

**SPECIAL MEETING TOWN WARRANT  
TOWN OF BROOKLINE  
THE STATE OF NEW HAMPSHIRE**

**Meeting starts at 1:00pm on  
Sunday, March 28, 2021**

**At Captain Samuel Douglass Academy  
24 Townsend Hill Road**

To the inhabitants of the Town of Brookline in the County of Hillsborough in said State, qualified to vote in Town Affairs:

You are hereby notified to meet at the Captain Samuel Douglass Academy in said Brookline on Sunday, the twenty eighth (28<sup>th</sup>) day of March at 1:00pm to act upon the following subjects:

- 1.) *(By petition)* Shall the Town of Brookline impose a 365 day moratorium on any development that is intended to qualify as workforce housing under the Town of Brookline, NH Zoning and Land Use Ordinance? The moratorium shall be effective immediately upon the vote and shall include but not be limited to: approval of any development that is intended to qualify as workforce housing by the Planning Board, land acquisition, surveying, tree removal, or any other physical alteration of any land within the Town of Brookline for a development that is intended to qualify as workforce housing.
- 2.) *(By petition)* Shall the Town of Brookline vote to establish a Study Committee for the review of the Town's compliance with RSA 674:59 or any other business related thereto? The Study Committee would consist of 5 members (1 member from the Planning Board, 1 member from the Selectboard or their designee, 1 Member from either the Police or Fire Department and 2 Registered Voters who do not hold an elected position within the Town). The Members of the Study Committee shall be appointed by the Selectboard. The Study Committee shall, at a minimum, review the Town's compliance with RSA 674:59 and specifically determine if the Town meets its compliance under the provisions of RSA 674:59 III and to determine any and all necessary changes to the Town of Brookline, NH Zoning and Land Use Ordinance related to any development that is intended to qualify as workforce housing for compliance with RSA 674:59 including the repeal of such ordinance. The Study Committee shall file its recommendations at a date and time as determined by the Chair of the Study Committee with enough time for a Zoning and Land Use Ordinance change to be placed on the 2022 Annual Town Meeting Warrant in accordance with RSA 39:3 and RSA 675:4.
- 3.) *(By petition)* Shall the Town of Brookline vote to direct the Planning Board to enforce Reasonable Standards and Conditions of Approval in accordance with RSA 674:59 IV, including but not limited to Environmental Protection, Water Supply, Sanitary Disposal, Traffic Safety and Fire and Life Safety Protection on any development that is intended to qualify as workforce housing under the Town of Brookline, NH Zoning and Land Use Ordinance.
- 4.) Shall the Town of Brookline vote to direct the Planning Board to not approve any development that is intended to qualify as workforce housing under the Town of Brookline, NH Zoning and Land Use Ordinance if the Town meets its fair share of the current and reasonably foreseeable regional need for such housing under the provisions of RSA 674:59 III?
- Additionally, to further direct the Planning Board to not approve a development that is intended to qualify as workforce housing under Town of Brookline, NH Zoning and Land Use Ordinance if, when combined with the current housing stock, the development would exceed the Town's fair share of the current and reasonably foreseeable regional need for such housing under the provisions of RSA 674:59 III.

~~PARAGRAPH  
DELETED~~

Additionally, to further direct the Planning Board to require a report acceptable to the Planning Board from an applicant of a development that is intended to qualify as workforce housing under the Town of Brookline, NH Zoning and Land Use Ordinance demonstrating that the Town's existing housing stock is not sufficient to accommodate the Town's fair share of the current and reasonably foreseeable regional need for such housing under the provisions of RSA 674:59 III. Such report shall include all the available options of workforce housing in the Town's existing housing stock as defined under RSA 674:58.

Given under our hands and seal this eighth (8th) day of March 2021.

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Brendan Denehy

\_\_\_\_\_  
Eddie Arnold

\_\_\_\_\_  
Ron Olsen

\_\_\_\_\_  
Drew Kellner

\_\_\_\_\_  
Dana Ketchen

Selectboard of Brookline

PASSES AS  
AMENDED

MARCH 28, 2021 - BROOKLINE  
SPECIAL TOWN  
MEETING

## Motion under Warrant Article 1

Shall the Town of Brookline, in accordance with RSA 674:23 and upon the recommendation and written finding of the Brookline Planning Board adopt the following ordinance establishing a moratorium on development in The Town of Brookline?

### Ordinance Establishing a Moratorium on Development in The Town of Brookline (RSA 674:23)

This ordinance hereby establishes a moratorium on the issuance of building permits for new single-family or multi-family housing and the granting of site plan and subdivision approvals within the Town of Brookline for a period of 365 days which shall be effective immediately upon the vote of the legislative body and is based on the recommendation and written finding of the Brookline Planning Board (Appendix A) which describes the unusual circumstances that justify the ordinance and recommends a course of action to correct or alleviate such circumstances.

#### Statement of the circumstances giving rise to the need for the moratorium.

Based on information provided by the Brookline School Board and the School Administrative Unit 41 (SAU 41) continued development will significantly impact the ability of the Town of Brookline to provide adequate school services within the Brookline School District.

Per the Office of the Superintendent of SAU41, the K-6 enrollment in Brookline is projected to increase from 557 to 618 over the next 18 months. According to the Superintendent's letters, this could require potentially 3 additional classroom sections; some of the projected class sizes for the next school year exceed the specifications outlined in School Board Policy IIB.

#### Planning board's written findings

See Appendix A

#### Term of the ordinance

The Term of this ordinance shall be 365 days and shall be effective immediately upon the vote of the legislative body.

#### Types or categories of development to which the ordinance applies.

This ordinance shall apply to issuance of building permits for new single-family or multi-family housing and the granting of site plan and subdivision approvals for all types and categories of development unless exempted by or in accordance with this ordinance.

#### Description of the area of the municipality

This ordinance shall apply to the entire Town of Brookline.

### Exemptions from the Moratorium

1. Building permits for Accessory Dwelling Units as defined in section 2000 of the Town of Brookline, NH Zoning and Land Use Ordinance are exempt from this moratorium.
2. Building permits for lots created by subdivisions approved prior to the adoption of this ordinance are exempt from this moratorium.
3. Applications that have been approved prior to the adoption of this ordinance are exempt from this moratorium.
4. Applications submitted as Housing for Older Persons as specified in section 2200 of the Town of Brookline, NH Zoning and Land Use Ordinance are exempt from this moratorium.
5. The Brookline Planning Board may provide for the exemption from this moratorium of those types or categories of development that have minimal or no impact on the ability of the Town of Brookline to provide adequate school services within the Brookline School District.
6. The Brookline Planning Board may provide special permit or conditional use permit to allow development that has minimal or no impact on the ability of the Town of Brookline to provide adequate school services within the Brookline School District.

Further, this ordinance establishes the following course of action to correct or alleviate the unusual circumstances that affect the ability of the Town of Brookline to provide adequate school services and requires prompt attention to develop or alter a growth management process under RSA 674:22, a zoning ordinance, a master plan, or capital improvements program:

The Brookline School District shall establish a facilities study committee to address classroom space issues. Preliminary findings shall be submitted to the Brookline Capital Improvements Committee no later than 30 September 2021 for inclusion in the scheduled publication of the 2022-2027 Capital Improvements Plan. Any warrant articles required to implement the recommendations of this facilities committee shall be included on the Brookline 2022 warrant.

The Brookline Planning Board shall commission a study of school and town services to be performed in accordance with RSA 674:22 to determine if there is a demonstrated need to regulate the timing of development based upon the Town's lack of capacity to accommodate anticipated growth. A report shall be submitted to the Planning Board no later than 30 September 2021.

# APPENDIX A

For Special Planning Board Meeting – Wednesday, March 24, 2021

## Town of Brookline Planning Board Written Finding and Recommendation for Temporary Moratoria (RSA 674:23)

Pursuant to RSA 674:23, the Brookline Planning Board finds that the legislative body of the Town of Brookline should adopt an ordinance establishing a moratorium on the issuance of building permits for new single-family or multi-family housing and the granting of site plan and subdivision approvals for a period of one year.

These findings are forward-looking. Applications that have been approved prior to the date of any ordinance adopted based on these findings are exempt from the proposed ordinance.

Based on information provided by the Brookline School Board and the School Administrative Unit 41 (SAU 41) (Attachments 1 and 2), continued development will significantly impact the ability of the Town of Brookline to provide adequate school services within the Brookline School District.

Per the Office of the Superintendent of SAU41, the K-6 enrollment in Brookline is projected to increase from 557 to 618 over the next 18 months. According to the Superintendent's letters, this could require potentially 3 additional classroom sections; some of the projected class sizes for the next school year exceed the specifications outlined in School Board Policy IIB.

Due to the potential for unplanned stress on the capacity of the Brookline schools, the Planning Board recommends that any ordinance(s) adopted by the legislative body under RSA 674:23 include the following:

- Establish a moratorium on the approval of site plans and subdivisions for a period of one year.
- Establish a moratorium on the issuance of building permits for new single-family or multi-family housing for a period of one year.
- Building permits for Accessory Dwelling Units as defined in section 2000 of the Brookline Zoning Ordinance are exempt from this moratorium.
- Building permits for lots created by subdivisions approved prior to the adoption of any ordinance based on these findings are exempt from this moratorium.
- Applications that have been approved prior to the date of the adopted ordinance are exempt from this moratorium.
- Applications submitted as Housing for Older Persons as specified in Brookline Zoning Ordinance section 2200 are exempt from this moratorium
- The Brookline Planning Board may provide for the exemption from the moratorium of those types or categories of development that have minimal or no impact on the ability of the Town of Brookline to provide adequate school services within the Brookline School District.
- The Brookline Planning Board may provide special permit or conditional use permit to allow development that has minimal or no impact on the ability of the Town of Brookline to provide adequate school services within the Brookline School District.

- The Brookline School District shall establish a facilities study committee to address classroom space issues. Preliminary findings shall be submitted to the Brookline Capital Improvements Committee no later than 30 September 2021 for inclusion in the scheduled publication of the 2022-2027 Capital Improvements Plan. Any warrant articles required to implement the recommendations of this facilities committee shall be included on the Brookline 2022 warrant.
- The Brookline Planning Board shall commission a study of school and town services to be performed in accordance with RSA 674:22 to determine if there is a demonstrated need to regulate the timing of development based upon the Town's lack of capacity to accommodate anticipated growth. A report shall be submitted to the Planning Board no later than 30 September 2021.

# ATTACHMENT 1



## **School Administrative Unit #41**

Hollis, Brookline & Hollis-Brookline Cooperative School Districts  
Office of the Superintendent of Schools  
4 Lund Lane

Hollis, New Hampshire 03049  
603.324.5999 fax 603.465.3933

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March 17, 2021

Dear Members of the Planning Board,

I am writing to you on behalf of the Brookline School Board with regards to the potential workforce housing development proposed for route 13 in Brookline. The School Board held a special meeting on Tuesday, March 16, 2021 to deliberate on the impact this proposed housing would have on the School District. The Board unanimously supported the following two motions:

1. MOTION BY MEMBER SARRIS TO SUPPORT THE MORITURIUM ON THE 80-UNIT WORKFORCE HOUSING DEVELOPMENT (5-0).
2. MOTION BY MEMBER MARSANO TO SUPPORT A STUDY COMMITTEE TO REVIEW THE IMPACT OF THE 80-UNIT WORKFORCE HOUSING ON THE BROOKLINE SCHOOL SYSTEM (5-0).

The School Board utilizes the New England School Development Council (NESDEC) to complete the District's enrollment projections on an annual basis. The K-6 projected enrollment in Brookline is projected to go from 557 to 618. Depending on where those students fall (assuming the grade level projections are accurate), this could require potentially 3 additional classroom sections. Looking into next school year, some of our projected class sizes are greater than the specifications outlined in School Board Policy IIB and other projected class sizes are just below the specifications.

After discussing available spaces within our existing elementary buildings, we would have to re-evaluate how our specials (music, art, and computers) are taught. We would have to consider options such as taking back the computer labs, the STEM lab, the music classrooms, and/or the art classrooms to become traditional classrooms and move specials to a cart.

Trying to accommodate more than the NESDEC projections would require vastly different considerations. The School Board has been provided two presentations regarding facilities upgrades for RMMS during this school year. As a result of these two presentations the formation of a facilities study committee has been in process and will be officially formed at the School Board's next regular meeting on March 24, 2021. This committee is scheduled to provide regular feedback to the School Board during the upcoming school year as we prepare to make recommendations for potential warrant articles in March of 2022.

*Andrew Corey*  
Superintendent of Schools  
[andrew.corey@sau41.org](mailto:andrew.corey@sau41.org)

*Gina Bergskaug*  
Assistant Superintendent  
[gina.bergskaug@sau41.org](mailto:gina.bergskaug@sau41.org)

*Kelly Seeley*  
Business Administrator  
[kelly.seeley@sau41.org](mailto:kelly.seeley@sau41.org)

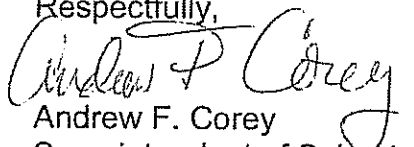
*Robert Thompson*  
Assistant Superintendent of Student Services  
[Robert.thompson@sau41.org](mailto:Robert.thompson@sau41.org)

Our neighbors in Amherst recently completed a thorough study to analyze similar needs (<https://ifac.sau39.org/>). The end result includes two building projects: the construction of a new PreK-5 school with a price tag of \$66 million, and a complete overhaul of the middle school with a price tag of \$31 million.

This projected NESDEC enrollment increase will also impact transportation and at a minimum result in an additional bus being added to the fleet to meet the increase in ridership both in Brookline and for the Cooperative District.. The cost of adding an additional bus route calculates to somewhere between \$45,000 - \$55,000 (based on time and mileage) increase to our transportation budget. Any additional enrollment increase will most likely result in the need to further increase our bus fleet.

As Superintendent my goal is to provide information for your discussion and allow all factors to be considered regarding the potential impact further housing units could have on the School District(s). I appreciate your taking the time to review this letter submitted on behalf of the Brookline School Board and would be most happy to make myself available to answer any questions that the Planning Board may have.

Respectfully,

  
Andrew F. Corey  
Superintendent of Schools

*Andrew Corey*  
Superintendent of Schools  
[andrew.corey@sau41.org](mailto:andrew.corey@sau41.org)

*Gina Bergskaug*  
Assistant Superintendent  
[gina.bergskaug@sau41.org](mailto:gina.bergskaug@sau41.org)

*Kelly Seeley*  
Business Administrator  
[kelly.seeley@sau41.org](mailto:kelly.seeley@sau41.org)

*Robert Thompson*  
Assistant Superintendent of Student Services  
[Robert.thompson@sau41.org](mailto:Robert.thompson@sau41.org)



## ATTACHMENT 2



### School Administrative Unit #41

Hollis, Brookline & Hollis-Brookline Cooperative School Districts  
Office of the Superintendent of Schools  
4 Lund Lane

Hollis, New Hampshire 03049  
603.324.5999 fax 603.465.3933

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March 22, 2021

Dear Members of the Planning Board,

On Thursday, March 18, Town Administrator Tad Putney reached out to me seeking clarification on two items. The first item was regarding when I anticipate the enrollment increase happening? I believe the NESDEC projections indicate that the increase in student enrollment will occur over the next 18 months. As with all of our enrollment predictions much of what is projected is based on the economy and regional employers continuing to maintain or expand their work force. The second question was related to our historical enrollments being greater than the recent projections and why we cannot accommodate the projected increase? The two significant items that have reduced available classroom space are the Board's passing of policy IIB which dictates class sizes by grade. Prior to this policy we had class sections that in some cases approached the State maximum of thirty students per class. The second area that has reduced available classroom space has been the District's decision to create in-district special education programming which has reduced our need to place students out of district. These in-district programs allow us to provide an outstanding education to specific students while also avoiding substantial tuition and transportation costs associated with an out of district placement.

I hope you find this information helpful as you deliberate on the potential workforce housing development proposed for route 13 in Brookline.

Respectfully,

Andrew F. Corey  
Superintendent of Schools

Andrew Corey  
Superintendent of Schools  
andrew.corey@sau41.org

Gina Bergskaug  
Assistant Superintendent  
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Kelly Seeley  
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kelly.seeley@sau41.org

Robert Thompson  
Assistant Superintendent of Student Services  
Robert.thompson@sau41.org

## Motion under Article 2

Shall the Town of Brookline vote direct the Brookline Planning Board to commission a study of school and town services to be performed in accordance with RSA 674:22 to determine if there is a demonstrated need to regulate the timing of development based upon the Town's lack of capacity to accommodate anticipated growth. Further, at the discretion of the study, to review the Town of Brookline, NH Zoning and Land Use Ordinance to determine any changes that may be necessary to address development within the Town of Brookline or any other business related thereto. Further, that the Members of the Study Committee shall be appointed by the Planning Board. Further, that a report shall be submitted to the Planning Board no later than 30 September 2021?

Further, to direct the Brookline School District to establish a facilities study committee to address classroom space issues. Preliminary findings shall be submitted to the Brookline Capital Improvements Committee no later than 30 September 2021 for inclusion in the scheduled publication of the 2022-2027 Capital Improvements Plan. Any warrant articles required to implement the recommendations of this facilities committee shall be included on the Brookline 2022 warrant

PASSES AS  
AMENDED

PASSES AS  
AMENDED

## Motion under Article 4

Shall the Town of Brookline vote to direct the Planning Board to not approve any development that is intended to qualify as workforce housing under the Town of Brookline, NH Zoning and Land Use Ordinance if the Town meets its fair share of the current and reasonably foreseeable regional need for such housing under the provisions of RSA 674:59 III?

Additionally, to further direct the Planning Board to not approve a development that is intended to qualify as workforce housing under Town of Brookline, NH Zoning and Land Use Ordinance if, when combined with the current housing stock, the development would exceed the Town's fair share of the current and reasonably foreseeable regional need for such housing under the provisions of RSA 674:59 III.