

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.