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: 240-15.7+15.8-NR-13-11 **Project Name:** Fisheye Properties LLC + James & Elaine O'Donnell **Date** 5-15-2013

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 X Special Permit ____
Change of Use ____ Extension for Site Plan or Subdivision Completion ____
Amendment to Subdivision/Site Plan Approval ____ Other ____

Project Name: FISHEYE PROPERTIES LLC AND JAMES & ELAINE O'DONNELL **Area** (Acres or S.F) ____
Project Address: YOUNG ROAD
Current Zoning District(s): NEIGHBORHOOD RES. **Map(s)** 240 **Lot(s)** 15-7 & 15-8
Request: RELOCATE A PORTION OF COMMON LOT LINE BETWEEN LOTS

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: ____
Company FISHEYE PROPERTIES LLC
Phone: 603-767-3552 Fax: ____ E-mail: ____
Address: PO BOX 250 UNION NH 03887

Applicant (Contact): DAVID VINCENT
Company LAND SURVEYING SERVICES
Phone: 603-664-5786 Fax: 603-664-3274 E-mail: d.vincent@landsurveyingservices.net
Address: 19 MORGANS WAY, BARRINGTON, NH 03825

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

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

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

Owner Signature ____ Applicant Signature ____ 5-15-2013

Staff Signature ____ Date ____

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Revised 12-07-2011

TOWN OF BARRINGTON - LAND USE DEPARTMENT

PROJECT NARRATIVE

PROJECT NAME **Fisheye Properties, LLC & O'Donnell** CASE FILE NUMBER_____

PROJECT LOCATION **Young Road**

DATE OF APPLICATION **15 May 2013**

Property Details: **Lot Line Adjustment - Tax Map 240 / Lots 15-7 & 15-8**

Single-Family **Residential** Multi-Family Residential Commercial ___Industrial_____

Current Zoning: **Neighborhood Residential** Lot Area Size: **2.44 Ac. & 2.48 Ac.**

Setbacks: Front **40'** Side **30'** Rear **30'**

Parking Spaces Required: _____Parking Spaces Provided:_____

Please describe your project and its purpose and intent. You may attach a typed description.

Applicants are requesting to relocate a portion of the common lot line between them in order for the owners of Lot 15-7 to construct a detached garage on their lot.

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ABUTTERS LIST

Fisheye Properties LLC and
James M. & Elaine O'Donnell
Tax Map 240 / Lots 15-7 & 15-8
Young Road
Barrington, NH

Applicants/Owners
Map 240 / Lot 15-7
James & Elaine O'Donnell
112 Young Road
Barrington, NH 03825

Map 240 / Lot 15-8
Fisheye Properties LLC
PO Box 250
Union, NH 03387

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

Land Surveyor
David W. Vincent, LLS
Land Surveying Services
19 Morgans Way
Barrington, NH 03825-3350

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

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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** ☐ **Site Plan** ☐ **Subdivision Plan** **See Section I & II** **See Sections I & II** **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	☒	☐		
c. Location of subdivision	☒	☐		
d. Tax map & lot numbers of subject parcel(s)	☒	☐		

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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	☒	☐		
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	☒	☐		
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)	☐	☒		

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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b. Contiguous uplands(s)	☐	☐		
5. Proposed streets:	☐	☐		
a. Name(s) labeled	☐	☐		
b. Width of right-of-way dimensioned	☐	☐		
c. Pavement width dimensioned	☐	☐		
6. Source and datum of topographic information (USGS required)	☐	☐		
7. Show at least one benchmark per sheet (min.) and per 5 acres (min.) of total site area	☐	☐		
8. Soil Conservation Service (SCS) soil survey information	☐	☐		
9. Location, type, size & inverts of the following (as applicable):	☐	☐		
a. Existing water systems	☐	☐		
b. Existing drainage systems	☐	☐		
c. Existing utilities	☐	☐		
10. 4K affluent areas with 2 test pit locations shown with suitable leaching areas	☐	☐		
11. Location of all water wells with protective radii as required by the NH Department Of Environmental Services (meeting Town and NHDES setback requirements)	☐	☐		
12. Existing tree lines	☐	☐		
13. Existing ledge outcroppings & other significant natural features	☐	☐		
14. Drainage, Erosion and Sediment Control Plan(s) containing all of the requirements specified in Section 16.3.2 (Final Plan Requirements) of the Subdivision Regulations	☐	☐		
Section IV **Construction Detail Drawings**				
Note: Construction details to conform with NHDOT Standards & Specifications for Roads & Bridges, Town of Barrington Highway Department requirements, and Subdivision Regulations	☐	☐		
1. Typical cross-section of roadway	☐	☐		
2. Typical driveway apron detail	☐	☐		
3. Curbing detail	☐	☐		
4. Guardrail detail	☐	☐		
5. Sidewalk detail	☐	☐		
6. Traffic signs and pavement markings	☐	☐		
7. Drainage structure(s):	☐	☐		
8. Outlet protection riprap apron	☐	☐		
9. Level spreader	☐	☐		
10. Treatment swale	☐	☐		
11. Typical section at detention basin	☐	☐		
12. Typical pipe trench	☐	☐		
13. Fire protection details	☐	☐		
14. Erosion control details:	☐	☐		
15. Construction Notes	☐	☐		
a. Construction sequence	☐	☐		
b. Erosion control notes	☐	☐		
c. Landscaping notes	☐	☐		
d. Water system construction notes	☐	☐		
e. Sewage system construction notes	☐	☐		
f. Existing & finish centerline grades	☐	☐		
g. Proposed pavement - Typical cross-section	☐	☐		
h. Right-of-way and easement limits	☐	☐		
i. Embankment slopes	☐	☐		
j. Utilities	☐	☐		

Section V **Supporting Documentation If Required**				
1. Calculation of permitted housing density (for Conservation Subdivisions only as required in Article 6 of the Barrington Zoning Ordinance)	❒	❒		
2. Stormwater management report	❒	❒		
3. Traffic impact analysis	❒	❒		
4. Environmental impact assessment	❒	❒		
5. Hydrogeologic study	❒	❒		
6. Fiscal impact study provided	❒	❒		
7. Calculation of permitted housing density (for Conservation Subdivisions only as required in Article 6 of the Barrington Zoning Ordinance)	❒	❒		
8. Site Inventory and Conceptual Development Plan (from preliminary Conservation Subdivision review only)	❒	❒		

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APPLICATION AGREEMENT

I hereby apply for Subdivision Plan Review and acknowledge I will comply with all of the ordinances of the Town Of Barrington, New Hampshire State Laws, as well as any stipulations of the Planning Board, in development and construction of this project. I understand that if any of the subdivision Plan or Application specifications are incomplete, the Application will be considered rejected.

In consideration for approval and the privileges accruing thereto, the subdivider thereby agrees:

E. To carry out the improvements agreed upon and as shown and intended by said plat, including any work made necessary by unforeseen conditions which become apparent during construction of the subdivision.

E. To post all streets "Private" until accepted by the Town and to provide and install street signs as approved by the Selectmen of the Town for all street intersections.

E. To give the Town on demand, proper deeds for land or rights-of-way reserved on the plat for streets, drainage, or other purposes as agreed upon.

E. To save the Town harmless from any obligation it may incur or repairs it may make, because of my failure to carry out any of the foregoing provisions.

E. Mr/Mrs _____ of _____ to whom all communications to the subdivider may be addressed with any proceedings arising out of the agreement herein.

Signature of Owner: _____

Signature of Developer: _____

Technical Review Signatures: _____

Town Engineer/Planner Approval Signature: _____ The owners, by the filing of this application as indicated above, hereby give permission for any member of the Barrington Planning Board, the Town Engineer, The Conservation Commission and such agents or employees of the Town or other persons as the Planning Board may authorize, to enter upon the property which is the subject of this application at all reasonable times for the purpose of such examinations, surveys, test and inspections as may be appropriate.

(Refusal to sign this permission form does not invalidate an application, but the Planning Board may not be able to make an informed decision regarding unseen lands with potential areas of concerns).

Signature of Owner: _____

Note: The developer/individual in charge must have control over all project work and be available to the Road Agent and Code Enforcement Officer during the construction phase of the project. The Road Agent and Code Enforcement Officer must be notified within two (2) working days of any change by the individual in charge of the project.

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ADMINISTRATIVE AND REVIEW FEES

TOWN OF BARRINGTON

PLANNING BOARD

Article 8.5 Waivers for Specific Plan Submission Requirements

Lot Line Adjustment – Fisheye Properties, LLC & O'Donnell
Young Road
Barrington, NH

I, David W. Vincent, hereby request that the Planning Board waive the requirements of the following items of the Subdivision Regulations in reference to a plan presented by David W. Vincent, LLS, Land Surveying Services, for properties **Tax Map 240 / Lots 15-7 & 15-8** in the Town of Barrington, New Hampshire.

Article 8.3 Specific Plan Information – Existing Site Conditions

Existing grades and topographic contours at intervals not exceeding two (2) feet with spot elevations where the grade is less than five percent (5%).

Natural features such as streams, marshes, lakes, ponds, rock outcrops, wooded areas, significant trees, ledge and other significant environmental features, including wetland areas as defined in the Zoning Ordinances. (Please note wetlands are depicted on the plan).

Article 8.4 Specific Plan Information – Proposed Site Conditions

2) Proposed grades and topographic contours at intervals not exceeding two (2) feet with spot elevations where the grade is less than five percent (5%).

3) The location for, and pertinent data on, at least two (2) test pits, 50 feet apart, and at least one (1) percolation test to show that the regulations in Article 18 have been met on each lot created by the subdivision. Information shall include at least the following: the location of the test pits, an outline of the four thousand (4,000) contiguous sq. ft. area reserved for the location of the leach field, and percolation test data.

1) The granting of the waiver will not result in a review that overlooks issues that may address impacts that are detrimental to public safety, health or welfare or injurious to other property.

The development of these lots will require review and permitting by the building department, highway department and NHDES (Lot 15-7 has already been developed).

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2) The waiver will not, in any manner, vary the provisions of the Barrington Zoning Ordinances, Master Plan, or Official Maps.

These are lots of record which are relocating a minor portion their common lot line and not creating new building lots.

3) The submittal, upon granting of such waiver(s) may be reviewed in such a fashion as to secure substantially the objectives, standards and requirements of these regulations.

Since these are lots of record which are relocating their common lot line and not creating new building lots, developing of these lots will require review and permitting by the building department, highway department and NHDES.

4) A practical hardship, or unnecessary and unreasonable expense, would result from strict compliance with the foregoing submission regulations that clearly outweighs the benefit of providing the required information.

The planning board approved approved the original Fisheye Properties, LLC in 2011 which provides the data requested. It will be an unnecessary and unreasonable expense to the require the applicants to comply with the subdivision items listed above.

5) The purposes of these regulations may be served to a greater extent by an alternative submittal, or where such submittal information is redundant and clearly unnecessary for the Board to review the application adequately.

After the lot line adjustment the reconfigured lots will meet or exceed the minimum lot area, frontage and setback requirements.

Signed:

David W. Vincent
Licensed Land Surveyor

Doc 011052 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

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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

Doc 006638 Apr 22, 2013 11:57 AM
Book 4119 Page 0945 Page 1 of 5
Register of Deeds, Strafford County

C/H
L-CHIP
STA064261

STATE OF NEW HAMPSHIRE
DEPARTMENT OF REVENUE ADMINISTRATION
REAL ESTATE TRANSFER TAX
****4 Thousand 0 Hundred 35 Dollars
DATE 04/22/2013 ST826525 AMOUNT $ ****4035.00
VOID IF ALTERED

After recording, return to:
O'Donnell
2 Federal Hill Ln.
Lee, NH 03861

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That **Fisheye Properties, LLC**, a New Hampshire Limited Liability Company, having a place of business at 145 Maple Street, P.O. Box 250, Union, County of Carroll, State of New Hampshire, 03887,

for consideration paid, grant(s) to **James M. O'Donnell and Elaine O'Donnell,** husband and wife, both of 2 Federal Hill Lane, Lee, County of Strafford, State of New Hampshire, 03861,

with **WARRANTY COVENANTS,** *as joint tenants with rights of survivorship,*

A certain tract or parcel of land with the buildings thereon, located in the Town of Barrington, County of Strafford, State of New Hampshire, situated on the northwesterly side of Young Road, so called, being depicted as **Lot 15-7** on a plan entitled "Lot Line Adjustment Plan, prepared for Fisheye Properties LLC of Tax Map 240 / Lots 15-7 & 15-8 located at Young Road, County of Strafford, Barrington, NH" dated August 15, 2012, with revisions, scale 1" = 50', prepared by David W. Vincent, LLS, Land Surveying Services and recorded as Plan No. 104-050 in the Strafford County Registry of Deeds, to which plan further reference may be had for a more particular description.

Said Lot 15-7 containing 2.44 Acres (106,101 square feet), more or less, as shown on said Plan.

Together with an undivided 1/12th interest in common in the permanent Open Space depicted as Lot 15-0 on Plan No. 102-029. This undivided interest shall be non-exclusive and held in common with the owners of the lots of the Fisheye Properties, LLC Subdivision as shown on said Plan No. 102-029 and Plan No. 104-050, with the exception of the Open Space area located between the southerly and westerly lot lines of Lot 15-5 and the edge of the "Prime Wetlands No. 21" and jurisdictional wetlands as depicted on Plan No. 102-029, whereas the owners of said Lot 15-5 shall have exclusive use of the Open Space therein. This undivided interest shall not be conveyed separately from the ownership of the lot herein conveyed. Use of the Open Space is

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restricted to non-motorized vehicles, nature trails and passive uses. No structures, impermeable surfaces, parking spaces, tree or vegetation removal, or construction related activities, including dredging, filling, and re-grading, shall be permitted within the Open Space area. Dead, diseased, or unsafe trees, limbs, saplings or shrubs that pose an imminent hazard or have the ability to cause personal injury may be removed from the Open Space area. However, preservation of dead and living trees that provide dens and nesting places for wildlife is encouraged.

Said parcel is conveyed subject to a Slope, Sight, and Drainage Easement granted to the Town of Barrington as depicted on said plan and described in the easement deed from Fisheye Properties, LLC, to the Town of Barrington, dated 9/16/2011 and recorded in the Strafford County Registry of Deeds in Book 3956, Page 101.

The above described parcel is conveyed subject to the requirement that as part of the building permit application process, the lot owner shall submit to the Town of Barrington Code Enforcement Officer a State of New Hampshire Department of Environmental Services approved design for the subsurface disposal of septic and sanitary waste materials, and a part of that submittal shall include a design from the subsurface system designer of an erosion control plan for the improvements and impervious surfaces to be constructed on the parcel, which design shall comply with the State of New Hampshire Department of Environmental Services Pre-Construction and Post Construction Best Management Practices.

The above described parcel is further conveyed subject to the following covenants and restrictions:

1. USE OF LOTS.

   A. No lot shall be used except for single-family residential purposes; No commercial business activity of any nature shall be carried on upon any of the lots. Personal business activity shall be limited to the maintenance of a private office within the dwelling. No calling hours or regular business appointments shall be held or scheduled for any personal business conducted on the premises, and no signs shall be maintained indicating the presence of any business upon the premises.

   B. Further subdivision of the lots is expressly prohibited without the written permission of Grantor and the Barrington Planning Board.

   C. There shall be no further alteration of wetlands for lot development, driveways, culverts or for septic setbacks.

2. CONSTRUCTION TIME.

When construction of the buildings on the premises is begun, work thereon must continue without significant interruption and must be completed not more than twelve (12)

months from commencement date and prior to the issuance of an occupancy permit. Application for extension of the twelve (12) month period may be made to Grantor, its successors or assigns. Such extension shall not be unreasonably withheld, provided that the lot owner provides a specific time frame in which completion of construction is expected to occur. If the work is not completed ;with the twelve (12) month period, the owner of the dwelling or structure shall be subject to penalty assessments as provided in these Covenants until completion of the work.

3. OUTBUILDINGS, ADDITIONAL STRUCTURES, ETC.

A. Garages. Each single-family dwelling shall have a private garage attached to the dwelling unit or an underneath car garage (i.e., a "garage under" so called) for not less than one (1) car. The garage must be built at the time of the construction of the dwelling. Grantor may waive at his discretion.

B. Fuel Storage. No fuel tank (other than ancillary propane tanks to accommodate barbeque grills and the like) or similar storage receptacles may be exposed to view.

C. Exterior. No garbage dumpsters or trash containers (except during construction) shall be maintained upon any lot unless confined within the dwelling or garage. No above ground swimming pools, clotheslines, vegetable gardens, firewood or brush piles shall be maintained in the front yard areas of any lot (front side lot line to side lot line between the dwelling and the road). No noxious or offensive activities shall be carried out upon any of the lots, nor shall any activity be conducted thereon which may become an annoyance or nuisance to the neighborhood.

4. SIZE OF DWELLING.

Each two story single family dwelling unit shall have a gross living area (above ground and to exclude finished basement area) finished, of not less than one thousand six hundred (1,600) square feet and each one story single family dwelling unit shall have a gross living area finished, of not less than one thousand two hundred (1,200) square feet, exclusive of basement, garages, porch and decks. All dwelling unit driveways shall be constructed with asphalt, crushed stone, or other material. Split entry and raised ranch designs cannot use Lowest Level toward finished space minimum requirement. Grantor may waive at his discretion.

5. FENCES.

Fences shall be placed in proximity to any lot line so as to assure an owner's ability to maintain the fence from the owner's property. No fence exceeding six (6) feet in height shall be permitted on any lot, except as part of an approved tennis court layout or swimming pool enclosure. However, under no circumstances shall silver or galvanized chain link fence be approved. No fence shall be constructed between the front plane of any house and the street

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unless approved by Grantor. All fences shall be constructed with the finished side facing away from the dwelling.

6. SIGNS.

A. No commercial or advertising sign of any kind shall be erected, placed, permitted or maintained on any lot or improvement except for a single sign no larger than four (4) square feet of advertising lot or house for sale or rent. This prohibition shall apply to any sign advertising the builder of a home or his subcontractors unless waived by Grantor but shall no apply to mortgage banks' required signage.

B. Notwithstanding paragraph A. above, Grantor reserves the right to place signs on the property advertising lot and home sales and its preferred builders. The number and size of such signs shall be in Grantor's sole discretion.

7. MOBILE AND MODULAR HOMES/TEMPORARY STRUCTURES.

Mobile homes or structures of a temporary character shall not be permitted on any lot except as a temporary shelter during repair or renovation of an existing structure(s), or as a temporary construction or sales trailer to be used by or on behalf of the Grantor, its Builder or Agent. The plans for the use of homes or modular construction will need prior written approval by Grantor prior to construction.

8. NO VEHICLE STORAGE.

Unregistered or un-inspected automobiles or automobiles being repaired, refinished or restored for a period of more than seven (7) days shall be stored in a garage or other enclosed structure.

9. ANIMALS.

No farm animals or fowl shall be maintained on any lot. A reasonable number of household pets shall be allowed, but shall not be bred or maintained for purposes of resale.

No animals shall create unreasonable noise or create a nuisance or annoyance to neighbors.

10. HOUSES/HOMES BUILT.

All houses/homes built shall have a minimum roof pitch of 7" vertical rise to 12" horizontal rise. May be waived by Grantor in writing.

All houses/homes shall have shutters on front. May be waived by Grantor.

No more than two (2) stories plus the gable attic on either side or front of a structure will be allowed without the addition of a roof with a 24" soffit minimum and 7" vertical rise to 12"

horizontal rise roof pitch minimum between the basement level and the finished deck of the first level. May be waived by Grantor.

Meaning and intending to convey a portion of the premises conveyed to Fisheye Properties, LLC by deed of Norma Bearden, dated August 11, 2010 and recorded August 13, 2010 in the Strafford County Registry of Deeds, Book 3855, Page 63.

This is not homestead property of the grantor.

Executed this 19 day of April, 2013.

Fisheye Properties, LLC

By: Paul Thibodeau, Member

STATE OF NEW HAMPSHIRE
County of Strafford

On this the 19th day of April, 2013, before me, the undersigned officer, personally appeared the above-named Paul Thibodeau, in his capacity as Member of Fisheye Properties, LLC, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained, by and on behalf of said limited liability company.

Notary Public
My Commission Expires: 1-25-17

Amy M. Crosby
Commissioner of DEEDS
STATE OF NEW HAMPSHIRE
My Commission Expires
January 25, 2017

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SLOPE, SIGHT, AND DRAINAGE EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that **Fisheye Properties, LLC**, a New Hampshire limited liability company, having a place of business at 145 Maple Street, Union, New Hampshire 03887, for consideration paid, does hereby grant to the **Town of Barrington**, with a mailing address of 137 Ramsdell Lane, Barrington, New Hampshire, 03825, the following easements situated on the northwesterly side of Young Road, so called, located in the Town of Barrington, County of Strafford, State of New Hampshire:

The permanent right to maintain the slopes within the easement area located on the northwesterly side of Young Road, Barrington, New Hampshire as depicted as "Proposed Sight & Slope Easement" on a plan entitled "Subdivision Plan prepared for Fisheye Properties LLC of Barrington Tax Map 240/Lot 15, located at Young Road, County of Strafford, Barrington, NH," prepared by David W. Vincent, LLS, dated November 15, 2010, latest revision date 8/3/2011, and recorded at Strafford County Registry of Deeds as Plan #112-24. The purpose of maintaining the slopes is to preserve the sight distance across the easement area for benefit of vehicular traffic along Young Road. The grantor further grants to the grantee the permanent right to maintain drainage beyond the limits of the present highway known as Young Road, with the drainage to occur within the easement area hereafter described. The grantor further grants to the grantee the right of access onto the easement area, with the right to remove trees, undergrowth, bushes, and other obstructions interfering with the construction, maintenance, inspection, and to maintain drainage and other related structures within the easement area.

The Grantee, by accepting these easements, agrees to return the land burdened by the easement to as near its original condition as reasonably possible following any maintenance, repair, or replacement performed pursuant to this easement.

The Grantor covenants and agrees that it shall not erect, maintain, or permit any permanent structures upon said premises that would impede access or use by the Grantee for the purposes for which these easements have been granted.

This easement extends no further rights from the grantor to the grantee than those expressly described above.

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The easement area is described as follows:

Beginning at a point on the northwesterly side of Young Road; thence S 11°10'28" W a distance of 168.84' to iron rod; thence with a curve turning to the right with an arc length of 119.75', with a radius of 225.00', to a granite bound; thence S 41°40'04" W a distance of 70.94' to a point; thence N 22°12'38" E a distance of 350.62' to said point of beginning, having an area of 7,397 square feet, more or less.

Meaning and intending to convey the above described easement across a portion of the property deeded to Fisheye Properties, LLC by Norma Bearden dated December 2, 2010, recorded at Strafford County Registry of Deeds on December 16, 2010, at Book 3890, Page 300.

The burden of the permanent easement shall run with the land of the grantor and shall be binding on the grantor's heirs, successors and assigns.

This conveyance is exempt from transfer taxes pursuant to New Hampshire RSA 78-B:2(1).

This property is not the homestead property of the grantor.

Dated this 16th day of September 2011.

Fisheye Properties, LLC

By: Paul Thibodeau
Paul Thibodeau, Member

State of New Hampshire
County of Strafford

Personally appeared Paul Thibodeau, in his capacity as member of Fisheye Properties, LLC, and acknowledged that he executed the above easement deed on behalf of the limited liability company, before me, this 16th day of September 2011.

Tammy A Melnick
Notary Public
My Commission Expires:

TAMMY A. MELNICK
MY COMMISSION EXPIRES MAY 21, 2013
NOTARY PUBLIC
NEW HAMPSHIRE

ACCEPTANCE

The undersigned, being a majority of the Selectmen for the Town of Barrington, do hereby accept the above Slope, Sight, and Drainage Easement on behalf of the Town of Barrington according to the terms and provisions set forth above.

Dated this 26th day of September, 2011.

Keith Pratt

Dawn Hatch

David Frase

Michael Clark

Susan Gaudiello

State of New Hampshire
County of Strafford

Personally appeared Keith Pratt, Dawn Hatch, , Michael Clark, and Susan Gaudiello, in their capacities as selectpersons of the Town of Barrington, and acknowledged that they executed the above instrument on behalf of the Town of Barrington, before me, this 26th day of September, 2011.

Notary Public
My Commission Expires:

GAIL M. McKUHEN, Notary Public
My Commission Expires September 9, 2014

GAIL M. McKUHEN NOTARY PUBLIC NEW HAMPSHIRE

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