



BARRINGTON PLANNING BOARD MEETING

As Chair of the Barrington Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are: We are utilizing the Microsoft Team for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the Microsoft Team, and the public has access to contemporaneously listen and, if necessary, participate in the meeting through dialing the following phone #603-664-0240 and Conference ID: 914 498 812#

Call 603-664-0182 or email: birvine@barrington.nh.gov

(Approved December 1, 2020)

Tuesday, November 17, 2020

6:30 p.m.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Roll Call Vote

James Jennison-Present
Jeff Brann-Present
Steve Diamond-Present
Donna Massucci-Present
Andy Knapp ex-officio-Present
Ron Allard-Present

Members Present

James Jennison, Chair
Jeff Brann, Vice Chair
Steve Diamond
Donna Massucci
Andy Knapp ex-officio
Ron Allard

Town Planner: Marcia Gasses
Code Enforcement Officer: John Huckins
Staff: Barbara Irvine

MINUTES REVIEW AND APPROVAL

1. Approval of November 3, 2020 meeting minutes.

A motion was made by R. Allard and seconded by J. Brann to approve the minutes of November 3, 2020 were approved with minor amendments. Vote 5/0

Roll Call:

D. Massucci-Yay

R. Allard-Yay

S. Diamond-Yay

J. Brann-Yay

J. Jennison-Yay

A. Knapp-Abstain

PUBLIC HEARING FOR MASTER PLAN UPDATES

2. The Planning Board held a Public hearing for the adoption of the Master Plan Facilities & Utilities Plan Chapter. Jen Crysz from Strafford Regional Planning Commission will be present at this meeting.

Copies available in the Land Use office or online under Land Use Notices.

https://www.barrington.nh.gov/sites/g/files/vyhlf2766/f/uploads/2020_facilitiesandutilitiesreviseddraft.pdf

J. Jennison gave a brief description of the chapter up for public hearing, introduced Jen Crysz from Strafford Regional Planning Commission, and asked the Board if they had any comments or questions.

R. Allard asked why staff and personnel issues were in the document and wanted to know why they would be in a facility document.

Jen explained that a Community Facility and Utilities Chapter in the Master Plan was not a traditional Land Use Chapter and was for how a community would supply services and the level of services for community services.

J. Brann stated the following changes:

1. Page 8 at the top it has “In 2019, the Fire and Rescue Department will propose to hire ...” and it was now 2020 so did they hire?

Jen explained that this was an ongoing project and there were some delays so to keep rewriting would be more than what was budgeted. However, Jen would change to “proposed.”

A. Knapp explained that they changed everyone who classified as volunteer are hourly now and this has been restructured.

J. Huckins stated that as part of the budget he felt they are all part time.

A. Knapp stated that was correct on reclassifying them.

2. Page 8 two paragraphs down it said, “last year” and J. Brann stated it should say 2018.

Jen agreed to make the change to 2018.

3. Page 9 at the bottom states graphic to the “left” but should say graph above.

Jen agreed to make the change to graph above.

4. Page 12 states “According to Phase 1 ... several walls will be knocked down...”; has Phase 1 started?

J. Huckins explained that this has been completed.

Jen agreed to change to state walls were knocked down and project completed.

5. Page 13 asked what was the #1 before “Staff.”

Jenn agreed to delete.

6. Page 15 #2 two lines from the bottom, it should state the new law change “affects” not “effects” new hires.

Jenn agreed to make the change.

7. Page 19 under staffing Road Agent should be capitalized because it’s a title.

Jen agreed to make the change.

8. Page 41 in the last sentence of the first paragraph under Proposed Building 2020 should be replaced by 2021.

Jen agreed to make the change.

J. Jennison opened public comment.

J. Jennison closed public comment.

A motion was made by J. Brann and seconded by R. Allard to approve the amended Master Plan Chapter for Critical Facilities & Utilities. Vote 6/0

Roll Call:

J. Brann-Yay

S. Diamond-Yay

D. Massucci-Yay

A. Knapp-Yay

R. Allard-Yay

J. Jennison-Yay

ACTION ITEM CONTINUED FROM NOVEMBER 3, 2020

3. [236-4-GR-20-SR \(Owner: Sunset Rock LLC\)](#) Request by applicant for Site Review to increase their operation in Barrington from 83.3 acres to a total of 88.8 acres (Map 236, Lot 4) and for a 3.4 Conditional Use Permit located backland off Tolend Road in the General Residential Zoning District. BY: Michael Wright, RESPEC; 67 Water Street, STE 109, Laconia, NH 03246.

J. Jennison gave a brief description of the application.

Michael Wright from RESPEC represented Sunset Rock LLC. Michael explained that they would like to add a 5.5-acre parcel from Barrington Map 236, Lot 4 to the existing excavation. The site was located at the far corner of Barrington and explained that Rochester was to the North and entrance to the site would be from Rochester Neck Road. Michael showed on the plan the part of the site that abuts Dover. Michael explained that the additional lot they would like to add was a small triangle lot. Michael explained the area in Barrington that was for the AoT permit and this was a wooded lot with no wetlands on this site. Michael explained that the property does border a City of Dover lot. They met with the Conservation Commission and they had no concerns.

J. Brann stated that the application was marked as a Minor Site Review application and given the minor grading criteria to qualify as a minor site review, this was anything but a minor application.

Michael explained that felt that they were amending the pit by smoothing out and joining it; they were not considering it to be a major regrading.

M. Gasses agreed that this was not a Minor Site Review and explained that they are both treated the same. M. Gasses explained that the Board would need a sufficient amount of information to update the prior approval back in 2009. The AoT permit would need to be updated along with the plans being updated regarding blasting. M. Gasses explained that there are some representatives from the City of Dover that would be part of this hearing for the concerns about their wells.

J. Jennison asked M. Gasses if there was enough information to accept the application as complete.

M. Gasses expressed that she felt there was enough information to accept the application and checklist as complete because most were State permits.

A. Knapp asked if with City of Dover part of this would this become a project of Regional Impact.

M. Gasses explained that she did think of this. She stated that the impact was on the City of Dover and they are part of this meeting. M. Gasses explained that she felt that although Rochester was part of this, it does not affect them.

A. Knapp expressed that where a piece goes though Rochester, he would not want to speak for them.

M. Gasses explained that Rochester was notified as an abutter.

J. Brann asked about changing the hydrology in the area and asked if there should be a ground water study and/or surface water given the effect of grading on drainage by extending the pit.

M. Gasses explained that this would be part of their AoT permit; they would need to amend the permits. M. Gasses explained that the following items would need to be updated from 2009.

AMENDED ITEMS NEEDED:

- Drainage Analysis
- Ledge
- Blasting
- Operations Plan

J. Brann asked if there was enough information to accept the application as complete.

M. Gasses explained that she felt they had enough information to accept the application as complete with no action on the application.

Michael Wright explained that they went to the City of Dover when the quarry was being developed because the city well has been there forever. At the time, the City of Dover determined that it was 500' away and the radial influence doesn't even come out into their parcel. Michael explained that when they have talked to the City of Dover before, there hasn't been any issues and felt that there wasn't going to be any issues going forward. Michael explained that they didn't see this as a great environmental concern with their well. Michael explained that most of this area was rock and they are not going to be affecting them and this was what they have talked to City of Dover about previously.

J. Brann expressed that City of Dover disagreed with them because they noted their well was within 500' of the proposed changes.

S. Diamond explained that one of the environmental positive ideals was about fragmented land while focusing on impact in one area has some advantages. Also has some advantages to having islands for wildlife varies sizes to hop from one place to another to having the impacts broken up on the way it was now.

M. Gasses explained that there was enough information to accept as complete but doesn't mean you can take action the application.

S. Diamond expressed that there was enough information to accept as complete.

J. Jennison asked S. Diamond what documents was he looking for that were not provided.

A motion was made by J. Jennison and seconded by R. Allard to accept the application as complete. Vote 6/0

Roll Call:

S. Diamond-Yay

A. Knapp-Yay

J. Jennison-Yay

J. Brann-Yay

R. Allard-Yay

D. Massucci-Yay

J. Brann explained that the Board needs a revised AoT permit and decide if they want third party review. Also the information from City of Dover and the Board may want a hydrology study done.

J. Jennison opened public comment.

Gretchen Young the Environmental Projects Manager and John Brooks from Emery and Garrett, both from City of Dover spoke. Gretchen explained that the City of Dover does have a well in the area and would like to have a site walk to see how the hydrology was working. Also, the City would want to see if there will be any impact from the blasting or fuel spills and look at the updated files.

John Brooks explained that they have worked in other areas where it involved blasting plans. John explained that they would like to look at the plans and stated that the 480' setback was already an approved plan on Map 222. John was concerned if they were going to pump water out of the pit and how this could impact the ground water level for the existing City of Dover wells. John explained that they would like to see more hydrologic data and the safety plans. He was also concerned about possible spills and if the blasting wasn't correctly done, this could contaminate the groundwater.

S. Diamond asked John Brooks that since it has been very dry, how would this impact what you are seeing, and would you need to look again after it rains heavily.

John Brooks explained that they have been conducting a ground water plan for the City of Dover going on the fourth year. John explained that they do have water levels in the monitoring wells and that they have gone through dry and wet periods. He felt that would help on the assessment. John stated something of concern was that they may take the bottom of the excavation down to 34' below ground surface, which was below the water table. John expressed that they would need to do some pumping to keep the quarry dry.

S. Diamond asked John Brooks about information from previous blasting that has come up before the Planning Board and were nitrates one of the things that came up from the material used in the blasting explosives. Was nitrates your only concern or were there other substitutes that might be a concern about the explosives?

John Brooks stated that was the main concern from the explosives and diesel fuel from the operating vehicles in the pit.

S. Diamond understood that diesel fuel may be used as a stabilizer in explosives as well.

John Brooks stated that was correct.

Michael Wright explained that the quarry currently uses ammunition that was not a powder and was easier to control and has never had a problem at this facility. Michael explained that they are certainly willing to look at it more.

John Brooks explained that was what they look at in the operation plan.

J. Brann asked Gretchen about a installing a monitoring well between the site and the city well. When would you need to make this decision?

John Brooks explained that it would be after the review of the different plans, blasting, and one or two of the wells monitored. This would be for water levels and water quality.

J. Brann asked, looking at the plan, would they be on City of Dover property or Brox property?

John Brooks stated that it would be on Dover property and he could check from the review of proposed plan.

J. Brann asked if Brox would be paying for the installation of the wells.

John Brooks and Gretchen explained that they would need to look at the review.

M. Gasses explained to the Board that she felt that in 1989 City of Dover had a concern about the water and did some kind of testing at that time. M. Gasses explained that what they are asking for was what they were asking for as part of the original excavation just at a different location.

Michael Wright explained that almost every time they have come before the Board, they have done all the studies.

S. Diamond asked John Brooks about the percentage of water from this area and he knows that Dover has several wells, but they have different flow rates, and [more specifically] within a half a mile of this operation.

Gretchen explained that she didn't have the flow rates with her and explained that all the wells are essential. Gretchen explained that two of the major wells are down due to some other contamination. Gretchen expressed that this well needs to stay functional.

S. Diamond asked if they monitor how much flow from each of these wells and if that changes over time.

Gretchen explained that they do monitor, and she didn't have the data with her but could get the information.

S. Diamond stated that he would like to see it because he was on a committee with Regional Planning and is very interested in how the ground water was fairing in the area.

J. Jennison closed public comment.

The Board discussed a site walk on Monday November 23, 2020 at 11:00 a.m. meet at office/park off Rochester Neck Road entrance.

J. Jennison listed items Board would be looking for:

1. Operations Plan
2. Hydrology Report
3. Blasting Plan

John Brooks asked for the current information as it was today for Map 222, Lot 13.

M. Gasses has all the information. Gretchen would come to office to see what information she needs.

J. Brann asked if Lot 12 was an undeveloped lot.

John Brooks stated that was correct they are undeveloped.

J. Brann expressed that this was a Conditional Use Permit. J. Brann explained that the Board needs to know the following:

1. Environmental Impact
2. Hydrology Report
3. Blasting Plan
4. Drainage Report
5. AoT Permit

J. Jennison asked the Board if they would be looking for third party review on this or would the Board be deferring to AoT permit.

J. Brann expressed that there would also be a change in the blasting permit.

M. Gasses explained that would be updated also.

S. Diamond expressed that adding more than the 5+ acres to the total site that was over 80 acres, at what scale in terms of a Conditional Use Permit questions was a site too large and shouldn't get any larger. S. Diamond explained that a lot of the questions in the Conditional Use Permit have to do with scale.

J. Jennison asked S. Diamond if he felt that Dubois and King might address these.

S. Diamond stated that he was not positive but maybe that can help.

J. Jennison explained from a State level balancing the need for material versus impact.

M. Gasses explained that the last time this came through it was a much greater scale and the Town did have third party engineer review. They had some good comments, pulled everything together and explained that this was a much smaller scale than that was.

J. Brann explained that he leaned towards having a third-party review but need to tell them [reviewer] what the Board wants them to look at.

R. Allard expressed that he doesn't want a review of the regulations; he would be like more input from Dover.

J. Jennison expressed that the Board needs to put together what they would want the engineer to look at if the Board decides to send out project for third-party review.

R. Allard expressed that this would be protecting Dover more than Barrington so if they bring the information to the table, that would be enough for him.

J. Huckins explained to the Board that they should wait for the reviews and see what Dover has to see if it still needs third-party review.

J. Jennison asked Michael Wright if he received the Planner's comments.

Michael explained that he did receive them.

A motion was made by J. Brann and seconded by A. Knapp to approve a site walk on Monday, November 23, 2020 at 11:00 a.m. Vote 6/0

Roll Call:

R. Allard-Yay

A. Knapp-Yay
D. Massucci-Yay
S. Diamond-Yay
J. Brann-Yay
J. Jennison-Yay

A motion was made by J. Brann and seconded by D. Massucci to continue the Site Plan Review application until December 1, 2020. Vote 6/0

Roll Call:

R. Allard-Yay
A. Knapp-Yay
D. Massucci-Yay
S. Diamond-Yay
J. Brann-Yay
J. Jennison-Yay

ACTION ITEM CONTINUED FROM NOVEMBER 3, 2020

- 4. 238-36-V-20-SR (Owner: Waldron B. Haley Revoc Trust)** Request by applicant for Site Review to amend application for a multi-family Development **ADDED** 3.4 Conditional Use Permit located off Franklin Pierce Highway (Map 238, Lot 36) in the Village District. BY: Scott D. Cole, Beal Associates, PLLC; 70 Portsmouth Avenue; Stratham, NH 03885.

J. Brann gave a brief description of the application.

Scott Cole from Beal Associates explained to the Board that at the last meeting it was brought up that a 3.4 Conditional Use Permit was needed and would like to stick to this topic; the client would like to hold off on other materials. Scott explained to the Board that they have the new building renderings; they are different from the last ones. Scott explained the revised rendering plans to the Board. Scott explained to the Board that they were originally 3 story buildings and after talking to Code Enforcement they made these 2 ½ story buildings, which complies with the current zoning. Scott explained they did this by raising the grades on the sides and in the back to four feet that would now be a half wall.

S. Diamond asked if this was the same structure just down in the ground a little further.

Scott explained that they took the first story which would have been a full-size window and on the sides are now half windows and explained the rest of the changes of the structures. Scott explained to the Board that the client has submitted landscape plan renderings to the Board. Scott showed and reviewed the plans with the Board. Scott explained to the Board that he also supplied a 3.4 Conditional Use Permit. There would be 12 acres of open space and explained that the part of the parcel to the west already sets in the Town Center zone.

Scott explained that on the waiver the Board had agreed to 50' RoW going in 150' to where the cross walk would be. Scott explained that the sidewalk would also be on the other side of the street as requested by a Board member. After that the RoW could go to 30' as they have shown.

R. Allard asked J. Huckins or M. Gasses if the setback was 60' in Village Center, wouldn't they still need a waiver.

J. Huckins asked if R. Allard was talking about a road. J. Huckins explained that the road standard in Site Plan Review the entrance for a multi-family designed to the road standards and as far as the width the Board would need to determine management for traffic needed.

R. Allard expressed that it was what was in Table 1 required.

M. Gasses explained that this was an interior not an exterior road.

J. Huckins explained that this was essentially a driveway that needs to be built to road standards.

A. Knapp asked why this would be a driveway.

J. Brann explained that he thought that this was treated as a private road.

A. Knapp expressed that he thought a private road at the entrance and the driveway would be at each residence.

J. Huckins explained that this was a driveway that provides entrances onto the properties and explained that this was a driveway that stays on the property.

A. Knapp asked even if each building would be condoed out and sold separately.

J. Huckins explained that condominiums have nothing to do with Site Plan Review; that was the Attorney General.

R. Allard asked if the kiosk should be on the other side of the road, so they didn't need to get out of their car.

J. Jennison expressed that he thought it was there for the availability of space.

R. Allard explained that he thought it was on the left so that people didn't need to get out of their car.

Scott explained that everyone gets out of their vehicle to get their mail and this road does have an apron so this one was a better design. Scott stated that most people pickup mail on the way home so this would be a benefit to have on the right side.

A. Knapp expressed that he didn't think there was enough room for vehicles in the apron and when you are talking about 80 units that was a lot of traffic.

Scott explained that this was sized for 2 spaces length-wise so that there was a 40' apron. Scott explained that they could add more but they don't want stacking to the intersection.

A. Knapp explained that he was concerned that this would become drive through style, and they would be backed on to the highway.

J. Jennison asked if there was a better spot inside the development.

Scott explained that they could check with the postmaster, but they try not to go into the development which was the whole intent.

A. Knapp asked about bike lanes, additional parking for guests, and where guests would park.

Scott explained that at the request of Chief Walker they supplied numerous stalls within the development.

J. Jennison explained that there are four locations shown on the plan that look like overflow parking.

Scott stated that was correct and explained the locations.

A. Knapp asked about bike lanes and pedestrian walking, and wanted to know if the sidewalks carry to the edge of the road between the buildings.

Scott explained that they carry in the entrance all the way down to the hammerhead then to the right. Scott explained that they have extended the sidewalk past the parking spaces to Building 11. Scott explained that they have left an easement to the abutting property; if connected someone could walk through.

A. Knapp asked about the culv-d- sac and hammerhead that run to Building 4 and all the way around to Building 20; are they going to walk in the road.

Scott explained yes, but being private the traffic counts would be low.

J. Brann explained that in addition to the four visitor parking areas there was also parking in front of the units.

Scott explained that every unit would have one garage bay and two exterior parking spaces, then additional visitor parking spaces.

J. Jennison suggested a sign saying no parking on the side of the street.

J. Brann suggested a sign at the entrance.

Scott stated that they could add a sign.

S. Diamond asked about the landscaping plan showed cutting back what was already there and, on the renderings, shows some trees at the bottom of the landscape plan shows a description of trees 8' from the face of the curb. S. Diamond asked how often and to what extent in the development plantings were planned.

Scott explained that on Exhibit 1 there are circles in red on the plan that would be a landscape clusters with multiple grouping of trees. Scott explained that the smaller red dots would be individual plantings that would be street side trees and the rectangle symbol would be thicker plantings for the abutters in the case of head lights shining toward the abutter.

S. Diamond asked about the visible buffer towards the property line; for the rectangles where was the description of what this entails.

Scott explained that they are on Exhibit 1.

S. Diamond stated so more would be planted there.

Scott stated that was correct.

A. Knapp asked about the sidewalks not connecting to any of the 14 buildings impacted with four units per building.

S. Diamond expressed that he would like to see connectivity between lots and across town but within the development given how many units and how many people there, expressed more sidewalk and other means of transportation the better.

A. Knapp explained that even if no sidewalks are planned, the regulations talk about an extended apron for pedestrian traffic and bike traffic.

R. Allard agreed about the additional parking; there were not enough spaces.

D. Massucci asked if they could have fewer units for more leeway for parking spaces and asked about the street lighting.

Scott explained that this was a low impact.

M. Gasses explained for the type of development they do meet the parking requirements.

J. Brann explained that they meet the requirements for parking, so he was all set with this and felt sidewalks around the inner loop on one side was fine with him.

Scott asked his client with they could put sidewalks on the inside internal loop on one side.

Jason White stated that he would prefer to add additional width of pavement on one side and agreed to sidewalk on just one side.

M. Gasses explained that if the width the road increased, this would speed the cars up and stated that she would opt to the additional extension of the sidewalk.

J. Brann agreed with the sidewalk on one side.

J. Jennison opened public comment.

Susan Gaudiello from 528 Franklin Pierce Highway explained that she was the abutter to the east. Susan explained that according to the landscape plan she doesn't have any additional landscaping behind the buildings and her. Susan explained that in the summertime it was nicely vegetated but this time of year until spring not so much. Susan explained that she was disappointed with the 3-story building she understood that they would need to be 2 ½ story limitation. Susan expressed that even with the developer bringing in dirt on the back/sides, these would still be 3-story buildings. Susan expressed that the height of the buildings would still be 3-stories and her property wasn't going to be elevated and the height of the building it maybe practical for the people that would live in the building. Susan stated that this was not appealing to her. Susan expressed that with the decks out back of these homes, a lot of people would be out back and if she lived there, she would be too. Susan explained that one of her concerns was too many buildings cramped into small area. Susan explained that she was concerned about incursion on her property and would like to see fencing between her property and the development.

J. Jennison asked J. Huckins what was the height requirement for a building.

J. Huckins explained that it was 2 ½ stories max but by the Town's regulations if the lower portion was no more than 6' above grade it would not be a story by the regulations.

J. Jennison asked if the Town had a height regulation.

J. Huckins stated that they do not exceed height regulation.

A. Knapp asked how was it only 2 ½ stories and the back was considered 2 ½ story.

J. Jennison explained to A. Knapp that if you look at it as a walk out basement and you are digging into existing earth, instead of backfilled as you are adding fill.

J. Huckins asked A. Knapp to go to Page 88 of the Zoning Ordinance and there was the definition of what a story is.

Susan stated if this was natural grade that light apply, but they are bringing in dirt to meet the regulations.

A. Knapp stated that he agrees with Susan and this was contrary to the spirit and intent of the regulations.

J. Huckins explained that the grade needs to be 6' out from the building.

J. Jennison explained that this was common practice in every community.

Susan explained that she felt that the intent of a 2 ½ story was not this and when this passed this was a reasonable height for this area not understanding that there are ways to get around it. Susan stated that she still had a concern about a barrier between her property and the development.

J. Jennison asked Scott about optional screening along the back section of the property and what the applicant would be willing to add in that section.

Scott explained along the east of the backs of Buildings 10 to 20 they are keeping as much vegetation as possible and Building 6 would be the closest structure to them which was still over 300' away. Scott explained that if in the future they do something on their property and want to add a fence they can. Scott felt that it was not his client's issue to buffer what was now existing wood lands.

J. Jennison expressed that he felt that this can not be passed on to the developer every time when there was a homeowner also responsible. J. Jennison suggested posting the property for no trespassing, no hunting etc.

Susan explained that if they were duplexes or private homes, something less than ten, she would not be that concerned. Susan explained that they are 3 story multiple units with 300 people. Susan explained that if they come on her property, she will have to deal with the homeowner's association.

J. Jennison asked what the length of the property line was all the way to Turbocam.

Susan explained that she wasn't talking the full length, she was talking about the buildings themselves.

A. Knapp expressed that we were asking for the campground for fencing.

J. Jennison explained that was a different situation as that was for a buffer.

J. Brann asked Scott was that the plan behind the buildings for cutting and grading; how would that be executed.

Scott explained that each unit would be different but where possible they would like to cut into the bank to gain extra material and low sections built at road grade with filling where necessary.

A. Knapp asked how that would work with the renderings that were up and only have to fill 6' when looking at the renderings of the back of the building that grade was way out beyond 6' back down another 4'.

Scott asked if that was on the architectural.

A. Knapp explained that it shows the grade was 4' and the house was 6' into a hill side a little bit.

Scott explained that it would be a minimum of 6' deep.

A. Knapp stated that it was 6' long not very far and that the house was setback in and runs along grade. A. Knapp stated that was not what was just talked about here.

Scott explained again every case would be different so in a cut section it would look like that and fill section it would look shorter.

A. Knapp explained knowing the property and where there was a cut section the whole thing was as flat as it gets.

Scott explained that it was fairly flat, but the left side was higher.

A. Knapp stated nowhere near six feet.

Scott explained that you would only need four feet.

J. Brann explained to A. Knapp if he looked at the original plan Sheet 014, it does show that you are up 200' to the left and to the right 190' at the wetlands and there was a drop of about 8' there.

A. Knapp explained that looking at it he sees 200' dropping into 192' and sitting up to 198'. Looking at the area and when you level all of that out or bring to grade, he doesn't see that slope being there. A. Knapp explained that most of the development sits in at 196-198 with 200 the high spot.

Scott explained that they met with code enforcement to make sure they did everything that was required, and this meets what was required.

J. Jennison explained that he agreed that they are there.

J. Jennison closed public comment.

M. Gasses explained to the Board that Chief Walker came to her not too long ago and explained that reason for the height restriction of a building was he has no ladder truck but does have access to the ladder truck from Dover or Rochester.

A. Knapp stated that he understands it from a fire safety perspective but relying on Rochester or Dover to get here if one-unit catches fire you may be well on your way to another one burning before they can respond.

J. Huckins explained that these do meet the regulations.

Waiver Requested:

Section 12.2.1 Road Design Standards (Subdivision Regulations)

A motion was made by J. Brann seconded by R. Allard to grant the waiver for 12.2.1 Right Away Width Road Design Standards requirements for the entrance road beyond 150 feet to the end at the hammerhead as specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations. Vote 6/0

Roll Call:

D. Massucci-Yay

A. Knapp-Yay

R. Allard-Yay

S. Diamond-Yay

J. Brann-Yay

J. Jennison-Yay

J. Jennison read 3.4 Conditional Use Permit

Conditional Use Permit: For proposed multi-family Development with private roads and utilities. Applicants Response

1. The building, structure or use is specifically authorized in this zone upon approval of the Planning Board.

A multi-family development is an acceptable use in this zone upon approval of the planning Board to a max of 8 units per building.

2. If completed, the development in its proposed location will comply with the requirements of this Ordinance, and with specific conditions or standards established in this Section for the particular building, structure or use.

The project has been designed to meet the Town standard and regulations

3. The building, structure or use will not materially endanger the public health or safety.

This is correct as has been reviewed by the Fire Department.

4. The building, structure or use will not substantially de-valued abutting property.

Being vacant land, the nearby values should increase.

5. The building, structure or use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is located.

The neighboring lots are residential homes.

6. The building, structure or use will not have a substantial adverse impact on highway or pedestrian safety.

Amenities have been provided and a traffic study to be reviewed by NHDOT.

7. The building, structure or use will not have a substantial adverse impact on the natural and environmental resources of the Town.

The Development is to be private with no Town maintenance.

The Development has been designed to keep as much of the natural vegetation as possible and maintains 12 acres of natural open space in the back.

8. Adequate public utilities, community facilities, and road capacity are available to the property to ensure that the proposed use will not necessitate excessive public expenditures in providing public services.

The proposal has private on-site utilities with a private road.

9. Where deemed necessary when considering an application for a Conditional Use approval, the

Planning Board may require visual buffers be established.

Existing vegetation around the project is to be maintained and a landscape plan provided for review.

A motion was made by R. Allard and seconded by A. Knapp to approve the 3.4 Conditional Use Permit. Vote 5/1

Roll Call:

A. Knapp-Yay
D. Massucci-Yay
S. Diamond-Nay
J. Jennison-Yay
J. Brann-Yay
R. Allard-Yay

A motion was made by S. Diamond and seconded by A. Knapp to continue the application until December 1, 2020.

Vote 6/0

Roll Call:

R. Allard-Yay
A. Knapp-Yay
D. Massucci-Yay
S. Diamond-Yay
J. Brann-Yay
J. Jennison-Yay

REPORTS FROM OTHER COMMITTEES

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UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

5. The Board reviewed a draft letter to NHDOT letter in support for sidewalks and safety improvements.

A motion by J. Brann and seconded by S. Diamond to send the letter to NH Department of Transportation. Vote 6/0

Roll Call:

J. Jennison-Yay

D. Massucci-Yay

R. Allard-Yay

S. Diamond-Yay

A. Knapp-Yay

J. Brann-Yay

6. A. Knapp addressed the Board with Zoning amendments and petition need to be in by December 9, 2020.

The Board had a lengthy decision on this Zoning amendments and decided to wait a year for changes.

SETTING OF DATE, TIME AND PLACE OF NEXT MEETING AND ADJOURNMENT

The next meeting will be on November 23, 2020 at 11:00 for a Site Walk meeting at Rochester Neck Road office park and December 1, 2020 at 6:30 p.m. electronic meeting; no meeting place.

Without objection the meeting was adjourned at 10:40 p.m.