FEES:
Application $150.00 Public Notice: 75.00 per submission
Abutters @____X $7.00 each=____ Other____

Total Received: $____Cash___ Check#_____
Date Received_____

# SECTION 9.6 APPLICATION FOR SPECIAL PERMIT FOR CONSTRUCTION IN WETLAND BUFFER

**TOWN OF BARRINGTON**
**PO Box 660; 333 Calef Highway**
**Barrington, New Hampshire 03825**

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A SPECIAL USE PERMIT allows the Town of Barrington to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a wetlands buffer in the Wetlands Protection District Overlay, but rather only by a special use permit. A public hearing is required.

Is the proposed use permitted by right in the appropriate base zoning district? (See Table 1, Table of Uses, located in the town zoning ordinance)

-If yes, then proceed with the below criteria for a Special Use Permit pursuant to Section 9.6.
-If, on the other hand, the proposed use requires a conditional use permit, a special exception, or a variance, you must obtain that permit or approval before seeking a Special Use Permit pursuant to Section 9.6.

This application applies only to uses proposed in the Wetlands Protection District Overlay that violate the required wetland buffer. There is a separate application for a Conditional Use Permit pursuant to Section 3.4, which is also available in the town Land Use Office.

Is the proposed use related to a Site Plan or Subdivision Application? Yes___ No X
Name of Project FISHEYE PROPERTIES LLC
Address of Property YOUNG ROAD

Tax Map 240 Lot 15.5 Zoning District(s) NR Overlay / WETLANDS Total Area of Site 1.91 Ac
Name of Applicant/Agent DAVID W. VINCENT LLS LAND SURVEYOR SERVICES
Mailing Address of Applicant/Agent PO BOX 7418, ROCHESTER, NH 03839-7418

Telephone: 603-664-5786 Email: d.vincent@landsurveyingservices.net Fax:
Name of Property Owner FISHEYE PROPERTIES LLC C/O PAUL THIBODEAU
Mailing Address of Property Owner 15 COUNTY FARM CROSS ROAD, DOVER, NH 03820

Telephone: 603-767-3552 Email: Fax:

Letter of Authorization Provided ✓

Signature of Owner Paul Thibodeau
Deed Provided ✓

Revised 5/22/13

Describe in detail all existing uses and structures on the subject property (You may attach a separate typed sheet):

No structures are currenty situated on the lot.

Size of Impact 2,900 +/- s.f.

Describe in detail all proposed uses, structures, construction, or modifications requiring a Special Use Permit.

A 12' WIDE PROPOSED ACCESS DRIVEWAY with 2' shoulders 115'+/- within the 50' wetland buffers

Describe in detail how the following standards of the Town of Barrington Zoning Ordinance under Section 9.6 "Special Permit for Construction in a Wetlands Buffer" have been satisfied by your proposal. (You may attach a separate sheet.)

1. The proposed use is in keeping with the intent and purposes set forth in the zoning ordinance as permitted in the base zoning district (See Table 1, Table of Uses, located in the zoning ordinance). If the base zoning district requires a conditional use permit or special exception for the proposed use, one must already have been obtained; or if the proposed use is not listed on the Table of Uses or is listed but not permitted, one must already have obtained a variance.

The proposed driveway is located within 12'+/- of AN ISOLATED wetland pocket. The wetland pocket is 40'+/- larger than an exempt wetland area that is 3,000 s.f. or less.

2. After a review of all reasonable alternatives, it is determined to be infeasible to place the proposed structure or use outside of the buffer zone.

PLACING the driveway IN ANY other area will INVOLE CROSSING A wetlands or placing the driveway within the 100' PRIME wetland setback

3. The proposed structure or use must be set back as far as possible from the delineated edge of the wetland or surface water.

The MAIN focus of this proposed driveway location is to have the least amount of IMPACT on the wetlands ADJACENT to the PRIME wetlands

4. Appropriate erosion control measures must be in place prior to and during construction.

NOTES and details have been added to the ENCLOSED PLOT PLAN

5. Any disturbance to the surrounding buffer zone must be repaired and restored upon completion of construction.

NOTES to that effect have been added to the ENCLOSED PLOT PLAN.

6. All available mitigation measures to address changes in water quality and quantity be implemented, along with design and construction methods to minimize adverse impacts, if required by the Planning Board.

YES

Statement of Assurance and Agreement:

*I hereby certify that to the best of my knowledge this submitted application information is true and correct. All proposed development will be in conformance with the information contained on the application and in the approved plan as well as the provisions of the Town of Barrington ordinances and regulations.*

*The Owner/Agent, by filing an application, hereby grants permission for members of the Board and staff to enter onto the subject property for the purposes of this review.*

Applicant/Agent Signature — Date 7-16-2014

Owner Signature — Date 7/15/14

Owner Signature — Date

Staff Signature — Date

Fisheye Properties LLC
15 County Farm Cross Road
Dover, NH 03820

July 16, 2014

Ms. Marcia Gasses, Planner
Town of Barrington
Land Use Department
PO Box 660
Barrington, NH 03825-0660

**Re: 9.6 Special Use Permit – Fisheye Properties, LLC**
**Map 240 / Lot 15.5, Young Road**

To Whom it May Concern;

I, Paul Thibodeau, of 15 County Farm Cross Road, City of Dover, State of New Hampshire, hereby authorize David W. Vincent, LLS, of Land Surveying Services, with a mailing address of PO Box 7418, Rochester, State of New Hampshire, his employees or assigns, to represent us at any public hearing or public department regarding the submittal, review and approval of the development of our property.

Signed:

Paul Thibodeau

# ABUTTERS LIST

**Fisheye Properties LLC**
**Tax Map 240 / Lots 15.5**
**Young Road**
**Barrington, NH**

**Applicant/Owner**
Map 240 / Lot 15-8
Fisheye Properties LLC
15 County Farm Cross Road
Dover, NH 03820

**Abutters**
Map 240 / Lot 8
Norma Bearden
220 Honeysuckle Trail
Anniston, AL 36207

Map 240 / Lot 15.4
Marc & Laurie Lenzi
70 Young Road
Barrington, NH 03825

**Land Surveyor**
David W. Vincent, LLS
Land Surveying Services
PO Box 7418
Rochester, NH 03839-7418

**Wetland/Soil Scientist**
John P. Hayes, III
Environmental Consultant
33 3rd Street #2
Dover, NH 03820

DAVID W. VINCENT

**LAND SURVEYING SERVICES**

BOUNDARY SURVEYS • SUBDIVISIONS
SEPTIC SYSTEM DESIGNS • LAND PLANNING
LICENSED IN NEW HAMPSHIRE & MAINE
www.landsurveyingservices.net

PO BOX 7418
ROCHESTER, NH 03839-7418
TEL (603) 664-5786
FAX (603) 664-3274

July 16, 2014

Ms. Marcia Gasses, Planner
Town of Barrington
Land Use Department
PO Box 660
Barrington, NH 03825-0660

**Re: 9.6 Special Use Permit – Fisheye Properties, LLC**
**Map 240 / Lot 15.5, Young Road**

Dear Ms. Gasses,

The following is a brief narrative for the 9.6 Application for Special Permit for Construction in a Wetland Buffer for the property owner, Fisheye Properties, LLC, of their property located on Young Road.

**Location / Property Description**
The property is located on the westerly side of Young Road and is located in the Neighborhood Residential District and Wetlands Overlay District.

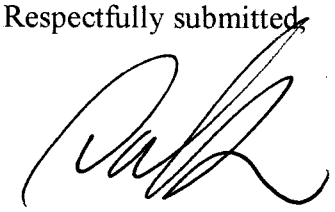
Lot 15.5 is owned by Fisheye Properties, LLC and is recorded in Strafford County Registry of Deeds as Book 3855, Page 63, copy enclosed. Lot 15.5 is comprised of 1.91 acres, with 200.00' of frontage on Young Road (Class V) and is undeveloped. The property is abutted on the north by an existing developed residential lot, on the west and south by the Fisheye Properties, LLC, Conservation Subdivision Open Space. Prime Wetlands #21 is located within 100' of the lot on the west and the south. Access to the property is on Young Road.

**Purpose / Intent**
The purpose of this application is to provide access to the 7,560 square foot, more or less, building envelope located in the rear portion of the lot.

The proposed access driveway shall be built approximately 60', more or less, from the lower wetland area which is adjacent to the Prime Wetlands and which flows under Young Road to the east. The upper isolated wetland area comprises of 3,040 square feet, more or less, and is a low area with a perched water table, which is currently dried out. The proposed driveway shall be constructed in the generally level area, near the upper wetland pocket, in order to have the least amount of impact on the lower wetland. A natural existing berm borders the upper wetland area adjacent to the proposed driveway and shall not be disturbed.

Erosion control measures, such as SiltSoxx, shall be installed prior to any ground disturbance as described in note 4 of the enclosed plot plan.

Respectfully submitted,



David W. Vincent
NH Licensed Land Surveyor No. 821
NH Licensed Septic System Designer No. 1413

Enclosed

cc: Fisheye Properties, LLC

10_022 sup application 5

Doc # 0011052 Aug 13, 2010 3:46 PM
Book 3855 Page 0063 Page 1 of 2
Register of Deeds, Strafford County

C/H
L-CHIP
STA027763

*After recording, pls. return to:*
Sunset Settlement Co, LLC
76 Northeastern Blvd, Suite 26B
Nashua NH 03062
www.sunsetclosing.com

STATE OF NEW HAMPSHIRE
DEPARTMENT OF REVENUE ADMINISTRATION
REAL ESTATE TRANSFER TAX
****4 Thousand 5 Hundred 00 Dollars
DATE 08/13/2010 ST818878 AMOUNT $ ****4500.00
VOID IF ALTERED

# WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS**, that **NORMA BEARDEN**, an unmarried person, of 220 Honeysuckle Trail, Anniston, Alabama, for consideration paid, grants to

**FISHEYE PROPERTIES, LLC**, a New Hampshire Limited Liability Company with a mailing address of, P.O. Box 250, Union, New Hampshire 03887

with **WARRANTY COVENANTS:**

A certain tract or parcel of land situated in Barrington, in the County of Strafford and State of New Hampshire, on Young Road, so-called, including the buildings thereon and being shown as Tax Map 240, Lot 15 on the Barrington Assessor's Tax Map.

Said Lot 15, containing 37 acres, more or less.

Subject to and with the benefit of all easements, restrictions and rights of way of record insofar as the same may be in force and effect and applicable.

The above-described property is not the homestead of the grantor.

Subject also to Agreement for Right of First Refusal recorded herewith.

Meaning and intending to describe and convey a portion of the premises as conveyed to said Grantors by Deed dated October 13, 2004 and recorded at Book 3085, Page 0558 of the Strafford County Registry of Deeds. See Death Certificate of Mary Cormie Collins recorded at Book 3196, Page 156 and at Book 3492, Page 430.

Dated this 11th day of August, 2010.

Norma Bearden

Norma Bearden

State of Alabama

County of Tuscaloosa

Before me, this 11 day of August, 2010, personally appeared, Norma Bearden, who acknowledged that she executed the foregoing instrument as her voluntary act and deed.

Notary Public/Justice of the Peace
My Commission Expires:

My Commission Expires 12-28-11

Fisheye Properties, LLC
Map 240 / Lot 15.5
Young Road,
Barrington, NH

Photo #1 – Driveway Approach Between Wetland Areas.

Photo #2 – Upper Isolated Wetland Area.

Photo #3 – Down Slope View  Toward Lower Wetland Area.

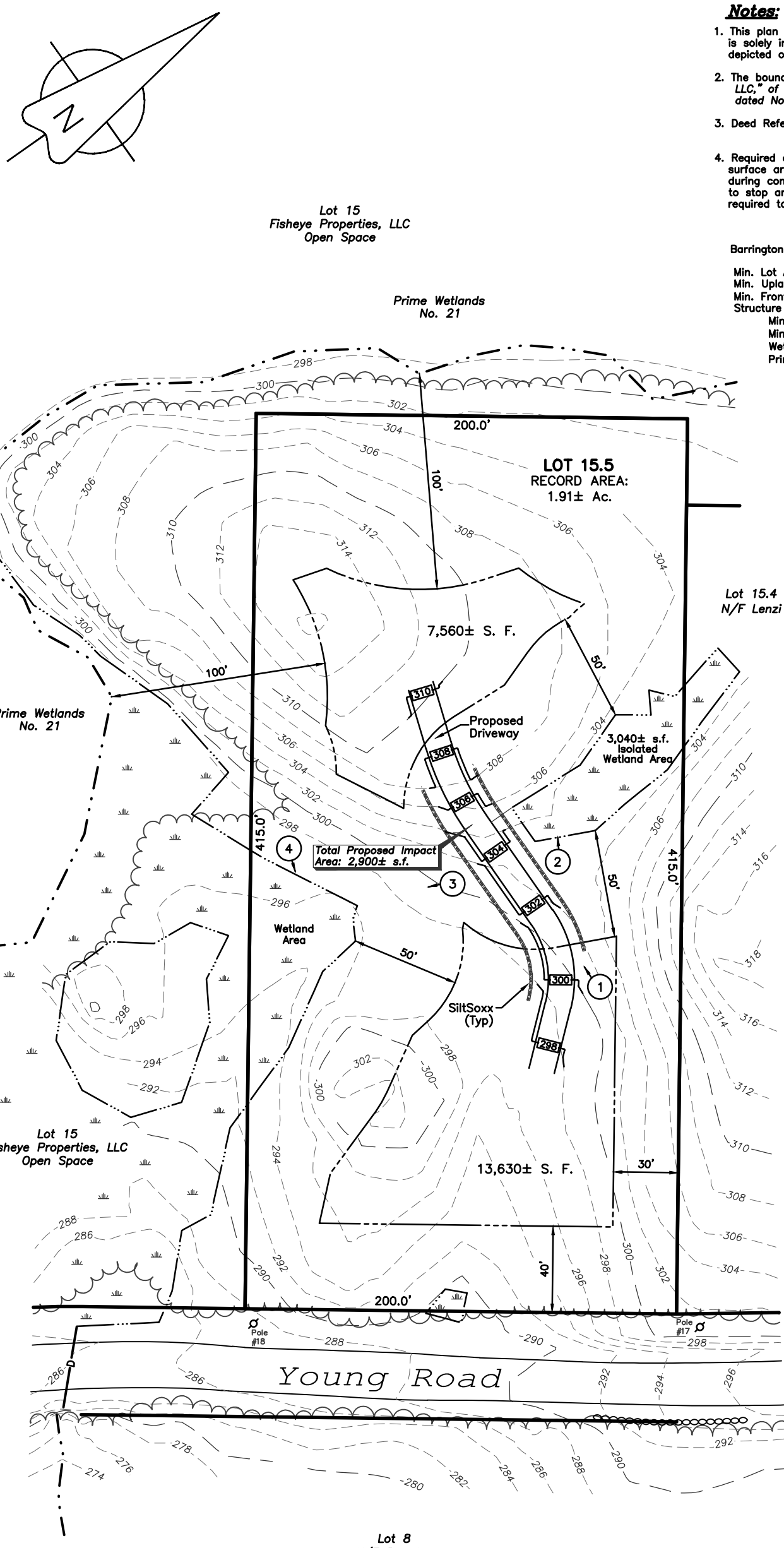
Photo #4 – Lower Wetland Area.

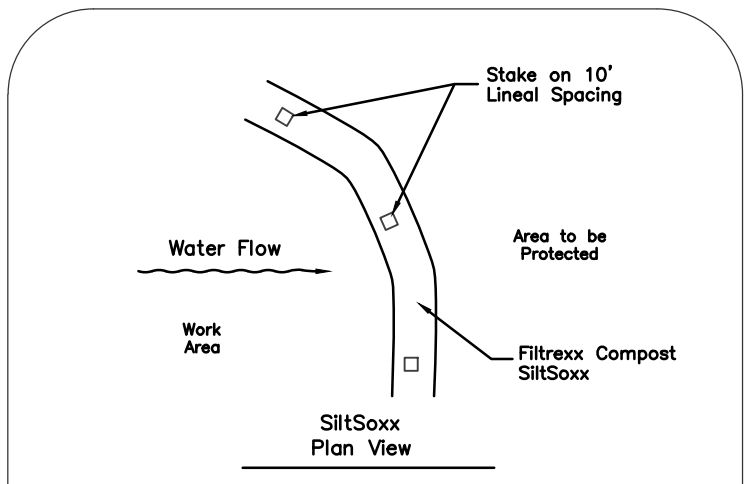
## Notes:

1. This plan does not represent a confirmation of boundary lines nor a determination of title but is solely intended to depict the location of a proposed driveway to the wetland boundaries depicted on the plan reference in note 2.
2. The boundary lines depicted are based upon *"Subdivision Plan, Prepared for Fisheye Properties LLC," of Tax Map 240 / Lot 15 Located at Young Road, County of Strafford, Barrington, NH," dated November 15, 2010, prepared by this office,* SCRD Plan No. 102–29.
3. Deed Reference: Fisheye Properties, LLC
   SCRD Bk 3855, Pg 63
4. 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.

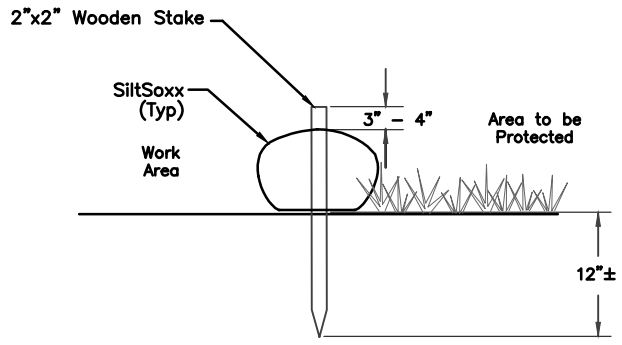
Barrington Zoning Requirements;

| | |
|---|---|
| Min. Lot Area: | 80,000 SF |
| Min. Upland Soils: | 60,000 SF |
| Min. Frontage: | 200' |
| Structure Setbacks | |
| Min. Front Yard: | 40' |
| Min. Side & Rear Yard: | 30' |
| Wetlands Buffer: | 50' |
| Prime Wetlands Buffer: | 100' |




SiltSoxx
Plan View




SiltSoxx Section

Notes:

1. All materials to meet Filtrex specifications.
2. SiltSoxx compost, rock, seed, and fill to meet application requirements.
3. SiltSoxx depicted is for minimum slopes. Greater slopes may require larger socks per the designer.
4. Compost material to be dispersed on site upon well established vegetative cover.

## SiltSoxx Details

*NOT TO SCALE*

0 40 80 120

| NO. | DATE | DESCRIPTION | BY |
|---|---|---|---|
| 4 | | | |
| 3 | | | |
| 2 | | | |
| 1 | | | |

STATE OF NEW HAMPSHIRE — No. 821 DAVID W. VINCENT — LICENSED LAND SURVEYOR — SIGNATURE

*David W. Vincent, LLS No. 821*

*15 July 2014*
*Date*

# Special Use Permit Plot Plan

Fisheye Properties, LLC
Map 240 / Lot 15.5
Young Road
Barrington, NH


**David W. Vincent, LLS**
Land Surveying Services
PO Box 7418
Rochester, NH 03839–7418
Ph: 603–664–5786
www.landsurveyingservices.net


| | | |
|---|---|---|
| Scale: 1"=40' | Date: 07/16/14 | M240 L15.5 |
| Drwg:022sup5 | Checked: dwv | Job: 10_022 |