

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

Thursday, April 16, 2015

- I. **Chairman Rick Surette called the meeting to order at 6:34 PM.**
- II. **Roll Call: Members, Alternates, Appointment of Alternates per RSA 673:11,673:12**
 - A. Members present: Chairman Rick Surette, Jim Freeman, Ed Comeau, David Champy II, and Selectman Rich Zacher.
 - B. Tardy: (none).
 - C. Alternates present: (none).
 - D. Members and Alternates absent: Vice-chairman Rob Collins, Geary Ciccarone, 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 February 19, 2015 and the March 19, 2015 Planning Board Meeting Minutes.**
 - A. The draft of the February 19, 2015 meeting minutes was distributed to Planning Board members.
 1. Planning Board members reviewed the minutes.
 2. **Motion: Rich Zacher made a motion to accept the February 19, 2015 minutes as presented.** Second: David Champy II. The motion passed with three members in favor and two abstentions.
 - B. The draft of the March 19, 2015 meeting minutes was distributed to Planning Board members.
 1. Planning Board members reviewed the minutes.
 2. **Motion: Ed Comeau made a motion to accept the March 19, 2015 Planning Board minutes as submitted.** Second: Jim Freeman. The motion passed with four members in favor and one abstention.

VII. New Business-

Chairman Rick Surette changed the order of the agenda and discussed topics accordingly;

A. CIP.

1. The Chairman commented on the need to provide the CIP report to the Selectmen in a timely manner.
2. Chairman Rick Surette asked Selectman Rich Zacher when the Selectmen would like to receive the CIP report.
3. Selectman Rich Zacher suggested September 1, 2015 as an appropriate time.
4. Chairman Rick Surette commented that a questionnaire concerning expenditures should be submitted and reviewed by the Planning Board.
5. Chairman Rick Surette requested that the administrative assistant supply a copy of the previous year's expenditure questionnaire as a template for the Planning Board to modify in preparation of the 2016 CIP Report.

B. Master Plan.

1. The Chairman commented on the need to update the Master Plan.
2. Chairman Rick Surette welcomed Planning Board members to discuss a time frame that conforms to the RSAs.
3. David Champy II referred to RSA 674:3 which recommends that the Master Plan be updated every five to ten years.
4. After some discussion of how to proceed in updating the Master Plan, Chairman Rick Surette declared that the process would begin at the May Planning Board meeting.

VIII. Old Business-

A. Review of the Amended Rules of Procedure Working Document.

1. A hard copy of the Rules of Procedure Working Document dated March 19, 2015 was distributed to Planning Board members for review (attached).
2. **Motion: Chairman Rick Surette moved that the Planning Board accept the Rules of Procedure Working Document for insertion into the Rules of Procedure.**
Second: David Champy II. The motion passed unanimously.

B. Distribution of the Amended Zoning Ordinance as Approved by Vote at the Town Meeting.

1. A hard copy of the Zoning Ordinance document as approved by vote at the Town Meeting with corrected typographical errors and punctuation was distributed to Planning Board members for review.
2. **Motion: Chairman Rick Surette moved that the Planning Board approve the Zoning Ordinance Document as accepted at the Town Meeting with corrected typographical errors and punctuation per the March 14, 2015 Planning Board meeting.** Second: Jim Freeman. The motion passed unanimously.

C. Research of Organizations Providing Notification of RSA Changes that Apply to Planning.

1. State Representative Ed Comeau reported that OEP is responsible for publishing the New Hampshire Planning and Land Use Regulation books and therefore should be able to provide a list of changed regulations that apply to zoning. Additionally Mr. Comeau stated that he has not yet been able to track down the responsible parties.
2. Chairman Rick Surette requested that the administrative assistant place this agenda item on the May Planning Board agenda.

IX. Member Comments

- A. Selectman Rich Zacher reported that as the Town considers the purchase of property, there is a question as to whether certain items that are required by local subdivision regulations can be waived. State Representative Ed Comeau volunteered to approach OEP about subdivision exemptions. Chairman Rick Surette requested that the administrative assistant place this agenda item on the May Planning Board agenda.
- B. There was some discussion about the process for considering an alternate to the Planning Board. Chairman Rick Surette requested that the administrative assistant place this agenda item on the May Planning Board agenda.

Adjournment

At 7:15 PM the Planning Board meeting was adjourned.

Respectfully submitted by
George Nick, Administrative Assistant.

_____ Date 4/22/15

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 first class mail. **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 *name* 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. 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. Tax Map _____ Lot _____.

Please send such notices to the following **email address**: _____

or to the following *mailing 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.

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

Appendix V

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

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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.

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