



**TOWN OF  
BROOKLINE, NEW HAMPSHIRE**

**PLANNING BOARD**

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**PLANNING BOARD MEETING**

**Minutes**

**January 17, 2013**

**Present:** Alan Rosenberg, Co-Chair (voting)  
Dana MacAllister, Co-Chair (voting)  
Ron Pelletier, Member (voting)  
Richard Randlett, Member (voting)  
Valérie Maurer, Town Planner

**Absent:** Darrell Philpot, Selectmen's representative, Judy Cook, Alternate, & Kevin Gorgoglione, Alternate.

**7:05 pm.** Alan called the meeting to order.

**Minutes**

*Ron moved to approve the minutes of December 06, 2012. Dana seconded. Vote YES 3-0.*

**Mail**

**Valérie** prepared a memorandum for the Board to review and discuss regarding setback requirements for septic systems. She received a request from the Building Inspector asking the Board to consider changing the side and back setbacks to 10 feet instead of 15 feet for the septic systems installations in order to match the NH DES requirements. The Building Inspector explained that he has to sign and stamp all new septic systems plans before they are submitted to the State for approval only because Brookline asks for 15 feet instead of 10 feet setback. **Valérie** said that she researched what setbacks in surrounding towns were. Most of them are also requiring 15 feet, although she could not find the reasoning for more stringent requirement than the DES has. Additionally, she did not find any notes or minutes discussing the need for these extra feet in Brookline.

The Board's broad opinion was that, unless wetlands are close to a proposed septic system, a 10 feet setback seems sufficient. **Dana** said that he would be tempted to go with the DES.

**Valérie** will contact Dennis LaBombard, Town Engineer, and Randy Haight, Meridian Land Services, to see if they have any input and if they remember why, back in 1992, the town decided to require a 15 feet setback.

**Impact Fee – New Police Station**

**Valérie** said that she calculated the new Impact Fee Schedule for the new Police Station. Tad Putney, Town Administrator, has asked Town Counsel to review it. Bill Drescher just sent a letter containing the following conclusion: *"In my opinion, this process is reasonable and properly attempts to limit the amount for which recovery is sought to costs attributable to new development over a reasonable period of time. As such, I believe your methodology to be defensible and cannot suggest any modifications."*

The Board did not have any additional comments. A Public Hearing for the new impact fee schedule adoption by the Board will be scheduled for February 21<sup>st</sup>, 2013 – 7:00 pm – Town Hall, Meeting Room.

**Sign Ordinance**

**Valérie** presented proposed amendments to the Sign Ordinance for the Board for consideration. She has looked at several other sign ordinances, including the one in place in Milford, as well as the Sign Regulations in the International Zoning Code. The Board lengthy discussed the submitted changes and made a few corrections and suggestions. Proposed amendments and additional changes as discussed tonight are attached to these minutes for future reference. The Board will continue the discussion at the next meeting scheduled on February 21, 2013.

The Board discussed restrictive regulations that apply to grandfathered commercial businesses located in the residential district. **Ron** took his property and existing business as an example. He, and his father before him, has been running a business at the same location for years and every time he wants to make a change to his business, he needs to go to the Zoning Board of Adjustment for a Variance, including when he had a new and nicer sign recently installed. He was refused an internally lit sign because he is in the residential district.

**Alan** suggested looking at possibly splitting the Commercial and Industrial District, having a **Light** Industrial District since Brookline does not have the land for large industrial developments. This would also require to further review the sign ordinance since two separate commercial and industrial districts could possibly be subject to distinct sign requirements.

Looking at properties with frontage on Route 13 and 130 was also discussed. Separate zoning requirements for some of them could be considered offering more leeway, depending on their location, existing activity / business and surrounding use of the abutting lots.

**Capital Improvement Plan**

**Alan** said is going to meet with Linda Chomiak who is back from vacation and finalize the plan.

**Economic Development Committee**

**Dana** said that the Committee met on January 14, 2013 and summarized what was discussed that night. The next meeting is scheduled for January 28, 2013.

*Richard made a motion to adjourn the meeting at 9:00 pm. Dana Seconded. Vote YES 4-0.*

**Alan Rosenberg, Co-Chair** \_\_\_\_\_

**Dana MacAllister, Co-Chair** \_\_\_\_\_

**Ron Pelletier, Member** \_\_\_\_\_

**Richard Randlett, Member** \_\_\_\_\_

**The next Regular Planning Board meeting will be held on February 21, 2013.  
Minutes submitted by Valérie Maurer.**

**Proposed (revised) Amendments AFTER the January 17, 2013 P.B. meeting –  
For second review at the February 21, 2013 meeting**

**1600.00 SIGN ORDINANCE**

**1601.00 Purpose and Intent**

The purpose of this Ordinance is:

- a. To encourage the effective use of signs as a means of communication in the Town of Brookline,
- b. To preserve the aesthetics and rural character of Brookline.
- c. To enhance pedestrian and vehicle traffic safety.
- d. To encourage signage and lighting which aid communication, orientation, identify activities, and express local history and character.
- e. Retain the Town's ability to attract and encourage economic development and growth,
- f. Address new technologies,
- g. Enable fair and consistent enforcement of the sign regulations

**1602.00 General Provisions**

*1602.01* Sign Permits. Unless specifically exempted or otherwise regulated in this ordinance, a permit is required for all permanent signs.

*1602.02* Application. Any person intending to erect or make a major alteration to a sign shall, before doing so, obtain a permit from the Building Inspector. Repairs, general upkeep, and minor alterations of wording and graphics shall be exempt from the permit process.

Applicants shall submit design documents that include:

- a. A scale drawing of the proposed sign, showing size, height, lighting, and single or double sided.
- b. All proposed materials shall be indicated, including the support system configuration and design.
- c. The location of the proposed sign on the lot shall be included, showing all dimensions and measurements to property lot lines, principal building, edge of roadways and other permanent structures.

Permit fees shall be established by the Board of Selectmen and paid upon application.

*1602.03* Administration.

- a. Reviews
  1. The Building Inspector shall review and act upon all applications for sign permits and amendments thereto, within 5 working days after filing. If the application or amendment conforms to the Sign Ordinance and is complete, the Building Inspector shall issue the sign permit. If the application or amendment does not conform or is not complete, the Building Inspector shall notify the applicant in writing, stating any deficiencies and advising the applicant of the right to amend and resubmit the application.
  2. Any permit issued shall become invalid if the sign is not erected within 6 months after the date of issuance.
- b. Appeal

Any applicant or agent who has been denied a sign permit or otherwise aggrieved may appeal such decision to the Zoning Board of Adjustment as set forth in RSA 676:5 or ZBA Rules of Procedures.

c. Violations

Violations of this Ordinance shall be subject to fines and penalties as specified in N.H. R.S.A. 676 and as may be amended.

1602.04 Exempt Signs. The following signs are exempt from this ordinance but must comply with other applicable State Regulations:

- a. Political signs.
- b. Event Specific signs for non-profit organizations.
- c. Historical signs/plaques.
- d. Trail signs.
- e. Directional, warning or information signs authorized by federal, state or municipal governments.
- f. Official notices authorized by a court, public body or public safety official.
- g. other

**Comment [V1]:** After the January 17, proposed religious symbols, seasonal decoration, etc... as well as "flags" were removed from the proposed amendments.

1602.05 Trades signs. Trades people shall be allowed one temporary sign not to exceed 16 square feet on a property without a permit while their work is actively being performed on the property.

1602.06 Real Estate Signs. A Real Estate Sign is a temporary sign advertising the sale, lease or rental of the property or premises upon which it is located.

Without review or approval, any sign advertising the sale, lease or rental of the premises, or a portion thereof, upon which the sign is located can remain until 15 days after the closing of the sale, the rental or lease of the premises. Any sign must conform to the following standards:

- a. Only one wall or ground sign per premises, two on corner lots.
- b. Maximum area: 6 square feet for residential signs, 32 square feet for Commercial-industrial signs.
- c. Off-site real estate signs advertising the location of a property for sale, an open house or a subdivision are limited to one sign per intersection per real estate company. Name riders shall not be permitted on off premise signs. A maximum of two off premise for sale signs will be permitted for any particular property. In addition, two (2) open house signs may be displayed off-site. In the case of subdivision marketing and multiple listings by a real estate company, a maximum of two (2) off premise signs will be permitted.

1602.07 Subdivision Signs. Signs associated with the development, construction, and financing of a subdivision are allowed only with Planning Board approval and shall be removed prior to the issuance of the last Certificate of Occupancy. Signs "Naming" a new subdivision ("White Pine Estate" for example) are allowed only with Planning Board approval and shall be removed prior to the issuance of the last Certificate of Occupancy. Permits are not required.

**Comment [V2]:** Why Not? This would allow the building Inspector to make sure the signs are not located in the right of way

1602.08 Prohibited Signs

- a. Wall signs that extend above the roof peak of the building.
- b. Moving, blinking, flashing and rotating signs that interfere obstruct or impair vision or traffic or in any manner create a hazard to the health and welfare to the general public.
- c. Signs in the road right-of-way.
- d. Any other signs that interfere obstruct or impair vision or traffic or in any manner create a hazard to the health and welfare to the general public.

**Comment [V3]:** After January 17 meeting - The Board agreed to remove this sentence. Subdivision signs will be subject to permits.

- e. Electronic message boards, video display panels or other electronic matrix display devices.
- f. Balloons, streamers or pinwheels except those temporarily displayed as part of a special sale promotion or community event. For the purposes of this subsection, "temporarily" means no more than 20 days in any calendar year.

1602.09 Grandfather Clause. Signs which legally exist as of March 9, 2005 CHANGE DATE shall be considered exempt from the provisions of this article.

REPLACE THE ABOVE 1602.09 Section with the following:

1602.09 Non-Conforming Signs

a. Continuance: A nonconforming sign lawfully existing at the time of adoption or subsequent amendment of this Section may continue, although such sign does not conform to the provisions of this Section. Portable signs with permanent and/or changeable copy (including trucks and trailers) are exempt from treatment under this section for continuance and shall, therefore, require sign permits and compliance with the provisions of this Section.

b. Maintenance: A non-conforming sign must be maintained in good repair for reasons of public safety and aesthetics. Ordinary maintenance and minor repairs shall not include replacement of the structural framing and supports, enlargement of the area of a sign face, or relocation of the sign.

c. Alteration, relocation and replacement: Alterations, relocation and/or replacement of a legal non-conforming sign structure is permitted when damage or deterioration does not exceed fifty percent (50%) of the area of the sign and structure. A non-conforming sign that is damaged by any casualty or force majeure may be replaced by an identical sign in the same location that is identical to the damaged sign. The replacement sign retains its status as a permitted, non-conforming use.

d. Removal: A non-conforming sign shall be removed within three hundred and sixty-five (365) days if any one of the following conditions exists:

1. If the damage or deterioration of the sign structure exceeds fifty percent (50%) of the area; or,
2. If the building to which the sign structure is accessory is damaged or demolished to an extent exceeding fifty percents (50%) of the building's appraised value and no plans have been submitted for the building's reconstruction or restoration pursuant to applicable codes and ordinances, or,
3. If the sign has been abandoned for at least three hundred sixty-five (365) days.

e. Any sign that has been removed due to any of the conditions listed in 1602.09 (d.) above shall not be replaced and any succeeding sign shall conform to the provisions of this Section. If any portion of the sign structure is removed, then all parts and components of the sign shall also be removed.

## 1603.00 General Sign Requirements

1603.01 Design guidelines. All signs shall be constructed of durable material and maintained in good condition at all times. Signs should complement the building on which they are located and add to the community image as a whole. Materials, color, lettering, and shape should be compatible with surrounding building materials, colors, and textures. Use of sandblasted, carved, or painted signs of traditional materials, such as wood, granite, or metal, is encouraged.

1603.02 Lighting. Lighting for the Commercial/Industrial district as well as Residential Home Businesses shall comply with the Lighting ordinance (Section 2300), with NFPA 70 as well as any requirements in this ordinance.

1603.03 Portable Signs: Portable signs shall be permitted only in the Commercial/Industrial District, subject to the following limitations:

- a. No more than one such sign may be displayed on any property.
- b. Such signs shall be displayed not more than 20 days in any calendar year.
- c. Any electrical portable signs shall comply with NFPA 70.
- d. No portable sign shall be displayed prior to obtaining a sign permit.

1603.04 Supporting structure. Size of supporting structure and framework not containing the signs are not included in computation of signs size.

#### 1604.00 Residential District Requirements

1604.01 Number. Only approved home businesses are allowed one sign per street or road on which they have frontage. Corner lot properties are allowed one sign on each street or road.

1604.02 Size. Total square footage of signs shall be 32 square feet or less, with individual signs not exceeding 16 square feet. On two-sided signs, only one side is used to compute the sign's area.

**Comment [V4]:** After January 17 meeting - replaced the number 25 to "make the math" with the individual 16 sq/ft signs.

1604.03 Height. Signs shall not exceed 8 feet in height. This is measured from the top of the sign to the surrounding grade of the ground.

1604.04 Lighting.

- a. Internally lit signs are not allowed.
- b. Bottom mounted sign lighting shall not be used.
- c. Hours of sign lighting must not exceed the hours of operation.

1603.04 Long-Term Temporary On-Premise Signs

- a. Number per site = 2
- b. total Area Per sign and Permit= For properties consisting of less than 5 acres of land, maximum are permitted is 5 square feet. For properties 5 acres or larger, maximum area permitted is 12 square feet without a permit and 16 square feet with a permit
- c. Permit required for signs with an area greater than 12 square feet.
- d. Such signs shall be displayed no more than 6 months

**Comment [V5]:** Clarification after the January 17 meeting: This section was correctly numbered and applies to the Residential District- This could be renamed: On-Premise signs, Long-Term Temporary.

#### 1605.00 Commercial/Industrial District Requirements

1605.01 Requirements.

- a. Commercial and industrial buildings are allowed multiple signs with a total area not to exceed 64 square feet per building, including buildings with multiple occupants.
- b. On two-sided signs, only one side is used to compute the sign's area.
- c. Fascia or awning signs shall not exceed 35% of the building length occupied by the applicant and not more than 2 feet in height.
- d. Free standing signs shall not exceed 20 feet in height. This is measured from the top of the sign to the surrounding grade of the ground.
- e. Internally lit signs are permitted in the Industrial/Commercial district, but shall not create a nuisance or excessive glow/glare.

#### PROPOSED WORDING TO REPLACE ABOVE EXISTING REQUIREMENTS

##### **Awning / Marquee / Canopy Signs**

- a. Number per site = 3
- b. Total Area = 50% of the storefront's linear measure or maximum 100 square feet, whichever is less
- c. The total amount included with the total allowed square footage of the Wall Signs

**Wall Signs**

- a. Number per store front = 1
- b. Total Area = 50 % of the storefront's linear measure or maximum 100 square feet, whichever is less
- c. The total amount is included with the total allowed square footage of the awning/marquee/canopoe signs

**Comment [V6]:** After January 17 meeting - changed from "frontage".

**Monument Signs**

- a. Number per site = 1
- b. Total Area = 75 feet
- c. Total height = 15 feet

**Directional Signs**

- a. Total Area = 4 square feet
- b. Directional information ("in", "out", "parking", etc) must be at least 65% of the area of the sign
- c. No permit required if part of Sign Master Plan

**Short-Term Temporary On-Premise Signs**

- a. Number per site = 2
- b. total Area Per sign = 50 square feet
- c. Permit required for signs with an area greater than 12 square feet.
- d. Such signs shall be displayed not more than 14 days in any calendar year

**1606.00 Off-Premise Signs**

The purpose of this section is to allow permanent, off-premise signs to provide direction to businesses and points of interest.

*1606.01* Size. Off-premise signs shall conform to the following dimensions: 30 inches wide, 8 inches high. Letter size shall be a minimum of 3 inches and a maximum of 4 inches in height.

*1606.02* Number. No more than one off-premise sign is allowed per lot in the residential district, and no more than one sign per 100 feet of lot frontage in the commercial-industrial district.

**1607.00 Sign Master Plan SEE FURTHER DOWN PROPOSED AMENDMENTS TO THIS ENTIRE SECTION.**

*1607.01* Intent. For some developments in the Industrial-Commercial District, the standard sign regulations may not provide a solution that accommodates the needs of the public and businesses. In these cases, an individual master plan that supports the goals of this ordinance may be an improved solution.

*1607.02* Qualifications. Within the Commercial-Industrial District, a Sign Master Plan may be adopted if any of the following condition apply:

- a. 3 or more contiguous commercial or industrial units in a development.

*1607.03* Requirements. Development of a sign master plan shall be governed by the general sign ordinance, as modified by specifications of this section. The master plan shall include placement, design, color coordination, visibility, messages, and compatibility with the general design of the development.

- a. Each Master Planned development shall meet all requirements of the Commercial-Industrial district, except that the signage shall be 80 square feet maximum. Informational and directional signage, with the exception of uniform traffic control devices, shall be consistent with the general sign design of the development and is exempt from the sign area calculation provided it does not contain advertising and shall be no more than 2 square feet.

- b. Groups of related signs are encouraged to express uniformity, create a harmonious appearance, and provide a visual and aesthetic coordination of the information presented to the public.
- c. Height and physical placement should be consistent through out the master planned area.

1607.04 Approval process. The sign master plan, including a site plan shall be reviewed by the Planning Board at a public hearing. The approved Master Plan shall be submitted to the Building Inspector for a permit.

#### PROPOSED WORDING TO REPLACE ABOVE EXISTING REQUIREMENTS

- **Master Sign Plan Required.** All landlord or single-owner controlled multiple-occupancy development complexes on parcels exceeding X acres in size and/or developments complexes exceeding X square feet, such as shopping centers, shall submit to the **Planning Board** a Master Sign Plan prior to the issuance of new sign permits. The Master Sign Plan shall establish standards and criteria for all signs in the complex that require permits, and shall address, at a minimum, the following:
  1. Proposed sign locations
  2. Materials
  3. Type of illumination
  4. Design of free-standing sign structures
  5. Size
  6. Quantity
  7. Uniform standards for non-business signage, including directional and informational signs
- Development Complex Sign. In addition to the free-standing business identification signs otherwise allowed by this ordinance, every multiple-occupancy development complex shall be entitled to one free-standing sign per street front, at the maximum size permitted for business identification free-standing signs, to identify the development complex. No business identification shall be permitted on a development complex sign. Any free-standing sign otherwise permitted under this ordinance may identify the name of the development complex.
- Compliance with Master Sign Plan. All applications for sign permits for signage within a multiple-occupancy development complex shall comply with the Master Sign Plan.
- Amendments. Any amendments to an approved Master Sign Plan shall be approved by the Planning Board and must be signed and approved by the owner(s) within the development complex before such amendment will become effective.

#### OTHER PROPOSED ADDITION TO THE ORDINANCE:

- Add a new section with all appropriate and necessary definitions related to "signs": This would make it easier to any applicant instead of referring to Section 200.00 of the Zoning Ordinance.

**Comment [V7]:** At the January 17 meeting, the Board discussed adding new definitions, but in the Definition Section of the Zoning Ordinance.