352 Hemlock Lane
Barrington, NH 03825
August 13, 2013

Barrington Planning Board
PO Box 660
Barrington, NH 03825

Subject: Conklin Lot Line Adjustment Application

Planning Board Members,

This letter forwards the necessary forms, documentation and additional information to support our request that the Planning Board approve our application for lot line adjustment.

1. This is our letter of representation for you to permit Ray Bisson to speak on our behalf.
2. We request that the Planning Board grant us a waiver on the two foot contour line interval requirement on the two parcels involved. The two foot intervals are shown for the entire lot 124-043 that is proposed to be increased to double its present size, with two foot interval contour lines extended to adjacent areas. To require the entire 10.9 acre lot 124-044 to show 2 foot intervals would be a sizeable cost to us yet would provide little information relevant to the land in the immediate area of the proposed lot lines. Note that there is considerable upland in the 10.9 acre parcel for a future home recognizing that this parcel cannot be further subdivided. We request that the Planning Board approve this waiver request and accept the contour information as presented on the Plan, noting that this requested action is consistent with a recent Planning Board decision, i.e. Lenzi.
3. Documentation enclosed is as follows:
   a. Project Formal Application – Boundary Line Adjustment
   b. Lot line Adjustment Application Check List
   c. Plan 13019 LLA.dwg, also submitted electronically to the Land Use Department as a .pdf file.
   d. Lot 124-044 warranty deed depicting protective covenants and restrictions
   e. Al Wood Drive Road Association Bylaws
   f. Al Wood Drive Road Association NH Secretary of State record of "good standing"
   g. Al Wood Drive Road Association 2013 Annual Meeting Minutes providing Association Membership to a future Lot 124-043 owner should that future ownership be different than that of Lot 124-044
   h. Abutter List

Respectfully submitted,

Steven & Ellen Conklin

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Project Application
Land Use Department

P.O. Box 660; 333 Calef Hwy, Barrington, NH 03825 ♦ Phone: 603-664-5798 ♦ Fax: 603-664-0188

Case Number: 124-43,44-GR-13-LL Project Name: CONKLIN LOT LINE Adjustment Date 8/13/13

Staff Signature required PRIOR to submittal

PRELIMINARY APPLICATION: Preliminary Conceptual Review ____ Design Review____ Development of Regional Impact ____

FORMAL APPLICATION:
Subdivision Type: Major____ Minor____ Conventional____ Conservation____
Site Plan Review: Major____ Minor____
Conditional Use Permit ____ Sign Permit ____ Boundary Line Adjustment ✓ Special Permit ____
Change of Use ____ Extension for Site Plan or Subdivision Completion ____
Amendment to Subdivision/Site Plan Approval ____ Other ____

Project Name: ✓ CONKLIN LOT LINE Adjustment **Area** (Acres or ~~S.F.~~) 11.37±
Project Address: ✓ 352 HEMLOCK LANE
Current Zoning District(s): ✓ GR **Map(s)** 124 ✓ **Lot(s)** 043 & 044
Request: ✓ Boundary line adjustment between lands of Conklins

The property owner shall designate an agent for the project. This person (the applicant) shall attend pre-application conferences and public hearings, will receive the agenda, recommendations, and case reports, and will communicate all case information to other parties as required.
All contacts for this project will be made through the *Applicant* listed below.

Owner: ✓ STEVEN & ELLEN CONKLIN
Company —
Phone: 603 664-2563 Fax: ____ E-mail: ✓ SBCONKLIN@AOL.COM
Address: 352 HEMLOCK LANE BARRINGTON NH 03825

Applicant (Contact): ✓ STEVEN & ELLEN CONKLIN
Company —
Phone: 603 664-2563 Fax: ____ E-mail: SBCONKLIN@AOL.COM
Address: 352 HEMLOCK LANE BARRINGTON NH 03825

Developer: ____
Company ____
Phone: ____ Fax: ____ E-mail: ____
Address: ____

Architect: ____
Company ____
Phone: ____ Fax: ____ E-mail: ____
Address: ____

Engineer: ✓ RAYMOND BISSON
Company STONEWALL SURVEYING
Phone: 603 664-3900 Fax: ____ E-mail: stonewall1surveying.com
Address: PO Box 458 BARRINGTON NH 03825

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Steven Conklin
Ellen M Conklin
Owner Signature

Steven Conklin
Ellen M Conklin
Applicant Signature

Barbara Irvine
Staff Signature

8/13/2013
Date

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Revised 12-07-2011

Subdivision, Site Review, and Lot Line Adjustment Application Checklist
Barrington Planning Board
Adopted January 20, 2009

This checklist is intended to assist applicants in preparing a complete application for subdivision as required by the Barrington Subdivision Regulations and must be submitted along with all subdivision applications. An applicant seeking subdivision approval shall be responsible for all requirements specified in the Barrington Subdivision Regulations even if said requirements are omitted from this checklist.

An applicant seeking subdivision approval shall be responsible for providing all the information listed in the column below entitled "Subdivision" and should place an "x" in each box to indicate that this information has been provided. If an item is considered unnecessary for certain applications the "NA" box should be marked instead indicating "Not Applicable". Only certain checklist items are required for lot line adjustments, as noted by the applicable check boxes below.

Check The Appropriate Box or Boxes Below: ☑ **Lot Line Relocation** **See Section I & II** ☐ **Site Plan** **See Sections I & II** ☐ **Subdivision Plan** **See Sections I, II, III, IV & V**				
	Provided	**NA**		
Section I. **General Requirements**				
1. Completed Application Form	☑	☐		
2. Complete abutters list	☑	☐		
3. Payment of all required fees	☑	☐		
4. Five (5) full size sets of plans and six (6) sets of plans 11" by 17"submitted with all required information in accordance with the subdivision regulations and this checklist	☑	☐		
5. Copies of any proposed easement deeds, protective covenants or other legal documents	☑	☐		
6. Any waiver request(s) submitted with justification in writing	☑	☐		
7. Technical reports and supporting documents (see Sections IX & X of this checklist)	☐	☑		
8. Completed Application Checklist	☑	☐		
Section II. **General Plan Information**				
1. Size and presentation of sheet(s) per registry requirements and the subdivision regulations	☑	☐		
2. Title block information:	☑	☐		
a. Drawing title	☑	☐		
b. Name of ~~subdivision~~ lot line adjustment	☑	☐		
c. Location of ~~subdivision~~ lot line adjustment	☑	☐		
d. Tax map & lot numbers of subject parcel(s)	☑	☐		

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Application Checklist **Barrington Subdivision Regulations**

e. Name & address of owner(s)	☑	☐		
f. Date of plan	☑	☐		
g. Scale of plan	☑	☐		
h. Sheet number	☑	☐		
i. Name, address, & telephone number of design firm	☑	☐		
j. Name and address of applicant	☑	☐		
3. Revision block with provision for amendment dates	☑	☐		
4. Planning Board approval block provided on each sheet to be recorded	☑	☐		
5. Certification block (for engineer or surveyor)	☑	☐		
6. Match lines (if any)	☑	☐		
7. Zoning designation of subject parcel(s) including overlay districts	☑	☐		except wireless
8. Minimum lot area, frontages & setback dimensions required for district(s)	☑	☐		
9. List Federal Emergency Management Agency (FEMA) sheet(s) used to identify100-year flood elevation, locate the elevation	☑	☐		
10. Note the following: "If, during construction, it becomes apparent that deficiencies exist in the approved design drawings, the Contractor shall be required to correct the deficiencies to meet the requirements of the regulations at no expense to the Town."	☑	☐		
11. Note the following: "Required erosion control measures shall be installed prior to any disturbance of the site's surface area and shall be maintained through the completion of all construction activities. If, during construction, it becomes apparent that additional erosion control measures are required to stop any erosion on the construction site due to actual site conditions, the Owner shall be required to install the necessary erosion protection at no expense to the Town."	☑	☐		
12. Note identifying which plans are to be recorded and which are on file at the town.	☑	☐		
13. Note the following: "All materials and methods of construction shall conform to Town of Barrington Subdivision Regulations and the latest edition of the New Hampshire Department of Transportation's Standard Specifications for Road & Bridge Construction."	☑	☐		
14. North arrow	☑	☐		
15. Location & elevation(s) of 100-year flood zone per FEMA Flood Insurance Study	☐	☑		see note
16. Plan and deed references	☑	☐		
17. The following notes shall be provided:	☐	☐		
a. Purpose of plan	☑	☐		
b. Existing and proposed use	☑	☐		
c. Water supply source (name of provider (company) if offsite)	☑	☐		
d. Zoning variances/special exceptions with conditions	☐	☑		
e. List of required permits and permit approval numbers	☑	☐		
f. Vicinity sketch showing 1,000 feet surrounding the site	☑	☐		
g. Plan index indicating all sheets	☑	☐		
18. Boundary of entire property to be subdivided	☑	☐		
19. Boundary monuments	☐	☐		
a. Monuments found	☑	☐		
b. Map number and lot number, name addresses, and zoning of all abutting land owners	☑	☐		
c. Monuments to be set	☐	☐		
20. Existing streets:	☐	☐		
a. Name labeled	☑	☐		
b. Status noted or labeled	☑	☐		
c. Right-of-way dimensioned	☑	☐		
d. Pavement width dimensioned	☑	☑		
21. Municipal boundaries (if any)	☐	☑		

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22. Existing easements (identified by type)	☐	☐		
A) Drainage easement(s)	☐	☑		
B) Slope easements(s)	☐	☑		
C) Utility easement(s)	☑	☐		
D) Temporary easement(s) (Such as temporary turnaround	☐	☑		
E) No-cut zone(s) along streams & wetlands (as may be requested by the F) Conservation Commission)	☐	☑		
G) Vehicular & pedestrian access easement(s)	☑	☐		
H) Visibility easement(s)	☐	☑		
I) Fire pond/cistern(s)	☐	☑		
J) Roadway widening easement(s)	☐	☑		
K) Walking trail easement(s)	☐	☑		
a) Other easement(s) Note type(s)	☑	☐		
23. Designation of each proposed lot (by map & lot numbers as provided by the assessor)	☑	☐		
24. Area of each lot (in acres & square feet):	☐	☐		
a. Existing lot(s)	☑	☐		
b. Contiguous upland(s)	☑	☐		
25. Wetland delineation (including Prime Wetlands):	☐	☐		
a. Limits of wetlands	☑	☐		
b. Wetland delineation criteria	☑	☐		
c. Wetland Scientist certification	☑	☐		
26. Owner(s) signature(s)	☑	☐		
27. All required setbacks	☑	☐		
28. Physical features	☐	☐		
a. Buildings	☑	☐		
b. Wells	☑	☐		
c. Septic systems	☑	☐		
d. Stone walls	☑	☐		
e. Paved drives	☐	☑		
f. Gravel drives	☑	☐		
29. Location & name (if any) of any streams or water bodies	☑	☐		
30. Location of existing overhead utility lines, poles, towers, etc.	☑	☐		
31. Two-foot contour interval topography shown over all subject parcels	☐	☐	W	
32. Map and lot numbers, name, addresses, and zoning of all abutting land owners	☑	☐		
Section III **Proposed Site Conditions Plan** **(Use Sections I General Requirements & Section II General Plan Information)**				
1. Surveyor's stamp and signature by Licensed Land Surveyor	☐	☐		
2. Proposed lot configuration defined by metes and bounds	☐	☐		
3. Proposed easements defined by metes & bounds. Check each type of proposed easement applicable to this application:	☐	☐		
a. Drainage easement(s)	☐	☐		
b. Slope easement(s)	☐	☐		
c. Utility easement(s)	☐	☐		
d. Temporary easement(s) (such as temporary turnaround)	☐	☐		
e. Roadway widening easement(s)	☐	☐		
f. Walking trail easement(s)	☐	☐		
g. Other easement(s) Note type(s)	☐	☐		
4. Area of each lot (in acres & square feet):	☐	☐		
a. Total upland(s)	☐	☐		

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DEED OF WARRANTY

BK-1072 PGE-089

NORTHERN LAND TRADERS, INC., a New Hampshire corporation duly established by law and having a principal place of business at Route 11, Town of Farmington, Strafford County, State of New Hampshire, for consideration paid, grant to Steven B. Conklin and Ellen M. Conklin as joint tenants with rights of survivorship of 83 Hayes Road (Street Address) of Madbury (Town or City), Strafford County, State of New Hampshire, with WARRANTY covenants, the following:

(Description of land or interest being conveyed: incumbrances, exceptions, reservations, if any)

1981 OCT 16 PM 3:55

A certain parcel of land located on the Town of Barrington, County of Strafford and State of New Hampshire being lot #C-1 containing 10.9 acres as depicted on a plan entitled, "Plan of Land in Barrington, N.H. Belonging to Van E. Hertel", surveyed by North Country Surveyors dated 5 September 1980 and recorded in the Strafford County Registry of Deeds, Plan #21-62.

Begin at an iron pipe located on the Westerly side of the Right of Way Road;

Thence running North 89° 58' West, 100.24 feet to an iron pipe;

Thence turning and running South 34° West, 1105 feet to an iron pipe;

Thence turning and running South 34° 59' 36" East, 400 feet to an iron pipe;

Thence turning and running North 45° 10' 39" East, 316.56 feet to an iron pipe; thence North 45° 37' 00" East, 477.90 feet to an iron pipe;

Thence turning and running North 36° 38' 14" West, 161.41 feet to an iron pipe;

Thence turning and running North 57° 51' 04" East, 153.64 feet to a drill hole in a rock at the shore of Mendums Pond;

Thence turning and running along the shore of Mendums Pond in a Northwesterly direction, 65 feet; thence by the shore of the brook in a Northwesterly direction, 125 feet to the Right of Way Road;

Thence running along the Right of Way Road in a Northwesterly thence Northeasterly direction, 314.96 feet to an iron pipe, the point of beginning.

Meaning and intending to describe and convey a portion of the premises conveyed to the grantor herein by deed of Van E. Hertel, recorded in the Strafford County Registry of Deeds, dated 6 May 1981.

Conveyed also hereby is the right to use lot #A8 for the purpose of making access to Mendums Pond; the right to use the beach and the right to beach one boat there.

Conveyed also hereby is the right to use in common with others as a means of ingress and egress to and from the lot conveyed, the present roadway running from said lot to the Al Wood lot, it being understood (OVER)

WITNESS the hand and seal of Northern Land Traders, Inc., by Fred E. Hertel, its President,

Hereunto duly authorized this 10 day of October, 19 81

Witness:

Anne M. Signorello

Fred E. Hertel, President,
Northern Land Traders, Inc.

STATE OF NEW HAMPSHIRE
ss.
County of Strafford
10 October, 19 81

Fred E. Hertel, President, Northern Land Traders, Inc.
Personally appeared and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of the corporation.

Before me,

Anne M. Signorello
Justice of the Peace
Notary Public

My Commission Expires April 21, 1983

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(The following is not part of the within deed and is not to be recorded)

EXTRACT FROM R. S. A. CHAPTER 477:27 AS AMENDED

A deed in substance following the form appended to this section shall, when duly executed and delivered, have the force and effect of a deed in fee simple to the grantee, heirs, successors and assigns, to his or their own use, with covenant on the part of the grantor, for himself, his heirs, executors and administrators, that, at the time of the delivery of such deed, he was lawfully seized in fee simple of the granted premises, that the said premises were free from all incumbrances, except as stated, that he had good right to sell and convey the same to the grantee, his heirs, successors and assigns, and that he will, and his heirs, executors, and administrators shall, warrant and defend the same to the grantee and his heirs, successors and assigns, against the lawful claims and demands of all persons.

that the grantos herein assume no responsibility for the maintenance of said right of way.

Subject to the following Protective Covenants and Restrictions:

1. No buildings shall be located within 50 ft. of the right of way road or within 30 ft. of any sideline.
2. Any residence constructed shall contain not less than 576 square ft. of finished living area on the first floor and shall be finished on the outside within one year of the date commencing construction.
3. Exteriors of all buildings shall be finished with stone, brick, shingles, clapboard, log siding or similar so-called finished or textured board siding in such a manner as shall be compatible with surrounding structures.
4. No noxious or offensive activity shall be carried on upon any lot. The structure and grounds on each lot shall be maintained at all times by the owner in a neat and attractive manner.
5. Each lot owner is required to pay an annual fee as stipulated by the Association for road improvement and maintenance.
6. Each lot owner is required to install a 12" diameter culvert under his driveway whre the driveway leaves the right of way road.
7. Lot usage is restricted to single family residences only.
8. The Town of Barrington has no responsibility to maintain the right of way road.
9. No further subdivision is allowed.

BK-1072 PGE-090

$10.50

STATUTORY FORM

DEED OF WARRANTY

NORTHERN LAND TRADERS, INC.

TO

Steven B. Conklin and
Ellen M. Conklin

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Received 19
Recorded in Vol. 1072, Page 282
Attest: Register of Deeds Strafford County
Book No. 1072 Page No. 282
Register
SEE FACE OF DOCUMENT
FOR DATE & TIME RECORDED
REGISTRY.

BEAMIS, DAVIS, MURRAY & GROSSMAN
Professional Association
396 High Street
Somersworth, N.H. 03878

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BYLAWS OF AL WOOD DRIVE ROAD ASSOCIATION

Article I
Name and Location

The name of this New Hampshire nonprofit corporation is Al Wood Drive Road Association, herein-after referred to as the "Association". The principal office of the corporation shall be located at Barrington, Strafford County, New Hampshire, but meetings of Members may be held at such places within the State of New Hampshire, Strafford County, as may be designated by the chairman.

Article II
Purpose

The purpose of the Association is the maintaining and /or improving of Al Wood Drive and the abutting two right of ways, the governing of its use, and in general, administering and enforcing the provisions of the Bylaws of Al Wood Drive Road Association specified herein.

Article III
Definitions

Section 1. **"Association"** shall mean and refer to Al Wood Drive Road Association, it's successors and assigns.

Section 2. **"Lot"** shall mean and refer to any plot of land described in the subdivision plans as follows: Strafford County Record Plan 28A Pocket 3 Folder 3, Strafford County Record Plan 28B Pocket 3 Folder 3, Strafford County Record Plan 21 – 62, and Strafford County Record Plan 21A – 38.

Section 3. **"Properties"** shall mean and refer to Lots and such additions thereto as may be brought within the jurisdiction of the Association.

Section 4. **"Member"** shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, but excluding those having such interest merely as security for the performance of an obligation. A Member has automatic membership in the Association when an applicable deed of one of the referenced subdivision Lots either requires or references maintenance responsibility for either Al Wood Drive or the unnamed road established in the right of way of the referenced subdivision plan. The owner of land brought within the jurisdiction of the Association (see Properties) also becomes a Member.

Section 5. **"Household"** shall mean and refer to how Member(s) are grouped for the purpose of Voting. A Member may be a record owner of one or more Lots and/or Properties, and as such, those Lots and/or Properties are considered to be owned by one Household for the purpose of Voting. Multiple record owners of one Lot also constitute one Household for the purpose of Voting.

Section 6. **"Voting"** shall mean and refer to the entitlement of up to two individuals from each Household to vote on each matter submitted to a vote by the Members. Unless the Association is notified in writing to the contrary, a Household is responsible for who will do the voting. See Article IV, Section 5 regarding Absentee Voting.

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Article IV
Meeting of the Members

Section 1. Annual Meeting. Regular Annual Meetings of the Members shall be held during the month of June or July, typically the Saturday before Fourth of July weekend, the exact time and date to be established by the chairman, with due notice being provided to the Members at least thirty (30) days in advance of said Annual Meeting.

Section 2. Special Meetings. Special Meetings of the Members may be called at any time by the chairman, or upon written request by one-third (1/3) of all of the Household membership entitled to vote. The written request for a Special Meeting shall state the purpose of the meeting. The Special Meeting shall only conduct business related to the declared purpose.

Section 3. Notice of Meetings. Written notice of each meeting of the Members shall be given by, or at the direction of, the chairman, at least thirty (30) days prior to the Annual Meeting and fifteen (15) days prior to a Special Meeting. Such notice shall specify the place, day and hour of the meeting, an agenda including any items that require voting to expend Association funds, and, in the case of a Special Meeting, the purpose of the meeting. As part of adjourning a meeting with the intent of reconvening, the Voting Household attendees shall determine if a written notice of the reconvened meeting is required.

Section 4. Quorum. A minimum number of Voting Household attendees is not required for an Annual or Special Meeting to take place, and for decisions of that meeting to be binding on all Members. That does not preclude Voting Household attendees from adjourning a meeting from time to time, without notice other than announcement of the original meeting, and then reconvening.

Section 5. Optional Absentee Voting on a One Time Special Assessment Project. At all meetings of Members, each Voting Household attendee shall vote in person. Absentee Voting shall be limited to when the Voting Household attendees decide and vote to include Absentee Voting as part of a one time special assessment project. Voting Household attendees can limit Absentee Voting to apply to part or all of the special assessment project process or funding.

Section 6. Majority Vote. The Vote of a Majority of Voting Household attendees at a meeting shall be binding upon all Members for all purposes. When Absentee Voting is applicable, the Vote of a Majority of Voting Households shall be binding for all purposes.

Section 7. Consent in Lieu of Meeting. Any action to be taken by the Members may be taken without a meeting if a majority of the individuals entitled to vote for the Households consent to the action by a writing filed with the records of meetings. Such consent shall be treated for all purposes as a vote at a meeting. Exception: All funding decisions requiring a special assessment shall be made only at a scheduled meeting.

Section 8. Member Responsibility. It shall be the responsibility of a Member to notify the Association in writing of any changes in ownership or mailing address. Members are responsible to ensure that Association responsibilities detailed in these Bylaws are conveyed to any potential new owners.

Section 9. Conduct of Meetings. Meetings shall be conducted in a manner consistent with the spirit of Robert's Rules of Order.

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ARTICLE V
Officers and Their Duties

Section 1. Enumeration of Offices. The officers of this Association shall be chairman, vice-chairman and secretary, and such other officers as the Members may from time to time by vote create. The Association officers shall constitute the Board of Directors as required by the NH Secretary of State.

Section 2. Election of Officers. The election of officers shall take place at the Annual Meeting of the Members.

Section 3. Term. The officers of this Association shall hold office for two (2) years unless an officer shall sooner resign, or shall be removed, or otherwise be disqualified to serve.

Section 4. Removal and Resignation. Any officer may be removed by a Majority Vote; Article IV, Sections 6 & 7 apply. Any officer may resign at any time by giving written notice to the other officers. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 5. Vacancies. A vacancy in the office of vice-chairman or secretary may be filled by appointment by the chairman. The officer appointed shall serve for the remainder of the term of the officer replaced.

Section 6. Duties. The duties of the officers are as follows:

Chairman

(a) the chairman shall preside at all meetings, shall arrange for and oversee all maintenance, shall issue meeting notices and when appropriate, informative correspondence, however, the chairman shall have the option to delegate any of these described tasks from time to time to Member(s) of the Households. The chairman shall act as a treasurer for the Association, receive and deposit monies for the Association, disburse funds, sign checks, keep proper books of account, and prepare an annual accounting statement to be presented to the membership at its regular Annual Meeting. The chairman shall also make decisions regarding maintaining appropriate maintenance functionality in the right of way, this includes the travel lane, passing and turnout areas. Absentee ballots and their results shall be archived by the chairman for a minimum of three years.

Vice-chairman

(b) the vice-chairman shall act in the place of the chairman in the event of the chairman's absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required by the chairman.

Secretary

(c) the secretary shall record the votes and keep the minutes of all meetings of the Members, providing these minutes to the chairman for distribution to the Households. When applicable, the secretary shall receive all Absentee Ballots and provide the voting results to the chairman. Absentee voting results shall be recorded by the secretary in the next annual meeting minutes.

Section 7. Compensation of Officers. No officer shall receive any compensation for acting as such.

Section 8. Liability of Officers. The officers shall not be liable to the Members for any mistaken judgment, negligence, or otherwise, except for their own individual willful misconduct or bad faith. It is intended that the officers shall have no personal liability with respect to any contract made by them on behalf of the Association. Every agreement made by an officer is with the understanding that he is acting only as agent for the Association and shall have no personal liability thereunder. It shall be permissible for an officer to contract with the Association without liability for self-dealing.

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ARTICLE VI
Operation of the Association

Section 1. Committees. The chairman, or by vote, the Association, shall appoint committees as deemed necessary to carrying out its purpose.

Section 2. Determination of Assessments. Each Household is obligated to pay to the Association annual and special assessments, the amount having been determined by voting. Typically, any assessments not paid in thirty (30) days (due date) shall be found delinquent. If the assessment is not paid within thirty (30) days after the due date, the Association may bring an Action of Law against the Member personally obligated to pay the same, and costs and reasonable attorney's fees of any such Action shall be added to the amount of such assessment. No Member may waive or otherwise escape liability for the assessment provided for herein by abandonment of a Lot or Property.

Section 3. Limit on Association Jurisdiction. By adopting these Bylaws, the Association declares that it has no implied easement on any private property as a result of Al Wood Drive, including its passing and turn out areas, having encroached onto private property over time.

Section 4. Road Design Criteria. Al Wood Drive is a result of four Town of Barrington approved subdivisions. From the mailboxes to the hill side corner of the N/F Nelsons' property, there is a 50 foot wide right of way. From the corner of the N/F Nelsons' property to the N/F Covells' property at the end, there is a 25 foot wide right of way. The edges of these two right of ways are the road frontage Lot boundaries. Al Wood Drive wanders within these two right of ways. The Association has established a minimum 13 foot travel lane width for free and clear, unobstructed travel at all times. Natural choke points of an approximate 12 foot width remain, and there is no plan to remove them. There are numerous existing locations where Al Wood Drive is greater than 13 feet in width. These existing passing and turnout areas are considered the same as the travel lane, that is, to be kept free and clear for unobstructed use at all times. Winter plowing includes keeping these passing and turnout areas open, including push back. It shall continue to be the intent, as much as practical, to maintain the travel lane in the center of the two right of ways.

Section 5. Right of Ways. No property owner has an ownership prerogative to the right of way land. As necessary, the full width of the right of way is considered available for road maintenance. The chairman shall make, as necessary, a binding decision regarding any issue related to maintaining maintenance functionality in the right of ways, this includes defining what is the travel lane, turnouts and passing areas. Member's shall have sole right to determine the landscaping of the right of way property that abuts their property, recognizing as stated that maintenance functionality takes precedence over landscaping. Landscaping within a right of way shall not extend into the existing travel lane, turnouts, and passing areas. Landscaping within a right of way can not be of such a solid design as to restrict snow plowing, including push back. Damage to plantings and landscape items, left in the right of way during the winter, become the Member's expense.

Section 6. Parking in the Travel Lane, Turnouts and Passing Areas. The travel lane, turnouts and passing areas are to be kept open for free and clear, unobstructed travel at all times. Habitual parking in these areas is not permitted. The Association Officers are responsible to determine if there is a habitual offender and to take appropriate action. The owner of any temporarily parked car, boat trailer, cart, etc., needs to be nearby and easily found so that the obstructing car, whatever, can be moved by the owner when asked. The Barrington Police Chief has stated that the nominal 13 foot travel width will not allow two emergency vehicles to pass, 16 feet is required. In an emergency, it may be necessary for the 16 foot width

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to be cleared expeditiously without regard to possibly causing damage, and in this case, damage would become the owner's responsibility.

Section 7. Speeding. The Association shall establish a speed limit. Members are asked to tell anyone who visits them, including delivery vehicles, to obey the speed limit.

ARTICLE VII
Amendments

Section 1. Amendment Process. These Bylaws may be amended, at an Annual or Special Meeting of the Members, by a vote of the Majority of Voting Household attendees.

Section 2. Conflict. In the case of conflict between the Association Articles of Incorporation and these Bylaws, the Articles shall control.

IN WITNESS THEREOF, we, being all of the elected Officers of AL WOOD DRIVE ROAD ASSOCIATION, have hereunto set our hands, to this original issue of the Bylaws, this *1st day of October, 2002.* These Bylaws were approved by a Majority Vote of the Al Wood Drive Road Association Households in June, *2002.*

Steven Conklin – Chairman

Tom Chase – Vice–chairman

Jane Peterson - Secretary

Amendment 1. Add to Article V, Section 1, "The Association officers shall constitute the Board of Directors as required by the NH Secretary of State." Adopted at the Annual Meeting on 24 June 2006.

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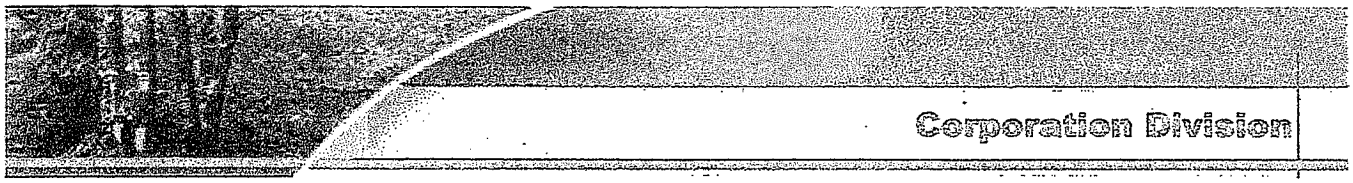

Search
By Business Name
By Business ID
By Registered Agent
Annual Report
File Online

Date: 5/20/2013

Filed Documents
(Annual Report History, View Images, etc.)

Business Name History

Name	Name Type
AL WOOD DRIVE ROAD ASSOCIATION	Legal

Non-Profit Corporation - Domestic - Information

Business ID:	162331
Status:	Good Standing
Entity Creation Date:	10/21/1991
Principal Office Address:	352 Hemlock Lane Barrington NH 03825
Principal Mailing Address:	No Address
Expiration Date:	Perpetual
Last Annual Report Filed Date:	3/29/2011 4:30:00 PM
Last Annual Report Filed:	2010

Registered Agent

Agent Name:	
Office Address:	No Address
Mailing Address:	No Address

Important Note: The status reflected for each entity on this website only refers to the status of the entity's filing requirements with this office. It does not necessarily reflect the disciplinary status of the entity with any state agency. Requests for disciplinary information should be directed to agencies with licensing or other regulatory authority over the entity.

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AL WOOD DRIVE ROAD ASSOCIATION

Meeting Minutes June 29, 2013

Attendees: Don Brautigan, Beth Olshansky, Chris Carr, Glady Carter, Tom Chase, Peter & Faith Coakley, Steve and Ellen Conklin, Ray Desmarais, Wayne & Lisa Jordan, Hope Kenefick, Dennis Meadows, Suzanne McDonald, Mark & Ginger Nelson, Stuart Parker, James Roberts, Tom & Diane Lombardo, Donna Roy, Bonnie Staniewiez, Ron & Deanna Rush, Dave Whitten & Scotty Robinson..

Road Update & Maintenance:

- Road doing well. Filling in pot holes will be done once the road is dryer.

Member Updates:

- Steve & Ellen Conklin will be selling their home due to medical needs.
- Mark Nelson will no longer do snow plowing but will continue with the summer work.

Tree Trimming:

- It was decided that the PSNH work on removal of trees under the power lines was excellent.
- What should we do with the money collected from the Special Assessment? Put it into the General Fund, Keep it as a Tree Removal Fund? A vote was taken first to discontinue the $50 Special Assessment fee and then to decide on the previous collected money. Ending the Special Assessment was a unanimous vote. More discussion on what to do with the previous collected fund and then it was a unanimous decision to put the money into the General Funds.

Pond/Water Quality:

- Gerrior drive Phase II is again being presented to the planning board this time with less lots and more Conservation land.
- There was a discussion on Loon activity. No chicks and the Loon lady could not find any. Tom & Diane said they had seen them last week.

Member items for discussion:

- Ginger had a package removed from the center mail box. After much discussion it was decided to do nothing.
- The Conklins asked that the .47 Acre lot become the 25th household of Al Wood Drive Road Association if that lot sold separately from the 10.9 Acre lot. It was a unanimous decision to do so.
- The households then voted for officers. Dave Whitten is the new Chair; Wayne Jordan the new Vice Chair, and Lisa Jordan the new Sectary. Ellen Conklin said she would continue collecting dues for this season.
- Prior to adjourning the meeting a gift was given to Steve & Ellen Conklin for all the time given to the Association and to monitoring the lake quality.

Meeting adjourned.

Written by: Secretary Ellen Conklin

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ABUTTER LIST

Town of Barrington, NH
Please Print or Type

Applicant: Steven & Ellen Conklin **Phone** 603 664 2563

Project Address: 352 Hemlock Lane Barrington NH 03825

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

LEGAL OWNER OF SUBJECT LOT

Map	Lot	Zone	Owner Name	Mailing Address
124	0043		Steven & Ellen Conklin	352 Hemlock Lane Barrington NH 03825
124	0044			

ABUTTING LOT OWNERS

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
124	0039	Donald Brautigam & Beth OLshansky	122 Packers Fall Rd Durham NH 03824
124	0040	Peter & Faith Coakley	29 Bancroft St Lynnfield MA 01940
124	0041	John Honer	14 Lawrence St Wilmington MA 01887
124	0042	Covell Harriet & Lester C/O Harding & Carbone	3903 Bellaire Blvd Houston TX 77025
124	0045	Lisa & Wayne Jordan	330 Hemlock Ln Barrington NH 03825
124	0046	Ray & Alison Desmarais	326 Hemlock Ln Barrington NH 03825
260	0055	Bradley & Vonda Cunningham	149 Mendums Landing Rd Barrington NH 03825
260	0056	Colleen Latham	30 Wheelwright Dr Lee NH 03824
260	0072	Peter Daigle	1550 Falmouth Rd #10 Centerville MA 02632
260	0053	Mendums Landing Homeowners Assoc. C/o Paul Sendak	PO Box 824 Barrington NH 03825

PROFESSIONALS AND EASEMENT HOLDERS. Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address
Raymond Bisson Surveyor	PO Box 458 Barrington NH 03825
Joseph Noel Wetland Scientist	PO Box 174 S. Berwick ME 03908

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form. I understand that any error or omission could affect the validity of any approval. The names and address listed on this form were obtained from the Town of Barrington *Assessing Office*

on this date: August 7, 2013 **This is page** 1 **of** 1 **pages.**

Applicant or Agent: Steven Conklin Ellen Conklin

Planning Staff Verification: _____ **Date:** _____

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