

Planning Board Meeting Minutes
Town of Brookfield, NH
267 Wentworth Road
Brookfield, NH 03872

Thursday, February 19, 2015

- I. **Chairman Rick Surette called the meeting to order at 6:30 PM.**
- II. **Roll Call: Members, Alternates, Appointment of Alternates per RSA 673:11,673:12**
 - A. Members present: Chairman Rick Surette, Vice-chairman Rob Collins, Geary Ciccarrone, David Champy II and Selectman Rich Zacher.
 - B. Tardy: (none).
 - C. Alternates present: (none).
 - D. Members and Alternates absent: Jim Freeman, Ed Comeau, and John Merrigan.
- III. **Appointment of Alternates per RSA 673:11, 673:12.**

(No alternates were present.)
- IV. **Public Comments.**

(None).
- V. **Comments Announcements / Correspondence / Mail.**

(None).
- VI. **Review and Possible Approval of the January 8, 2015, January 15, 2015, January 26, 2015, and February 2, 2015 Planning Board Meeting Minutes.**
 - A. Review and Possible Approval of the January 8, 2015 Minutes.
 1. A hard copy of the January 8, 2015 meeting minutes was distributed to Planning Board members.
 2. After review the following were noted for correction:
 - a. Page 1 of 6, IV, D, second sentence- replace “make” with “fix”.
 - b. Page 2 of 6, V- delete “was disclosed”.
 - c. Page 2 of 6, VI, E- replace “left” with “excused himself from”.
 3. **Motion: Vice-chairman Rob Collins moved that the Planning Board accept the January 8, 2015 Planning Board meeting minutes as amended.** Second: David Champy II. The motion passed with four in favor and one abstention.
 - B. Review of the January 15, 2015 Planning Board Meeting Minutes.
 1. A hard copy of the January 15, 2015 meeting minutes was distributed to Planning Board members.

2. After review the following was noted for correction: page 1 of 7, after the title- replace “January 15, 2014” with “January 15, 2015”.
 3. **Motion: Geary Ciccarone moved that the Planning Board accept the January 15, 2015 Planning Board meeting minutes as amended.** Second: Vice-chairman Rob Collins. The motion passed with four in favor and one abstention.
- C. Review and Possible Approval of the January 26, 2015 Public Hearing Minutes.
1. A hard copy of the January 26, 2015 public hearing minutes was distributed to Planning Board members.
 2. After review the following were noted for correction:
 - a. Page 1 of 12, after the title and date add – “and Continued Friday, January 30, 2015”.
 - b. Page 1 of 12, designate the different days of the public hearing as portion “A.” and portion “B.” in the minutes.
 - c. Page 3 of 12, IV, C, 9 insert “Manufactured Housing” before “Parks”.
 3. **Motion: David Champy II moved that the Planning Board accept the January 26, 2015 public hearing minutes (portion A) as amended.** Second: Chairman Rick Surette. The motion passed unanimously.
 4. After reviewing portion “B” of the minutes the following change was suggested- Page 5 of 12, VIII, C replace “comment changes” with “comments added”.
 5. **Motion: Chairman Rick Surette moved that the Planning Board accept the January 26, 2015 public hearing minutes (portion B) as amended.** Second: Vice-chairman Rob Collins. The motion passed with four in favor and one abstention.
- D. Review and Possible Approval of the February 2, 2015 Public Hearing Minutes.
1. A hard copy of the February 2, 2015 public hearing minutes was distributed to Planning Board members.
 2. After review the following was noted for correction:
Page 2 of 8, VI, A- replace the first word “A” with “The”.
 3. **Motion: Vice-chairman Rob Collins moved that the Planning Board accept the February 2, 2015 Planning Board meeting minutes as amended.** Second: David Champy II. The motion passed with four in favor and one abstention.

VII. New Business-
(None).

VIII. Old Business- Proposal to Amend the Rules of Procedure in Regard to Legislated Changes in Notification Requirements.

- A. Proposal that the Town Attorney Annually Address the Planning Board to Review Changes in Legislation.
1. Chairman Rick Surette announced that he emailed the Town Attorney, requesting suggestions as to scheduling annual meetings to notify the Planning Board about changes in the RSA that affect zoning regulations. Chairman Rick Surette added that he had not yet received a reply.

2. After some discussion regarding the lack of clarity in the discussion point, the Chairman requested that the administrative assistant make the following changes in VIII, A of the agenda;
 - a. Insert “State” before “Legislation”.
 - b. Add “as it Pertains to the Brookfield Planning Board” after “Legislation”.
- B. Proposed Amended Rules of Procedure in Regard to Publication and Postings of Proposed Zoning Ordinance Amendments.
 1. A hard copy of proposed changes to the Rules of Procedure was distributed to Planning Board members (attached).
 2. The following changes to the document were suggested;
 - a. To Appendix T add “Tax Map _____ Lot _____.”
 - b. In the last bullet of 6.2.2 replace “certified mail (return receipt requested)” with “first class mail”.
- C. Proposed Amended Rules of Procedure in Regard to Legislated Changes in Notification Requirements.

Motion: Vice-chairman Rob Collins moved that the Planning Board accept the proposed changes to the Rules of Procedure as a working document with changes to Appendix T and 6.2.2. Second: David Champy II. The motion passed unanimously.

IX. Member Comments

(None).

X. Adjournment

At 7:05 PM the Planning Board meeting was adjourned.

Respectfully submitted by

George Nick, Administrative Assistant.

_____ Date 2/26/15

argument for having the alternate sit during subsequent discussions of the proposal. A rule of common sense would seem to be in order. If an alternate sat during most of the meetings on the petition then that alternate should as a matter of practicality, but not necessarily as a matter of law, sit on the final meeting when the matter is voted upon.” *New Hampshire Practice: Land Use Planning and Zoning, 3rd ed., Vol.15 27.07, p.362.*

5.2.5 If an alternate member indicates by behavior or absenteeism a lack of interest in serving the Board, the Board may, by a majority vote, request his/her resignation. Failure to resign may result in removal by the Board of Selectmen under the terms of **RSA 673:13**.

VI. DUTIES OF THE ADMINISTRATIVE ASSISTANT

6.1 General. The Administrative Assistant shall be responsible for the following tasks during and after meetings.

- Post meeting notices and publish the agenda.
- Distribute the last meeting minutes draft and other related correspondence to the Board members and alternates one week prior to the meeting.
- Attend meetings taking notes of meetings for minutes, documenting map and lot numbers of properties discussed at Planning Board meetings.
- Type minutes (draft copy must be available to the public; i.e., placed in the public access binder within the Town Offices within five (5) business days.)
- Correct minutes after draft review by Chair and by the Board, and file paper copies in the Planning Board File and in the public access binder.
- Display agendas, minutes and regulatory documents on the Town Website. All signatures, phone numbers and email addresses shall be redacted from documents displayed on the Town Website, exclusively.
- Open Planning Board mail and determine to whose attention it should be brought. Mail items that may have an impact on the Board’s agenda should be brought to the attention of the Chair.
- *When requested, the Administrative Assistant shall provide notification of all public hearing zoning changes to property owners. See 6.2.3 for details.*
- Other duties the Board may deem necessary.

6.2 Hearing Preparation.

6.2.1 The Administrative Assistant shall prepare for Site Plan Review and Subdivision Hearings as follows:

- Collect application and supporting documentation, verify the abutters list, and start a file.
- Assign a Case Number and identify parcel Tax Map Number and Lot Number(s).
- Copy the application fee check and pass it to the Board Chair.
- Assist Chair with scheduling.
- Have notice published in Granite State News or Foster’s Daily Democrat.
- Send notices to abutters by certified mail (return receipt requested).

6.2.2 *The Administrative Assistant shall prepare for Zoning Boundary changes and Minimum Lot Size changes within a zoning district accordingly:*

- *Collect supporting documentation, verify the affected property owners and start a file.*
- *Assign a Case Number and identify parcel Tax Map Number(s) and Lot Number(s).*
- *Assist Chair with scheduling.*
- *Have notice published in Granite State News or Foster’s Daily Democrat.*

- *In instances where one hundred or fewer properties are affected by the change, send notices to property owners by certified mail (return receipt requested). **Note: this notification requirement does not apply to petitioned zoning amendments (RSA 675:7,I).***

6.2.3 The Administrative Assistant, upon request, shall supply notification of all public hearings regarding proposed zoning changes accordingly:

- *All requests must be documented and signed on the Public Hearing Notification Form.*
- *The administrative assistant shall maintain a list of property owners who have requested to be notified of public hearings related to all Zoning Ordinance changes. Annually the administrative assistant shall submit a copy of the Public Hearing Notification List to the Assessor Clerk to verify that those on the list are current property owners. The names of any person who is no longer a Brookfield property owner shall be purged from the list.*
- *Notices shall be sent either electronically or by first class mail. Such notices shall be provided without charge to the recipient. **Note: this notification requirement does not apply to petitioned zoning amendments (RSA 675:7,I).***
- *Notices shall include a statement of the proposed changes to the zoning ordinance, the areas affected, and any other information that improves public understanding of the proposal in easily understood language (RSA 675:7,II).*

XIII. PUBLIC NOTICE

13.1. Public notice shall be given by posting in two (2) public places, including the exterior Town Office Bulletin Board, the Stoneham Corners Bulletin Board and Town web site.

13.2 Pursuant to RSA 672:3 and RSA 676:4, I (d), personal notice of the date upon which the application will be formally submitted to the Board, and of public hearings on the application, shall be made by the applicant, using certified mail, return receipt requested, not less than ten days exclusive of the day of posting and the day of the meeting prior to the date fixed for submission and consideration of the application to the Board (exclusive of the day of the meeting). The notice to abutters shall be required in accordance with RSA 672:3.

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Notice to holders of conservation, preservation, or agricultural preservation restrictions, and to any professional, including every engineer, architect, land surveyor, or soil scientist whose seal appears on any plat shall be required in accordance with RSA 676:4, I (d).

13.3 Notice requirements of public hearing(s) may be combined if the date(s) of the public hearing(s) are stated in the notice, and if the notice also states that if the application is accepted as complete, a public hearing may commence on the merits of the application.

13.4 Pursuant to RSA 675:7, any person owning property in the municipality may request notice of all public hearings on proposed amendments to the zoning ordinance, and the municipality shall provide notice, at no cost to the person, electronically or by first class mail. To request notice, a property owner shall submit the Public Hearing Notification Form to the Administrative Assistant.

13.5 Pursuant to RSA 675:7, if a proposed amendment to a zoning ordinance would change a boundary of a zoning district and the change would affect 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owners of each affected property. If a proposed amendment to a zoning ordinance would change the minimum lot sizes or the permitted uses in a zoning district that includes 100 or fewer properties, notice of a public hearing on the amendment shall be sent by first class mail to the owner of each property in the district. Notice by mail shall be sent to the address used for mailing local property tax bills. A good faith effort and substantial compliance shall satisfy the notice by mail requirements. Petitioned amendments as authorized in RSA 675:4 shall not be subject to notification by mail requirements.

13.6 Public notice for a hearing shall be given ten or more days before the hearing (exclusive of the day of the posting and the day of the meeting) by posting a notice in two (2) public places in the town; namely, the exterior bulletin boards at the Town Office and Stoneham Corners; the Town web site, and by publishing in a newspaper of general circulation in the Town. The full text of the subject of the hearing need not be placed in the notice, but the notice shall give a clear description of the matter and state where the document may be reviewed. The notice shall also state the date, time, and place of the hearing.

Appendix T

Public Hearing Notification Form

I, the undersigned, request notification of all public hearings regarding zoning changes. My property is located at _____,

*Brookfield, NH. Please send such notices to the following **email address**: _____*

*or to the following **physical address**:*

(printed name)

(signature)

(date)

Note: this notification requirement does not apply to petitioned zoning amendments (RSA 675:7,I).

OFFICE USE ONLY

Received on _____.
(date)

Entered on the Public Hearing Notification List _____.
(date)

Appendix U

**Notice of Public Hearing to Amend the Zoning Ordinance:
Publication Sample**

NOTICE OF PUBLIC HEARING

Brookfield Town Office Building, 267 Wentworth Road, Brookfield, NH 03872, on January 26, 2015, at 6:30 PM the Planning Board will conduct a public hearing to amend the Zoning Ordinance for the purpose of clarification and to conform to state law in regard to the following proposals: (1) to add a definition of home occupation and home based business as businesses located and operated on the property where the owner resides or on an adjacent property used as part of the owner's residential property, (2) to make various minor typographical and grammatical changes which have no impact on the substance of the zoning ordinance, (3) to amend the building lot requirements and definitions to remove the requirement for an increased lot size in certain circumstances, to require frontage on a Class V or approved private road, and to require lots fronting on Kingswood Lake to have 250 feet of shore frontage.

Documents detailing the proposed changes to the Zoning Ordinance will be on display at the Brookfield Town Office in the public area.

Please confirm by phone or e-mail with date of publication and total cost.

Thank you.

| | | | |
|-----------------------------|-------|------------|-----------------|
| <i>Office Use:</i> | | | |
| <i>Date of Publication:</i> | _____ | <i>2x2</i> | <i>\$ 64.40</i> |
| | | <i>2x3</i> | <i>\$ 96.60</i> |
| <i>Total Cost:</i> | _____ | <i>2x4</i> | <i>\$128.80</i> |

Appendix V

Notice of Public Hearing to Amend the Zoning Ordinance: Town Bulletin Board and Web Site Sample

Brookfield Town Office Building, 267 Wentworth Road, Brookfield, NH 03872, on January 26, 2015, at 6:30 PM the Planning Board will conduct a public hearing to amend the Zoning Ordinance for the purpose of clarification and to conform to state law in regard to the following proposals: (1) to add a definition of home occupation and home based business as businesses located and operated on the property where the owner resides or on an adjacent property used as part of the owner's residential property, (2) to make various minor typographical and grammatical changes which have no impact on the substance of the zoning ordinance, (3) to amend the building lot requirements and definitions to remove the requirement for an increased lot size in certain circumstances, to require frontage on a Class V or approved private road, and to require lots fronting on Kingswood Lake to have 250 feet of shore frontage.

Should a decision to approve or reject the proposed amendments to the Zoning Ordinance not be reached at the Public Hearing, the hearing may be continued to a subsequent second Public Hearing. Anyone needing assistance to attend this meeting or further information, should contact the Planning Board Administrative Assistant at 522-3688.

The application is available for inspection at the Brookfield Town Offices, in the Planning Board room. The Town Offices are open Monday, 1-8 PM; Tuesday, 8:30-1 PM; Wednesday, 2-6 PM; Thursday, 9-12 Noon; Friday, 10-2 PM. For additional available times, please contact the Planning Board Chair or Administrative Assistant by calling 522-3688.

August __, 20__.

*Brookfield Planning Board
George Nick, Administrative Assistant*