

TOWN OF BARRINGTON, NH
LAND USE DEPARTMENT
Vanessa Price, Town Planner
*Barbara Irvine, Planning &
Land Use Administrative Assistant*



Planning Board Members
John Driscoll, Chair
Ron Allard, Vice Chair
Buddy Hackett
Andy Knapp
Bob Tessier
Donna Massucci
Joyce Cappiello (Ex-Officio)

Meeting Minutes
Town of Barrington Planning Board
Public Hearing
(Approved April 16, 2024)
April 2, 2024, at 6:30p.m.

1. CALL TO ORDER

J. Driscoll called the meeting to order at 6:30 p.m.

1. ROLL CALL

Members Present: John Driscoll, Ron Allard, Bob Tessier, Joyce Cappiello, Andy Knapp

Members Absent: Buddy Hackett, Donna Massucci

Staff Present: Town Planner: Vanessa Price, Planning & Land Use Administrative Assistant:
Barbara Irvine

2. REVIEW AND APPROVAL OF MINUTES

A. Review and approval minutes of the March 19, 2024, meeting minutes.

A motion was made by R. Allard and seconded by A. Knapp to approve the meeting minutes of March 19, 2024, as written. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
R. Allard-Yay
J. Driscoll-Yay

3. STAFF UPDATES-TOWN PLANNER

A. The 2024 NH Office of Planning and Development's Spring 2024 Planning and Zoning conference. [May 11, 2024: BEA Planning & Zoning Conference](#)

- **When:** Saturday, **May 11, 2024**, from **8:45 AM to 3:30 PM**
- **Where:** Online (each session will be recorded and available after conference)
 - **Cost:** Free

- **Registration Opens: April 1, 2024**

V. Price explained to the Board that on May 11, 2024, there would be a conference for 2024 NH Office of Planning and Development's Spring 2024 Planning and Zoning conference. V. Price explained that this was a free online conference that would be recorded.

R. Allard asked if they are going to go back to in-person conferences.

V. Price explained that she didn't know about this one but last year they held training for the Planning Board and Zoning Board in person. V. Price explained that some are in person for NHMA, and she thought the Od ones are still online.

B. Master Plan Housing Chapter Update

V. Price explained that they were supposed to meet last week but SRPC had to do more work to the final draft. V. Price explained that they are supposed to meet on Wednesday but due to the weather they are moving to April 10, 2024. V. Price explained that on May 7, 2024, they would be coming to the Planning Board for a presentation from SRPC and open for public comment.

4. ACTION ITEMS

A. VOTE Chair/Vice Chair 2024/2025

A motion was made by J. Cappiello and seconded by B. Tessier to nominate John Driscoll for Chair of the Planning Board. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
R. Allard-Yay
J. Driscoll-Yay

A motion was made by J. Cappiello and seconded by B. Tessier to nominate Ron Allard for Vice Chair of the Planning Board. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
R. Allard-Yay
J. Driscoll-Yay

B. VOTE to adopt 2024 Subdivision Regulations:

Regulations found here: <https://www.barrington.nh.gov/20240402SubdivisionRegsAmend>

V. Price explained that the Town attorney has advised not to have a planning Board member on that due to future recusal of the cases, aa conflict of interest. V. Price would be taken this out of that section of the TRG Group. V. Price explained that a reference on page 47 about the backlots

in the update that the Town Engineer did he admitted under 11.2.3 (1) it's also put that it was lots created after March 12, 2024, for the two backlots maximum per subdivision (Page 47) and backlots are prohibited in subdivisions of more than 10 lots created after March 12, 2024, Town vote.

J. Driscoll open public comment on Subdivision updates.

J. Driscoll closed public comment on Subdivision updates.

J. Cappiello asked if the documents were part of the subdivision regulations or was that a separate document. J. Cappiello asked if it was the technical review so that isn't going to be a second document.

V. Price explained that was going to be a separate document. This was a procedure for it in the Subdivision Regulations that does reference the TRG and it's in section on page 12.

A. Knapp asked if the intent of the technical review was to streamline applications coming into the Planning Board.

V. Price explained that they have an informal review from the department heads. V. Price explained that the last year or so she has been trying to organize it to be easier for review and all applications would go through this process. V. Price explained that the major site plan and major subdivision would have the Town Engineer present to address comments so they can address comments ahead of time in relation to the regulations the cost would go to the applicant. V. Price explained that the applicant would also be invited to the technical review meeting. V. Price explained that the meeting would be on Thursdays she had to change the dates due to the RSA.

A motion was made by J. Driscoll and seconded by A. Knapp to adopt the 2024 Subdivision Regulations. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

R. Allard-Yay

J. Driscoll-Yay

C. VOTE to adopt updated Subdivision Checklist

V. Price explained that there weren't really any changes from the old one was also worked on at the work session.

J. Driscoll opened public comment.

J. Driscoll closed public comment.

A motion was made by B. Tessier and seconded by A. Knapp to adopt the Subdivision Checklist. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
R. Allard-Yay
J. Driscoll-Yay

D. VOTE to adopt Technical Review Group (TRG) Procedure

V. Price explained that she had to make some adjustments for the April 16,2024 meeting you can vote on it if you want.

A. Knapp asked if this would be binding from the technical review groups.

V. Price explained that it would be like they do now, and the Town Engineer could be different.

J. Cappiello asked if the meeting was for public notice purposes and asked if the meeting was open to the public.

V. Price explained that she was waiting for the Town Attorney to confirm and assumed that it would be like a work session.

E. VOTE to adopt updated Planning Board Rules of Procedure

J. Driscoll opened public comment.

J. Driscoll closed public comment.

A. Knapp explained that on page 4 of 12 the 15 days prior to the meeting needs to be changed to 21 days.

A motion was made by B. Tessier and seconded by J. Cappiello adopt the amended Planning Board Rules of procedure. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
R. Allard-Yay
J. Driscoll-Yay

F. VOTE to accept a bond value established for the protection of Winkley Pond Road.

V. Price explained that at the next meeting as part of the procedure the Planning Board should accept the bond for any bonds that we they have open, and the next one was for Winkley Pond Road. V. Price explained that this already went through the Select Board, and they authorized them for the applicant to do work in the right way. The bond was being reviewed by the engineer yesterday.

A. Knapp asked if it was going to be 10 or 20%.

V. Price explained that when it comes back the Board would receive all the documents and this one would be 20%.

No action on this one until a future public hearing meeting.

G. REQUEST FOR EXTENSION

- 1) **251-63-RC-21-SR (Owner: 2A Tactical, LLC)**: 2A Tactical, LLC for Site Review and waivers to construct a 6,000 s.f. will have 2 story Building with 11,080 s.f. useable space. The building will have 4,120 s.f. office/classroom space and 2,624 s.f. of retail space, 3,376 s.f. of warehouse/storage space with 960 s.f. of gunsmithing space and have classes with a maximum of 20 students that will occur during off hours. The location will be on the corner of Calef Highway (aka Route 125) and Bumford Road on 8.6 acres in the Regional Commercial Zoning District. (Map 251, Lot 63).

J. Driscoll gave a brief description of the application.

Robert Russell, 99 Toland Road, explained to the Board that he was before the Board to ask for a one-year extension.

J. Driscoll opened public comment.

J. Driscoll closed public comment.

A motion was made by R. Allard and seconded by B. Tessier to grant the one-year extension for 2A Tactical, LLC until September 19, 2025. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

R. Allard-Yay

J. Driscoll-Yay

H. CONTINUED CASE: FROM MARCH 5, 2024

- 1) **240-8-NR-23-Sub (23) (Owner: Young Road, LLC (Previously-Norma Bearden)** Request by applicant for a major site plan to subdivide into 23 Lots using the Conservation Subdivision Ordinance with waivers on a 65.55-acre lot (Map 240, Lot 8) in the Neighborhood Residential Zoning District on Young Road. BY: Christopher Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825. (Application was accepted as complete on April 4, 2023. Waiver granted October 17, 2023.)

J. Driscoll gave a brief description of the application.

J. Driscoll opened public comment.

J. Driscoll closed public comment.

A motion was made by B. Tessier and seconded R. Allard granted the continuance for Young Road, LLC to May 7, 2024. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
R. Allard-Yay
J. Driscoll-Yay

I. DISCUSSION WITH BOARD FOR A PRELIMINARY CONCEPTUAL SITE PLAN

1) Multifamily at 345 Dry Hill Road.

Nathan Gray, 345 Dry Hill Road, explained to the Board that he currently has a single-family dwelling that currently has an ADU, and wants to turn it into a multifamily unit. Nathan explained that the three units would be within the house, and the ADU would become its own unit and the current house would become its own unit. Nathan explained that they would create another unit all within the existing structure. The existing home is approx. 6,600 s. f., and he explained that they have enough room to be able to split it up with the existing structure. Nathan explained that there would be no additions, no foundations, they are just using everything within the same structure. Nathan explained that they are on a Class VI Road that he wants to get a better perspective of with the Class VI Road committee with changes. Nathan explained that he was interested in details that may come up that might interfere with his budget that he's not thinking about being a builder.

J. Driscoll explained that there were some comments on Dry Hill Road that came from the fire department. J. Driscoll read the following this road currently serves one resident and the road access has significant number of wetlands with only one lane. No further development should be allowed unless the road was widened and brought up to Class V specifications, at least a 20' road.

R. Allard explained that multifamily development falls under the Town's site plan review regulations. R. Allard explained that all sites must have adequate positions for safe equal access to a Class V Road or better. He stated that Dry Hill Road doesn't have that, so that would be a major issue.

Nathan explained he anticipated to improve or would have to improve the road. They have gone through different perspectives different ideas for the property and that's something that has come up before.

R. Allard explained that even if they improve the road to the Fire Chief satisfaction the Town doesn't maintain it. R. Allard explained that this was a Class VI, and you would need to be a Class V, so this was a problem.

A. Knapp explained that they would need to get relief from the Zoning Board.

R. Allard explained the Site Plan Regulations and zoning. R. Allard explained that under 4.8.1 it has access that's where the regulation lies.

Nathan explained that it's his understanding that the Town's trying to push towards maybe getting rid of Class VI roads and improving them changing into Class V roads.

A. Knapp stated that would never happen.

Nathan explained that he would be upgrading the road anyway.

A. Knapp asked what the distance how far around and down.

Nathan explained that its about $\frac{3}{4}$ of a mile from Pond Hill to their house that includes there driveway too about a half of a mile.

A. Knapp explained that was probably a significant cost to upgrade.

J. Cappiello asked if there were some wetlands, and if they would have to put in a new culvert or bridge.

Nathan explained that he doesn't own the property adjacent with the wetlands, so he doesn't know what has been flagged wetlands before or not aware of it. Nathan explained that there were culverts there and he maintains the road, so he knows all the problems with it. Nathan explained that he knows that one of the culverts needs to be cleaned out. He explained that Ray Bisson, his surveyor, and that he sketched out how the road would be designed, and they can make it between they may need to blast rock, but they can make it around the poles.

R. Allard explained that town standards were 16 feet wide, two-foot shoulders.

Nathan asked if it has to be a paved road, as he doesn't want to pave it.

A. Knapp explained that it would have to be paved to meet the standards for at least the half mile.

Nathan asked if that part would need to be paved.

R. Allard explained that it was going to be the standard Class V. R. Allard explained the process for Class V to be built to Town specifications and it must be maintained before the Select Board may or may not accept the road.

Nathan asked who would make that decision.

R. Allard explained that the Select Board.

V. Price explained that the Town Engineer would review once they start upgrading the Road to make sure that it was built to Town standards. V. Price explained that this would be a two-year period with no guarantee that the Select Board would take over the road.

Nathan asked if you had two years to complete the work.

V. Price explained that the road needs to go through two seasons.

Nathan asked if you need to wait two years to apply for it.

V. Price explained that when the plans get approved for the project and when the plans get approved. V. Price explained that there was a process to go through when you start to build the road to the Town standards, the Town engineer and Road Agent. V. Price explained once the road was complete it needs to go through two seasons to make sure it doesn't washout or degrade and make sure no other issues before the Town considers taken over.

Nathan asked if he had to build the road tar it makes it to the standards and wait two years before he can become a multi-family.

V. Price explained no its before the road could be taken over.

R. Allard explained to become a Class V they would need to wait two years and must be Class V to build a multi-family unit.

A. Knapp explained that the other would be to petition through Town warrant.

Nathan asked if there was another way to Town vote to make it a private road. Nathan asked them if they would deny it then go to a special vote.

J. Driscoll explained that the only other relief was to go to Superior Court.

A. Knapp explained that he thought that the Zoning Board could grant that relief but was not sure.

V. Price explained that it was only if it was in the Zoning Ordinance that they could hear it.

J. Driscoll explained that they could probably be the housing appeals board pay \$250.00 and they could take a case because it concerns housing.

Nathan explained that they were considering doing work for them.

J. Driscoll explained that they would need to deny it with a formal application. J. Driscoll explained if they deny the application because you are not on a Class V road you can say that's unfair and appeal. J. Driscoll explained that the road design was in the Subdivision Regulations.

Nathan asked what other things are going to come up going into a multi-family. Nathan asked if there was no way to do Townhouses because they can't have ADU's or do three units there.

V. Price explained that only if the State changes things that's the only thing that would maybe change it something is going through right now.

J. Driscoll explained that if it passed the legislature the regulations would need to change.

Nathan asked if fire suppression would be more of a building code.

R. Allard explained probably need a cistern.

J. Driscoll explained that a fire suppression system because being a one or two family can't require it.

R. Allard explained that the Fire Chief usually wants a cistern within 1000'.

Nathan asked if that was a separate well for the tank.

A. Knapp explained 10,000 gallon and 15,000 gallons when you get into multi-family then 30,000 gallons when you get into larger subdivisions. A. Knapp explained that he believed the NFPA code on it he believed was 15,000 max.

J. Cappiello asked if the house factory was Nathan's business.

Nathan explained that it was, and it was a nonprofit that focuses on affordable sustainable and innovative housing. Nathan explained that they are working with tiny houses or modular houses not on trailers but smaller units to be able to provide housing. Nathan explained that he was hoping that additional ADU's would open a path for them.

J. Cappiello asked if there was 26 acres.

Nathan explained that they have 26 acres, and they are working on a land swap with Rochester they want to have the pond area so they can extend on the other side they are looking at 37 acres. Nathan explained they are hoping to put that in conservation. Nathan asked about the garage space within the house they want to turn back into garage space it was used a dog kennel before. Nathan asked what the requirements were to be able to do this.

A. Knapp explained that would be something that goes before the Code Officer.

The Preliminary Conceptual Review was closed.

5. OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

- 1) Ron Allard to give an update to the Class VI/Private Road Policy.

R. Allard explained to the Board that there was a subcommittee put together to work on the Select Board Class VI and Private Road policy. R. Allard explained that the Board has the final draft of the policy. R. Allard explained the following changes:

***Changed from volume to increase in living space Category 3**

***Define where living space was basically on the over 7’.**

***Added prior work credit up to six months if you do the work six months before the work was done before putting in application you get credit for that.**

***Added language to involve the road associations more directly. This would be an option of the applicant.**

***They are giving the Association and the application the ability to finish the work after the Co was issued. Given the seasons and the fact that the president of the road association not always that efficient given more time. Need a security arrangement of the Town to do that. The time attorney blessed that seems like a good thing.**

***They specifically call out some things that they can do found that really most people would**

***Think of that they put in that you know that 10% can be used towards wiring rights away or easements.**

***Road important directly to this.**

***They added language that the improvements have to be 50’ beyond the driveway and on any further to language about the driveway.**

***Better checklist**

***Added red list a list of on the last page of the roads that the Fire Chief says should not be built on.**

R. Allard explained that there would be adjustments to the list. This was from the Fire Chief. R. Allard explained that they took Class V off the list because it’s not allowed by law.

A. Knapp asked about category three relevant based on the conversation that the Board just had under item 4, change of use of property. A. Knapp asked about single family to multifamily but on a Class VI or Private Road good to do a multi-family.

R. Allard stated no.

A. Knapp explained that on page 2 of 7 category 3.

B. Tessier explained that a single family to a multifamily you can’t do multi family on a Class V or private road.

A. Knapp asked on the red list item is somebody going to go around and reassess or reclassify those properties to reduce the value now that they would be deemed non buildable.

J. Cappiello asked if this is ready to go to the Select Board.

R. Allard mentioned that he worked with Administration to put on a Select Board agenda.

6. ADJOURN

A motion was made by J. Driscoll and seconded by B. Tessier to adjourn the meeting at 7:23 p.m. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

R. Allard-Yay

J. Driscoll-Yay

The next Planning Board meeting is a work session on April 16, 2024, at 6:30 p.m.