



TOWN OF  
BROOKLINE, NEW HAMPSHIRE  
PLANNING BOARD

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## Proposed Amendments to Zoning Ordinance

To be put on the March 2011 Ballot and  
Printed in the 2010 Town Report

*Addition / new text*  
Elimination

### Preamble – Section 100.00

~~In pursuance of authority conferred by Chapter 31, Sections 60-89, NH Revised Statutes Annotated, 1955, and for the purpose of promoting the health, safety, morals, property, convenience of general welfare, as well as efficiency and economy in the process of development, of the inhabitants of the incorporated Town of Brookline, New Hampshire, by securing safety from fire, panic, and other dangers, providing adequate area between buildings and various rights of way, by preserving the rural charm now attached to our town, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements, and by other means, now therefore the following Ordinance is hereby enacted by the voters of the Town of Brookline, New Hampshire in official annual meeting convened.~~

*In pursuance of authority conferred by New Hampshire Revised Statutes Annotated Chapter 674:16 through Chapter 674:34 inclusive as amended and for the purpose of promoting the health, safety, morals, and general welfare of the inhabitants of the incorporated Town of Brookline, New Hampshire, by securing safety from fire, panic, and other dangers, providing adequate areas between buildings and various rights-of-way, by preserving the rural charm of the town, preventing the overcrowding of land, avoiding undue concentration of population, facilitating the adequate provisions for transportation, water, sewage, schools, parks, and other public requirements, and by other means in accordance with a comprehensive plan, the following ordinance is hereby adopted by the voters of the Town of Brookline, New Hampshire, in official Town meeting convened.*

Note: RSA's 31:60-89, Zoning Regulations, were repealed in 1983 and replaced by Chapter 674, Local Land use Planning and Regulations Powers.

## **General Provisions – Section 300.00**

Add a new section to read as follow:

### ***307.00 – Building Permits***

***The State of New Hampshire Building Code pursuant to RSA 155-A including adopted Appendix Chapters and amendments, shall govern and regulate the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of all dwelling units and all commercial and industrial buildings in the Town of Brookline, said Codes also provides for the issuance of permits and collection of fees.***

***Accessory Buildings of 100 square feet or less shall not require a building permit but shall be required to meet all setback requirements.***

Note: The requirement for a building permit was in the building code that was repealed at the March 2010 town meeting. See letter from Building Inspector, dated June 2, 2010.

## **Industrial-Commercial District – Section 500.00**

**503.03, Land Area:** Each building lot shall be at least one (1) acre *excluding wetlands*.

**503.05, Building Height** - Rename section as “***Building Requirements***” keeping current wording and adding the following:

- 1. Height:** Except for structures not intended for human occupation (such as chimney, water towers, and church spires), maximum building height is 35 feet, ***calculated from the average finished ground level adjoining the building at all exterior walls.***
- 2. Accessory Buildings:** ***Accessory Buildings of 100 square feet or less shall not require a building permit but shall be required to meet all setback requirements and Section 300.00, General Provisions.***

Notes: There is no requirement for minimum square footage in the State Code.

The requirement for a building permit was in the building code that was repealed at the March 2010 town meeting.

## **Residential-Agricultural District – Section 600.00**

**603.05, Building Height** - Rename section as “***Building Requirements***” keeping current wording and adding the following:

- 1. Height:** Except for structures not intended for human occupation (such as chimney, water towers, and church spires), maximum building height is 35 feet, calculated from the average finished ground level adjoining the building at all exterior walls.
- 2. Square Footage:** ***Any new dwelling unit shall contain at least 576 square feet of first floor living area and manufactured housing to have 320 square feet.***
- 3. Accessory Buildings:** ***Accessory Buildings of 100 square feet or less shall not require a building permit but shall be required to meet all setback requirements and Section 300.00, General Provisions.***

Note: These requirements were in the building code that was repealed at the March 2010 town meeting.

## **Workforce Housing, section 620.00**

**626.00, General Requirements** – Change the following sections to read:

2. The minimum parcel size for a workforce housing development shall be at least ten (10) *contiguous* acres *excluding wetlands*.
3. The minimum lot size for a single family market value *and a single workforce housing unit* shall be one (1) acre *excluding wetlands*. The minimum lot size for a duplex shall be one and one half (1.5) acres *excluding wetlands*. The minimum lot size for a five unit multi-family building shall be three (3) acres *excluding wetlands*.
5. The development shall have a vegetated buffer of fifty (50) feet or a value as deemed necessary by the Planning Board on all boundaries of the original parcel except for access to connecting roads.
10. (...) for compliance with Section **629.00** (instead of 628.00) of this ordinance.

### **628.00 – Roads, Ways, Access to Development**

*Add a new sub-section 628.00, 3.*

*Unless deemed unnecessary by the Planning Board, access to a development shall be via a through roadway connecting existing roads and neighborhoods in order to provide a safe and rapid access to the development / dwelling units for all emergency vehicles.*

Note: New sub-section addressing the need of connecting such development to existing roads, minimizing common driveways for safety purposes (plowing, access and turnaround for emergency vehicles, etc)

## **Manufactured Housing – Section 700.00**

### **701.01, Requirements**

- a. Each proposed manufactured Housing District must be a minimum of twenty (20) contiguous acres in size *excluding wetlands*.
- b. Each proposed Manufactured Housing District must contain a vegetated buffer of *fifty (50)* feet wide, *or a value as deemed necessary by the Planning Board, on all boundaries of the original parcel except for access to connecting roads* ~~to provide a visual barrier between the manufactured Housing District and all other adjacent properties.~~

**Add sub-section d.:**

*d. Any dwelling unit shall contain at least 320 square feet.*

## **Growth Management Ordinance – Section 1400.00**

Section 1400.00, Growth management / Residential Phasing Ordinance  
*Deleted (March 2011)*

Reference HB 1260 and NHRSA 674:22 and 23 – Effective July 8, 2008.