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**TOWN OF
BROOKLINE, NEW HAMPSHIRE**

PLANNING BOARD

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PLANNING BOARD MEETING

**Minutes
July 7, 2011**

**Present: Alan Rosenberg, Co-Chair, Voting
Richard Randlett, Member, Voting
Ron Pelletier, Member
Darrell Philpot, Selectmen's Representative, Voting
Valérie Maurer, Town Planner**

**Absent: Mike Papadimatos, Co-Chair, Dana MacAllister, Alternate, Paul Anderson, Alternate,
and Kevin Gorgoglione, Alternate.**

Minutes

**Darrell move to approve the minutes of the May 5th 2011 Planning Board meeting as presented.
Richard Seconded. Vote yes 3-0.**

**Darrell moved to approve the June 16th 2011 Planning Board minutes as written. Ron Seconded.
Vote yes 3-0.**

Code of Ethics

Alan said the Board of Selectmen has asked that we review this and adopt this code of ethics.
Alan read the document. (Attached to the minutes)

**Darrell made a motion for the Planning Board to adopt the Code of Ethics that was recommended
at the 2005 Town Meeting. Ron Seconded. Vote yes 4-0.**

Mixed Use / Town Center - 2011-2012 Committee Organizational Meeting

In attendance for this meeting: Rich Bobich -19 Pepperell Road, Judy Cook – 10 Main Street, Randy Haight – 21 Milford Street, Sarah Marchant – 19 Milford Street, Brian Rater – 31 Mason Road. Mark Fenske – 9 Main Street & 15 Milford Street.

Alan said there has been discussion and interest in a mixed use overlay district for Route 130 by the residents. This could apply anywhere in town. We are here to start figuring out what the town would like to do. **Valérie** said tonight is just for the committee to introduce themselves and come up with a meeting

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schedule. The committee will need a chairperson and a secretary. The Board of Selectmen provided a charter for this committee and it states what is to be accomplished. You will need to look at reviewing the Zoning Ordinance and coming up with guidelines for a mixed use overlay district. For example being able to preserve the look of the center of Town and if needed the Town would be allowed to ask for a property to be maintained as far as esthetics and making sure the sign is in proper condition. You will also need to come up with an outreach program to make sure the information and meeting dates gets out to the public. This is not to create a commercial district but an overlay. Small scale offices or shops along the town center: Doctors office, lawyer's office, small shops, Boutiques, etc. To allow the Town center other use options. There is a lot of work that needs to be done. **Ron** said in all the discussions the Planning Board has had we were discussing the whole Route 130 corridor. **Valérie** said yes that is correct but they were originally concerned with people being able to walk to these areas but with the sidewalk project extending to the Post Office that will be able to happen.

Judy said they discussed this about 15 years ago and they had come up with the Home Business Zoning Ordinance. She is not sure what this will accomplish. **Valérie** said the home business regulations are restrictive. They only allow a certain percentage of the home for a business and with mixed use they could use the first floor as a business and live on the second floor as an example of use. **Darrell** said instead of shoe horning it into the regulations it is a better idea come up with mixed use options. **Judy** said the town center lots are greatly under sized and they barely fit the existing well and septic. They will not get town water and sewers in the town center; we can't even finish the Safety Complex Project. No one wants to come up with that kind of money. We have allowed plenty of business in the Center HVAC, dog grooming, and there are apartments at 17 Main Street. There is little to no parking for customers. **Valérie** said this is not to create more traffic; it is to allow the homeowners more options. **Sarah** said she thinks this was born from a lot of interest. This will be a tool to allow homeowners more uses for their home and to supplement the tax base. **Judy** said they can't even fill the commercial spots on Route 13. There is a lot on Route 13 (lot G-52-1) that was cleared and there was a plan for a grocery store and that never happened the land still sits vacant. **Judy** said at the end of the visioning meeting the consensus was people wanted to keep it small rural community. **Robin** said Hollis has added a lot in the town center and it was done nicely. With limitations this could be a good idea. **Brian** said this committee will be coming up with the best recommendations to present to the townspeople and allow them a vote in a future Town Meeting. **Alan** said yes the end result the Town can choose to accept or not. People have expressed an interest expanding the tax base. A few people have come before the Board and with the restrictions in the Ordinance the applicants have said "Brookline doesn't seem very business friendly". The charge of this new Committee will be to figure out what will work best for the Town and come up with a section for the Zoning Ordinance if the Town votes it in. We need to give people more options. **Mark** said the Town center is in the 100 year flood zone which is more like 20 year, 10 year or even annual year flood zone. Amherst and Hollis started with a stringent historic district, which we do not have. This will have a huge impact on wells and septic and all the radius encroach on each others property due to the lot sizes. You would need easements to further encroach to expand or replace something. You will have to meet ADA and State mandates when renovating the buildings. This would be a huge project to make these houses viable for access. **Mark** suggested making Post office Drive connect to Old Milford Road and make a commercial district there that would keep the traffic down. **Mark** said the Board is barking up the wrong tree trying to make a commercial district in the center of town. **Darrell** said it is the purpose of this committee to present the Townspeople the best option or ideas. **Valérie** said the initiative of this was based on the master plan survey and the meeting 68% of the responses were in favor of offering mixed use zoning in Town.

Valérie said tonight is just to set up a meeting schedule and they will need to pick a Chairperson and a Secretary. The new committee members introduced themselves. They agreed to set up a meeting on

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Wednesday July 13, 2011 at 7:00pm. **Ron** offered the use of his building (Brookline Event Center (Brookline Auction Gallery), 34 Proctor Hill Road). **Rich** suggested they get to know each other during the first meeting then pick a Chairperson and a Secretary. The Board and the Committee agreed. **Alan** asked they keep the Planning Board informed and the Planning Board would like to check in with the Committee regularly. **Alan** thanked everyone for volunteering.

Master Plan Update Contract with Nashua Regional Planning Commission

Alan said the new contract is in the mail from NRPC. To allow them continue the Master Plan Update. It states exactly what the warrant article did in the last Town Meeting. This contract is not to exceed \$31,000. The contract will be given to the Board of Selectmen to sign. **Darrell** asked if it could be sent to all Board members via email. **Valérie** said yes.

Richard moved to adjourn at 8:55 pm. Darrell Seconded. Vote yes 4-0.

Alan Rosenberg, Co-Chair _____

Richard Randlett, Member _____

Ron Pelletier, Member, _____

Darrell Philpot, Selectmen's Representative, _____

The next Regular Planning Board meeting will be 7/21/2011.

Minutes submitted by Kristen Austin.

CODE OF ETHICS

Non Binding Resolution passed March 2005 Town Meeting

1. Purpose

The proper operation of democratic government requires that public servants be independent, impartial, and responsible to the people; that government decisions and policy be made through the proper channels of governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government members to perform their duties without conflicts between their private interests and those of the citizens they serve.

The purpose of this code is to establish guidelines for the ethical standards of conduct for public servants. As such, the Town of Brookline

- Expects our public servants to act in the best interest of the town.
- Expects public servants to disclose, whenever possible, any personal, financial or other interests in matters affecting the town that come before them for action.
- Expects public servants to remove themselves from decision making if they have a conflict of interest.
- Expects public servants to be independent, impartial, and responsible to their fellow townspeople in their actions.
- Expects that the public servant's decisions and policies be made through the proper channels of government.))

2. Definitions

Conflict of Interest – A situation or circumstance where a public servant's personal, pecuniary or financial interests have the potential to interfere with the proper exercise of a public duty.

Pecuniary Interest – Any advantage in the form of money, property, commercial interest or anything else, the primary significance of which is economic gain; it does not include economic advantage applicable to the public at large, such as tax reduction or increased prosperity of the town.

Personal Interest – Interest in a matter, aside from official interest as a function of a public servant's position, which is more direct than that of the public at large and would influence the action of the public official.

Public Servant – All officers and employees of the Town, whether elected, appointed, paid, volunteer, or anyone acting in a position other than as a member of the general public. A person is considered a public servant upon their election, appointment, or designation as such, although they may not yet officially occupy that position.

Recuse – To remove or excuse oneself from participating in a specific action or discussion due to a conflict of interest. Recusal means to remove oneself completely from all further participation as a public servant in the matter in question. Public servants who have been recused shall immediately leave the room or shall seat themselves with the other members of the public at large who are present. When recused, public servants shall not participate in further discussions unless they clearly state for the record that they are doing so only as a general member of the public. A recused public official is effectively a member of the general public and shall not deliberate nor vote on the matter in question.

3. Code of Ethics

Public servants shall avoid conflicts of interest.

Public servants shall recuse themselves and shall not take part in the decision-making process of any matter before the town in which they have a personal or pecuniary interest. Members of the Planning Board and Zoning Board of Adjustment are further bound by the provisions of RSA 673:14.

Public servants shall not directly or indirectly solicit gifts or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, premises or in some other form), under circumstances in which it could be reasonably inferred that the gift was intended to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.

Public servants must not disclose or improperly use confidential information obtained in the course of their duties.

No public servant shall use town letterhead or stationary for any purpose other than official town business. Members of boards, committees, and commissions may only use town letterhead for purposes approved by their respective board, committee or commission.

No member of a board, committee, or commission shall speak on behalf of their respective board, committee or commission unless authorized to do so by their respective board, committee, or commission. This is not to suggest that individual members cannot speak publicly, but rather to emphasize that they should clearly state they are speaking only on their individual behalf and not represent himself or herself as speaking for the board, committee, or commission.