



**TOWN OF
BROOKLINE, NEW HAMPSHIRE
PLANNING BOARD**

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**PLANNING BOARD MEETING
Minutes
November 17, 2011**

Present: Alan Rosenberg, Co-Chair (voting)
Dana MacAllister, Co-Chair (voting)
Richard Randlett, Member (voting)
Ron Pelletier, Member (voting)
Darrell Philpot, Selectmen's Representative (voting)
Paul Anderson, Alternate
Judy Cook, Alternate
Valérie Maurer, Town Planner

Absent: Kevin Gorgoglione, Alternate.

7:00 PM- Meeting start

Nominate a New Planning Board Co-Chair

Alan said now that Mike has stepped down and Dana has been nominated as a full member of the Planning Board we need to nominate a Co-Chair.

Richard moved to nominate Dana MacAllister as the new Co-Chair for the Planning Board. **Ron** seconded. Vote yes 5-0.

Minutes

Richard moved to approve the planning Board minutes of November 3, 2011 as written. **Ron** seconded. Vote yes 3-0.

Road Bonds

Alan said there are letters in the mail from the Town Engineer, Dennis LaBombard regarding Hutchinson Hill Road Construction Bond that needs to be renewed. Ames Road Phase One Maintenance Bond needs to be renewed. Phase Two Construction Bond for Ames Road needs to be reduced.

Dana made a motion to recommend to the Selectmen that the Construction Bond for Hutchinson Hill Road be renewed in the amount of \$51,000. **Darrell** seconded. Vote yes 5-0.

Made a motion to recommend to the Board of Selectmen that the Maintenance Bond for Phase One of Hutchinson Hill Road be renewed in the amount of \$45,900. Darrell seconded. Vote yes 5-0.

Dana made a motion the recommend to the Board of Selectmen that the Construction Bond for Phase two of Ames Road be renewed and reduced from \$31,000 to \$22,450. Darrell seconded. Vote yes 5-0.

Zoning Ordinance proposed amendments

The Board discussed zoning changes.

Proposed Zoning Amendments for March 2012

After November 17, 2011 Planning Board Final Workshop

200.00 Definitions: **Add** definition of:

- **Buildable Area:** *An area capable to accommodate a house site (or commercial structure if so planned) and all required utilities such as water supply and wastewater disposal. The buildable area is the area of a lot excluding wetlands, land with slopes over twenty-five (25) percent, water bodies, regulatory floodways and land restricted from development by easements, covenant or other legal restriction The buildable area is intended to insure that the lot is capable of meeting all Town of Brookline zoning requirements.*
- **Duplex:** *A structure used for residential purposes and consisting of two (2) living units with a common wall.*

503.03 Land Area. Each building lot shall be at least one (1) ***contiguous*** acre excluding wetlands

603.03 Land Area. Each building lot shall have at least 80,000 ***contiguous*** square feet, excluding wetlands.

603.04 Number of Dwelling Units. Only one dwelling unit shall be permitted per individual building lot, except as provided in Section 2000.00, Accessory Dwelling Units. A ~~two-family house~~ ***duplex*** shall require ~~two times the minimum land area~~ ***at least 160,000 contiguous square feet, excluding wetlands.***

603.06 Back Lots.

a. Requires a minimum lot area of ***at least*** five (5) acres ***with a buildable area of at least 80,000 contiguous square feet*** excluding wetlands.

d. ~~Duplexes~~ ***A duplex*** requires ***a minimum lot area of*** ten (10) acres ~~minimum lot size~~ ***with a buildable area of at least 160,000 contiguous square feet*** excluding wetlands.

626.00, 3. The minimum lot size for a single family market value ***unit*** or a single ***family*** workforce housing unit shall be one (1) ***contiguous*** acre excluding wetlands. The minimum lot size for a duplex shall be one and one half (1.5) ***contiguous*** acres excluding wetlands. The minimum lot size for a five unit multi-family building shall be three (3) ***contiguous*** acres excluding wetlands.

- 1505.03 (Open Space Developments) Setbacks. 15 foot setback from the front, rear, and side per lot, measured from the property lines. ~~The subdivision perimeter will contain a 50-foot setback where no structure shall be built.~~

Site Perimeter Buffer: (NEW Sub-Section, to match section 2203.02, b. 3 – See below)

Each development must be situated within a permanently protected undeveloped site perimeter buffer, identified on the site plan, not less than 50 feet wide or a value as deemed necessary by the Planning Board on back and all boundaries of the original parcel except for access to connecting roads, which, unless it is already wooded and satisfactory to the Planning Board, must be planted and landscaped so as to provide a visual barrier between the development and adjacent properties. The Planning Board may require additional buffer width where unique circumstances of an abutting use or property warrant. The site perimeter buffer shall NOT count towards the required minimum protected open space. (The Board requested adding NOT to the last sentence)

(Subsequent sections will need to be renumbered)

- 1505.04 **Lot Size.** *Each building lot shall have a minimum of one (1) contiguous acre excluding wetlands. Only one dwelling unit shall be permitted per individual building lot, except as provided in Section 2000.00, Accessory Dwelling Units. A two-family ~~structure~~ dwelling unit shall require ~~two times the minimum land area~~ a minimum of two (2) contiguous acres, excluding wetlands.*
- 2002.11 The gross living area of an accessory dwelling unit shall not be less than 350 square feet **and** ~~or~~ not greater than 1,000 square feet. (To clarify that both conditions are required)

2203.02. b. 3 (Housing for Older Persons Developments) Site Perimeter Buffer:

Each development must be situated within a permanently protected undeveloped site perimeter buffer, identified on the site plan, not less than 50 feet wide or a value as deemed necessary by the Planning Board on back and all boundaries of the original parcel except for access to connecting roads, which, unless it is already wooded and satisfactory to the Planning Board, must be planted and landscaped so as to provide a visual barrier between the development and adjacent properties. The Planning Board may require additional buffer width where unique circumstances of an abutting use or property warrant. The site perimeter buffer shall NOT count towards the required minimum protected open space. (The Board requested adding NOT to the last sentence)

CIP Update

Paul handed out a copy of the final draft of the 2012-1017 CIP. He also handed out another page with some last minute addition that will be added to the packet. **Paul** asked if everyone could review this copy and he will make the last few changes and at the next Planning Board meeting move to adopt the document. **Judy** suggests there be information on building permit data added for the 1990's. **Paul** said he will work on getting that information. **Judy** said there should also be information listed as to how many

dwellings there are in Town. **Richard** said that information should be in the Master Plan. **Alan** said yes it should be in the Demographics Chapter but it hasn't been finish yet; we will have it for next year. **Richard** said the Committee always does a nice job putting this together. **Alan** asked the Board to review over the next few weeks and they will have the final CIP on December 1, 2011 at the Planning Board Meeting for adoption.

Status update on Suspension / Revocation of Lot H-130 and H-138-2

Darrell said that a couple of weeks ago they had made a motion to revoke the two subdivisions. Per Town Counsel we need to make a motion to permanently suspend these subdivisions. **Alan** asked if this wording was kosher with the RSA. **Darrell** said Town Counsel said yes.

Alan read the notice from Town Counsel

"This Notice is given pursuant to **RSA 676:4-a, II and RSA 676:4, I(d)** to advise you that the Town of Brookline Planning Board, at its regular meeting on **October 20, 2011**, adopted a resolution, pursuant to its authority under **RSA 676:4-a, I**, which is applicable, only, to two undeveloped residential house lots, namely **Lot H-130** in the **Cider Mill Pond Estates** subdivision and **Lot H-138-2** in the **Maplewood Estates**. The Board determined that the owner of those lots, which was the original applicant/developer of each of the two subdivisions, was in default of its obligations under the conditions of approval and suspended the previously granted approval(s) only as such approval related to the two above referenced lots and directed the Board of Selectmen, Building Inspector and other town officials responsible for the issuance of building permits to be advised that no building permits shall issue with respect to either of the two lots identified above unless, by a date thirty (30) days from the date of said resolution, the owner of said lots, **Adamyk Homes, Inc.**, shall either:

- a. Complete all improvements in the subdivision to required town specifications and accepted by the Town; or
- b. The applicant Adamyk Homes, Inc., or its successor has posted adequate security with the town to insure the completion of the improvements.

If compliance with the foregoing conditions is not forthcoming in said thirty (30) day period, this suspension shall become a revocation. The reasons for this revocation was the failure of the owner/applicant/developer to either complete said improvements or to provide and maintain adequate security to provide for the construction of said improvements in the event of the developer's default.

You are advised that, pursuant to **RSA 676:4-a, II**, any party receiving this notice has the right to request that the Planning Board convene a hearing with notice to all parties with respect to the above action, if any party receiving this notice requests the same. Such hearing request must be made within thirty (30) days of receipt of the within notice."

Alan said that we need to change the revocation wording to permanently suspend.

Darrell made a motion that the Planning Board suspends the subdivisions for lots H-130 and H-138-2 indefinitely. Dana seconded. Vote yes 5-0.

Darrell made a motion to adjourn at 9:10. Richard Seconded. Vote yes 5-0.

Alan Rosenberg, Co-Chair _____

Dana MacAllister, Co-Chair _____

Richard Randlett, Member _____

Ron Pelletier, Member _____

Darrell Philpot, Selectmen's Representative _____

**The next Regular Planning Board meeting will be 12/01/2011.
Minutes submitted by Kristen Austin.**