



**BARRINGTON PLANNING BOARD MEETING**

**NEW LOCATION: EARLY CHILDHOOD LEARNING CENTER**

**77 RAMSDELL LANE**

**Barrington, NH 03825**

**Tuesday June 18, 2019**

**6:30 p.m.**

**(Approved July 9, 2019)**

**MEETING MINUTES**

**MEETING MINUTES NOTE: THESE ARE SUMMARY ACTION MINUTES ONLY. A COMPLETE COPY OF THE MEETING AUDIO IS AVAILABLE AT THE LAND USE DEPARTMENT.**

**Members Present**

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

**Member Absent**

Donna Massucci

**Alternate Member Present**

Rondi Boyer

Town Planner: Marcia Gasses

**MINUTES REVIEW AND APPROVAL**

1. Approval of the June 4, 2019 meeting minutes.

*With minor revisions at lines 402, 420, 424, and 847 the minutes were approved without objection.*

**RECOMMENDATION FROM THE PLANNING BOARD**

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2. Pursuant to RSA 41:14-A, the Planning Board needs to make recommendations to the Select Board regarding the sale of Map 234, Lot 1.4.

A. Knapp recused himself.

M. Gasses explained that Turbocam had been before the Board for Design Review for a new building on Redemption Road. The Board had expressed concern with the size of the wetland buffer impacts and Turbocam has revised their proposal to address the concerns of the Board. In order to relocate the building, they would need extra land from the Town.

Eliot Wilkins explained they had listened to the Board and worked to move the building outside the buffers. In the original proposal it appeared the building was too big for the lot. There still was a need for the 30,000 square foot building.

J. Brann expressed that the building did not look like a two-story building.

Eliot Wilkins explained that the second floor was more of a mezzanine. The entire building was not two stories.

J. Jennison asked what lot was 1.4.

M. Gasses explained lot 1.4 was the lot to the right of the lot they had previously proposed to take entrance from. The Board had already recommended selling lots 233-77 and 1.2. The curb cut Turbocam was proposing to use was located on lot 1.4. The extra land would give Turbocam the room they needed.

R. Boyer asked if they would need to change the lot lines.

M. Gasses expressed she would likely recommend that the lots be merged. The Board was currently looking at making a recommendation on whether it was a good idea to sell the lot to Turbocam but was not conducting a design review at this point. The Board had already made a recommendation on the first two lots and only needed to act on lot 1.4.

J. Jennison expressed the idea was to keep Turbocam together. The thought had been that Turbocam would continue to grow and need more land. It made sense.

S. Diamond questioned the need for a 90-degree angle for the road.

M. Gasses explained that the road had already been constructed and the entrance would be a driveway off the road.

J. Brann asked if Redemption Road was a Town road.

M. Gasses expressed the Town owned the underlying land but did not maintain the road. It was her opinion the road would be considered Class VI.

R. Allard asked if the idea was to pull the building away from the buffers.

Eliot Wilkins explained they had been able to move the building out of the wetland buffers completely.

J. Brann expressed he was amenable to the proposal. The idea was to have development in this area. The Town would not be doing anything with the lot.

R. Boyer asked what was meant by a mezzanine in the front.

Eliot Wilkins explained it was a seconded floor above the office area for classrooms.

S. Diamond asked the sale price.

Elliot Wilkins expressed \$88,050 for the three lots. The value was half the assessed value.

*A motion was made by J. Brann and seconded by R. Allard that the Planning Board recommends the Select Board sell Map 234 Lot 1.4 to Turbocam.*

#### Roll Call

J. Jennison, Chair	aye
J. Brann, Vice Chair	aye
S. Diamond	aye
R. Allard	aye
R. Pimpis	aye
Rondi Boyer	aye

*The motion carried unanimously. (6-0)*

A. Knapp returned to the table.

#### **ACTION ITEMS CONTINUED FROM April 16, 2019**

2. 238-16-V-19-SR (Owner: Drew Pond, LLC) Request by applicant for a Site Review proposal to construct two private roads each to serve 20 townhouse units off Route 9 with waivers (aka Franklin Pierce Highway) on an 18.02-acre site (Map 238, Lot 16) in the Village District. BY: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

C. Berry updated the Board. He explained they had one meeting with the Board where they had discussed road geometry, slopes and items of that nature. A set of plans had been sent to Dubois & King for engineering review. They did not want to make changes to the plans until they had gotten comments from Dubois & King. They were currently working with a hydrogeologist on the well siting. They would be drilling a well in order to determine how to design the well systems to meet NHDES requirements.

C. Berry expressed that he had gotten initial review comments from Dubois & King. He was angry when he got the review letter. He expressed there were multiple things within the letter that could be found in the plan set. There were items in the review letter that were fundamentally wrong and items that did not need to be included. C. Berry explained he had been reviewed his whole career and did not mind being reviewed, but he did not want to spend time responding to items that did not need to be addressed. The plan set was 59 pages and he believed  $\frac{3}{4}$  to  $\frac{1}{2}$  the comments were valid. He would discuss with Jeff Adler directly.

C. Berry explained one of the comments from Dubois & King was a request for a full traffic analysis. Typically, they handled their own traffic analysis, but in this instance they had hired TEPP LLC to

conduct a traffic assessment. The assessment was prepared by Kim Eric Hazarvartian a NH Licensed Traffic Engineer. The road was under NHDOT control and the memo would typically be sufficient. He wanted to know whether a full traffic analysis was warranted as suggested by Dubois & King. Mr. Berry asked the Board if they would need to request a waiver.

M. Gasses expressed she had a conversation with Jeff Adler regarding the comment and Mr. Adler explained he did not want the Police Chief to think he had not heard his concerns regarding left turning traffic that were made during the meeting with staff. The Chief had also, expressed that there had not been an accident in three years at the intersection with the Middle School, so he didn't have data to back his concern, but he was going with his gut and felt there would be an accident in time and wanted it noted. The time frame had included when the two daycares and the school were in operation.

C. Berry expressed that NHDOT would have their own set of requirements.

J. Brann expressed there would need to be a waiver.

C. Berry expressed he would likely ask for a waiver to the threshold.

J. Brann remembered reading the analysis and the trip generation numbers were low. He felt the analysis that was done was adequate and he would be amenable to entertaining a waiver.

S. Diamond expressed although the location did not have the issues of Route 125 is was located near the problematic intersection of Route 9 and Route 125. He asked if a full study would include a section on demand management strategies.

C. Berry state it would not have a section on demand management strategies. It would analyze capacity. There would not be an analysis at Routes 9 and 125. The analyses would be at what they considered their front door. Turning movements at the school would be analyzed to see what if any infrastructure improvements would be made there.

S. Diamond expressed although there was capacity on Route 9 for everyone to get where they needed to be, but there were merits to looking at alternative means of transportation.

A. Knapp asked if it would capture Village Place.

C. Berry expressed Village Place would be captured in the background data counts where it was pretty much built out.

J. Brann expressed that the speeds by the school would also be less than Route 125 where the Board had learned the average speed was 60 mph in the area where the new Town Hall would be located.

J. Jennison expressed the consensus of the Board was a waiver was needed. He asked when the last study was done on the road and if one had been done to add a light.

M. Gasses expressed the state had denied a light being located there. There were certain warrants that needed to be met in order to have a light.

C. Berry expressed PM peak traffic would not be a concern. Am peak they would need to consider the amount of left-hand turns coming out of Haley Drive and left hand turns from Hanoverian. There would only be a handful of trips from Hanoverian in the morning trying to make that turn. The level of

service would impact the project not the corridor itself. The last traffic counts for Route 9 were done in June 2016.

R. Boyer asked if the estimate for traffic was based on bedrooms.

C. Berry explained the estimates were based upon units and trips. The volume is looked at for peak and the project was determined to have 20 trips at peak divided over two entrances. AM peaks tended to be higher as people tend to come home at different times.

S. Diamond expressed his concern was the proximity of the project's driveway to the school's entrance.

C. Berry explained that a driver could sit in the projects driveway and see the cars across the street. The anticipated movements were signaled by the lanes that the vehicles would be in.

M. Gasses expressed the situation was not ideal, but we no longer were dealing with ideal situations, but neither daycare was currently in operation.

C. Berry explained that although the daycares were not in operation they had included the trip counts in the analysis.

C. Berry expressed that it sounded like the Board needed some time to think about the discussion. He would supply additional information for Board members so that if they were hesitant he would make sure they had all the necessary information to make their decision.

J. Brann expressed he had worded his request to members to see if they were comfortable with the idea of a waiver. There would be time for members to go back and look at the analysis.

J. Jennison expressed that it would be important to look at whether the expenditure of additional money would cause any change in the traffic patterns and would the school problem be fixed. He did not see that happening and that was the aggravation.

J. Brann expressed that he did not feel a complete analysis for this project such as the one done on the Falzone project would result in additional turning lanes.

M. Gasses explained that NHDOT during their review would ask for additional information if they did not feel they had enough to issue the permit.

R. Allard expressed that he felt a waiver was needed, but it was unlikely a full-blown analysis would come to any other conclusion. To do a study just to do a study was a waste of money.

*A motion was made by J. Brann and seconded by A. Knapp to continue the application to July 9, 2019 the motion carried unanimously.*

### **ACTION ITEMS CONTINUED FROM May 21, 2019**

3. **234-31&31.4-GR-19-ConsSub (Owner: Donetta Haley)** Request by applicant for a 13 Lot Conservation Subdivision, Waivers and 9.6 Special Permit on Meetinghouse Road and Oak Hill Road on 51.50 acres (Map 234, Lots 25, 31, 31.4) in the General Residential and Village Districts. By: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825

C. Berry explained where the application stood. They had been through a number of design reviews. The plans had been submitted to Dubois & King for review and the review was complete. They had replied to the comments and Dubois & King had signed off. They had a number of waivers that had been discussed with the Board during the design phase they had revised the plans based on those discussions. They had also worked with Eversource. The open space documents and restrictions had been submitted. Marcia had reviewed the documents as well as the Town's attorney had completed some of his review.

C. Berry expressed he had spoken with the Planner and agreed to install the driveway aprons and culverts at the time of the construction of the road based upon the recommendation of Dubois & King.

M. Gasses explained that the topic had come up with Dubois & King over Mr. Falzone's project. During the construction of phase III of Village Place they had run into difficulty with permitting and installing the driveway entrances on a house by house basis. The lots were narrow, and it was easier to install the culverts and pave the aprons when they were constructing the road.

J. Brann questioned whether they would reutilize the aprons that were part of what was formally proposed to be townhouses.

C. Berry explained that they would use what initially proposed entrances they could. The conversion to a standard lot subdivision would not change the proposed drainage for the overall site. When they had developed the drainage system for the road they had taken a global approach. The drainage basins had been sized for the townhouses which would have had far more pavement and impervious surface than single family homes, so now all of the devices would be oversized.

J. Brann questioned whether the culverts for the single-family lots and waiver from curbing would change the drainage.

C. Berry explained that the culverts would fit within the proposed ditch line. The swales were designed to fit the culverts so that they would not need to regrade.

J. Brann asked if C. Berry would be coming in with a plan that would show all the driveway cuts, so they can be put in prior to completion of the roadway.

C. Berry stated yes, and the installation would not change the drainage and erosion control plan. The drainage was basically oversized. A condition of approval of this application would be updating of the plan for the south side of the street.

R. Allard asked if Jasper Drive was going to be a town road.

C. Berry stated it would be a private drive. There would be a maintenance agreement in place.

R. Allard asked how the owner of lot 31-16 would get to their lot. The driveway stopped prior to the property line.

C. Berry expressed he would revise the plan to show the driveway extending to the lot line of lot 31-16.

R. Allard asked if there was a landscaping plan to go with the landscaping detail.

C. Berry expressed there were landscaping details that went with the stormwater plants and how they should be planted.

R. Allard expressed that a lot of the plants did not appear to be wetlands or buffer plants. That if there were planting details there should have been a landscaping plan.

C. Berry expressed some of the plants were not applicable.

S. Diamond expressed the Conservation Commission had asked about a recreation plan for the area.

C. Berry explained that use was covered in the open space documents and that the lot would be privately held by one of the lot owners. The open space would be open to the lot owners there was no active recreation that was being proposed. There would be conservation restrictions on what could be done on the lot and what could be done regarding the removal of vegetation.

M. Gasses expressed the Town's attorney wanted it specifically stated that the owner/HOA shall have the first responsibility to enforce the restrictions and then if they didn't the Town would need to.

J. Brann expressed one of the comments from the Fire Chief was that there was to be no parking within either side of a cistern.

C. Berry expressed they would look at it and adjust if necessary. The subdivision on the other side of the road was a conventional subdivision and they would have less of an issue.

J. Jennison asked the Board to go through the 9.6 permit.

C. Berry explained a 9.6 Permit was Barrington's way of allowing for impacts to buffers. The first buffer impacted was in Meetinghouse Road. The justification was that staff had specifically requested that Meetinghouse Road be extended through. Any stormwater was being trapped in a high efficiency stormwater basin at the bottom of the hill and treated. There was no further need for the buffer.

The second buffer being impacted would contain an enhanced rain garden that required it being close to wetlands for the anaerobic state. The design replicates better than the buffer itself.

C. Berry read from the criteria and his responses to the 9.6.

The criteria for a 9.6 permit for disturbance in the 50' wetland buffer along with the applicant's response are below.

- A. The proposed use in keeping with the intent and purposes set forth in the zoning ordinance.
  - a. **The proposed wetland buffer disturbance is generated from the construction of Meetinghouse Road and the proposed rain gardens. Per the request of the Town the applicant has agreed to construct Meetinghouse Road from Oak Hill Road to Smoke Street. Part of this through construction will go through part of a wetland buffer.**
- B. After a review of all reasonable alternatives it is determined to be infeasible to place the proposed structure or use outside the buffer zone.
  - a. **The proposed construction of Meetinghouse Road is proposed to be built over the existing footprint, utilizing the existing topography. This is done so that the disturbance generated from the construction will be reduced. The rain gardens were placed at the low points throughout the site in order to capture the maximum amount of runoff.**



- C. The proposed structure must be set back as far as possible from the delineated edge of the wetland or surface water.
  - a. **The proposed road and rain gardens are set back as far as possible from the delineated wetlands.**
- D. Appropriate erosion and sediment control measures must be in place prior to and during construction.
  - a. **An erosion and sediment control plan is included within the set to show that all necessary erosion and sediment control measures will be taken to ensure that no sediment runs off into abutting wetlands and that the surrounding area is protected throughout the construction process.**
- E. Any disturbance to the surrounding buffer zone must be repaired and restored upon completion of construction.
  - a. **All grading and disturbance within the buffer will receive quality loam and seed, utilizing a variety of conservation seed mix. This will enable the vegetation to grow and the buffer area to be restored. Construction would be over seen by their office as well as inspected by Dubois & King**
- F. All available mitigation measures to address changes in water quality volume and quantity be implemented, along with design and construction methods to minimize adverse impacts, if required by the Planning Board.
  - a. **Three advanced rain gardens are to be implemented as part of the roadway construction. These rain gardens will capture and treat the runoff generated from the site so that there will be no change in water quality or volume.**

J. Brann pointed out there was also an impact at Jasper Drive.

C. Berry expressed that was correct and he had attempted to include that in his explanation.

J. Brann summarized that the 9.6 they were asking for encompassed all of the impacts shown of the plan.

C. Berry expressed that was correct.

*A motion was made by J. Brann and seconded by R. Allard to accept the 9.6 permit as complete.*

Roll Call

J. Jennison, Chair	aye
J. Brann, Vice Chair	aye
S. Diamond	aye
R. Allard	aye
R. Pimpis	aye
Rondi Boyer	aye
A. Knapp	aye

*The motion carried unanimously (7-0)*

J. Jennison opened public comment – no one spoke.



J. Jennison closed public comment

*A motion was made by J. Brann and seconded by S. Diamond to approve the 9.6 permit application tied to case 234-31 & 31.4-GR-19*

Roll Call

J. Jennison, Chair	aye
J. Brann, Vice Chair	aye
S. Diamond	aye
R. Allard	aye
R. Pimpis	aye
Rondi Boyer	aye
A. Knapp	aye

*The motion carried unanimously. (7-0)*

Requested waivers:

J. Brann expressed that the Board had discussed the waivers extensively and it appeared that all the concerns of the Board had been addressed.

1. 12.2.1 Table 1 of the Subdivision Regulations, maximum of 7% road grade for a major access road.

- Proposed roadway with sections greater than 7% at 9% max.

The applicant is proposing to reconstruct Meetinghouse Road in order to provide access to a proposed development and provide through access from Smoke Street to Oak Hill Road, per the Planning Boards request. The proposed road was designed so that it would conform to the existing centerline and topography as much as possible, in order to limit the overall disturbance.

*A motion was made by J. Brann and seconded by B. Pimpis to approve the waiver because strict conformity to the regulations would pose an unnecessary hardship and granting the waiver would properly carry out the spirit and intent of the regulations. The motion carried unanimously*

2. 12.2.1 Table 1 of the Subdivision Regulations, shoulder width of 6 feet in a cut and 3 feet in fill.

- Proposed roadway with shoulders of 3 feet in a cut and 3 feet in a fill

The applicant is proposing to reconstruct Meetinghouse Road from a Class VI roadway to a 22-foot-wide paved road that will connect Smoke Street to Oak Hill Road, with 3' shoulder in fill and 3' in cut. This will not only provide access to the proposed development but will also act as a throughway for the two adjacent streets. The proposed road was designed so that it would be constructed over the existing footprint of Meetinghouse Road and conform to the existing topography as much as possible.

*A motion was made by J. Brann and seconded by A. Knapp to approve the waiver because strict conformity to the regulations would pose an unnecessary hardship and granting the waiver would properly carry out the spirit and intent of the regulations. The motion carried unanimously.*

3. 12.7 Table 2, maximum of 2% of a road grade within 100 feet of an intersection.

- Proposed roadway with a platform of 2% or less for 45' and 4% or less for an additional 20' at the intersection of Smoke Street.

As part of the proposed development, Meetinghouse Road will be fully reconstructed from a Class VI road to a 22-foot-wide paved road that connects Smoke Street to Oak Hill Road.

*A motion was made by J. Brann and seconded by R. Pimpis to approve the waiver as not granting the waiver would cause an unnecessary hardship and granting the waiver would carry out the purpose and intent of the regulations. The motion carried unanimously.*

4. 12.7 Table 2, minimum angle of intersection of 90 degrees +/- 10 degrees

- Proposed roadway intersection at Smoke Street with an intersection angle of 60 degrees

As part of the proposed development, Meetinghouse Road will be fully reconstructed from a Class VI road to a 22-foot-wide paved road that connects Smoke Street to Meetinghouse Road.

J. Brann expressed they had discussed it and determined there would be sufficient space to square up and see traffic at the location.

Waiver Justification given:

The intent of the maximum angle for an intersection is to allow for safe intersections and to increase vehicular safety. The proposed intersection of Meetinghouse Road and Smoke Street was designed so that the existing intersection point could be maintained so as to limit the disturbance. Furthermore, sight line distance analysis has been done to show that a vehicle approaching the intersection has adequate sight distance to make a turn onto Smoke Street. The entrance and turning radii are designed to accommodate the required turning movement. Even though the intersection angle does not meet the standard, the proposed design still allows for a safe intersection. Although the centerline of Meetinghouse does not intersect at 90 degrees, the entrance has been widened so that the double yellow line and white stop bar will come to a 90-degree intersection, allowing stopped vehicles ample room for sight distance.

*A motion was made by J. Brann and seconded by R. Pimpis to approve the waiver as not granting the waiver would pose an unnecessary hardship and granting the waiver would carry out the spirit and intent of the regulations. The motion carried unanimously.*

M. Gasses requested J. Jennison open and close the public hearing on the application even though there was no one from the public present to make sure proper procedure was followed.

J. Jennison opened public comment – no one spoke.

J. Jennison closed public comment.

5. 12.8.8(4) & 12.8.9, No ditches at grades above 8%, which require curbing, culverts and basins, or at grades above 6% when the developed length exceeds 250 feet.

- Proposed roadway without curbing above 8% grade and ditches above 6% with a 9% grade for 100 feet, in two locations.

The applicant is proposing to construct Meetinghouse Road over its existing footprint, utilizing the existing centerline and road topography when possible. As part of this reconstruction, open drainage will be utilized through swales and culverts in order to capture and treat the runoff generated from the proposed roadway.

The intent of regulation 12.8.8 & 12.8.9 is to limit the use of swales along steep slopes in order to achieve stabilization and prevent washouts.

The proposed road design has both natural and manmade swales that will be utilized in the drainage design to capture and treat the runoff generated from the proposed road. All the proposed swales are in road grades that are less than 8% except for one section, where the swale will be constructed at 9% for 100 feet. Although the slope of the swale is greater than 8%, necessary measures will be taken to ensure

that this section of the swale is well protected until it is stabilized. The swale will be rip-rap lined at this location and check dams will be utilized to control runoff.

The proposed road design does not include any curbing along the road. This was done as part of the drainage design so that the runoff generated from the road will sheet off into the adjacent swales. These swales will be constructed with bio-media and stone as part of their drainage design, so that the runoff can be treated as it is directed to adjacent rain gardens and treatment cells.

*A motion was made by J. Brann and seconded by R. Pimpis to approve the waiver as not granting the waiver would pose an unnecessary hardship and granting the waiver would carry out the spirit and intent of the regulations. The motion carried unanimously.*

M. Gasses read from the draft Notice of Decision



## Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0195

[mgasses@barrington.nh.gov](mailto:mgasses@barrington.nh.gov)

## NOTICE OF DECISION

[Office use only]	Date certified:	As built received:	Surety returned
"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.			
<b>Proposal Identification:</b> 234-31 & 31.4-GR-19-ConsSub (Owner: Donetta Haley) Request by applicant for a 13 lot Conservation Subdivision, Waiver and 9.6 Special Permit on Meetinghouse Road and Oak Hill Road on 51.50 acres (Map 234, Lots, 31, 31.4) in the General Residential Zoning District.			
Owner: Donetta Haley P.O. Box 367 Barrington, NH 03825  Applicant (Contact): Michael H. & Lisa McMahon 139 Stage Road Hampstead, NH 03841		Dated: June 20, 2019	

Christopher Berry Kenneth A. Berry Berry Surveying & Engineering 335 Second Crown Point Road Barrington, NH 03825	
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**Dear applicant:**

This is to inform you that the Barrington Planning Board at its June 18, 2019 meeting **CONDITIONALLY APPROVED** your application referenced above.

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Board. Certification of the plans is required prior to commencement of any site work or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please Note\* If all of the precedent conditions are not met within 6 calendar months to the day, by December 17, 2019, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board. *Reference 8.2.3 of the Town of Barrington Subdivision Regulations*

### **Conditions Precedent**

- 1)
  - a) Add the owners signature to the final plan
  - b) Add the wetland scientist stamp & signature to the final plan
  - c) Add State Subdivision Approval Number to the Plan
  
- 2) Add the following plan revisions to the plans
  - a) Update plan to show driveways for subdivision of Map 234 Lot 25
  - b) Extend driveway on lot 31-15 to the property line of lot 31-16
  - c) Show proposed driveways on the plan
  
- 3) Add the following plan notes:
  - a) A 9.6 Special permit was granted as part of this subdivision for the construction of road improvements. The permit was for three encroachments.
  
  - b) The following waivers were granted as part of this subdivision:
    - 12.2.1 Table 1** of the Subdivision Regulations, maximum of 7% road grade for a major access road.
    - 12.2.1 Table 1** of the Subdivision Regulations, shoulder width of 6 feet in a cut and 3 feet in a fill.
    - 12.7 Table 2**, maximum of 2% of a grade within 100 feet of an intersection.
    - 12.7 Table 2**, minimum angle of intersection of 90 degrees +/- 10 degrees
    - 12.8.8(4) & 12.8.9**, No ditches at grades above 8%, which require curbing, culverts and basins, or at grades above 6% when the developed length exceeds 250 feet.

- c) Drainage easement deed must be recorded at SCRD prior to any construction activity.
- 4) Town Counsel shall approve Open Space with Conservation restrictions deed language.
- 5) Town Counsel shall approve proposed driveway easement language
- 6) Town Counsel shall approve Drainage Easement Deed language
- 7) Town Counsel shall approve Road Drainage and Maintenance Language
- 8) Remove sheet 39 from the plan set and renumber
- 9)# Proper and complete survey monumentation shall be installed on the properties as a condition to final approval of the application. Granite bounds shall be set at the intersection of existing or proposed lot sidelines with existing proposed streets. Iron pins (pipe or rod) are to be placed at all property line corners and angles, and all points of curvature and points of tangency. Monuments for the lot being developed shall be placed not more than 300 feet apart in any straight line. The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the submitted plan. (*Reference 8.8 of the Town of Barrington Subdivision Regulations*)
- 10) Any outstanding fees shall be paid to the Town
- 11) Final Drawings (a) five sets of black line (b) plus one set of 11"X17" final approved plans must be on file with the Town. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans. Note. If there are significant changes to be made to the plans, as specified above, one full size check print must be sent to the Land Use Office for review prior to producing these final drawings.

## **General and Subsequent Conditions**

- 1) Ownership of the designated open space will be retained by the original owner, Tax Map 234 Lot 31-4 and Tax Map 234, Lot 31 Open Space shall be deeded to Donetta J. Haley prior to the issuance of any building permits.
- 2) Drainage easement deed must be recorded at SCRD prior to any construction activity.
- 3) All driveways will be permitted and installed with 16' apron prior to the issuance of the first certificate of occupancy.
- 4) Annual Report  
The owner is responsible to keep an I & M Activity Log that documents inspection, maintenance and repairs to the storm water management system, and a Deicing Log to track the amount and type of deicing material applied to the site. The original owner is responsible to ensure that any subsequent owner(s) have copies of the Stormwater System operation and maintenance Plan & Inspection and Maintenance Manual, copies of past logs and check lists. This includes any owner association for potential condominium conversion of the property. The annual Report will be prepared and submitted to the Town of Barrington Planning Department and Road Agent with copies of both logs and check lists no later than December 15<sup>th</sup> of each year and provided to

NHDES on that same date, until such time as the Town accepts maintenance responsibility of the drainage systems.

The Board discussed the responsibilities and burden that goes with accepting the responsibility to maintain the drainage infrastructure. Pro's and cons were discussed regarding having control of drainage that could possibly damage a Town road. The Board agreed to the language "until such time as the Town accepts maintenance responsibility of the drainage systems" as part of the paragraph above in the Notice of Decision.

- 5)# In accordance with RSA 674:39 active and substantial development shall mean the expenditure of at least twenty-five percent (25%) of the infrastructure costs required for a development, as indicated by a subdivision approved by the Planning Board, within (24) months of said approval, where approved plans have been properly recorded at the Registry of Deeds. Infrastructure shall mean in this instance, the construction of roads, storm drains, water and sewer facilities, or parking lots. Compliance with this definition shall also necessitate that a bond or other security to cover costs of said infrastructure requirements has been posted with the Town prior to the beginning of construction, if required as a condition of approval.
- 6) The Cistern required for fire safety shall be installed to Barrington Fire Department specifications. All required fire protection standards shall be operational prior to the issuance of any building permits. *Reference 11.5.(1) of the Town of Barrington Subdivision Regulations*
- 7) Current Use subject property or a portion of it is presently in Current Use. The applicant must provide the Town of Barrington Assessing Department current use map and/or other items needed to assure requirements of RSA-79A and the New Hampshire Department of Revenue Administrations Rules are satisfied.

(Note: in both sections above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).

*A motion was made by J. Brann and seconded by S. Diamond to approve the application with conditions as stated in the Notice of Decision.*

Roll Call

J. Jennison, Chair	aye
J. Brann, Vice Chair	aye
S. Diamond	aye
R. Allard	aye
R. Pimpis	aye
Rondi Boyer	aye
A. Knapp	aye

*The motion carried unanimously (7-0)*

4. 234-25-V-19-Sub (4) (Owners: Michael H. & Lisa M. McMahon) Request by applicant for a 4 Lot Subdivision on Meetinghouse Road and Oak Hill Road on 23.55 acres (Map 234, Lot 25) in the



Village Zoning District. By: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

C. Berry explained he was requesting a continuance in order to revise the subdivision application and renotify abutters so that they were aware of the changes to the plan for this parcel. The applicant wanted to continue to August 6, 2019.

*A motion was made by A. Knapp and seconded by R. Allard grant a continuance to the August 6, 2019 meeting. The motion carried unanimously.*

5. **234-25-V-19-SR (Owners: Michael H. & Lisa M. McMahon)** Request by applicant for a Site Review proposal to construct three private roadways and a driveway off Meetinghouse Road to provide access to 24 triplex units on Meetinghouse Road and Oak Hill Road (Map 234, Lot 25) in the Village Zoning District. By: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

Applicant withdrew application for site review.

### **COMMUNICATIONS RECEIVED**

### **REPORTS FROM OTHER COMMITTEES**

### **UNFINISHED BUSINESS**

### **OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD**

241-7 Christina Konopko and Michael Konopko request for a building permit on a private road. M. Gasses explained the Konopko's were applying for a building permit to construct and accessory dwelling unit for family members at 39 Bassett Drive. John Huckins would make sure the proposal complied with the zoning requirements and Dana Drake from the Highway Department had visited the site and submitted a memo.

S. Diamond asked for the Highway Department Designee to include a width of the road in his memos.

The consensus was to send the customary letter.

104-72 James Shaw and Priscilla A. Shaw request for a building permit on a private road. M. Gasses explained that the Shaw's applying to build a 9'x 20' addition to construct a bedroom on there property at 674 Berry River Road. It was noted that the application would need to be verified for conformance with the Zoning Ordinance as well as a NHDES Shoreland Permit would need to be obtained.

S. Diamond expressed that Berry River Road was very narrow and winding and many people had built onto their homes and converted them into full time residences. He asked when the residents would be required to widen the road.

A. Knapp explained the homeowner's association has taken an active role in upgrading the road. The had voted to raise their dues from \$200 to \$500 per year, which was pretty substantial.

J. Jennison expressed he had been a meeting where the upset homeowners wanted the Town to take over the road. There were options such as the Town bonding the upgrades and the owners being assessed a fee.



No one wanted to pay for the improvements. Until the improvements are made and the Town takes the road it would remain private.

S. Diamond expressed that building permits should not continue to be issued.

J. Jennison expressed the owner still had the right to use their property.

The Board had a discussion on grandfathering and reasonable use of property. The applicant would have to go to the ZBA if the proposal was not compliant.

The consensus was to send the customary letter with the notes about compliance.

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

Without objection the meeting was adjourned. The next meeting was scheduled for July 9, 2019 at 6:30 p.m. at the ECLC.

Respectfully Submitted,

Marcia J. Gasses  
Town Planner