



### **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: 539384027#

OR

[bit.ly/BarrPB201020](https://bit.ly/BarrPB201020)

Call 603-664-0182 or email: [birvine@barrington.nh.gov](mailto:birvine@barrington.nh.gov)

**(Approved on November 3, 2020)**

**Tuesday, October 20, 2020**

**6:30 p.m.**

The meeting started at 6:59 pm due to computer and phones connections and the new Conference ID: 802882390#.

#### **Roll Call Vote**

James Jennison-Yay  
Steve Diamond-Yay  
Donna Massucci-Yay  
Andy Knapp-Yay  
Ron Allard-Yay

#### **Members Present**

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

#### **Members Absent**

Jeff Brann

Town Planner: Marcia Gasses

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Code Enforcement Officer: John Huckins  
Staff: Barbara Irvine

## **MINUTES REVIEW AND APPROVAL**

1. Approval of October 6, 2020 meeting minutes.

*Without objection the minutes of October 6, 2020 were approved as written.*

Roll Call:

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

## **PUBLIC HEARING FOR MASTER PLAN UPDATES**

2. The Planning Board will be holding a Public Hearing for the adoption of the Master Plan Facilities & Utilities Plan Chapter. Jen Crys 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/vyhlif2766/f/uploads/2020\\_facilitiesandutilitiesreviseddraft.pdf](https://www.barrington.nh.gov/sites/g/files/vyhlif2766/f/uploads/2020_facilitiesandutilitiesreviseddraft.pdf)

Jen Crys from Strafford Regional Planning Commission reviewed the Chapter for the Master Plan Facilities & Utilities Plan Chapter. Jen explained that they met with many departments and the subcommittee for this Public Hearing. Jen explained to the Board and the public that these are recommendations for a 10-year plan.

S. Diamond explained that he was part of the committee and had a question on the Police section on the part time officer and asked if they were talking about double dipping. S. Diamond expressed that he didn't know what he [Crys] was getting at or why it was included.

Jen explained that they were a State retirement fund that State and municipal employees pay into. Jen explained that what happens is that an employee comes to a point that they can retire, and they do. Jen explained that then they come back as a part time employee and they are collecting on their State retirement and not paying into the system for the additional time that they are working.

S. Diamond asked what could be done about this at a local level.

Jenn explained that it would come from local and political will and explained that there has been some push back at to hiring back prior employees after retirement.

S. Diamond expressed so it's a policy for Towns to hire back part time retired employees.

Jenn stated that was correct.

S. Diamond agreed with the chapter as written and asked about municipal aid and possible wildfires that could happen in an emergency.

J. Jennison opened public comment.

J. Jennison closed public comment.

*A motion was made by R. Allard and seconded by A. Knapp to continue the Public Hearing for Facilities and Utilities Master Plan Chapter to November 17, 2020. Vote 5/0*

Roll call:

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

### **ACTION ITEM CONTINUED FROM August 4, 2020**

3. **121-28-GR-20-SR (Owner: Mr. Todd Green-Barrington Shores, LLC)** Request by applicant for expansion of 28 seasonal camp sites and waiver at 7 Barrington Shores Drive (Map 121, Lot 28) in the General Residential Zoning District. BY: Tobin Farewell, Farwell Engineering Services, LLC; 265 Wadleigh Falls Road; Lee, NH 03861.

J. Jennison gave a brief description of the application.

Gregory Wirth, Attorney, represented Todd Green owner of Barrington Shores Campground. Attorney Wirth explained that this was an existing non-conforming campground. Attorney Wirth explained that they are looking to add 27 seasonal sites, removing one site to the existing campground. Attorney Wirth explained that the campground has been in business for roughly 40 years and this was in the General Residential Zoning District. Attorney Wirth expressed that there are many campsites that have been within the 100' buffer for many years. Attorney Wirth explained that a new leach field and drainage are included with other upgrades.

Attorney Wirth addressed that setbacks from sides and backs was 30' and each campsite would need to be 1000 ft minimum. Attorney Wirth explained that the buffer was required to be 100' from the property line. Attorney Wirth wanted to clarify that they are asking for a waiver from Section 6.2.3 (2) that requires a 100' buffer from the Site Review Regulations, not a variance. Attorney Wirth explained to the Board that after discussion with the Board in November 2018, the consensus from the Board was that a 50' buffer could be accepted so that was what was in the application. Attorney Wirth explained that many of the current sites are within the 100' buffer; that was a grandfathered issue. Attorney Wirth explained that the Barrington Regulations states that a waiver can be granted if it doesn't affect the purpose or the intent of the regulations. Attorney Wirth explained to the Board that 100' buffer was required but the setbacks for the sides and rear was 30'. Attorney Wirth explained that there was a 130' buffer between the campsites. Attorney Wirth explained that they are before the Board asking for a 50' buffer where 100' was required and explained that the campground currently abuts a 20' RoW which was on the other side of the property line owned by a third party. Attorney Wirth explained with the 50' buffer and the RoW of 20', they are up to 70'. Attorney Wirth explained that the Perry resident was over 130' from the closest site and the Robinsons are 160' from the closest site. Attorney Wirth explained asking for a 50' buffer where 100' buffer was required was giving the community exactly what was required by the regulations, so the spirit and intent of the regulations was adhered to.

Attorney Wirth explained that Barrington Shores spend a lot of time with forester and arborists for what was best Andy Fast from UNH Cooperative Extension and Edward Roy from Urban Tree Service would be part of the project. Attorney Wirth explained that they have spoke with abutters and even residents that don't abut the campground. Attorney Wirth explained that they have attempted to incorporate into the planning to make this pleasing, explained the plans and information from Fast and Roy, and that they have shown the vegetated buffer along with the fence that would not go all the way around explaining the way the fence would go.

Attorney Wirth explained that the minimum campsite of 1,000 ft was not part of this proposal and stated that 1,410 ft was the minimum size campsite and the largest would be 2,250 ft<sup>2</sup>. Attorney Wirth explained that the larger campsites are more pleasing, and you are not jamming RV's in. Attorney Wirth explained that this was what has been well maintained

for 40 years and the distance was what was existing now for the waiver to be fully supported from 100' buffer to 50' buffer in the Site Review Regulations.

Attorney Wirth addressed the second waiver, Article 4.7.7 (1) minimum allowable diameter in any storm drainage system shall be 15'. Attorney Wirth explained that this would not be driven over, capacity was adequate 12' vs 15' and would be cleaned regularly which meets the spirit and intent of the regulations. Attorney Wirth also explained that this was private and would have no cost to the Town.

Attorney Wirth addressed the 3.4 Conditional Use Permit and explained that this was not extended or enlarged, and this was for a nonconforming use and not being changed to another nonconforming use. Attorney Wirth explained that this has been used as a campground for 40 years and they are asking to allow 27 additional campsites. Attorney Wirth read New Hampshire Supreme Court decision from 1982 that non-conforming lots are intended to be reasonably flexible within reason to allow them to expand with organic growth and the development of the business. Attorney Wirth explained that what they are proposing was a campground which was already a campground on the same site and no substantial effect on the neighborhood. The only difference would be that there would be 27 extra campsites on the same site and the sites would be larger. Attorney Wirth explained that it was possible that none of the abutters would see the additional sites and felt that they should be able to expand the use with the additional campsites based on law.

Attorney Wirth addressed the nine elements for a 3.4 Conditional Use Permit:

1. This is an allowed use in the General Residential
2. Yes Complies
3. No endanger (Chiefs Joy & Walker have no concerns)
4. Would not devalue abutting property (2 letters from realtors)
5. Compatible; the campground has been there for 40 years
6. Minimal impact
7. Seasonal campground 4-6 months a year; not occupancy all year. 25% during the week; 100% weekends  
Natural or environment  
Water use not opposed in 2018. One of the wells they need to get confirmation on; they didn't think water would be an issue.  
A resident there 100% of the time would use 1/3 usage.  
Septic system would be significantly upgraded.
8. Not an issue with signage recommended by Road Agent
9. The visual buffers are based on recommendations of the professionals, the forester and arborists; added wooden fence enhancement to the vegetative buffer  
Closest abutter would be in excess of 100 feet away and a 20' RoW on the other side of the property line and expressed the 9 elements have been met by the applicant.  
Character of the neighborhood the campsites - the campground has been there for 40 years and predates many of the people there.  
The additional 27 campsites would be internal to the site and most people won't even notice the change.  
Barrington Shores has restrictions before you go to the campground along with rules and regulations (Board received these documents).  
No trees can be cut, and fire pits cannot be moved; no construction on the sites.  
Concerns about the boats but explained that to some extent this was not part of the application and there was approximately a 125' section of the shore that has been used by the campground for many years; it's a preexisting non-conforming grandfathered use. The amount of area was not being expanded and the number of tie-ups for boats was not being expanded; nothing was being expanded. Barrington Shore runs a quality business and would continue running a quality business. Attorney Wirth explained that they are willing to put of signs in the 125' section stating no boats beyond that point that has been used for years. Attorney Wirth explained that he believed that abutters lease out space to boater's not involved with campground but this could be some of what was seen. Attorney Wirth explained that they have tried to contact abutters, non-abutters to keep them informed on what was going on and would continue to keep them involved.  
Attorney Wirth addressed the letter from the Perry's resident but not an abutter, and appreciated their concerns and

explained that they purchased their home when the campground was already in business. Attorney Wirth explained that the closest campsite to there would be in excess of 130' from there home which what the regulations require. The Perry's also wanted to know what would happen if the campground was sold to future owners and explained that the campground was not on the market and was not a relevant issue for this Board nothing that can be done about that. Attorney Wirth stated in the letter was about decreasing property values and realtors' letters were supplied stated that they do not decrease values not letters stated there would be. They are trying to work with everyone as much as possible. Attorney Wirth explained based on the regulations and New Hampshire case law, the waiver request with respect to the buffer, storm drainage system, the Conditional Use Permit and the Site Review Application for the 27 sites should be granted from a legal perspective.

J. Jennison expressed that modifying the calculation for setbacks is a stretch to use location on someone's resident on their property to calculate the setbacks, is not a great way to start interpreting the rules, and expressed that developing of non-conforming lots can be allowed but need to comply with setbacks. J. Jennison stated that he would like some response about the wells regards to well capacity taken from a public well and for water rights. J. Jennison explained as far as the impact on #3, if you looked at the aerial view of the campground, where the [current] development was not near any residential homes but the proposed development would be and felt that this was not consistent on how the land would be used.

Attorney Wirth clarified that with respect to the water district, it was his understanding that they are meeting as this meeting was going on and explained that that they have been in contact with them [water district] today several times and waiting for them to let us know because they have previously done testing and analysis. We're waiting for them to finish their meeting and hopefully get a response on the issue. The issue with the setbacks was within the spirit and intent of the regulations as written 100' buffer and a 30' setback for the residents of the other side of the line and explained that the best thing they are looking at was 130' on what was calculated to the residences.

J. Jennison expressed that he felt the entrance was a hard turn for a large RV and take advice from the tree guy, but don't know what it was, and meet the recommendations.

Attorney Wirth expressed that he believed the letter was fairly well laid out with suggesting and not suggesting.

A. Knapp stated that he agreed with J. Jennison and that he disagreed with [the attorney] when [he] talked about the math and expressed that was bad math when you factor in other people's property/RoWs and was not even relevant to guidelines that this property but not this property. A. Knapp expressed that he once worked for a general manager and president of a company that said math was our friend and we can make it work however we want it to and felt that this was a perfect case of this being executed. A. Knapp stated that he agreed with the comments on the arborist and the forester; on the waiver for the 100' buffer, if you walked the site you would see the impact on the neighbors and doesn't support making it more non-conforming. A. Knapp expressed the water was a major concern, and doesn't have an answer, and I am not willing to compromise everyone else's in the name of a campground making more money even though they seem to do a very nice job from what he's seen. A. Knapp expressed that One Stop Trailer Shop was not relevant to the campground. A. Knapp stated that some of the nine items that Attorney Wirth stated on the Conditional Use Permit that he doesn't feel are impacted but that's as whole nether long-drawn-out impact conservation and didn't agree with the spirit and intent are being adhered to with regard to that. On the storm drain system, that's part of the regulation and it's there based on the 100-year flood or the 50-year flood and explained that it's there as more and more flash floods to manage and protect ground and the soil around it.

Attorney Wirth stated that they share the concern on the water district and that was why they have been reaching out to them since November 2018. They are meeting tonight. When they get the response, they would pass the information on to the Board. Attorney Wirth explained that they are not willing to mess with the water of everyone and just add 27 campsites. If there was a problem, it would go well beyond this campground and would affect anyone that would want to build in the area. They are hoping that the response would be that they are okay, and testing has been done and all was good.



Ray Bisson from Stonewall Surveying explained that he spoke directly with the forester and the arborist, thought their points were direct, and they basically stated what to grow and what to remove. Ray explained that the buffer would be enhanced so when the buffer in place the visibility would be worse to see through there and must better than what was currently there.

J. Jennison stated that was the intent of the visual buffer and there was no plan in place as to how what and how many trees would be planted.

R. Allard stated that it was more open than what was there in the past but there was nothing there to see so there nothing to compare this to.

A. Knapp stated that he agreed with R. Allard.

Ray stated that the letter and plan are outlined to see what's going to be done in the area. Ray explained that when the buffer was in place the visibility would be worse to see through there.

D. Massucci asked how long before the vegetation would mature and there won't be visibility.

Ray explained that would depend on the species and stated that some trees would be offered one to two-inch trees which are bigger trees then the saplings that would grow up. Ray explained that the evergreens that were proposed would grow at a faster rate than hardwoods. Ray explained that they are proposing plants that are native to this area such as hemlock that keeps the branches low and trees that would fill out.

D. Massucci asked what was going on in the wintertime.

Ray explained the hemlocks and the fence.

D. Massucci asked about the water and said that she was not familiar with the community well, and it was probably non-transit because it's a water community. D. Massucci explained that she was worried about the PFA as testing was starting to show it in New Hampshire.

J. Jennison explained that he would give his best understanding years ago there was a gentleman that took all kinds of chemicals from his job and they contaminated the ground to the water supply in that area. J. Jennison explained that Ford Motor Company paid for a monitored well that continues to be monitored and supplies water to this area.

D. Massucci asked if they do quarterly testing and monitor the well.

J. Huckins explained that they have required testing because they are serving the public and must meet a certain requirement whether the campground or regular residents use it, they still must go through the process.

M. Gasses explained that several years ago the Town worked with Ford Motor Company to develop the Swains Lake Water District and the area was expanded where no new wells could be drilled; they all had to come off the water system.

Dick Meyer, one of the commissioners from Swains Water District, explained that he just got out of his meeting and got some news that you can get all the water you want for them.

J. Jennison explained that no one insinuated that you gave them permission and they could take whatever they wanted. J. Jennison explained that they and you were in discussion and waiting to hear back.

Dick Meyer explained that there was a municipality of 90 homes along with the campground that the District supplies water to. Dick explained that on Monday the company Emery Garrett Groundwater from Meredith pulled the sensors out of the wells and were waiting for a final report with recommendations on how to increase the flow from wells. Dick explained that this was partially impacted by the drought and there was one well that was in question; it's about half of what they normally use to drawing water out. Dick explained they usually get 33 gallons a minute right but now this well was at 18 gallons a minute.

S. Diamond explained that the two concerns around water supply are:

- 1) Would there be enough and stated question if drought condition of this severity or worse continue in future years
- 2) Concern about the possibility, especially in strange circumstances of a drought, of contamination being pulled farther than it had in the past. Asked about the potential for further spread of the contaminants and conditions during a drought.

Dick Meyers asked if it was in terms of pulling the plume from the wells and explained that he felt there was not an issue there. Dick explained that they typically haven't been in this drought condition and stated that he couldn't accurately say they were not pulling it. Dick explained that in the last drought in 2016 they were not impacting the plume.

S. Diamond asked if there was a policy in place where full time residents would have priority access in the event of a shortage of water.

Dick Meyer explained that the District can restrict water to any user, not just residential, but they have a By-Law that allows them to restrict water to any user.

S. Diamond asked if that was there policy that they would prioritize the full year residents in the area over the transients.

Dick Meyer stated the residents over the commercial user but couldn't speak for the other two commissioners.

R. Allard stated that the last time they met pending resolution of the water issue, this was kind of a non-starter until the water issue was cleared up. R. Allard expressed that they needed more information from the water district; that was where the Board left off.

J. Jennison agreed with R. Allard but also stated that there was significant pushback on the setbacks and starting to move away from the 50' buffer being adequate as proposed based on residents' input. J. Jennison expressed that he thought that they were going to see a slightly modified plan that would take into consideration setbacks for the few neighbors.

Ray Bisson explained to the Board that he tried to make the 70' buffer but they would lose half of the sites and stated that the loop road would need to go away. Ray explained that they would need to go to a one-way which would be 18' to 20' wide road this would impact the project.

R. Allard asked Ray if he was talking about 100' in some places and maybe less of an impact in other areas as J. Brann had suggested.

Ray explained that the 70' buffer would not work and would have to use the area for something else that they would not need to come before the Board. Ray expressed that the neighbors not wanting to do this was like going to a neighbor telling them what they can do on their property.

R. Allard explained that if you have a non-conforming lot that doesn't meet the requirements, it doesn't mean you can put an addition on if it doesn't meet the requirements. R. Allard explained that when you do an expansion you need to meet the requirements and expressed that Ray's comment doesn't have merit.

Ray explained that a lot of residents go to the Zoning Board to be able to put the additions on their house and explained that this was an existing non-conforming use.

A. Knapp expressed that he hasn't heard any neighbor say they didn't support the campground expanding; they want it done in conformance with the Zoning Regulations. A. Knapp stated with an attorney presenting this and making a comment that it's not monetary tells him otherwise then talking about a visual buffer currently in place. A. Knapp explained that they are not currently looking at campers or a fence and stated that all of those are hanging pads.

S. Diamond explained that in the waiver it states per the November 6, 2018 Planning Board meeting that a 50' buffer would be reasonable along the road and along the easterly boundary. S. Diamond expressed that an understandable misinterpretation and felt some wishful interpretation happening in the statement. S. Diamond stated that his personal position was not identical to the rest of the Board and stated that he was considering a reduction in the buffer if there were extraordinary effort made on visual buffering and abutters were supportive of the buffer.

R. Allard explained that he went back to the minutes and you, S. Diamond, was willing to consider 75' buffer.

S. Diamond explained that this was an existing use but existing non-conforming use and that his understanding that by the law that you are not supposed to expand a non-conforming use. S. Diamond explained that the attorney mentioned that there are existing sites in a way that suggests that has not been problematic although those sites that are already in existence are visible from the road and was hoping for a visible buffering in the proposed area. S. Diamond explained that in some of the previous letters not a lot of emphasis on evergreen, that they mentioned hemlocks was great, and would like to see more visual buffering.

R. Allard explained that he went back and read the minutes, and the consensus was that the 50' buffer wouldn't be an unreasonable request. R. Allard explained that there was a big difference between beyond reasonable request and guaranteed approval. R. Allard explained that he felt that the request was reasonable but there was no prior agreement.

Attorney Wirth expressed that if anyone believes that he was saying there was a prior agreement, don't misunderstand, he was not. He explained that there was a presentation to the Board in the form of a conceptual review. Attorney Wirth explained that they took the information and put together a more comprehensive plan so that everyone could take a good look at it and see what was being supplied. He didn't want the Board to think that he felt the Board signed off on this buffer.

M. Gasses suggested that Board could specifically say if the 50' buffer was okay or if there was anything they could do. If not, have a different conversation what could the applicant do to make the 50' buffer work.

J. Jennison expressed that he felt at the last meeting that no one was on Board with this after the feed back from the public, and have the Board weigh in on their thoughts.

D. Massucci agreed that at the meeting two years ago that the 50' buffer was considered, and the Board did the site walk and got more of a visual idea. D. Massucci expressed after the walk through she was able to see the impact on the neighbors and doesn't support a 50' buffer. D. Massucci explained that if it were her, she would not buy at home with campground there even if she liked the home.

Attorney Wirth expressed that they supplied letters to the Board from professionals and what the Board was giving back was opinions and speculation and with all due respect that's not appropriate for the inquiry.

R. Allard explained that this was negative impact on neighborhood values and one of the houses that he looked at was across the lake from the campground. R. Allard explained that he decided to look somewhere else and stated that for a



campground it was fairly quiet and seasonal for a campground but if you are looking to buy when you can see the campground he felt that was a negative effect.

Attorney Wirth expressed to the Board that this campground has been there for 40 years.

J. Jennison agreed that it has been there for 40 years and this was just one item on the checklist and explained that looking at the plan. J. Jennison explained that five or eight years ago safari land was overflow parking and then it turned into 17 campsites. J. Jennison expressed encroaching into the setbacks start doing things you shouldn't be doing and ask for reducing setbacks.

A. Knapp expressed that the Board was just going round and round; was there something that the Board was willing to do differently. A. Knapp expressed that two Board members were not supporting the 50' buffer and he also agrees that 50' buffer not acceptable.

S. Diamond explained that he was never supported less than 75' buffer.

J. Jennison expressed that the Board was looking for ideas that supplies more of a buffer.

Ray explained that at the last meeting they were talking about it and they couldn't get it to work very well. Ray explained he could start doing thousand foot [ft<sup>2</sup>] sites.

J. Jennison stated something like that was within your power and it's within the regulation that you could have thousand [ft<sup>2</sup>] campsites and would be nicer to have bigger campsites this would be an opinion. J. Jennison expressed if they came back with thousand [ft<sup>2</sup>] sites and larger buffers may not be nice to some people but nicer to the neighbors.

Ray explained that they could do a couple of things and explained that they would need to go in and clear-cut the entire hill in order to try to maximize space in order to get the profit they would want. Ray explained that going in to get four sites would not be worth developing the site. Ray explained if they took the 100' or 70' buffer they are basically cutting down what they were offering here to about half which really come into the overall cost to build it and felt the best thing to do would completely excavate out the entire hill to make it go flat with the safari field.

J. Jennison stated you tried to sell this point to the abutters that you were going to save the hill and some of the vegetation. J. Jennison expressed that he felt that he didn't feel that it had the impact that the applicant hoped for.

Ray explained that the safari field has been there for a long time and just because they had been using it a few years ago.

R. Allard explained that J. Brann's hybrid proposal was only going to lose at most five lots and asked if the applicant looked at this.

Ray explained that the problem would be was the road.

R. Allard asked if you took out one through five in the row where it was asked why this would not work.

Ray explained because they were still talking about the 50' buffer and the Board doesn't want the 50' buffer.

R. Allard explained that J. Brann proposed a hybrid 100' buffer in the back and 50' or 75' was on the side.

R. Allard explained that J. Brann was suggesting at least looking at another hybrid option and was not looking for 100' everywhere. J. Brann was looking under 100 feet along the back part of the property and maybe 50' buffer on the sides.

Ray explained that basically one person who has not been opposed has been the Robinson's so by removing the sites you're basically providing them more space which they're not the ones that are really having an issue right now. They

just wanted more vegetation but were fine with it. Ray explained the Perry's are complaining about this but they but the have quite a distance from there. Ray explained that they could maybe lose site five.

J. Jennison expressed that he felt J. Brann mentioned five, eight, nine, ten and eleven on that side.

Ray explained that when you start getting up into right, nine, ten and eleven that would be when you need to start reconfiguring the road that when you start losing a lot of the sites. Ray explained that you would need a much wider two-way road to meet fire code and Town requirements. Ray explained that sites one to five if you lose these sites, they are the ones with the most buffering around.

R. Allard stated he may have misremembering but J. Brann's proposal didn't loss too many sites and it seemed to address the major concerns and the sight line concerns.

Ray explained that this came up when Mr. And Mrs. Perry were on the call and were in opposition of this.

R. Allard explained that he felt it was based on the site walk and the sightlines.

J. Jennison expressed that he felt that the Board was not going to reach a conclusion on the setbacks tonight.

Attorney Wirth stated they would go back and see what they can do with the setbacks.

J. Jennison stated that if they could get the well documentation.

Attorney Wirth expressed that the well document was out of their control and they were expecting a response tonight. Hopefully they would have before they come back before the Board.

J. Jennison opened public comment.

Chris Cameron from 278 Hall Road explained that he has lived on Swains Lake for 26 years and asked if the Board noticed how many boats, they have facilities for and was not confined to the 125' of shoreline. Chris explained that he called the State and they are allowed 19 docks with two boats for 38 boats, and they are allowing campers to tie up boats to trees and bringing in their own docks. Chris explained that last summer he counted 44 boats which were not in the 125' area. Chris stated that he heard 18 to 27 more boat slips with the expansion. Chris explained that Hall Road was probably one of the busiest roads in Town and said someone mentioned that they did a traffic study in April and stated no additional traffic in April; they need to do the study around August 1<sup>st</sup>. Chris explained that he was part of the Swains Lake Association and explained that they have spent thousands of dollars to monitor the State boat launch down on Young Road and tried to keep weeds out of this lake. Chris stated that the boat launch at the campground was not being monitored at all for the spread of invasive species.

J. Jennison addressed that nothing beyond the 125' and know that neighbors are renting space to campers that was out of the Board's control. J. Jennison asked Chris Cameron where he got the information that they're adding 38 Docks.

Chris explained that he heard they were adding 18 to 27 more slips to match the number of campsites but not verified.

J. Jennison explained that this wasn't something that the Planning Board grants or approves and explained that the boat ramp monitoring the Board talked about extensively.

Attorney Wirth explained that he understood that the traffic study was based on a national report so doesn't matter whether done in April or July it was national statistics and, on the boat, slips, they are not proposing any additional boat slips. Attorney Wirth stated they would look into the monitoring for milfoil or anything else.

Chris explained that the information that he received is that they can tie up to the trees if the owners allow them. He feels like it looks like trash and doesn't look good for the campground. Chris explained that the area to the right was being used for boat slips and you can see where the campground docks stop.

Ray explained that the campground didn't own that area.

Chris stated they did, and he stated that its closest to the boat ramp that was campground property.

J. Jennison asked Chris if the State did tell him that you can tie up to the shore.

Chris stated that he never got a complete answer from the State and asked the Board how many boat slips can Barrington Shores have.

R. Allard explained that as part of the Conditional Use Permit the Board was going to limit the amount of boat slips and require the campground to inspect boats that come in to launch.

S. Diamond stated that on the site walk that the racks for some of the smaller boats were rotting away and felt that it was possible to accommodate a large number of small boats in the vicinity as long as people are willing to put them in and out of the water; things would look neater.

Attorney Wirth explained that a mandatory boat wash was fine and would make it part of the proposal because nothing worse to this campground than a dead lake.

J. Jennison stated that monitored mandatory might be and not leaving up to the campers themselves.

Matt Niswender from 28 Rosemary Lane explained that he was representing a lot of the abutters that if the campground needs training on weed monitoring for the boat launch so that they can meet the clean drain and dry- State Law requirements that has been put in place, the Swains Lake Association was willing to help get the information that they need so that they can send one of their employees off for training so that so that they have someone on site that can do it. Matt explained the issues with the expansion; there are a couple things that he wanted to go though:

**A)** On the site walk they noticed dead trees

**B)** Needing fence and a vegetative buffer

**C)** About changing height of the fence and haven't heard any more on the height of the fence; believed the campground was willing to go from an 8' to 10' fence in height depending on the terrain was what he recalled because this was a resident's request.

**D)** A lot of campfires and the smoke tends to come into the neighborhood not bad because there was a couple hundred feet of woods. Having campsites 50', 75' or 100' buffer away with 27 units would generate a lot of smoke if every single site has a fire pit.

**E)** Lawyer stated that this would not impact the health and safety of the residents; the air quality would be impacted by fire pits.

**F)** Noise of 27 additional sites; added they a usually good about the rules and an impact to property value if you want to purchase a home with the noise. The lawyer stated two realtor letters but not property appraisers; felt they should get property appraisers for this.

**G)** Non-conformance with the 40 years of the campground being non-confirmative lot and this does change the character because it's not woods anymore.

**H)** expressed that the campground not willing to accept that the Town doesn't want to give them this waiver for the 50' buffer when working with the neighbors and protecting the homeowners, residents and taxpayers.

**I)** The Board was trying to grant some headway on decreasing the buffer along maybe Hall Road so it's not 100' but know the abutters where it's affected most are the whole back lot line that goes past Lucy Pantano's property.

J. Jennison expressed that if they build with the 100' buffer between the first campsite and Mrs. Pantano's house there's no trees were what they were saying. J. Jennison explained that they have a dead forest between 100' in her house. If they were to leave that and clear cut that hill and pile a bunch of campers in the middle you're going to look through dead trees at a bunch of campers.  
J. Jennison closed public comment.

R. Allard stated that even if the Board required 100' buffer they could still require visual buffers.

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

Roll call:

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

### **RECOMMENDATIONS FROM THE PLANNING BOARD**

4. Pursuant to RSA 41:14a Sale of Town owned property needs to make recommendations to the Select Board regarding the land (Map 273 Lot 34)
5. Pursuant to RSA 41:14a Sale of Town owned property needs to make recommendations to the Select Board regarding the land (Map 126 Lot 18)
6. Pursuant to RSA 41:14a Sale of Town owned property needs to make recommendations to the Select Board regarding the land (Map 102 Lot 62)
7. Pursuant to RSA 41:14a Sale of Town owned property needs to make recommendations to the Select Board regarding the land (Map 112 Lot 49)

The Board discussed a recommended to send letter

*A motion by J. Jennison and seconded by R. Allard to send letter supporting the Sale of #4, #5, #6 and #7.*

Roll call:

A. Knapp-abstain  
D. Massucci-Yay  
R. Allard-Yay  
S. Diamond- Yay  
J. Jennison-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 November 3, 2020 at 7:00 p.m. electronic meeting no meeting place.

Without objection the meeting was adjourned at 9:28 p.m.

Respectfully,

Barbara Irvine  
Planning & Land Use Administrative Assistant

DRAFT