

**Brentwood Planning Board
Minutes
January 6, 2022**

Members Present:	Bruce Stevens, Chairman Jon Morgan, BOS rep Kevin Johnston, Vice Chair Kristin Aldred Cheek	Mark Kennedy Paul Kleinman Alternate, Brian West Town Planner, Glenn Greenwood
-------------------------	--	---

7:00 pm: Open Public Hearing: Chairman Stevens opened the public hearing at 7:00 pm.

Motion made by Stevens, 2nd by Aldred Cheek, to give alternate West voting rights. All were in favor. Motion Carried.

7:00 pm: Consideration of amending the Brentwood Zoning and Land Use Document as it pertains to the following: 1) Two proposed changes to the cluster ordinance: a) Add verbiage that allows lot lines to extend into the buffer provided there are deed restrictions to have the buffer remain in a natural or planted vegetative state AND b) Add verbiage to clarify that reserve strips are necessary and required only to allow for the construction of the roadway thru the buffer area; 2) Consideration of removing the Senior Housing ordinance in its entirety; 3) Remove all references to private roads completely; 4) Amend the conditional use permit in wetlands to clarify which statements apply to senior housing; 5) Change the minimum dwelling size from 720 sq. ft. to 320 sq. ft.; and to amend the subdivision and site plan regulations to add the requirement for pre-construction meetings with the Town Engineer and remove all references to private roads. Full copies of the text are available in the Planning office.

Present: Alysia Bouchard of Crawley Falls Road; Kim Leo; Kate Parks of Middle Road; Mark Young of 47 Fellows Rd.; Cameron Miner of Fellows Road; Justin Prokocimer of Middle Rd.

The Board discussed the proposed zoning amendments and voted on those they recommended move forward on the ballot.

Greenwood explained the two changes within the cluster ordinance: The first is to allow the internal lot lines to extend into the required 100' buffer area so the buffer area would become a portion of the person's lot, which was not included previously. The buffer ordinance is to maintain the perimeter buffer, the lot lines can go to the exterior property line, but the lots involved would need an easement for the 1st 100' to prohibit development so the appearance is still a 100' perimeter buffer with the 1st 100' within each property line undisturbed. There is no visual impact change. The 2nd change to the cluster ordinance is to clarify the 25' reserve strips as it was a little unclear. The access road is necessary to get to the interior of the parcel and has to cross the 100' buffer area and there is a 25' reserve strip along the side of that road, but it wasn't clear. The reserve strips are along the buffer area to a depth of 25' on both sides of a new road, allowing the construction of the road in the buffer area. This allows that the road can include activity in the exterior of the ROW for the purpose of constructing the road. There is no change to the ordinance, the reserve strips were already in there, but it's better described now.

(Page 23) Cluster Ordinance: 300.002.007.005 External and Internal Design Standards.

A. Requirements applicable to the external boundaries of the development:

2) A perimeter buffer zone having a minimum depth of one hundred (100) feet shall be provided between any structure, septic system or service road, and the perimeter lot line of the tract. Said buffer zone shall be comprised of vegetation, either natural or planted. ~~If internal lot lines exist, these lot lines shall not infringe upon the buffer area.~~ **If internal lot lines are utilized these lot lines may be extended into the buffer area. If they extend into the buffer area deed restrictions shall be developed that ensures that the area of lots within the buffer remain in a natural or planted vegetative state. (3/2006, 3/2022)**

Board was in favor – Vote (7-0) re: Lot Lines

**Brentwood Planning Board
Minutes
January 6, 2022**

3) No construction shall be permitted within the buffer zone, other than a primary access road which shall be allowed to cross the buffer zone at the point of access to the pre-existing class V or better road servicing the development. Along both sides of this primary access road reserve strips of twenty-five (25) feet must be maintained for the first one hundred (100) feet of said primary access road. **These reserve strips are necessary and required only to allow for the construction of the roadway thru the buffer area.** In instances where the proposed cluster residential development incorporates a design that includes several access points to the abutting Class V Road these may be approved by the planning board if the board determines that the neighborhood and proposal are best served by this alternate plan for access. Related drainage and storm water management treatment devices may be constructed within the mandatory buffer area. (3/2020, **3/2022**)

Board was in favor – Vote (7-0) re: Reserve Strip language

Motion made by West, 2nd by Aldred Cheek, to recommend the change regarding the internal lot lines in the cluster ordinance (300.002.007.005 A (2)) to go on the ballot for Town vote. All were in favor. Motion carried.

Motion made by Aldred Cheek, 2nd by West, to recommend the change regarding a clarification on the reserve strips within the cluster ordinance (300.002.007.005 A (3)) to go on the ballot for Town vote.

Parks lives across from Lindon Drive and when it was put in 17 years ago, it should have had a culvert; there is sitting water there. The state doesn't clean it out, the state and town engineer signed off on it; She wants it to put out there that things have to be put back and make sure that water drains correctly.

2) (Page 24) Remove Senior Housing Article 300.002.008 Senior Housing in its entirety.

Board was in favor – Vote (5 for and 2 against)

The Board discussed Senior Housing. Stevens said during the work session, it was voted 4 to 3 in favor of removing the senior housing ordinance so there would no longer be senior housing developments allowed. Stevens was not in favor of removing it and asked Johnston, who was in favor, to explain. Johnston thinks there are too many over 55+ communities and even though they pay taxes and don't have children in the school, they can still vote down school programs. Johnston thinks the 55+ communities are a blight on the Town; clustered together, not maintaining the rural character. Kleinman agreed. Kennedy asked to define rural character; what is it? If you are going to vote out a type of housing development based on what their voting habits may or may not be, I think that speaks for itself. In order to have a diverse economic system, you need to allow diverse housing. Is it a place where I would live? No but others like it. Older people are an asset. Using rural character, which isn't well defined, is a weak argument. Stevens agreed. Presently, only 14% of the total dwellings in Town are 55+, that's not a huge percentage, maybe if it were 25 or 28%, double what we have now, it could then be removed from the ordinance. These are nice homes with a lot of taxes, and we're throwing out the goose that laid the golden egg. The future of Brentwood, diverse incomes, allowing younger people to come in. The Town and School budgets are ballooning, 3-4% increases every year; the police department is a 1-million-dollar budget this year. The money they are paying offsets the budgets. Younger people can only come here if they can afford to pay the taxes. Johnston disagreed, saying that eventually, they won't be able to sell them as 55+ and then children would be allowed in them. Parks said she can't afford to stay in Brentwood if the taxes keep going up and the senior houses are ugly and very expensive. Stevens said if this comes out of the zoning, land is still valuable, we will just have more single-family residences in the 800K+ range. Young people can't afford to live here and throwing out senior housing may make this work. Aldred Cheek said is not in favor of senior housing and they should

Brentwood Planning Board

Minutes

January 6, 2022

address affordable housing separately. There can be density in multi-family. Stevens said until you increase the density, you can't have affordable housing; and would the people be in favor of the same density allowed in senior housing to go towards an affordable housing ordinance. Johnston said that's for another conversation. Kennedy said he wants affordable housing, but it needs a plan.

Young of 47 Fellows Rd. asked how many age restricted neighborhoods there are and do they increase affordable housing in Town? Bickum replied 5 or 6. Stevens thinks they do increase affordable housing because of the tax dollars. Young said as for diversity, he doesn't think they need age restricted as there a number of older people in town already. In his neighborhood of 30 homes, ½ of those homeowners are over 55, he's 59. Brentwood is there and the state is aging. 20 years ago, he thought that it was a great way to increase tax revenue with no strain on the schools but recently he thinks it's a loophole for developers to cluster housing. In 20 years, senior housing hasn't made Brentwood more affordable. Leo asked how is affordable classified, what does it mean. Greenwood said Brentwood had an affordable housing ordinance (*workforce*) and a few years ago it was voted out. There was once a method to allow smaller lots by "lot by soil type"; it's about land value. Allowing a smaller lot = a less expensive purchase, but that was voted out. The federal government has an affordable housing formula that doesn't work well for the state of NH because our tax structure relies on property cost. Affordable for Brentwood, there isn't an affordability matrix. HUD has one region by region, 75-80% of the median household value, but the median value in southeast NH is so high, that's it's not affordable. Stevens said it is north of \$300,000, which is not affordable. Miner said what's selling in 3 Ponds recently is over \$615,000, \$622,000. That's not affordable but its high density going against the rural character. So, let's define rural character, put some numbers to it, metrics then separate the two out. Saying that senior housing creates more affordable housing doesn't add up to him as these "affordable" senior houses are selling for more than half of the other properties sold in the last month. Residents felt that senior housing doesn't reduce the costs and if there was no senior housing, it would be the same or lower. Kennedy would like to review and revamp the multi-family district at another time. Aldred Cheek agreed.

Motion made by Kleinman, 2nd by West, to recommend removing Senior Housing (*Article 300.002.008*) from the zoning ordinance in its entirety, to go on the ballot for Town vote. Kleinman, Aldred Cheek, Johnston, West and Morgan were all in favor. Kennedy and Stevens were opposed. Motion carried with a vote of 5 to 2.

The Planning Board discussed the next two proposed changes #3 and #4 (*Jan. 6th public hearing zoning document-on file*) which was to remove private roads in the senior housing developments (300.002.008 U-on file) which would make them all have to be town-maintained roads and #4 re-wording the language in the CUP ordinance (700.002.009.001-on file) to make it clearer what pertained to senior housing. The Planning Board decided that #3 and #4 should be stricken as the changes pertain to senior housing, which if removed from the ordinance in its entirety, would be moot. The Board felt that voters would be confused, and they voted to remove the two proposals. It was noted by Greenwood, that they were both cleanup issues and could always be addressed later if senior housing is still in place.

Motion made by Johnston, 2nd by Stevens, to remove #3 regarding removing the reference to private streets in senior development. All were in favor. Motion carried. *This will not go forward on the ballot.*

Motion made by Johnston, 2nd by West, to remove #4 regarding updating the CUP language pertaining to senior development. All were in favor. Motion carried. *This will not go forward on the ballot.*

5) (Page 111) 900.002.002.002 Every dwelling shall have a minimum ground floor area of ~~seven hundred twenty (720)~~ **three hundred and twenty (320)** square feet, outside measurement, to be used by one family unit. Dwelling, for purposes of this provision, shall be defined as any structure, mobile home,

Brentwood Planning Board

Minutes

January 6, 2022

trailer of any type or other vehicle, or building being used as a permanent living space or temporarily being used for purposes of establishing a residence in the Town of Brentwood.

Board was in favor – Vote (7-0)

Morgan explained that the idea is to reduce the minimum house size from 720 sq. ft. to 320 sq. ft. (8 x 40 ft container) but that the minimum lot requirements of 2 acres and 200' of frontage would still be required. It's not changing that. It's so that if someone decides to build a smaller home, they could; it's not for everyone. Stevens didn't think you would see many of them, it's not fiscally viable but the option would be there. Kennedy said the dwelling still needs to be attached to the ground, foundation. Aldred Cheek said if someone had land and subdivided it into a legal building lot and a parent or child wanted a small starter home, this could work. Johnston said it could be added onto later. Stevens said the late 70's single wide mobile homes were looked at as a blight and that's where the 720 sq. ft. came from. Greenwood said the state law in the 70's and 80's said a Town had to either allow manufactured housing parks or allow a manufactured house on any standard lot in town and Brentwood didn't allow for manufactured housing parks.

Motion made by Stevens, 2nd by Morgan, to recommend the change from 720 sq. ft. to 320 sq. ft. change (*in 900.022.002.002*) to go on the ballot for Town vote. All were in favor. Motion carried.

The Board discussed the proposed changes to the **Subdivision and Site Plan Regulations** which were noticed for the public hearing but don't go on the ballot, the Planning Board can approve.

1. **Remove PRIVATE roads;** make all roads public in Town in the site plan regulations:
Remove the word private pertaining to all roads or streets; site plan regulations page 13 (9.1.12) – Remove the word private to read: ...bounds of any public ~~or private~~ streets and easements.... AND in section (9.10) on page 21, to read: All public ~~and private~~ streets, roads...
2. **Preconstruction Meetings:** Add new sections about required pre-construction meetings with the Town Engineer after they get Planning Board approval but before they do construction, meet with the Town Engineer; for example stormwater, drainage, road construction, make sure everyone's on the same page. Add to Site Plan regulations, page 6, new section **7.10: No construction activity shall take place until such time as a pre-construction meeting has occurred with the Town Engineer.** And in Subdivision: Add that pre-construction meetings with the Town Engineer are required: Add new section p. 17 subdivision regulation **7.4.14: No construction activity shall take place until such time as a pre-construction meeting has occurred with the Town Engineer.**

Motion made by Johnston, 2nd by West, to adopt the proposed changes of removing private streets and roads and adding pre-construction meetings in the subdivision and site plan regulations as noted above. All were in favor. Motion carried.

7:00 pm: Revocation of Site Plan: Board to revoke the recorded site plan D-15885 on file for Mr. Carl Rullo, 324 Rte. 125, for wetlands violation on the site referenced by tax map 209.010 in the commercial/industrial zone and having no remediation plan for NHDES or the Town. Stevens read: *This was legally noticed in the paper and abutter's (owner included) were mailed certified letters. Per RSA 676:4-a, III (p. 483) A declaration of revocation, dated and endorsed in writing by the planning board, and containing reference to the recording information for the plat, plan, or other approval being revoked, shall be filed for recording with the register of deeds, no sooner than 30 days after written notification of the revocation is served on the applicant or the applicant's successor in interest, in person or by verified mail, as defined in RSA 21:53 or 30 days after any public hearing, whichever is later.*

Present: Abutters Jerome and Debbie Lyons.

Brentwood Planning Board

Minutes

January 6, 2022

Lyons was concerned about the filling of the wetlands that have been ongoing on Rullo's site and the impact to abutters parcels, runoff (they have animals) and what's buried on that site. Stevens said this has been going on for a year. The state was notified and issued him a cease and desist and the Town issued him a cease and desist. He hired a soil scientist to do some remediation work; he's accountable to NHDES and Brentwood's wetlands ordinances and with several outreach attempts with no response, the Town's next step is to remove his right to do business on the property. The first step is to revoke the site plan. Greenwood said he has an affidavit allowing him to do the dumpster activity and the Board would be revoking that affidavit. Then it would go to the Selectmen to issue a cease & desist. Greenwood said we can't record a revocation for 30 days but after that time, a notice of revocation gets recorded at the registry. The revocation process doesn't affect the fact that there is still a wetland violation with the state. Greenwood felt that they should revoke the affidavit. The Board discussed revoking the affidavit vs. the site plan. Stevens said the affidavit affects the dumpster business, but the wetland incursions affect the entire site. The site has the impact. Greenwood said the only approval Mr. Rullo has is for the dumpsters (*affidavit*). Stevens thought that they should revoke the entire plan, applying it to the entire site and the owner of the property (*Carl G. Rullo*). The affidavit or addendum was for the dumpsters, but he also has the buildings, a landscaping business etc. Kennedy said revoking a site plan is revoking the ability to do anything on the site. Stevens agreed. Bickum confirmed that it was noticed to revoke the recorded site plan D-15885 on file for Mr. Carl Rullo. Greenwood confirmed that if it was noticed for the entire site plan and not just for an affidavit, the Board could proceed.

Motion made by Johnston, 2nd by West, to revoke the recorded site plan D-15885 on file for Mr. Carl Rullo, 324 Rte. 125, for wetlands violation on the site referenced by tax map 209.010 in the commercial/industrial zone and having no remediation plan for NHDES or the Town. All were in favor. Motion carried.

7:00 pm: Consideration of adopting the Capital Improvement Plan (CIP) for 2022-2027.

Greenwood summarized the CIP is a program (on file) for the Town's known capital projects for the next 6 years, 2022 through 2027. The meat of the program is in Table 1. It shows department by department, projects that exceed \$10,000 dollars and with expected life of more than 5 years. These were submitted by the departments, with the costs, any grants anticipated to be used to fund them, and the impact fees

Table 1 - Brentwood Capital Improvements Program 2022-2027

	2022	2023	2024	2025	2026	2027	Impact Fees	Grants / Reimbursements	CRF
Board of Selectmen									
No Projects indicated									
Fire Department:							\$39,626		
Replace ambulance		\$330,000							\$183,874
Aerial firefighting apparatus			\$1,000,000					\$950,000	
Bond payments for Fire Station	\$103,275	\$99,689	\$95,939	\$92,189	\$88,439	\$84,876			
Highway Department:									
Construct maintenance building				\$480,000					\$317,000
Replace 2001 Dump Truck		\$176,550							\$121,652
Replace 2006 Dump Truck			\$176,550						
Replace 550 Pickup Truck		\$80,000							
Replace 3500 Pickup Truck		\$80,000							
Mary E Bartlett Library:							\$35,678		
Create new exterior assembly area and add elevator	\$50,000		\$150,000						
Police Department							\$9,570		
Construct New Facility				\$2,300,000					\$83,847
Recreation Department:							\$62,253		
Outdoor stage		\$20,000							
Lighting at the upper softball field				\$75,000					
Purchase an additional van		\$25,000							
Finish the Rec Center basement					\$30,000				
Total expenditures:	\$153,275	\$811,239	1,422,489	\$2,947,189	\$118,439	\$84,876			
Minus Grants/CRF/ etc.	\$0	\$305,526	\$950,000	\$400,847					
Minus Impact Fee Funds	\$0	\$39,626	\$35,678	\$9,570	\$0				
Minus Impact Fee Funds				\$62,253					
Total Anticipated Revenue:	\$0	\$345,152	\$985,678	\$472,670	\$0				
Total needed to be raised by taxes	\$153,275	\$466,087	\$436,811	\$2,474,519	\$118,439	\$84,876			

Brentwood Planning Board

Minutes

January 6, 2022

up to November of this year that could be earmarked and applied to these projects, and the bond payment that happens over the next 6 years for the fire station; a capital cost from when the bond was voted on in 2010 and will be paid in full in 2030. There are impact fees for the fire station and capital reserve funds for some of the departments in the final column. The bottom line is an annual assessment of the capital costs needed to be raised by taxes to cover these projects over 6 years. The police department is advocating for a new police station, and it would most likely be financed by bond and the bond costs would replace the \$2,474,519 price, for significantly less but over 20 years. The CIP is an advisory document for a community to look at what capital costs might be, explain what they are, and it allows the departments to have the flexibility to change the years. The recreation department projects were submitted last year, and these projects could change. West said a wish list. Johnston asked about a million dollars for fire fighter apparatus. Greenwood said each department has the responsibility to convince the Town that it's a viable capital improvement. That one for fire department aerial apparatus would only go forward if they got the fireman's grant that would pay 95% of it. This is an individual advisory document to look at what capital expenses are anticipated over the next 6 years. Kennedy added you have to have a CIP plan to be able to collect and apply impact fees. Greenwood said there is no statutory adoption procedure for the CIP, but it should be discussed in a public meeting and endorsed by the Board, endorsing a plan showing the capital improvements. These are all done by warrant articles if not covered by grant monies and the warrant articles are voted on by the people. It shows what the different departments are considering.

Motion made by Johnston, 2nd by West, that the Planning Board adopt the Capital Improvements Plan. All were in favor. Motion carried.

Board Business:

The board signed the manifest.

Rob Rounds of Downeast Autobody was in to speak to the Board re: 40 Rte. 27, Commercial/Industrial zone. Wants to add an auto dealership, currently allowed 6 unregistered vehicles. *See letter. Property card references 144 Rte. 27. Tax map 203.023.000. No recorded site plan on file.*

Rounds explained that his father owns the business, and he runs it. They own the last two lots before the Epping line. In 1988 or 1989 a site plan had been proposed but never recorded. He would like to obtain an auto dealer license and was told to talk to the Town. He would like the Town to waive the site plan issue from 30 years ago since they have been there for that long, done work for the fire and police department, pay taxes, have a good reputation, with no property changes or the use. He runs an automobile business but would like approval for a dealer license. When Robert Sanborn developed this the state took fill off the property. Stevens said if the Planning Board approved it and all the steps were taken, the Town would have recorded the plan so there must have been some issue as to why it was never recorded, he didn't think it was malfeasance, the documents may not have come together to be recorded; is this grandfathered? Greenwood said in the Town records, the Planning Board meeting approved the use for Downeast Autobody with a limitation of no more than 6 unregistered vehicles on site. Rounds said they never have unregistered vehicles on site but that would change if it's also a dealership. Greenwood confirmed that they want a retail dealers license. There is a surveyed plan "site plan" on file and a public site review process but no recorded site plan. The subdivision plan forming the lots was recorded. Kennedy asked if the survey on file could be recorded. Greenwood said it would need a new surveyor's stamp as Richard Parker is no longer a licensed surveyor in NH and the registry won't record it. The Board can't do an addendum because there is no site plan as the addendum is usually affixed to the recorded site plan on file. An engineer would need to start over. Stevens suggested he spend the money now, get a new plan, get it recorded and down the road, it makes the site more valuable. Rounds replied that the Board is asking him to spend \$7-\$10k on a site plan and not know if it

Brentwood Planning Board

Minutes

January 6, 2022

would be approved. Greenwood said it seems there is ample space and ability on the site to do what he wants to do. Kennedy agreed. Rounds is just trying to keep the business going. Johnston said but you would have an approved site plan, someone screwed up 30 years ago. Morgan asked if there was anything we could do to satisfy the state for this? Rounds said the state doesn't require a site plan, but it needs the Town's approval that that Board is okay with it. Stevens replied the question is does it conform to the zoning and the Board has to sign that and they shouldn't sign something that isn't correct. Greenwood said the Planning Board is the sole arbitrator for administering the site plan review regulations and could waive every site plan review regulation, but it's not something they've ever done. Stevens added down the road if you sell that business, it's more valuable with a site plan. Rounds isn't in a position to do the site plan now, a two-person family business. Greenwood asked how many vehicles would he want on the site? Rounds replied no more than 50, there is an acre of land on the side. Kennedy said if you put 50 vehicles out there, there is a high probability that the neighbors will question what you are doing, call the Town and ask is this approved? Stevens said it's a slippery slope, but the use is an allowed use and reiterated the value of a site plan; to allow Rounds to make greater use of his property. A new site plan can spell out even more vehicles, based on the dimensional requirements of the site, fire lane etc. Rounds reiterated that he's not changing the site or the use. Stevens said a site plan will be greater economic value by adding a sales lot. Rounds thanked the Board for their time.

Greg Lambert of Brentwood Surplus Sales was in to speak to the Board re: excess of materials on site, beyond the scope of what's allowed on the existing site plan. Tax map 209.067.000; 309 Rte. 125 (letters on file).

Stevens said you have a good business in the community and you're a good businessman, but your business has outgrown your site. You are approved for what you are doing there but not every piece of property can support every size business. Lambert said he's been cleaning out warehouses and he's selling but they just have too much product and no where to put it; the business has grown. He's going to start cutting up the scrap metal and he can scrap it, but he pays a lot of money to go and get the material. Kennedy said you have a nice property next door. If your business is expanding, use your other parcel. Stevens said you could use the adjacent property, there is a lot of engineering work already done on that other parcel, but no completed site plan process with an approval. You can't put the excess material on the southerly parcel without site plan approval so contact the engineer, figure out what you want to do, the soils data is done, and finish the plan. The Planning Board had asked the Selectmen for enforcement action, and they are in charge, and they can initiate legal action and you also don't want a revocation of your existing site plan. Stevens asked if Lambert had state highway access approval on the vacant southerly parcel. Lambert did have a state driveway permit but wasn't sure if it had run out. Stevens said but the mechanics were approved, re-apply to the state, and contact the engineer and start work on a plan to use the southerly parcel. The existing site plan is only for 1300 sq. ft. allowance for storage; there is 10x that out there now. Kennedy asked Lambert for a time frame. Stevens said he's in violation of his existing site plan and the Selectmen are the enforcing agents and reiterated that Lambert do the following:

1. Call the engineer.
2. Have the engineer send a letter to the Selectmen saying that he has been engaged by Lambert to work on the issue.
3. Finish a site plan for the southerly parcel and make a site plan application to the PB.
4. Show as much as you can on that site plan; a pad for storage and use the site for materials storage.

Stevens added with all the boundary surveys done, there should be no reason to not see a formal application within 60-days. The existing site needs to be cleaned up. Lambert did clean up the front a bit

Brentwood Planning Board

Minutes

January 6, 2022

and moved some material and Lambert agreed that it needs to be cleaned up and thanked the Board for their time.

CA Extension: 30-day CA extension for Callahan requested via phone by Chris Berry, Engineer on the 30-seat restaurant; tax map 209.004, 292 Rte. 125. Their CA extension is set to expire on 1/12/2022 and Berry has asked for a 30-day extension to 2/11/2022. The Board suggested a 60-day continuation.

Motion made by Kennedy, 2nd by Johnston, to grant a 60-day conditional approval extension for the Callahan's 30-seat restaurant to March 13, 2022. All were in favor. Motion carried.

Cash bond release requested from D&H Realty, 388 Rte. 125, tax map 208.016 - retail/office building. A bond release request of \$60k was received from Jessica Kenerson and was reviewed by TEC. TEC recommended (on file) returning or a release of \$45,000 of their \$65,088 bond and keeping the remainder \$20,088 plus interest until punch list items and landscaping can be addressed in the spring.

Motion made by Morgan, 2nd by Stevens, to return \$45,000 of the cash bond amount back to D&H Realty. All were in favor. Motion carried. The chair signed the bond release letter for the Treasurer.

Absolute Auto Wholesale DMV Retail dealer license request – 40 Rte. 125 (formerly RJD Auto Sales); 223.069. The lot next to Lewis Motors, next to Heavenly Donuts; owner is still Ian Chamberlain. It's a pre-approved use allowed by zoning, and it needs to comply with the site plan on file. Bickum will send supporting docs (on file); copy of plan, affidavit of amendment, etc. to the DMV.

Motion made by Kennedy, 2nd by West, to approve that the chairman sign the DMV permit application allowing Absolute Auto Wholesale to obtain a dealer license at this site. All were in favor. Motion carried. The chairman signed the permit application form and Bickum will email it back to the DMV.

Greenwood's 2022 contract: Bickum said it's already in the budget and this is his standard annual contract.

Motion made by Morgan, 2nd by Kennedy, to approve Glenn Greenwood's 2022 contract. All were in favor. Motion carried. The chairman signed the contract (on file).

Glenn to update Board re: Brentwood Fence & Barthelemy, Brookvale Pine, Farm Stand 201.008, 470 Rte. 125. Trailers for sale not agricultural use so tie CO to removal. And NHDOT driveway permit & the driveway is too wide, not 24' approved by NHDOT.

Brentwood Fence: Greenwood had gone by Brentwood Fence on Wednesday, Jan. 5th, nothing was in the front. Cars parked in spaces in front of the business entry, but the back is still a mess. But it's all in the back, behind the fenced area but you can see it. The approval shows the back area for either 2 or 3 proposed buildings and that is it; there is access, mobility within the site. The Board reviewed the recorded site plan on file (C-16105 from 1987). Board members haven't seen cars parked along Route 125 lately and will keep an eye on it.

Brookvale Pine/Farm Stand: Bickum had emailed the Building Inspector, to ask him to hold off on issuing a certificate of occupancy to the farm stand until the trailers and snowplows etc. on the side of the road for sale, which is above and beyond the agricultural use discussed by the Board, are moved. The NHDOT driveway permit is for 24' and it's at least double that so the Building Inspector is aware of that as well but that is a NHDOT issue. Kennedy said is not going to want them there when he opens that business, hold the CO until he moves them, but he will want a nice clean business.

Brentwood Planning Board

Minutes

January 6, 2022

Justin Prokocimer had concerns about a hypothetical project. There is work being done behind his house, he said there has been well drilling at 6:15 am for the last 2 weeks, disrespectful to neighbors, trees coming down, bulldozing the area, 1000-foot wells being drilled, he spoke with the well company. The Board said there is no application currently before the Board but thought hydrogeological study could be being performed. Prokocimer asked about the number of wells needed for a survey citing concerns about the aquifer. Stevens said they can drill a number of wells if needed but you're speaking to the noise ordinance. Kennedy suggested he call the police. The Town will have the Town's engineer peer review the study when it's before the Board and surmised that before thousands of dollars are spent that they are drilling wells to satisfy the survey. Kleinman reiterated that there is no application before the Board. Stevens agreed and said but a resident is asking about well drilling, the Board is replying that wells can be drilled but at 6:30 in the morning, that's a noise complaint. Stevens suggested Prokocimer read the noise ordinance and contact the police department. The police would look at the noise ordinance and whether or not the decibels are over the limit for the time of day and suggested Prokocimer attend the BOS meeting on Tuesday night as they are the enforcing agents.

Leo asked about workforce housing, affordable housing, multi-family etc. Kennedy said the multi-family ordinance needs more work. Stevens said more density would require water and sewer. Leo asked about community septic. Greenwood said community septic systems are options for multi-family units. The Town of Brentwood could have affordable housing, a large multi-family development on a large lot. Aldred Cheek would like to discuss multi-family another night.

Approval of Minutes: December 16th, 2021

Motion made by Morgan, 2nd by Stevens, to approve the minutes from December 16th, 2021, as presented. All were in favor. Motion carried.

Motion made by Morgan, 2nd by West, to adjourn at approximately 9:22 p.m. All were in favor. Motion carried.

Respectfully submitted,

Andrea Bickum,
Administrative Assistant,
Brentwood Planning Board