



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: 492278772

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

(Approved August 18, 2020)

Tuesday July 7, 2020

6:30 p.m.

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

ROLL CALL

Roll Call Vote

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

Members Present

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

Members Absent

Donna Massucci

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

MINUTES REVIEW AND APPROVAL

1. Approval of the June 9, 2020 Site Walk minutes.

Without objection the minutes of June 9, 2020 were approved as written.

Roll Call:

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

2. Approval of June 16, 2020 meeting minutes.

Without objection the minutes of June 16, 2020 were approved as written.

Roll Call:

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

PUBLIC HEARING ON AMENDMENT TO PUBLIC HEARING

3. Pursuant to NH RSA 675:7 notice is hereby given of a public hearing to be held by the Town of Barrington Planning Board for the purpose of discussing a proposed amendment to the Site Review Regulations Section 2.5.9 Special Studies or Reviews.

J. Jennison read the following proposed amendments (BOLD) below:

2.5. 9.....Special Studies or Reviews **and Submittals**

If, during the Board's consideration of the application, the Board determines that certain additional information is necessary for a fully informed decision, it may request the Applicant to provide the information or may hire a professional consultant itself with expenses charged as per Section 2.2.

Additional information, updated plans, and any other material submitted by the applicant or any other party with standing shall provide materials to the Land Use Office no later than one week prior to the meeting at which they will be discussed/considered.

No comments from the Board.

J. Jennison opened public comment.

J. Jennison closed public comment.

A motion was made by J. Brann and seconded by A. Knapp to adopt the change for the Site Review Regulations as written.

Roll Call:

R. Allard-yay

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

GUEST

4. Kyle Pimental from Strafford Regional Planning Commission to review the Facilities & Utilities Master Plan Chapter before having a public hearing.

Jenn Czysz from Strafford Regional Planning Commission filling in for Kyle Pimental to review the Facilities & Utilities Master Plan Chapter. Jenn explained that the draft was written by getting information from department heads and they sent the draft to the department heads for review.

J. Jennison suggested that the Board may want to make a list of the concerns and changes, then supply these to the Strafford Regional Planning Commission.

Jen explained to the Board that this was the first draft given to the Planning Board and stated some of the sections may have been completed a year ago.

M. Gasses explained to the Board that this was a committee that was made up of Town members and S. Diamond was on this committee. M. Gasses asked J. Brann if he was willing to take an active role in moving this along and share his concerns with the edits.

J. Brann expressed that he was willing to help.

Jenn explained that they are relying on Board members to assist with this.

J. Brann asked if there was a file that could be sent to him for the edits.

Jenn asked M. Gasses if she could follow up with her in the morning.

M. Gasses stated that Kyle has the Word file because he did the draft and she would get it from him.

J. Jennison opened public comment.

J. Jennison closed public comment.

ACTION ITEMS CONTINUED FROM June 2, 2020

5. [220-54.1 & 54-7.2-RC/GR-LL/9.6 \(Albert Estes-Mills Falls Realty LLC\)](#) Request by applicant to adjust boundary lines between lots 54.7.1 and 54.7.2 for a site review for 43 commercial storage-office units with a 9.6 Special Permit in the wetland buffer and also a 3.4 Conditional Use Permit on a total of 8.691 -acre lot on Calef Highway (Map 220, Lots 54.7.1 & 54.7.2) in the Residential Commercial and General Residential Zoning Districts. BY: Robert Stowell, Tritech Engineering Corporation; 755 Central Avenue, Dover, NH 03820 (**Application, 3.4 CUP and Lot Line were approved on December 3, 2019 received 6 months extension**)

J. Jennison gave a brief description of the application.

Robert Stowell from Tritech Engineering Corporation represented applicant Albert Estes from Mill Falls Reality, LLC. Robert explained that they did have a chance to reply to Dubois & King comments and the Boundary Line of Adjustment and 3.4 Conditional Use Permit have been approved. Robert explained that they have worked on the 9.6 Special Permit and reduced the impact to the buffer. Robert shared with the Board the previous impact when the residential driveway was constructed about 15 years ago. Robert explained that the outlet devices are within the buffer. Robert expressed that they got the number down for the 9.6 Special Permit. Robert explained to the Board that their AoT permit was with the State and was being reviewed. Robert expressed that they have turned in all information and was hoping to get conditional approval.

A. Knapp asked if there were any plans to address the comments from IRLAC (Isinglass River Local Advisory Committee).

Robert explained that a lot of the information that they supplied was addressed and the site does have a high-water table. Robert explained that one of these concerns was how the inspections would be handled and explained that they have a Maintenance Manual on how the stormwater infrastructure was built into the condominium documents for the project.

A. Knapp asked if there was a significant difference in the larger storms.

Robert explained that a lot of that was addressed in the extreme weather data. Robert explained that was called the 100-year storm was now built into the 50-year storm.

J. Brann explained that the State required that you use the 50-year event to determine if you were going to overflow the berms in the detention pond. J. Brann explained to A. Knapp that the difference between 50-year and 100-year events was 6.98 inches of rain in 24 hours versus the 8.33 inches in 24 hours.

A. Knapp expressed that this was just under 2" in 24 hours, which was a lot of water but didn't know what the impact was but one of IRLAC concerns was effects on the Isinglass River.

Robert explained that the water exiting to a culvert and was not a dramatic slope to the brook was about 30' outlet to the brook. Robert explained that 50-year storm ties into the brook and doesn't see any erosion issues.

J. Brann asked about the concern from IRLAC about the two septic systems in the seasonal high-water table and the migration from the septic systems.

Robert explained that they have two septic systems. One was close to the front of the site, which was designed for 300 gallons a day but felt it would be used much less and was at the appropriate distance from wetlands. Robert explained that the other one was located at the lower end of the site that handles balance of the units.

Robert showed the Board the 9.6 Special Permit plan and explained that it shows the impact.

The Board expressed that they need more time to review the plans for conditional approval given the plan set was not submitted seven days prior to the meeting.

J. Jennison opened public comment on the 9.6 Special Permit only.

J. Jennison closed public comment on the 9.6 Special Permit only.

R. Allard stated that it appears that the new impact was affected by Units 6 & 7 and asked what the impact would be if they [Units 6 & 7] were deleted from the plan.

Robert explained that the impact was in the area of Units 6 & 7 and explained that this area allows for RV storage clearance and also to get the fire trucks around it.

J. Brann asked if he (Robert) was talking about the buffer intrusion of 25 to 30 feet in the area by Unit 6.

Robert explained that with the grading it would be about 30 feet; 20 feet at the worst point of the pavement with 10 feet of grading.

J. Jennison expressed that it was a wet site, seemed beneficial to use the property for something good, and if the Board wanted to move forward with this they would.

A. Knapp asked when he looked at the scale and going around the units and would agree with the impact to take out Unit 6.

Robert explained that they are starting at the end of Unit 5 pulling away from the wetlands.

R. Allard asked if they went clockwise instead of clockwise.

Robert explained that it was two-way traffic all the way around.

J. Brann asked where the drainage goes from the area around Units 6 and 7.

Robert explained that the whole road down sloped down from the upper units past Units 6 through 11 and there was a curb along the road.

J. Brann explained that the whole idea behind the buffer was to protect the wetlands so that area would be impervious surface but with the slope and curbing to direct runoff it would be protecting the wetland area.

Robert expressed that was correct; water flows into that wetland area and released after being treated.

J. Brann asked if the drainage was different on the new plan sets.

Robert explained that SP-4 and SP-4A are the drainage plans that show where the catch basins are located.

J. Brann asked if the drainage was from Unit 5 to the catch basin near Unit 11.

Robert stated that was correct.

A motion was made by A. Knapp and seconded by J. Brann to grant the 9.6 Special Permit for Construction in Wetland Buffer. Vote 3/2

Roll Call:

R. Allard-Nay

A. Knapp-Yay

S. Diamond-Nay

J. Brann-Yay

J. Jennison-Yay

The Board agreed that they needed more time to review the plans.

S. Diamond asked about under the Rules & Regulations for condos under #7 Commercial Use that it does not state what can be there.

Al Estes explained that he would have the attorney add no doctor offices.

J. Brann asked M. Gasses if she received a list of uses.

M. Gasses expressed that they did receive.

J. Brann asked if these were given to the Board.

M. Gasses explained that she wasn't sure and would send to the Board. She explained that the allowed uses can be listed on the plan. If they are not listed on the plan, then they would not be approved uses allowed.

A. Knapp expressed that he would want to have the documents for the covenants and have the management of the system for maintenance of the stormwater be included.

M. Gasses explained that they are going to have a stormwater maintenance required and asked A. Knapp if he wanted something additional to this.

A. Knapp expressed that he did and explained that when they talked about the Isinglass Committee, one of the concerns was about the planned monthly inspections and catch basins debris removal as needed.

Robert explained that it would also be stated that the association would be the owners.

J. Jennison stated that a list of the allowed uses would be appropriate for the next meeting.

Roll Call to continue to application to August 4, 2020.

J. Jennison-Yay

J. Brann-Yay

S. Diamond-Yay

A. Knapp-Yay

R. Allard-Yay

ACTION ITEMS

- 6. 220-27&29-RC-20-LL (Owners: Wanda Lee and Richard A. Walker, Jr.)** Request by applicant for a Lot Line Adjustment between Lot 27 (5.621) acres and Lot 29 (.895 acres) (Map 22, Lots 27 & 29) proposed Lot 27 to be 4.076 acres and Lot 29 to be 2.44 acres at 24 Greenhill Road and Colonial Way in the Regional Commercial Zoning District. BY: Joel D. Runnals, Norway Plains Associates, Inc.; P.O. Box 249; Rochester, NH 03866.

J. Jennison gave a brief description of the application.

Joel Runnals from Norway Plains Associates represented Wanda Lee and Richard Walker, Jr for a proposal for a Lot Line Adjustment between Lot 27 & Lot 29. Joel explained that Lot 29 received site approval from the Planning Board last month. Joel explained that Lot 27 was the smaller lot on Greenhill Road owned by Wanda and Rick Walker. They are selling Lot 29 to Anderson Welding and wanted the Lot Line to give the Walkers a buffer. Joel explained that when lot line was complete, they would have 2.04 acres and requested a plan to show where the building would be located on the Lot 29.

J. Brann questioned that he only saw one limitation on fulfilling site plan approval conditions and that was trees/shrubs that were on plan but now would be beyond property line.

Joel explained that the trees were requested by staff.

A. Knapp stated that it only looked like 30 feet of shrubs on the Walker property on the site plan.

Joel explained that he could guarantee that they would be all on the Walker property.

A. Knapp explained that it looks like the shrubs go around the house and shed then along the property line.

Joel explained that was just a tree line. They are going to put additional trees along the line on the Walker property.

J. Brann explained that A. Knapp was correct that the tree line ran along Walkers property. How would we know that they would be there?

Joel explained that it would.

J. Jennison asked with these two lots, would this make the Anderson Welding be constructed more nonconforming and would treatment swale, detention pond and setbacks change by this lot line adjustment.

M. Gasses explained to the Board that they have an email from the Town attorney forwarding an opinion that what they are planning to do was legal and approval usable. M. Gasses explained that they have two years to complete project as it was approved.

J. Jennison expressed that he understood that, but he felt that the line looks like it was on the boundary line unless the lawyer looked at it as a conforming standpoint or was, she if they were making this less conforming.

M. Gasses explained that the lawyer had the plans with her when she did the review and had a second attorney look at this. M. Gasses explained that the building was conforming and was nowhere near the property line. M. Gasses explained that they have two years before the buffer regulations kick in.

J. Jennison asked about the zoning conformance.

A. Knapp explained that if they had done the lot line first, then they would have needed to ask for relief for the building setbacks because of the wetland buffers.

Joel expressed to the Board that this was not Norway Plains idea; he went to the Town offices and these were the steps that they were told to take.

J. Jennison expressed that he wasn't worried about the wetland buffers, he was concerned about the zoning and setbacks.

Joel explained that they met zoning and setbacks regulations, and they would need to get State Subdivision approval until five acres.

J. Huckins explained to the Board that lot with the approvals on it that it complies with current zoning.

S. Diamond asked about what was the percent of uplands that you needed to have.

J. Huckins explained that it was not by percentage it was by a total number and you still need an acre of upland soils.

J. Jennison asked if this was noted on the plan.

Joel explained that they need to be corrected.

S. Diamond asked how much upland soils.

Joel stated that it was over 40,000 ft².

M. Gasses explained that the plan for the Walker property does not show wetlands or wetland delineation on it. M. Gasses explained that if you have a lot that has wetlands on it that now has buffers that would apply, there wasn't a waiver asked for, but she felt it would be waiver able item. M. Gasses didn't agree to waiver; she felt it should show it.

J. Brann agreed with M. Gasses when a lot is created.

A. Knapp agreed too that it needs to be shown.

M. Gasses explained that the wetland delineation can be shown on the final plan.

J. Jennison asked if they met that wetland delineation on both lots.

Joel state that the lot was already developed, and they are not proposing any development on that lot which was the propose of the adjustment.

M. Gasses explained who's to say that someone doesn't go out there and dig a giant hole that could have be in a wetlands buffer and no one would even know.

J. Jennison explained that he felt that what M. Gasses was saying is that if Anderson came in and developed the site and there was no awareness are where the wetlands were, that anything outside what was approved would need the wetland buffers delineated.

M. Gasses explained that this would apply to the Walker site that hasn't been delineated.

Joel explained that the Anderson wetlands are delineated; this would only be the Walker site.

J. Brann explained that this was the rule in Town regulations.

J. Jennison stated that with more acreage the Walker site could be subdivided.

Joel explained that the Walker site couldn't be subdivided.

J. Huckins explained to the Board that this could still get approval showing the wetlands delineation on the final plan with the buffers on the other lot.

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

Roll Call:

J. Brann-Yay

S. Diamond-Yay

A. Knapp-Yay

R. Allard-Yay

J. Jennison-Yay

J. Jennison opened public comment.

J. Jennison closed public comment.

J. Jennison read Conditions Precedent:



Planning & Land Use Department
Town of Barrington
PO Box 660
333 Calef Highway
Barrington, NH 03825
 603.664.0195
mgasses@barrington.nh.gov

DRAFT
NOTICE OF DECISION

[Office use only]	Date certified:	As builts received: N/A n/a	Surety returned: N/A n/a
-------------------	-----------------	--------------------------------	-----------------------------

"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.

Proposal Identification:

220-27 & 29-RC-20-LL (Owners: Wanda Lee and Richard A. Walker, Jr.) Request by applicant for a Lot Line Adjustment between Lot 27 (5.621) acres and Lot 29 (.895) acres (Map 220, Lots 27 & 29) proposed Lot 27 to be 4.076 acres and Lot 29 to be 2.44 acres at Green Hill and Colonial Way in the Regional Commercial Zoning District. By Joel D. Runnals, Norway Plains Associate, Inc.: P.O. Box 249; Rochester, NH 03866

<p>Applicant: Joel D. Runnals, LLS Norway Plains Associates, Inc P.O. Box 249 Rochester, NH 03866</p> <p>Owner: Wanda Lee and Richard A. Walker, Jr. 24 Green Hill Road Barrington, NH 03825</p>	<p>Dated: July 8, 2020</p>
---	----------------------------

--	--

Dear applicant:

This is to inform you that the Barrington Planning Board at its July 7, 2020 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 January 7, 2021**, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board. *Reference 8.23 of the Town of Barrington Subdivision Regulations*

Conditions Precedent

- 1) a) Add the owner's signature to the final plan
 b) Add the wetland scientist stamp & signature to the final plan
- 2) Wetland delineation is required for the entire site on lot 220-27
- 3) Plan revisions:
 - a) Proposed Map 220 Lot 27 to contain 2.44 acres.
 - b) Proposed Map 220 Lot 29 to contain 4.076 acres.
- 4) The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the plans.
- 5) Any outstanding fees shall be paid to the Town
- 6) For lot line adjustments the applicant shall submit to the Land Use Office a copy of the signed and notarized deed which will affect the conveyance of the subject property before the plat is certified by the Planning Board. Once the plat is certified the deed must be recorded simultaneously with the plat. For Lot Line Adjustments where the property is in the same ownership deeds incorporating the adjustment must be provided.
- 7) Final drawings. (a) five sets of large black line plus (b) 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. If there are significant changes to be made to the plans, as specified above, one full size paper check print must be sent to the Planning Department for review prior to producing these final drawings.

I wish you the best of luck with your project. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Marcia J. Gasses

Town Planner

cc: File

A motion was made by J. Brann and seconded by S. Diamond to approve the Lot Line Adjustment as read by the Chair.

Roll Call:

R. Allard-Yay

A. Knapp-Yay

S. Diamond-Yay

J. Brann-Yay

J. Jennison-Yay

7. 207-11&13-GR-20-LL (Owners: James A. Morrison, Rebecca A. Andrews, Liza J. Labelle & Nicholas Donovan) Request by applicants for a Lot Line Adjustment with waivers between Lot 11 (3.6) acres and Lot 13 (12.92) acres (Map 220, Lots 11 & 13) proposed Lot 11 to be 12.61 acres and Lot 13 to be 3.91 acres at 129 & 159 Pond Hill Road on the General Residential Zoning District.* BY: Joel D. Runnals, Norway Plains Associates, Inc.; P.O. Box 249; Rochester, NH 03866.

J. Jennison gave a brief description of the application.

Joel Runnals from Norway Plains Associates represented James Morrison, Rebecca Andrews, Liza Labelle & Nicholas Donovan for a lot line at 129 & 159 Pond Hill Road. Joel explained to the Board that at 159 Pond Hill Road there was a duplex. Joel explained that he was making the lot larger by 9 acres.

J. Brann asked why they were transferring the 9 acres.

Joel explained for privacy and you could see the contours; they do not want development.

M. Gasses expressed that she believed Lot 11 on the plans needs wetland delineation and show the house on it; it was not vacant land.

Joel expressed that he wasn't trying to hide anything; this would be something that he needs to charge his client for. Joel explained that he would need to hire a wetlands scientist to delineate 3 ½ acres and this would be about \$3,000.00 worth of work. Joel explained that this was already built on and if they get a permit to build, they are going to need to delineate the wetlands.

M. Gasses explained that in the pass on of a large parcel they have had to identify the area that was developed.

Joel stated this showed on the GIS Town maps.

J. Brann explained that this [wetlands delineations/existing structures] was in the regulations.

Joel stated that was why he asked for a waiver.

J. Brann explained that creating a new property.

Joel stated that he knows when they built the house, they had to get wetland permits. Joel asked would it be okay to submit those permits/plans. Joel explained that they would be someone else's plans and he couldn't put on his plans. Joel explained they also needed a permit for the pond and septic system.

J. Brann asked if they could update their plan showing the structures.

J. Jennison explained to J. Brann that they are looking at a Lot Line Adjustment not doing a subdivision creating a new lot.

J. Brann stated that they are creating a larger existing property.

J. Jennison expressed this was not the same as a subdivision. This was a lot line adjustment and expressed that he was not saying that the wetlands shouldn't be delineated.

J. Brann expressed that this would get taxed differently and a larger lot than what you started with.

Joel asked J. Brann what he would like to see located on the plan.

J. Brann explained he would like to see where the structures are like an existing condition plan also showing wetlands.

R. Allard agreed with J. Brann existing structures and the wetlands should be shown.

J. Brann expressed if they have the information that he agrees that they shouldn't pay again to have all of this redone. However, he agrees with M. Gasses that they shouldn't waive this with-out having the information in hand.

Joel explained that he already has asked for the waiver.

J. Jennison explained that if the Board had the information for wetlands and structures could possibility grant the waiver for the nine acres being added.

R. Allard explained that he would like to see the information before the Board grants the waiver.

J. Jennison asked if they got the information before these acres were added to grant the waiver for delineation for the new acres added.

Joel explained that the 9 acres are done; it would be for the existing Lot 11.

J. Brann expressed that Lot 11 plan needs to reflect the structures.

J. Huckins explained that these are State permits.

R. Allard expressed he needs to see the plans.

The Board discussed and agreed that the application should be continued until August 4, 2020.

A motion was made by A. Knapp and seconded by J. Brann to continue the application to August 4, 2020.

Roll Call:

S. Diamond-Yay

R. Allard-Yay

J. Brann-Yay

J. Jennison-Yay

A. Knapp-Yay

REPORTS FROM OTHER COMMITTEES

UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD
SETTING OF DATE, TIME AND PLACE OF NEXT MEETING AND ADJOURNMENT

The next meeting will be on August 4, 2020 at 6:30 p.m. electronic meeting; no meeting place.

Without objection the meeting was adjourned at 9:15 p.m.

Respectfully,

Barbara Irvine