjacent R/A district lots (6.1.01t) – **This is not applicable – and Planning Staff error**
5. Copies of existing easements, covenants, or deed restrictions (6.1.01t) – **Common driveway and open space provided.**
6. Magnetic and true north (6.1.01y) – **Resolved on Revision A**

Housing for Older Persons site plan requirements

Zoning Ordinance Section

1. 2203.02a – 50% of the open space needs to be set aside for passive recreation and trails. Please note these on the plan and provide the association documents that describe how the open space will remain open. – **Recreational trail was added to Revision A and the owner plans to establish these units as rentals so there will be do association documents.**
2. 2203.02b (3) 50 foot buffers are required on all sizes – please provide additional buffers or request a waiver. **Applicant is not planning to add buffers. Staff response: These**

**buffers are required for a HOP development and are not part of the zoning district buffers for a site plan.**

3. 2203.02c (2) land scape plan – how is the location and trails going to be landscaped – **Resolved and added to Revision A. Board needs to review and determine if this is adequate.**
4. 2203.02c (3) covered parking is missing from the plan – **Revision A. Board needs to review and determine if this is adequate since is not interconnected with any sidewalk or path.**
5. 2203.02c (4) pedestrian linkage – will there be a pathway outside between the upper portions of the building and the lower? Will it be lit? – **Applicant noted this was part of the lighting plan and the proposed recreational trail will connect upper levels with lower levels**
6. 2203.02c (5) lighting plan – will the lighting be in compliance with both ADA standards and Section 2300 Outdoor lighting of the Brookline Zoning Ordinance
7. 2205.00 a. Unit identification is not provided – **this was provided on the Appendix and should be added to the plan.**
8. 2205.00 b. This is a common driveway with the adjacent commercial property. Please provide common driveway identification. **This information will be added to the stone marker in place. The common driveway name needs to be provided for approval per the Brookline Street Naming and number Ordinance.**
9. 2206.00 Association documents are missing. **Per the letter on April 2, 2024, applicant is not planning on creating these documents.** Zoning Ordinance 2206. HOP Compliance – The applicant needs to provide a letter stating their intention to comply with the rules and regulations outlined in the first paragraph.

Other notes:

1. The Aquifer Protection District covers the entire building site and is over 35% impervious surface. Please provide a Conditional Use Permit application – letter describing how you will meet the performance standards of this district. **Conditional Use Permit narrative provided on April 2, 2024 – needs PB review.**
2. Note 1 on page 1 should reference this is a Site Plan for a Housing for Older Persons Development **Resolved on Revision A**
3. Missing symbols on the key that are used in the map. **Resolved on Revision A**
4. What is SB (f) – used on map, but not in key. **Resolved on Revision A**
5. Confirm with DOT that the Change in Use does NOT require a new driveway permit. **Applicant states they have a meeting with DOT. If possible, Planning Staff would like to be included.**
6. Please provide a note on the distance from the building to the Fire Protection for the Fire Department. **Resolved on Revision A.**
7. Please provide electronic copies of all reference plans that are not recorded. **Resolved**

Notes for after acceptance:

Zoning Ordinance 2206 HOP Compliance – Association Documents need to be provided that are acceptable to Town Counsel. These documents need to explain how this development will be compliant with Fair Housing laws that allow for age restriction and how the residents will comply with the annual certification of age to the Town.

Design standards – the Board may consider asking for further information regarding how this will meet design standards.

## **COMMENTS FROM OTHER DEPARTMENTS**

Legal Review: 4/8/2024 - Review of shared driveway access and open space protection – both are acceptable.

Building Official: 4/17/2024 – no comment

BPW Director:

Conservation Commission: - will be reviewing at meeting on 4/23/2024

Fire Department: 03.29.2024 –

1. In concert with Note 11 on SP-1, the building will need to have a supervised fire suppression system installed.
2. In the interest of uniformity, the plan needs to depict the distance to the nearest fire protection site.

Health Officer: 04.15.2024 - H-073 – no concerns at this point

Selectboard: 03.26.2024 - No comment on the Plan. Selectboard would like to see additional Commercial/Industrial building replace this one as it is turned into residential use.

## **COMMENTS FROM ABUTTERS/PUBLIC**

### **PROCEDURE FOR THE PLANNING BOARD**

1. Determine regional impact
2. Review Waivers
3. Items 1- 6 on the staff review regarding the overall Site Plan must be addressed before acceptance and they must include a letter regarding the intent to comply outlined in BZO Section 2206.
4. ZBA Process. The Planning Board cannot APPROVE an application that doesn't meet Zoning Ordinance standards. Planning and Zoning can be in parallel, but final decisions are made after the ZBA decision is completed. Applicant has requested a variance to the size of the Community Center.

### **Waiver requests:**

1. 6.1.01i – HISS
2. 6.1.01m – rendering of the building
3. 6.1.01gg – artist rendering of the site with landscaping and signage
4. 6.1.01p and 3.1.02d – stormwater plan and drainage calculations
5. 6.1.01t – Planning staff believes this to be not applicable

### **Items for Acceptance:**

#### **Application Acceptance Checklist**

- ☒ Application properly submitted
- ☒ 8 print copies and one 11 x 17 pdf copy
- ☒ Application fees paid
- ☒ Abutters Noticed and Notices posted on 04.08.2024
- ☐ Plan meets submission requirements including all necessary waivers

### Staff Check list

Tax Map/Lot D-073

Lot Area: 1.26 acres

Current Land Use: Commercial

Steep slopes:

Road Access/ Closest intersection: Route 13

Zoning District: Commercial Industrial

Overlay Districts: Aquifer Protection

Surface Waterbodies:

#### Notes

☒ Waivers    ☒ Conditional Use Permit    ☐ Special Exception    ☒ Variance    ☐ Easements  
☐ HOA/Condo    ☐ Road Bond

State permits:    ☐ Driveway Permit (DOT)    ☐ Subdivision    ☐ Wetlands (Dredge and Fill)  
☐ Alteration of Terrain    ☐ Shoreland