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**TOWN OF  
BROOKLINE, NEW HAMPSHIRE**

**PLANNING BOARD**

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**PLANNING BOARD MEETING**

**Minutes**

**April 7, 2011**

**Present:** Alan Rosenberg, Co-Chair, Voting  
Mike Papadimos, Co-Chair, voting  
Richard Randlett, Member, Voting  
Ron Pelletier, Member, Voting  
Darrell Philpot, Selectmen's Representative, Voting (arrived at 7:55)  
Dana MacAllister, Alternate  
Kevin Gorgoglione, Alternate.  
Valérie Maurer, Town Planner

**Absent:** Paul Anderson, Alternate

**Minutes**

Richard moved to approve the Planning Board minutes of March 17, 2011 as written. Ron Seconded. Vote yes 3-0.

**Nomination of Co-Chairs for the Planning Board**

Richard moved to nominate Alan Rosenberg as the Co-Chair of the Planning Board. Mike Seconded. Vote yes 3-0.

Ron Moved to nominate Mike Papadimos as the Co-Chair of the Planning Board. Richard Seconded. Vote yes 3-0

**7:15 pm - Public Hearing- Tree cutting on a Scenic Road, North Mason Road.**

Clarence Farwell in attendance speaking for the Road Agent.

Alan read the public hearing notice:

*Pursuant to R.S.A. 231:158, the Brookline Planning Board will hold a public hearing at 7:15 PM on Thursday, April 7<sup>th</sup>, 2011 in the Town Hall Meeting Room to consider a request for trimming trees along 1,500 feet on North Mason Road (a scenic road). The purpose is to upgrade a portion of North Mason Road and to provide better visual sight distance for traffic safety.*

**Clarence** said this is the 4<sup>th</sup> or 5<sup>th</sup> road upgrade. In 1976, from the Transfer Station to the Mason town line, North Mason Road was designated a Scenic Road. Per the RSA's the road needs to be 20 feet wide so some trees will need to be cut. They have been marked for a week or so. **Valérie** said the budget for this was approved at Town Meeting. **Richard** asked how far this will be paved. **Clarence** said it will be paved to Ben Farnsworth Road. **Bill Lee** (116 North Mason Road) said there are trees already marked but is there something that regulates how far back you can cut trees. **Clarence** said they will just cut enough to widen the road and for drainage purposes. **Ron made a motion to allow the Road Agent to do the tree cutting on North Mason Road. Richard Seconded. Vote Yes 4-0.**

**7:25 pm - NRSP ##2011-A:C-10-3 Home Business, David Lindof, North Mason Road, Firearms Restoration**

**David Lindof** (Applicant) said he would like to repair and restore fire arms as a home business part time for extra income. This will be a low key business with no signs at the house and no traffic. This will be word of mouth and through advertising. He said he will not store any ammunition at his home. He has met with Scott Knowles from the Fire Department and has a letter from the Fire Department. He still needs to apply for a Federal Firearms permit with the State but he was waiting for the outcome of this meeting. Members did not have other question on the application.

**Richard moved to accept the application. Seconded by Mike. Voted Yes 4-0.**

**Alan** said when he does receive the permit the Board will need a copy for the files. **Valérie** said if they approve the application, the Board will need to schedule a compliance hearing in about one year after this hearing. **David** said that was fine. **Alan** read the conditions of approval written in the Staff Report:

- All fees for case review, meeting time and inspections shall be paid before the applicant starts operating the Home Business.
- Any modification and/or change to the home business as approved at the shall be submitted to the Board for review
- Report of final inspection from the Fire Department before the applicant starts operating the Home Business.
- Copies of necessary State and/or Federal permits shall be provided to the Board.
- A compliance hearing shall be held a year after day of approval.

**Ron moved to approve case # NRSP#2011-A: C-10-3 Home Business, David Lindof, and North Mason Road with the previously read conditions of approval. Richard Seconded. Vote Yes 4-0.**

**7:35 pm - Case #2011-1: F-18, Gavin Rev. Trust 4-lot Subdivision, Off Rocky Pond Road**

In attendance for this hearing Randy Haight (Meridian land Services), Dennis LaBombard (LaBombard Engineering LLC (Town Engineer)), Francis and Robin Gavin (Applicants), Ann Gavin (abutter at 25 Birch Hill Road), Maria Gavin (Sister to Francis and Ann Gavin), Denise Townsend (abutter at 46 Rocky Pond Road lot F-18-2), Steven and Carolyn McLaughlin (abutters at 52 Rocky Pond Road Lot F-18-3), David Shed (not an abutter but speaking on behalf of Carolyn and Steven McLaughlin, his sister and brother in-law).

**Randy** said they had a site walk on March 26<sup>th</sup>. He has addressed all of Dennis's engineering concerns and added the excavation area and the propane tank location on the plan. They are not proposing to do any work in that excavated area where the water has gathered. **Randy** said there is also another letter from in regard to the excavated area. **Alan** read the letter:

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During the wetland delineation of the above referenced property an excavated area northwest of the wetland crossing location was noticed. This area is a recently excavated site in an upland portion of the property. Although there is water in the base of the excavation there were no other wetland characteristics observed and this area was not delineated as a wetland. At this time this area is not believed to be a vernal pool as no vernal pool identifiers have been observed. This area does not have a historical record of a vernal pool as it is a recent excavation that created this area. It is also unknown if there will be water present in the excavation for a duration of sufficient time to support successful breeding of obligate vernal pool species.

**Alan** said this letter is written by Timothy Ferwerda a NH Certified Wetland Scientist #039.

**Valérie** said she is still waiting for Town Counsel to review the driveway easement. We also need to discuss the relocation of the propane tank on the abutter's property. At the site walk you could see the propane tank was put in beyond the property line. After the tank is relocated there should be something on file to show where the tank is located. **Randy** said the tank is clearly over the property line. The Gavin's are more than happy to relocate at no expense to the current owners when they start construction. **Valérie** said that at the site walk they were also questioning the site distance looking toward Hollis from the end of the proposed driveway. **Randy** said he added a note on the first plan revision showing there is enough site distance.

**Valérie** said all other questions were answered at the last meeting and we are just waiting for Town Counsel to review the common driveway documents.

**Denise Townsend** asked how long it would take to move the propane tank. **Randy** said it may take a day. **Denise** asked if there was a State law that requires a propane tank to be so far away from a property line. **Dana** said there isn't a State law; towns usually regulate that. **Randy** said most towns its 15 feet from the property line. It also has to be 70 feet from where the delivery truck will park to fill it, per the fuel company. **Denise** said, for the record, the Gavins will move the propane tank at no cost to the homeowners and it will be completed with a minimal effect to the homeowners.

**David Shed** asked if they could get a second opinion on the vernal pool. In a couple of weeks when the weather is warmer he would like to make sure there is either or not a vernal pool. The Board agreed to contact UNH Coop Extension and see if someone could go out and look into it. **Alan** asked how far away from the proposed driveway is the area they are questioning whether it is a vernal pool or not.

**Randy** said it's about 30ft from the area that will be graded and 40 ft from the driveway. **Ann Gavin** said they already have a letter from a professional stating that there is no vernal pool; he has done his due diligence why would we have another company come out to do the same thing. **Randy** said this area was an excavation area recently done. There is no mud and it's in the upland soils. We were going to fill it back in if it wasn't declared a vernal pool. **Alan** said filing it back in may be cause for concern; we will call UNH Coop Extension and see if they can make it to the site.

**David Shed** also asked about having the Gavins put something up to block the dust and lights coming off the new common driveway. **Darrell** asked the homeowner and the Gavins if they can come up with a compromise. They agreed they would discuss it. **Alan** said maybe by the next meeting they will have a decision. **Darrell** said he thinks they will negotiate in good faith and come up with something by the next meeting.

**Valérie** read the conditions of approval:

- All fees associated with the case review (Engineer, Town Planner, Legal shall be paid prior to the issuance of a permit by the Building Inspector.
- A new wetland crossing permit shall be obtained by the NH DES and number added to the final plan.
- New lots F-18-8, F-18-9 and F-18-10 are subject to an impact fee per the Brookline Zoning Section 2100, in three separate amounts. The impact fees of \$222.14 (for ambulance facility), \$1,304.24

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- (for Brookline school system) and \$1,843.17 (for Hollis/Brookline Coop Middle School) are payable to the Town of Brookline at the time the Certificate of Occupancy is issued for each lots.
- The applicant needs to meet with the Board of Selectmen to sign the Off-Site Improvement agreement.
  - Off-Site Improvement agreement between the Board of Selectmen and the applicant shall be recorded before or at the time the final plan is recorded. Off-Site Improvement fee is to be paid at the time the building permit is issued.
  - A letter from the Licensed Surveyor shall be received stating that all bounds are in place before a Certificate of Occupancy is issued.
  - The applicant shall submit 8 paper copies of the final plan and a permanent, reproducible Mylar.
  - The C.O. for the last dwelling being built will be issued only after the Town Engineer provides the Building Inspector and the Planning Board with a final, satisfactory report.
  - All conditions of approval shall be printed on the final plan prior to its recording.
  - Propane tank for lot F-18-3 to be moved at the Gavin's expense.

**Alan** requested that, before the propane tank is moved, to please let the homeowners know what kind of a time frame and where it will go. **David Shed** asked if this will be a part of the final record. **Alan** said they would like it added to the plan before it is recorded.

**Alan** said in regards to the vernal pool area in question they will need a letter in the file stating that they will stay away from that area and will put up a silt fence to protect it.

**Darrell moved to approve plan number 2011-1: F-18, Gavin Rev. Trust 4-lot Subdivision with the conditions just read. Richard Seconded. Vote yes 5-0.**

### **9:20 pm - CIP – Creation of the 2012-2017 Committee to be approved at the April 21<sup>st</sup> PB Meeting**

**Alan** said he has not talked to Paul Anderson about being the Chairman again this year. **Richard** said he did a great job last year. **Alan** said he will speak to him before the next meeting and find out if he wishes to Chair again. **Alan** said the Committee will need a member from the Planning Board, Board of Selectmen, Finance Committee, Facilities Committee, and one member at large. **Alan** said he would volunteer to be the Member at large this year if no one else is interested. **Valérie** said she will contact all the Boards and see if anyone wants to volunteer.

### **Workshop**

**Valérie** said they will need to start working on the corrections or alterations for the Subdivision and Non Residential Site Plan Regulations. She only has a few proposed amendments. The Planning Board should ask for an electronic copy of plans and also 8 copies of the plan after every revision is too many, at least for the majority of the cases. The Board should discuss how many copies on top of and electronic copy they should request. **Valérie** suggests 4 copies of each revised plan. **Dana** said in Milford they receive PDF copies of plans.

**Valérie** said it should be requested that the CO is not issued until Dennis LaBombard (Town Engineer, LaBombard Engineering) write a letter signing off on a given site. **Kevin** said they should also look into some language regarding broken signs. They should be in good condition before they are released to the new owners.

### **Master Plan Meeting on April 21, 2011**

**Alan** said the next Planning Board meeting is also a Master Plan meeting and he wanted to know if everyone was okay with meeting at 6:30 pm again. The Board agreed. **Valérie** said she will call Jill Longval at NRPC and let her know the start time.

**Richard moved to adjourn at 9:40 pm. Darrell Seconded. Vote yes 5-0.**

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

**Mike Papadimatos, Co-Chair** \_\_\_\_\_

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

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

**Darrell Philpot, Selectmen's Representative** \_\_\_\_\_

**The next Regular Planning Board meeting will be 4/21/2011, starting at 6:30 pm  
Minutes submitted by Kristen Austin.**