

Brentwood Planning Board
Minutes – March 17, 2011

Members Present: Bruce Stevens, Chairman John Kennedy, Vice Chair
 Doug Brenner, Secretary Mike Hubbard, BOS rep.
 Kevin Johnston Bob Magnusson
 Glenn Greenwood, Circuit Rider Planner

Minutes – Mail – Board Business

Chairman Stevens opened the meeting at 7:00

Motion made by Kennedy, 2nd by Magnusson to give St. Hilaire voting rights: all were in favor.

Motion made by Kennedy, 2nd by Johnston to approve the February 17 minutes with the following addendum: insert the word “new” in the 8th paragraph on page 1. The motion carried with Hubbard abstaining as he was not present.

There was discussion on the zoning amendment that was on the 2011 Town election ballot. The ballot stated that the building setback for the commercial zone of Pine Road would be 50 feet from edge of pavement, when it should have read “from edge of right-of-way”. This will be brought up at one of the August meetings, to discuss holding a public hearing to change this to the original intent of the Board.

The Board is in receipt of a letter from 3 G Real Estate Development, owner of the Barnett Woods subdivision. The PB sent them a letter last month reminding them about relocating the driveway for Ms. Nicolova from Pickpocket Road to Spruce Ridge Drive, as required by the approved plans. The PB requested this be done no later than June 15th. In part, their letter states that they are aware of the requirement, and they have a contract agreement with Ms. Nicolova to complete this work by November. 3 G Real Estate will be asked to provide the PB with a copy of this agreement, and will re-visit this issue in May. Greenwood arrived at this time.

Portions of the legal documents regarding the workforce housing subdivision were reviewed by the Board, per Greenwood’s request. He had various concerns that members discussed.

The Affordable Housing Restrictive Covenant and Agreement

1. Refers to Brentwood as being in the Western Rockingham area, whereas this should say Brentwood is located within the Portsmouth-Rochester NH HMFA.
2. With regards to Section 2.4, *Inability to Find an Eligible Buyer*, motion made by Kennedy, 2nd by Johnston to recommend they delete this entire section. Greenwood would like to speak with the New Hampshire Housing Finance Authority to see what their restrictions are, and if this can be legally removed. Brenner expressed a difference of opinion from the rest of the members in terms of income requirements. Voting in favor of the motion were Johnston, Kennedy and Hubbard. Voting no were Stevens, St. Hilaire, Magnusson and Brenner. The motion failed.
3. Section 4.3 refers to a development in Exeter (typo) that needs to be corrected to reflect this development, known as Fire Fly.
4. Section 5 *Mortgage Protections* discusses the impact upon the affordability covenant if a property is foreclosed upon. Greenwood said this says that if the property is foreclosed, then all the restrictions go the wayside. He would like to ask the NHHFA if this is common procedure.

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Declaration of Common Scheme Restrictions – Covenants and Restriction Applicable to All Lots

1. Section 1 and 1.a: The Board would like this to be consistent with Brentwood’s Accessory Unit ordinance. This one presented appears to be from another town.
2. Section 5A disallows home occupations of any type. Greenwood said this does not meet the philosophy of the Town but is within the rights of a development to be self regulated. The Board will recommend that this development follow the Town’s Home Occupation ordinance.

The Board is in receipt of a letter regarding the Letter of Credit for the Idyllwood Farm subdivision. The developer would like to replace the LOC, which has a balance of \$54,117.30, with a cash bond. He is asking if the LOC can be released once the replacement check has cleared the bank.

Motion made by Kennedy, 2nd by Johnston to allow Stevens to sign the release letter, and once the check has cleared, the release letter will be sent to the bank: all were in favor.

Motion to adjourn at 8:15 made by Magnusson, 2nd by Brenner: all were in favor.

Respectfully Submitted,

Kathy St. Hilaire
Administrative Assistant
Brentwood Planning Board