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Richard Y. Uchida
ruchida@hinckleyallen.com
(603) 545-6168

VIA FEDERAL EXPRESS

March 28, 2017

Marcia J. Gasses
Town Planner and Land Use Administrator
Town of Barrington
333 Calef Highway
Barrington, NH 03825

RE: The Three Socios, LLC/Permitting Chart

Dear Ms. Gasses:

Pursuant to the request of the Barrington Planning Board, I am enclosing a chart which identifies the State permits needed to satisfy the site plan conditions of approval. Much like the timeline material forwarded a number of days ago, this pertains solely to the State permitting (and a brief description of the design review application status), but not to other activity of the developer.

This chart will no doubt be updated prior to the Planning Board's next hearing as further developments occur. If you have any questions regarding the chart or the attachments, please do not hesitate to contact Attorney John Arnold or me.

Thank you for your time and consideration.

Sincerely,


Richard Y. Uchida

RYU/paj
Enclosure

Cc: The Three Socios, LLC
Jae Whitelaw, Esquire

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THE THREE SOCIOS: PERMITTING STATUS

EXPLANATION

This Permitting Status packet is intended to respond to questions by the Barrington Planning Board about the required state permits for The Three Socios, LLC project – and the current activity associated with those permits. The Planning Board may recall that it requested a list of the state permits needed for the project and their status. It also includes a reference to the one outstanding local condition of approval – the design review approval needed for the project.

The content of this packet will be updated as approvals or permits are received. We contemplate that there will be a few updates in the month of April, assuming that the State agencies involved in the permitting issue decisions or requests for additional information.

Similar to the Timeline of Activity submitted on March 17, 2017, this packet includes only activity relating to the state permitting and satisfaction of conditions in its site plan approval. It does not include other activity related to the project, such as work with contractors and suppliers, construction details, project financing work, etc.

Respectfully submitted,

THE THREE SOCIOS, LLC

March 28, 2017

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NHDOT Driveway Permit - 3 Socios/Rte. 125	8/2/2013	Driveway permit for gas station. STATUS: Still active - Work is substantially complete. Confirmation from NHDOT of permit status (an extension to 2018) is enclosed.	A
NHDES Well Location Approval	12/10/2013	Well location permit for well on BVP property. STATUS: Active- Proposed well installed at location and testing completed for State permitting. Awaiting water system permitting. (See below)	B
NHDES UST Approval	1/29/2016	Underground tank storage permit for gas station. STATUS: Extended 1/17/17 - now expires 1/29/18.	C
NHDOT Driveway Permit - BVP/Rte. 9	3/29/2016	Permit for trailhead parking lot adjacent to BVP land - Route 9. STATUS: Letter extension (to 2018) from NHDOT enclosed.	D

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NHDES Septic Permit	Pending	Permit for septic system for gas station. STATUS: Pending Water System Approval (see below).	
NHDES Water System Approval	Pending	Water system for gas station and other parties to be tied into system per water agreements/easements approved by Town. STATUS: Application submitted - 3/13. Estimated that no more than 30 days will be needed for NHDES Approval. The Three Socios will keep the Town advised.	E

Barrington Design Review Approval	Pending	Design review approval for building, landscaping and signage. STATUS: Application and architectural submitted for consideration by Planning Board. Signage package to be re-submitted pending outcome of sign regulations/ordinance under consideration.	
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Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

March 23, 2017

Mr. Scott Mitchell
The Three Socios, LLC
321D Lafayette Road
Hampton, NH 03842

Re: Barrington, Rt 125, Tropic Star Convenience
NHDOT Driveway Permit 06-027-510 dated August 2, 2013

Dear Mr. Mitchell:

This letter extends the expiration date of Driveway Permit #06-027-510 from August 2, 2014 to August 2, 2018 in accordance with "Proposed Site Plan, Tropic Star Convenience, Route 125, Barrington, NH" prepared by Jones & Beach Engineers, Inc. dated August 2, 2013. A copy of the original permit is attached.

This extension of time is issued to allow additional time to complete the requirements within the said drive permit that was started in August, 2013.

If you have any questions, please contact James Hewitt at 868-1133.

Sincerely,

Brian T. Schutt, P.E.
District Engineer

cc: Patrol Shed 603
Town of Barrington

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CHRISTOPHER D. CLEMENT,
SR.
COMMISSIONER

STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 6 Office, PO Box 740, Durham, NH 03824



JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

DRIVEWAY PERMIT

To: Scott Mitchell
The Free Socios, LLC
321D Lafayette Road
Hampton, NH 03842

City/Town: Barrington
Route/Road: NH 125 (S0000125)
Patrol Section: 603
Tax Map: 238
Lot: 4
Development: Gas station w/ convenience store

Permit #: 06-027-510
District: 06
Permit Date 8/2/2013

Permission is hereby granted to construct (alter) a driveway, entrance, exit or approach adjoining NH 125 (S0000125), pursuant to the location and specifications as described below. Failure to adhere to the standards and engineering drawings previously approved shall render this instrument null and void. Failure to start or complete construction of said facility within one calendar year of the date of this permit shall require application for permit extension or renewal in accordance with the Driveway Access Rules. Facilities constructed in violation of the permit specifications or the rules, shall be corrected immediately upon notification by a Department representative. Any cost by the State to correct deficiencies shall be fully borne by the landowner. The landowner shall defend, indemnify and hold harmless the Department and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.

Drive 1

Location: Approximately 0.1 miles north of Route 9 on the east side of NH 125 (S0000125).
GPS: 43.21341 N 70.99518 W.

Specifications: This permit authorizes a paved access to be used as a Commercial drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

The right-of-way line is located varies.

The driveway shall not exceed 26 feet in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

Station 24+25 Rt as show on attached HA1 drawing

Drive 2

Location: Approximately 0.1 miles north of Route 9 on the east side of NH 125 (S0000125).
GPS: 43.21395 N 70.99493 W.

Specifications: This permit authorizes a paved access to be used as a Commercial drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

The right-of-way line is located varies.

The driveway shall not exceed 40 feet in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

Station 26+25 Rt as show on attached HA1 drawing

Other Conditions:

No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the Highway Right of Way.

No parking, catering or servicing shall be conducted within the Highway Right of Way.

The applicant shall comply with all applicable ordinances and regulations of the municipality or other State Agencies.

The Department has relied on the title and subdivision information provided by the landowner. The Department has not performed additional title research and makes no warranty or representation concerning landowner's legal right to access. In the event of a dispute about the landowner's legal right to the access provided herein, the landowner will defend and indemnify the Department.

06-027-510 Mitchell

1. Permission is hereby granted to the Applicant to construct certain driveways, entrances, exits, approaches and highway modifications to Route 125. Said driveways, etc. shall be constructed to the specifications of project plans on record with NHDOT and labeled "Tropic Star Convenience" with final design last noted by NHDOT District 6 date of August 2, 2013 prepared by Jones & Beach Engineers, Inc.
2. It is understood and agreed by the Applicant that it shall receive no additional access to or from the State highway system in the future, either to or from its own property directly or through the property of another.
3. In consideration of the granting of the rights herein, Applicant shall at its expense construct the various improvements within the right of way as indicated on the above-mentioned plans of Jones & Beach Engineers, Inc. In order to insure the proper prosecution of the work involved the Applicant hereby agrees as follows:
 - A. Applicant must designate a full time superintendent employed by its contractor who is proficient in highway construction work to provide on site supervision of work on a day-to-day basis.
 - B. Applicant shall also secure the services of a project engineer who shall be an employee of Jones & Beach Engineers, Inc. or other firm acceptable to the Department. Said engineer must be proficient in highway construction work and must be on site on a full-time daily basis to oversee the work and serve as a liaison between the State and the Applicant.
 - C. The Applicant shall furnish all engineering layout, testing and documentation to insure conformance with the State's present Standard Specifications for Road and Bridge Construction.
 - D. The Department's Commissioner or his duly appointed agent may inspect, test and monitor any and all of the highway activities to insure their compliance with the above-referenced plans and the Standard Specifications. If deemed necessary this Department may assign an Inspector to this project on a full or part time basis. The Applicant agrees to pay these inspection costs.
 - E. The Commissioner and/or his agent shall have the right to suspend any or all construction activities, which in their opinion are unsafe to the traveling public or in conflict with the above-referenced plans or the State's Standard Specifications and current Construction Signing Standards.
 - F. The Commissioner may employ the use of State forces or any third party to correct any unacceptable work upon the failure of the Applicant to comply with the plans or Specifications and upon Applicant's failure to make such corrections within a reasonable time after request (It being understood that certain work may require immediate attention). Said corrections shall be made at the expense of the Applicant.
4. The Applicant shall provide continuous access to any abutters during construction unless otherwise approved by the Commissioner or his agent. Applicant shall be solely responsible for providing adequate driveway access to property owners abutting the highway right of way whose access has been disturbed.
5. Applicant must prove to the satisfaction of the Commissioner or his agent that it has the right to construct all the roadway improvements as shown on said plans and has secured all necessary rights of way and easements therefore.
6. Applicant agrees to indemnify, save and hold harmless the Department from liability for all damages to persons or property, which arise out of the exercise of the rights granted by this permit. This clause shall include, but not be limited to, liability resulting from any increase or change in the flowage of water as a result of the proposed construction. Applicant further agrees to defend any claim or suit brought against the Department arising out of the rights granted by this permit.
7. Applicant must comply with all applicable local zoning ordinances and regulations and shall not violate any local, state or federal law or regulation.
8. The completion of all work described by the plans and Specifications, including all grading, paving, striping, signing, and traffic signal installation, is required prior to the opening of any portion of the Applicant's premises to the public for business. No paving shall be done after October 1 for surface and November 1 for binder of any year unless approved by the Commissioner or his agents.
9. All utility relocation will be carried out in conformance with the standard utility practice and policy of the Department. All plans for utility relocation must be submitted by the Applicant to the Department for final approval. Furthermore, the Applicant is responsible for ascertaining the existence and location of all utility appurtenances and the State has no responsibility for any delays, inconvenience or damage due to

any interference from such utility appurtenances or the operation of moving them. Applicant agrees to coordinate with all utilities in complying with the project schedule and the traffic control plan approved by the Department.

10. Applicant must provide suitable drainage structures and facilities of adequate size to prevent ponding of any surface drainage within the highway right of way limits. Furthermore, Applicant must save and hold the State harmless from any liability for any and all damages to any persons or property as the result of any flowage passing from or through the Applicant's property or as the result of any flowage caused by the performance of any work in connection with this permit. This permit relates solely to the use of the State right of way and is not determinative of any rights of flowage between private landowners and the Applicant.

11. Traffic must be maintained during the performance of the work. It shall be protected by suitable barricades, standard warning and advance warning signs, flags during the day, and proper lighting at night. Uniformed special traffic officers shall be provided whenever two-way traffic cannot be maintained, and at the request of the District Engineer during any time he deems them necessary for the protection of the public. All signs shall be kept in good repair at all times.

12. Signs shall be installed in accordance with the current Department Construction Standards Item 619 and standard sheet TC-1 through 8 and Manual of Uniform Traffic Control Devices. Shop drawings from your sign manufacturer shall be submitted to the Bureau of Traffic for approval prior to sign installation.

13. Work operations shall not be performed on the roadway in such a manner that traffic is obstructed or endangered simultaneously from both sides of the highway.

14. All paved areas of the highway shall be kept as clear as possible at all times. No materials shall be stored on any paved area of the highway or adjacent to the traveled way (unless protected by barriers and specifically approved by the District Engineer). Materials shall be delivered to the installation areas, as they are needed, to provide a continuous installation.

15. All equipment shall be removed from the traveled way and shoulders during non-work hours.

16. The Applicant shall schedule the work to minimize traffic disruption during peak flow periods, i.e. from 6:00 AM to 9:00 AM and from 3:00 PM to 6:00 PM, Monday through Friday. At the end of work each day and before the end of daylight, two-way traffic shall be reinstated.

17. Excavation adjacent to the traveled way or shoulders shall not remain open through non-work hours unless adequately protected by barriers and specifically authorized by the District Engineer.

18. Existing guide, regulatory and warning signs shall be maintained or relocated as necessary. Signs which are not applicable to construction conditions shall be covered completely with plywood by the Applicant to the satisfaction of the District Engineer and shall conform in size and shape to the sign panels being covered. The Applicant shall notify the Bureau of Traffic (Tel: 271-2291) when any existing signs are moved.

19. Blasting and other high noise machinery such as jackhammers and excavating equipment shall not begin prior to 7:00 AM nor continue after 7:00 PM unless specifically permitted by the District Engineer. Under this permit, no nighttime work will be allowed.

20. No right of way bounds or property pins shown on the plans or found within the construction area shall be removed without prior approval by the District Engineer. All mailboxes shall be satisfactorily protected and maintained in accessible locations. Prior to completion of the project, the Applicant as ordered shall reset mailboxes that have been disturbed by construction.

21. Work within the right of way is not authorized on Saturdays, Sundays and Holidays.

22. Pavement marking shall be marked out by the applicant and approved by the New Hampshire Department of Transportation Traffic Bureau (271-2291) prior to the final painting. Pavement marking will only be accomplished between April 1 and December 1. Two striping applications will be required. Projects striped between April 1 and August 16 will be re-striped between September 1 and September 30 of the same year. Projects striped between August 15 and December 1 will be re-striped between May 1 and May 15 of the following year. Projects where the striping fades excessively between applications shall be re-striped by the contractor within 2 weeks of notification by the Department.

23. The Applicant must secure a Performance Bond or Irrevocable Letter of Credit payable to the State of

PLANNING USE OFFICE

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New Hampshire in the amount of \$100,000. The amount of the Bond or Letter of Credit may be reduced to \$10,000 following a final acceptance of the work by the State. The bond must remain in full force and effect for two full years following said final acceptance in order to cover defects in materials or workmanship, which may arise.

24. Applicant hereby agrees to be bound by the provisions of this driveway permit and to be bound by the general law governing the issuance of permits for driveways and other accesses to public ways, including RSA 236:13 and 14.

25. Following the completion of the construction activities, the Department will inspect the completed work and grant the State's final acceptance of the project. Final acceptance may be reasonably withheld should the work not comply with the above referenced plans and Specifications. In addition, two sets of as-Built-Plans (one full size set at 36 " x 24" and one set at half scale) will be submitted to NHDOT prior to final acceptance.

APPLICANT Printed Name James Mitchell (Three Socios, LLC)

Title Representative

Date: 8-2-2013

Signature: [Signature]

Approved [Signature]

District Engineer
For Director of Administration

Copies: District, Town, Patrolman

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SEP 29 2017

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NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 1, 641 Main St, Lancaster, NH 03584
 District 2, 8 Eastman Hill Road, Enfield, NH 03748
 District 3, 2 Sawmill Rd, Gilford, NH 03249

District 4, 19 Base Hill Road, Swanzey, NH 03446
 District 5, PO Box 16476, Hooksett, NH 03106
 District 6, PO Box 740, Durham, NH 03824

APPLICATION FOR DRIVEWAY PERMIT

Pursuant to the provisions of Revised Statutes Annotated, Chapter 236, Section 13 (printed on reverse of application) and amendments thereto, and Declaratory Ruling 2000-01, permission is requested to: (circle one): Construct / Alter
 (Indicate quantity of) 1 driveway entrance(s) to my property on the (circle one): North / South / East / West side of
 NH Route 125 or Street/Road: Calef Highway In the Town of Barrington
 at a location which will meet the requirements for safety specified in said statutes.

The driveway entrance(s) requested is (are) for access to: Business
Residence, Industry, Business, Subdivision, Other
 Describe nature and size of industry, business or subdivision: Gas station with convenience store
75 Feet (circle one): North / South / East / West of Utility Pole Number: 613/67A
351 Feet or Miles (circle one): North / South / East / West of Road or Junction: Route 9
 Town Tax Map # 238 and Lot # 4

As the landowner (or designated applicant) I agree to the following:

1. To construct driveway entrance(s) only for the bonafide purpose of securing access to private property such that the highway right-of-way is used for no purpose other than travel.
2. To construct driveway entrance(s) at permitted location(s).
3. To construct driveway entrance(s) in accordance with statutes, rules, standard drawings, and permit specifications as issued by the New Hampshire Department of Transportation.
4. To defend, indemnify and hold harmless the New Hampshire Department of Transportation and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.
5. To furnish and install drainage structures that are necessary to maintain existing highway drainage and adequately handle increased runoff resulting from the land development and obtain all easements thereto.
6. I am the owner or a duly authorized agent of the owner of the parcel upon which the driveway will be constructed. I have provided accurate and complete title and subdivision information concerning the parcel to the Department. I understand that the Department is relying on this information in considering this application and that the Department does not perform independent title research or make judgments about title or access disputes.

- For new driveway(s), include copy of current deed and, if not the same, previous deed dated prior to July 1, 1971 of the parcel. If this parcel is part of a larger tract subdivided after July 1, 1971, then provide complete subdivision plans and deed history dating back to at least July 1, 1971.

- Attach sketch or plan showing existing and proposed driveway(s) and the adjacent highway indicating distance to town road, town line, or other readily identifiable feature or landmark and also to the nearest utility pole (including pole numbers)

Signature of Landowner (Applicant)

The Three Socios, LLC

Printed Name of Landowner

Date: 10/13/11

Contact /Agent, if not Landowner: Wayne Morrill, Jones & Beach Engineers, Inc.

321D Lafayette Road

Mailing Address

Hampton, NH 03842

Town/City, State, Zip Code

Telephone Number(s) (603) 926-0777

FOR OFFICE USE ONLY:

GPS N = _____ GPS W = _____

Section: _____ Width: _____ Speed: _____

Right of Way: _____ Drainage: _____ SLD: _____

Conditions: _____

Permit Number Assigned: Database #3439

Drive #1 - 43.2134/70.99516
 Drive #2 - 43.21395/70.99499

Pg 5/30

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OCT 20 2011

DISTRICT SIX

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LAND USE OFFICE

OCT 20 2011

§ 236:13 Driveways and Other Accesses to the Public Way. – I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of transportation.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:

- (a) Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
- (b) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter.
- (c) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
- (d) Include any other terms and specifications necessary for the safety of the traveling public.

III. For access to a proposed commercial or industrial enterprise, or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:

- (a) Said permit application shall be accompanied by engineering drawings showing information as set forth in paragraph II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-foot all season safe sight distance has been provided.
- (c) For the purposes of this section, all season safe sight distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

IV. No construction permit shall allow:

- (a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
- (b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III and IV shall be conferred upon the planning board in cities and towns in which the planning board has been granted the power to regulate the subdivision of land as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II (a).

VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

§ 236:14 Penalty. – Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.



CHRISTOPHER D. CLEMENT,
SR.
COMMISSIONER

STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 6 Office, PO Box 740, Durham, NH 03824



JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

DRIVEWAY PERMIT

To: Scott Mitchell
The Tree Socios, LLC
321D Lafayette Road
Hampton, NH 03842

City/Town: Barrington
Route/Road: NH 125 (S0000125)
Patrol Section: 603
Tax Map: 238
Lot: 4
Development: Gas station w/ convenience store

Permit #: 06-027-510
District: 06
Permit Date 8/2/2013

Permission is hereby granted to construct (alter) a driveway, entrance, exit or approach adjoining NH 125 (S0000125), pursuant to the location and specifications as described below. Failure to adhere to the standards and engineering drawings previously approved shall render this instrument null and void. Failure to start or complete construction of said facility within one calendar year of the date of this permit shall require application for permit extension or renewal in accordance with the Driveway Access Rules. Facilities constructed in violation of the permit specifications or the rules, shall be corrected immediately upon notification by a Department representative. Any cost by the State to correct deficiencies shall be fully borne by the landowner. The landowner shall defend, indemnify and hold harmless the Department and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.

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Station 24+25 Rt as show on attached HA1 drawing

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Location: Approximately 0.1 miles north of Route 9 on the east side of NH 125 (S0000125).
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Specifications: This permit authorizes a paved access to be used as a Commercial drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

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The driveway shall not exceed 40 feet in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

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Other Conditions:

No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the Highway Right of Way.

No parking, catering or servicing shall be conducted within the Highway Right of Way.

The applicant shall comply with all applicable ordinances and regulations of the municipality or other State Agencies.

The Department has relied on the title and subdivision information provided by the landowner. The Department has not performed additional title research and makes no warranty or representation concerning landowner's legal right to access. In the event of a dispute about the landowner's legal right to the access provided herein, the landowner will defend and indemnify the Department.

LAND USE OFFICE

Date: 8/2/2013

ApplID: 3439

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06-027-510 Mitchell

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2. It is understood and agreed by the Applicant that it shall receive no additional access to or from the State highway system in the future, either to or from its own property directly or through the property of another.

3. In consideration of the granting of the rights herein, Applicant shall at its expense construct the various improvements within the right of way as indicated on the above-mentioned plans of Jones & Beach Engineers, Inc. In order to insure the proper prosecution of the work involved the Applicant hereby agrees as follows:

A. Applicant must designate a full time superintendent employed by its contractor who is proficient in highway construction work to provide on site supervision of work on a day-to-day basis.

B. Applicant shall also secure the services of a project engineer who shall be an employee of Jones & Beach Engineers, Inc. or other firm acceptable to the Department. Said engineer must be proficient in highway construction work and must be on site on a full-time daily basis to oversee the work and serve as a liaison between the State and the Applicant.

C. The Applicant shall furnish all engineering layout, testing and documentation to insure conformance with the State's present Standard Specifications for Road and Bridge Construction.

D. The Department's Commissioner or his duly appointed agent may inspect, test and monitor any and all of the highway activities to insure their compliance with the above-referenced plans and the Standard Specifications. If deemed necessary this Department may assign an inspector to this project on a full or part time basis. The Applicant agrees to pay these inspection costs.

E. The Commissioner and/or his agent shall have the right to suspend any or all construction activities, which in their opinion are unsafe to the traveling public or in conflict with the above-referenced plans or the State's Standard Specifications and current Construction Signing Standards.

F. The Commissioner may employ the use of State forces or any third party to correct any unacceptable work upon the failure of the Applicant to comply with the plans or Specifications and upon Applicant's failure to make such corrections within a reasonable time after request (It being understood that certain work may require immediate attention). Said corrections shall be made at the expense of the Applicant.

4. The Applicant shall provide continuous access to any abutters during construction unless otherwise approved by the Commissioner or his agent. Applicant shall be solely responsible for providing adequate driveway access to property owners abutting the highway right of way whose access has been disturbed.

5. Applicant must prove to the satisfaction of the Commissioner or his agent that it has the right to construct all the roadway improvements as shown on said plans and has secured all necessary rights of way and easements therefore.

6. Applicant agrees to indemnify, save and hold harmless the Department from liability for all damages to persons or property, which arise out of the exercise of the rights granted by this permit. This clause shall include, but not be limited to, liability resulting from any increase or change in the flowage of water as a result of the proposed construction. Applicant further agrees to defend any claim or suit brought against the Department arising out of the rights granted by this permit.

7. Applicant must comply with all applicable local zoning ordinances and regulations and shall not violate any local, state or federal law or regulation.

8. The completion of all work described by the plans and Specifications, including all grading, paving, striping, signing, and traffic signal installation, is required prior to the opening of any portion of the Applicant's premises to the public for business. No paving shall be done after October 1 for surface and November 1 for binder of any year unless approved by the Commissioner or his agents.

9. All utility relocation will be carried out in conformance with the standard utility practice and policy of the Department. All plans for utility relocation must be submitted by the Applicant to the Department for final approval. Furthermore, the Applicant is responsible for ascertaining the existence and location of all utility appurtenances and the State has no responsibility for any delays, inconvenience or damage due to

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any interference from such utility appurtenances or the operation of moving them. Applicant agrees to coordinate with all utilities in complying with the project schedule and the traffic control plan approved by the Department.

10. Applicant must provide suitable drainage structures and facilities of adequate size to prevent ponding of any surface drainage within the highway right of way limits. Furthermore, Applicant must save and hold the State harmless from any liability for any and all damages to any persons or property as the result of any flowage passing from or through the Applicant's property or as the result of any flowage caused by the performance of any work in connection with this permit. This permit relates solely to the use of the State right of way and is not determinative of any rights of flowage between private landowners and the Applicant.

11. Traffic must be maintained during the performance of the work. It shall be protected by suitable barricades, standard warning and advance warning signs, flags during the day, and proper lighting at night. Uniformed special traffic officers shall be provided whenever two-way traffic cannot be maintained, and at the request of the District Engineer during any time he deems them necessary for the protection of the public. All signs shall be kept in good repair at all times.

12. Signs shall be installed in accordance with the current Department Construction Standards Item 619 and standard sheet TC-1 through 8 and Manual of Uniform Traffic Control Devices. Shop drawings from your sign manufacturer shall be submitted to the Bureau of Traffic for approval prior to sign installation.

13. Work operations shall not be performed on the roadway in such a manner that traffic is obstructed or endangered simultaneously from both sides of the highway.

14. All paved areas of the highway shall be kept as clear as possible at all times. No materials shall be stored on any paved area of the highway or adjacent to the traveled way (unless protected by barriers and specifically approved by the District Engineer). Materials shall be delivered to the installation areas, as they are needed, to provide a continuous installation.

15. All equipment shall be removed from the traveled way and shoulders during non-work hours.

16. The Applicant shall schedule the work to minimize traffic disruption during peak flow periods, i.e. from 6:00 AM to 9:00 AM and from 3:00 PM to 6:00 PM, Monday through Friday. At the end of work each day and before the end of daylight, two-way traffic shall be reinstated.

17. Excavation adjacent to the traveled way or shoulders shall not remain open through non-work hours unless adequately protected by barriers and specifically authorized by the District Engineer.

18. Existing guide, regulatory and warning signs shall be maintained or relocated as necessary. Signs which are not applicable to construction conditions shall be covered completely with plywood by the Applicant to the satisfaction of the District Engineer and shall conform in size and shape to the sign panels being covered. The Applicant shall notify the Bureau of Traffic (Tel: 271-2291) when any existing signs are moved.

19. Blasting and other high noise machinery such as jackhammers and excavating equipment shall not begin prior to 7:00 AM nor continue after 7:00 PM unless specifically permitted by the District Engineer. Under this permit, no nighttime work will be allowed.

20. No right of way bounds or property pins shown on the plans or found within the construction area shall be removed without prior approval by the District Engineer. All mailboxes shall be satisfactorily protected and maintained in accessible locations. Prior to completion of the project, the Applicant as ordered shall reset mailboxes that have been disturbed by construction.

21. Work within the right of way is not authorized on Saturdays, Sundays and Holidays.

22. Pavement marking shall be marked out by the applicant and approved by the New Hampshire Department of Transportation Traffic Bureau (271-2291) prior to the final painting. Pavement marking will only be accomplished between April 1 and December 1. Two striping applications will be required. Projects striped between April 1 and August 16 will be re-striped between September 1 and September 30 of the same year. Projects striped between August 15 and December 1 will be re-striped between May 1 and May 15 of the following year. Projects where the striping fades excessively between applications shall be re-striped by the contractor within 2 weeks of notification by the Department.

23. The Applicant must secure a Performance Bond or Irrevocable Letter of Credit payable to the State of

MAR 29 2017

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New Hampshire in the amount of \$100,000. The amount of the Bond or Letter of Credit may be reduced to \$10,000 following a final acceptance of the work by the State. The bond must remain in full force and effect for two full years following said final acceptance in order to cover defects in materials or workmanship, which may arise.

24. Applicant hereby agrees to be bound by the provisions of this driveway permit and to be bound by the general law governing the issuance of permits for driveways and other accesses to public ways, including RSA 236:13 and 14.

25. Following the completion of the construction activities, the Department will inspect the completed work and grant the State's final acceptance of the project. Final acceptance may be reasonably withheld should the work not comply with the above referenced plans and Specifications. In addition, two sets of as-Built-Plans (one full size set at 36" x 24" and one set at half scale) will be submitted to NHDOT prior to final acceptance.

APPLICANT Printed Name James Mitchell (Three Socios, LLC)

Title Representative

Date: 8-2-2013

Signature: [Signature]

Approved [Signature]

District Engineer

For Director of Administration

Copies: District, Town, Patrolman

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MAR 20 2013

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NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 1, 641 Main St, Lancaster, NH 03584
 District 2, 8 Eastman Hill Road, Enfield, NH 03748
 District 3, 2 Sawmill Rd, Gilford, NH 03249

District 4, 19 Base Hill Road, Swanzey, NH 03446
 District 5, PO Box 16476, Hooksett, NH 03106
 District 6, PO Box 740, Durham, NH 03824

APPLICATION FOR DRIVEWAY PERMIT

Pursuant to the provisions of Revised Statutes Annotated, Chapter 236, Section 13 (printed on reverse of application) and amendments thereto, and Declaratory Ruling 2000-01, permission is requested to: (circle one): Construct / Alter
 (Indicate quantity of) 1 driveway entrance(s) to my property on the (circle one): North / South / East / West side of
 NH Route 125 or Street/Road: Calef Highway In the Town of Barrington
 at a location which will meet the requirements for safety specified in said statutes.

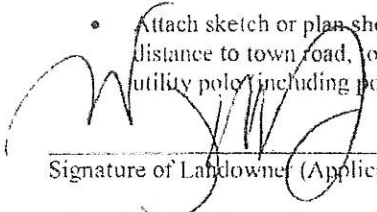
The driveway entrance(s) requested is (are) for access to: Business
Residence, Industry, Business, Subdivision, Other
 Describe nature and size of industry, business or subdivision: Gas station with convenience store
75 Feet (circle one): North / South / East / West of Utility Pole Number: 613/67A
351 Feet or Miles (circle one): North / South / East / West of Road or Junction: Route 9
 Town Tax Map # 238 and Lot # 4

As the landowner (or designated applicant) I agree to the following:

1. To construct driveway entrance(s) only for the bonafide purpose of securing access to private property such that the highway right-of-way is used for no purpose other than travel.
2. To construct driveway entrance(s) at permitted location(s).
3. To construct driveway entrance(s) in accordance with statutes, rules, standard drawings, and permit specifications as issued by the New Hampshire Department of Transportation.
4. To defend, indemnify and hold harmless the New Hampshire Department of Transportation and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.
5. To furnish and install drainage structures that are necessary to maintain existing highway drainage and adequately handle increased runoff resulting from the land development and obtain all easements thereto.
6. I am the owner or a duly authorized agent of the owner of the parcel upon which the driveway will be constructed. I have provided accurate and complete title and subdivision information concerning the parcel to the Department. I understand that the Department is relying on this information in considering this application and that the Department does not perform independent title research or make judgments about title or access disputes.

- For new driveway(s), include copy of current deed and, if not the same, previous deed dated prior to July 1, 1971 of the parcel. If this parcel is part of a larger tract subdivided after July 1, 1971, then provide complete subdivision plans and deed history dating back to at least July 1, 1971.

- Attach sketch or plan showing existing and proposed driveway(s) and the adjacent highway indicating distance to town road, town line, or other readily identifiable feature or landmark and also to the nearest utility pole (including pole numbers)

 (Agent)
 Signature of Landowner (Applicant)

321D Lafayette Road

Mailing Address

The Three Socios, LLC
 Printed Name of Landowner

Hampton, NH 03842

Town/City, State, Zip Code

Date: 10/13/11

Telephone Number(s) (603) 926-0777

Contact /Agent, if not Landowner: Wayne Morrill, Jones & Beach Engineers, Inc.

FOR OFFICE USE ONLY:

GPS N =

GPS W =

Section

Width:

Speed:

Right of Way

Drainage:

S.I.D.

Conditions:

Permit Number Assigned

2439

Drive #1 - 18.2734 / 70 99515
 Drive #2 - 43.2139 / 70 99493

B5/30

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§ 236:13 Driveways and Other Accesses to the Public Way. -- 1. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of transportation.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph 1. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:

- (a) Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
- (b) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter.
- (c) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
- (d) Include any other terms and specifications necessary for the safety of the traveling public.

III. For access to a proposed commercial or industrial enterprise, or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:

- (a) Said permit application shall be accompanied by engineering drawings showing information as set forth in paragraph II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-foot all season safe sight distance has been provided.
- (c) For the purposes of this section, all season safe sight distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

IV. No construction permit shall allow:

- (a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
- (b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III and IV shall be conferred upon the planning board in cities and towns in which the planning board has been granted the power to regulate the subdivision of land as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II (a).

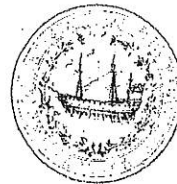
VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

§ 236:14 Penalty. -- Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner



December 10, 2013.

Mr. Scott Mitchell
The Three Socios, LLC
321D Lafayette Road
Hampton, NH 03842
Delivered via email: scott@tropicstardevelopment.com

WELL LOCATION APPROVAL

Re: **DR 999864 – New Transient Non-community (TNC) Water System “Barrington Town Center”**
356 Calef Highway, Map 238, Lot 4, Barrington, New Hampshire

Dear Mr. Mitchell:

Our office has reviewed and hereby approves the concept and well location for the above referenced project. This approval allows for the installation of the well; however, prior to constructing, expanding, or modifying any new or existing water system, **Final Approval**, in compliance with Env-Ws 373, *Design Standards for Non-Community Water Systems*, **must be obtained**. If the proposed well location changes, or final approval is not obtained within 4 years of this approval, a new application must be reviewed and approved by this office.

This *preliminary* approval is based on your submittals dated October 15 and November 6, 2013 and follow-up emails which identify the following:

- Well description/location: Bedrock well (to be numbered “001 BRW1”), 600 feet south of proposed convenience store.
- The purpose of the proposed system is to serve
 - a proposed 3,000 sq. ft. convenience store with 16 seat café and 4 employees,
 - a pizza restaurants with 57 seats and 2 employees,
 - a 300 seat church, and
 - a 2000 sq ft fine food restaurant (with meat department) and 2 employees.
- The proposed system is described as a Transient, Non-Community (TNC) water system.
- The system design flow is 2,940 gallons per day (gpd), (10 residential-equivalent units).
- The Sanitary Protective Area (SPA) is based on a 125-foot radius around the wellhead.

A waiver is granted for the requirement to establish the SPA entirely on the property owned by the water system. The SPA for this project can be outside of the owner’s property. A Well and Waterline Easement has been recorded between Barrington Village Place, LLC and The Three Socios. The easement (Doc # 0015325) was recorded with the Strafford County registry of Deeds on September 9, 2013 in Book 4163, Page 0317. This waiver is granted for the inclusion of specific wording in the Well and Waterline Easement relative to excluded uses, as required by Env-Ws 373.12(h), provided that those uses (indicated below) do not occur in the SPA:

- a. Wastewater disposal systems, including septic tanks, grease traps, and effluent disposal areas;
- b. Soil fertilization areas
- c. Nitrate set-back areas;

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DES Web Site: www.des.nh.gov
P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
Telephone: (603) 271-2513 Fax: (603) 271-5171 TDD Access: Relay NH 1-800-735-2964

- d. Dumpsters;
- e. Detention ponds or infiltration basins;
- f. Storage tanks for oil, gasoline, propane or natural gas, or other hazardous chemicals; and
- g. Any uses associated with hazardous materials.

The SPA on the owner's property shall be maintained FREE of fuels, pesticides, and other potential contamination sources.

In accordance with Env-Ws 373, *Design Standards for Non-Community Water Systems*, the following shall be submitted or confirmed to obtain final approval for the water system:

1. Installation of the well casing at least **one foot above the final finished grade** (Env-Ws 373.18 (b)).
2. NH-Certified Well Driller's **Well Completion Report** and statement of sustainable yield (We 800).
3. **Water quality analyses** for parameters listed in Env-Ws 373.14. (STANDARD ANALYSIS)
4. **Design review fee of \$450.00** (\$45 per residential-equivalent unit) payable to "Treasurer, State of New Hampshire".
5. Provision of a **dedicated source raw water tap** or the means to obtain discrete raw water samples and daily production volumes for each well source. Installation of a check valve is necessary in order to isolate the source water from water within the treatment/distribution system.
6. **Disinfection and flushing of all new piping** in accordance with AWWA C-651 or C-652.
7. The **water usage** at this public water system shall not exceed the approved capacity of the subsurface disposal systems servicing the individual users (businesses). If an increase in discharge or change in approved use is planned, please submit an amended plan the DES Subsurface Bureau for review and approval.

Please feel free to contact me at Bethann.McCarthy@des.nh.gov or (603) 271-2949 with any questions on this approval.

Sincerely,



Bethann M. McCarthy, P.E.
Drinking Water and Groundwater Bureau
Small Systems Engineering & Technical Assistance

cc: Christopher Albert, Jones & Beach Engineers, Inc.
Stanislaus Bomba, DES Subsurface Systems Bureau
Marcia Gasses, Barrington Zoning and Land Use Administrator

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MAR 20 2017



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Clark B. Freise, Assistant Commissioner

EMAIL ONLY

January 17, 2017

Scott Mitchell
The Three Socios, LLC
321D Lafayette Road
Hampton, NH 03842

Subject: Barrington, The Three Socios, LLC, 491 Calef Highway
DES Site #201509021, UST Facility ID 0115990

Construction Approval Extension Request prepared by MHF Design Consultants, Inc
dated December 16, 2016 pursuant to the requirements of Env-Or 407.04(h)

Dear Mr. Mitchell:

The New Hampshire Department of Environmental Services, Waste Management Division (DES) has received your engineers December 16, 2016 request for construction approval extension pursuant to the requirements of the New Hampshire Code of Administrative Rules Env-Or 400, Underground Storage Tank Facilities ("the UST Rules"). Specifically, you requested that DES extend the expiration date of the January 29, 2016 conditional construction approval for the UST system installation at the subject facility. After reviewing the matter in accordance with the UST Rules, DES approves your request for extension.

The construction approval issued January 29, 2016 is hereby extended for one additional year, to expire on January 29, 2018. Please note that in order for operational approval of the facility to be granted, all requirements and conditions of the construction approval originally granted on January 28, 2016 shall be met.

Note that plan sheet 1 of 10 has been revised and dated December 29, 2016 (confirm that the previous plan sheet 1 of 10 is discarded). The remaining plans 2 through 10 per the original approval are valid for construction.

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Scott Mitchell
DES Site No. 201509021, UST Facility ID 0115990
January 17, 2017
Page 2 of 2

Please contact me should you have any questions regarding this extension of the conditional construction approval.

Sincerely,



Charles A. Corliss Jr. P.E.
Oil Remediation and Compliance Bureau
Tel: (603) 271-0686
Email: Charles.Corliss@des.nh.gov

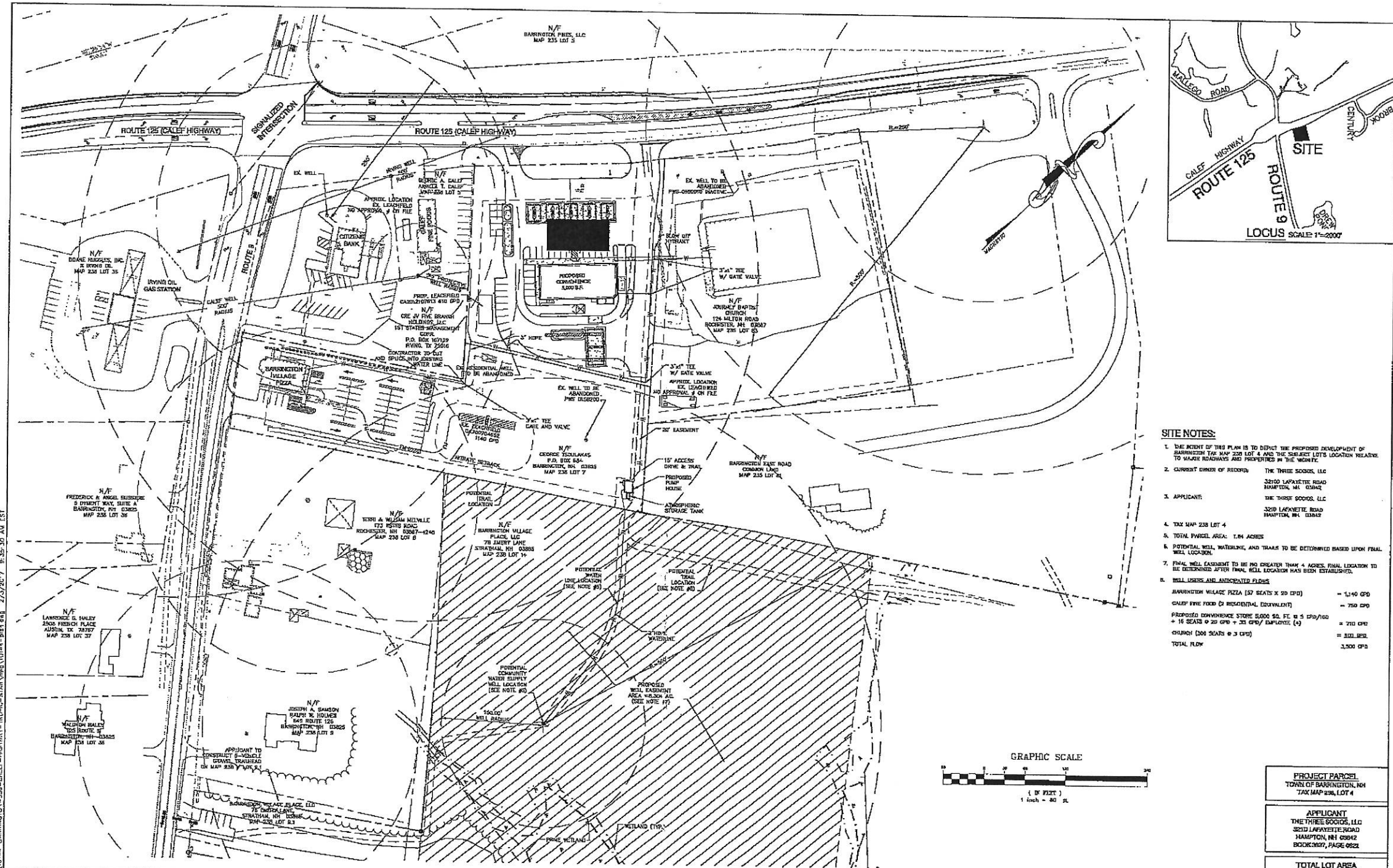
Waste
Management
Division

Digitally signed by Waste Management
Division
DN: cn=Waste Management Division,
o=Waste, ou=ORCB,
email=michele.lregan@des.nh.gov, c=US
Date: 2017.01.24 09:04:23 -05'00'

Enclosures: Construction Approval dated January 29, 2016
UST Registration Form
UST/AST Closure Notification Form

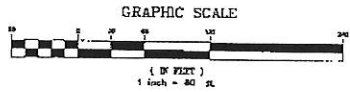
cc: J. William Degnan, State Fire Marshal
Rick Walker, Barrington Fire Chief
John Scruton, Town of Barrington
Frank C. Monteiro, P.E., MHF Design Consultants, Inc.
John L. Arnold, Hinckley Allen
Robert Stockman, NHDES

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SITE NOTES:

1. THE SCOPE OF THIS PLAN IS TO DEPICT THE PROPOSED DEVELOPMENT OF BARRINGTON TRP MAP 238 LOT 4 AND THE SUBJECT LOTS LOCATION RELATIVE TO MAJOR ROADWAYS AND PROPERTIES IN THE VICINITY.
2. CURRENT OWNER OF RECORD: THE THREE SOCIOS, LLC
3210 LAFAYETTE ROAD
HAMPTON, NH 03842
3. APPLICANT: THE THREE SOCIOS, LLC
3210 LAFAYETTE ROAD
HAMPTON, NH 03842
4. TAX MAP 238 LOT 4
5. TOTAL PHYSICAL AREA: 1.04 ACRES
6. POTENTIAL WELL, WATERLINE, AND TRAILS TO BE DETERMINED BASED UPON FINAL WELL LOCATION.
7. FINAL WELL EASEMENT TO BE NO GREATER THAN 4 ACRES. FINAL LOCATION TO BE DETERMINED AFTER FINAL WELL LOCATION HAS BEEN ESTABLISHED.
8. WELL USERS AND ANTICIPATED FLOWS:
BARRINGTON VILLAGE PIZZA (57 SEATS X 20 GPD) = 1,140 GPD
CALEF FIRE FIGHT (2 RESIDENTIAL, EQUIPMENT) = 750 GPD
PROPOSED CONVENIENCE STORE 5,000 SQ. FT. @ 3 GPD/100 = 150 GPD
+ 10 SEATS @ 20 GPD + 30 GPD/EMPLOYEE (4) = 210 GPD
CHURCH (200 SEATS @ 3 GPD) = 600 GPD
TOTAL FLOW = 3,500 GPD



PROJECT PARCEL:
TOWN OF BARRINGTON, NH
TRP MAP 238, LOT 4

APPLICANT:
THE THREE SOCIOS, LLC
3210 LAFAYETTE ROAD
HAMPTON, NH 03842
BOOK 0607, PAGE 0522

TOTAL LOT AREA:
80,735 SQ. FT.
1.04 ACRES

DESIGNED BY: GPC
CHECKED BY: GPC
DATE: 01/03/12
PROJECT NO: 10144
THIS PLAN SHALL NOT BE MODIFIED WITHOUT WRITTEN PERMISSION FROM JONES & BEACH ENGINEERS, INC. (JBE). ANY ALTERATIONS, AUTHORIZED OR OTHERWISE, SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO JBE.

REV.	DATE	REVISION	BY
15	12/04/16	REVISED PER CONDITIONS OF APPROVAL	BWG
16	04/15	REVISED WELL AND WATER LINE	GPC
17	4/27/14	REVISED SITE PLAN	BWG
18	7/22/14	REVISED PER TOWN COMMENTS	BWG
19	12/15/13	REVISED PER TOWN REVIEW	BWG

J/B Jones & Beach Engineers, Inc.
Civil Engineering Services
85 Portsmouth Ave.
PO Box 218
Barrington, NH 03805
603-772-4748
FAX: 603-772-0927
E-MAIL: JBE@JONES&BEACH.COM

Plan Name: OVERALL VICINITY PLAN
Project: TROPIC STAR CONVENIENCE
CALEF HIGHWAY (RTE. 125), BARRINGTON, NH
Owner of Record: THE THREE SOCIOS, LLC
3210 LAFAYETTE ROAD, HAMPTON, NH 03842

DRAWING NO.:
C2
SHEET 2 OF 25
JBE PROJECT NO. 10144

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The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

EMAIL ONLY

January 29, 2016

Scott Mitchell
The Three Socios, LLC
321D Lafayette Road
Hampton, NH 03842

Subject: **Barrington**, The Three Socios, LLC, 491 Calef Highway
DES Site #201509021, UST Facility ID 0115990

UST System or Pipe Construction Plan prepared by MHF Design Consultants, Inc
dated September 9, 2015 and last revised January 28, 2016,

Dear Mr. Mitchell:

The New Hampshire Department of Environmental Services, Waste Management Division (DES) has completed its review of the subject plans forwarded to us by your engineer for the proposed underground storage tanks #1 (20,000 gallon regular gasoline), #2A (8,000 gallon premium gasoline split tank), #2B (7,000 gallon retail diesel split tank), and #3 (15,000 gallon commercial diesel) installations. DES conditionally approves the revised application dated January 8, 2016, plan sheets 1 through 3, and 8 of 10 last revised January 28, 2016, and plan sheets 4 through 7, 9, and 10 of 10 dated January 8, 2016 for construction in accordance with the requirements of Env-Or 407.04 of the New Hampshire Code of Administrative Rules, Env-Or 400, Underground Storage Tank Facilities (UST Rules). **The approval is subject to the conditions listed below:**

- A. **Prior to DES authorizing the UST systems to be placed into service, the owner shall demonstrate to DES that all terms and conditions of the waiver dated November 13, 2015 have been met pursuant to the requirements of Env-Or 409.04(c).**
- B. THE FACILITY OWNER IS RESPONSIBLE FOR PROPER INSTALLATION OF THE NEW OR SUBSTANTIALLY MODIFIED UST SYSTEM. ENSURE THAT THE CERTIFIED TANK INSTALLER RECEIVES A COPY OF THIS DOCUMENT.
- C. The approval is valid for one year from the date of issuance, per Env-Or 407.04(f). If construction pursuant to the approval has not commenced within one year, the approval shall be void, per Env-Or 407.04(g). If construction has commenced but is not completed within one year, the owner shall notify DES and may request a one-year extension if meeting the conditions of Env-Or 407.04(h)(1) and (h)(2).
- D. An owner shall not cause or allow any construction or other activity that is not in accordance with the approved plans and all terms and conditions of DES's approval, per Env-Or 407.04(e). The construction of the system shall strictly comply with the approved plans and specifications. No construction changes will be allowed without prior approval from a New Hampshire licensed professional engineer (NH P.E.) and DES.

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- E. Any person installing a UST or UST system component shall be certified by the International Code Council in the UST system/retrofitting (certification in category U1) and the certified installer shall also be a qualified installer by the manufacturer of the equipment being installed for every component of the system and have an understanding of federal UST regulations and industry codes and practice, per Env-Or 407.05(a) and (b). Installation shall comply with applicable standards and fire codes, per Env-Or 407.05(c) and (d).
- F. The certified tank installer shall perform applicable tightness testing after installation and prior to backfill to determine tightness of the primary piping, secondary containment piping, vent piping, and all spill containment equipment in accordance with Env-Or 406.11 through Env-Or 406.14, per Env-Or 407.08(a) and (b). The certified tank installer shall certify the results of all tightness performed and provide the certified results to DES and the owner at the time of backfill inspection of the system, per Env-Or 407.08(c).
- G. The owner shall notify DES of the completion of installation for a new or substantially modified system at least 5 DES business days prior to backfilling the tank top and/or piping, to arrange for an inspection, in accordance with 407.07(a). The new system shall not be backfilled or placed into service until DES has performed an inspection, per Env-Or 407.07(d).
- H. At least 8 DES working hours prior to an inspection by DES, the owner shall submit to DES a letter prepared and stamped by a New Hampshire licensed professional engineer (NH P.E.), stating that the installed UST system has been inspected by a NH P.E. to verify that the system was constructed in accordance with DES's approved plans and specifications, per Env-Or 407.07(b). If the NH P.E.'s inspection reveals any discrepancies between the system as installed and the approved plans and specifications, the owner shall submit to DES as-built record drawings prepared and stamped by a NH P.E., per Env-Or 407.07(c).
- I. The certified tank installer shall test all installed sumps for tightness in accordance with Env-Or 406.21. The certified tank installer shall certify and provide the certified test results to DES and owner at the time of the backfill inspection of system, per Env-Or 407.08(c).
- J. All line leak detectors shall be tested in accordance with the manufacturer's requirements. The certified tank installer shall certify that all line leak detectors passed a functionality test and submit the certified test results to DES before any regulated substance is dispensed or used for consumption, as applicable, per Env-Or 407.08(d) and (e).
- K. Prior to DES authorizing an underground storage tank system to be placed into service, the owner shall submit to DES final certification by a New Hampshire licensed professional engineer or the certified tank installer that the installation has been completed and is in accordance with DES's approved plans and as-built record drawings and all terms and conditions per Env-Or 404.03(i), **and all terms and conditions of the waiver dated November 13, 2015.**
- L. A new or amended registration form, respectively, for new systems or substantially modifications of existing systems, shall be filed with DES at the time of the final inspection of the system, per Env-Or 404.01(f). Use form dated September 2013.
- M. Per RSA 146-C:17, effective August 8, 2012, no person shall operate an underground storage facility without designated class A, B, and C operators who have been trained and certified in accordance with an approved training program. Information can be obtained by contacting the Operator Training Coordinator, Suzanne Connelly by dialing (603) 271-0673

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or by email at suzanne.connelly@des.nh.gov. Additional information, including approved operator training programs, upcoming class dates, Operator Training forms, and more, by visiting the Operator Training website at: <http://des.nh.gov/organization/divisions/waste/orcb/ocs/ustp/operator-training/index.htm>

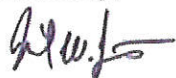
- N. The State of New Hampshire and DES shall incur no liability by reason of this plan review for this proposed facility. The comments in this letter are based on plans and specifications supplied by the site owner or responsible party. This plan review does not guarantee the adequacy of the approved plan nor does it supersede any federal, state, or local ordinances or regulations.
- O. This approval in no way constitutes an endorsement or approval of any material, design, or workmanship, but only that the plans and specifications, as submitted, appear to fulfill the requirements of the UST Rules. Nor does the approval relieve the owner of the responsibility to install the system according to acceptable engineering design and construction practices.
- P. **State law does not preempt local authority.** You must notify the appropriate local officials and comply with any local ordinances and permitting requirements. This includes building permits, notification to the fire department, and any approvals and inspections.
- Q. **Prior to starting any UST construction at the site the owner shall provide written notice to the DES plan approval engineer noted below on the projects ICC certified installer.** This written notice shall include all Information as required per Env-Or 407.02(m).

A permit to temporarily discharge groundwater, pursuant to Env-Wq 402 may be required prior to dewatering necessary for the installation of an UST system. Applications and permitting information can be obtained by calling (603) 271-2513.

The owner shall also be responsible for any damages and regulatory fines due to spilled or leaked petroleum caused by non-compliance, faulty design, or poor workmanship. The State of New Hampshire shall not incur any liability as a result of any spill, leak, failure, or damage of any kind related to the UST facility.

Please contact me should you have any questions regarding this conditional construction approval.

Sincerely,



Michael W. Juranty, P.E.
Oil Remediation and Compliance Bureau
Tel: (603) 271-6058
Email: michael.juranty@des.nh.gov

Enclosures: UST Registration Form

cc: J. William Degnan, State Fire Marshal
Rick Walker, Barrington Fire Chief
John Scruton, Town of Barrington
Frank C. Monteiro, P.E., MHF Design Consultants, Inc.
John L. Arnold, Hinckley Allen

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Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

March 23, 2017

Mr. Scott Mitchell
Barrington Village Place
7B Emery Lane
Stratham, NH 03855

Re: Barrington, Rt 9, Barrington Village, Trailhead Driveway

Dear Mr. Mitchell:

This letter extends the expiration date of Driveway Permit #06-027-525 from March 29, 2017 to March 29, 2018 in accordance with "Trailhead Driveway Plan" prepared by Jones & Beach Engineers, Inc. dated March 28, 2016. A copy of the original permit is attached.

If there are any questions please contact James Hewitt at 868-1133.

Sincerely,

Kevin Russell, P.E.
Assistant District Engineer

cc: Patrol Shed 603
Town of Barrington

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Victoria F. Sheehan
Commissioner

**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION**

District 6 Office, PO Box 740, Durham, NH 03824



William Cass, P.E.
Assistant Commissioner

DRIVEWAY PERMIT

To:
Barrington Village Place
7B Emery Lane
Stratham, NH 03855

City/Town: Barrington
Route/Road: NH 9 (S0000009)
Patrol Section: 606
Tax Map: 238
Lot: 9.1
Development: trailhead parking

Permit #: 06-027-525
District: 06
Permit Date 3/29/2016

Permission is hereby granted to construct (alter) a driveway, entrance, exit or approach adjoining NH 9 (S0000009), pursuant to the location and specifications as described below. Failure to adhere to the standards and engineering drawings previously approved shall render this instrument null and void. Failure to start or complete construction of said facility within one calendar year of the date of this permit shall require application for permit extension or renewal in accordance with the Driveway Access Rules. Facilities constructed in violation of the permit specifications or the rules, shall be corrected immediately upon notification by a Department representative. Any cost by the State to correct deficiencies shall be fully borne by the landowner. The landowner shall defend, indemnify and hold harmless the Department and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.

Drive 1

Location: Approximately 0.2 miles east of Junction of Route 125 and Route 9 on the north side of NH 9 (S0000009).

GPS: 43.211414 N 70.992368 W.

Specifications: This permit authorizes a gravel access to be used as a recreational drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

The right-of-way line is located 33 feet from and parallel to the centerline of the highway. The driveway shall not exceed 20 feet in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

400 foot sightlines must be maintained by cutting trees and vegetation

Other Conditions:


No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the Highway Right of Way.

No parking, catering or servicing shall be conducted within the Highway Right of Way.

The applicant shall comply with all applicable ordinances and regulations of the municipality or other State Agencies.

The Department has relied on the title and subdivision information provided by the landowner. The Department has not performed additional title research and makes no warranty or representation concerning landowner's legal right to access. In the event of a dispute about the landowner's legal right to the access provided herein, the landowner will defend and indemnify the Department.

Approved


District Engineer
For Director of Administration

Assistant

Copies: District, Town, Patrolman

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Date: 3/31/2016

AppID: 5133

Page 1

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 1, 641 Main St, Lancaster, NH 03584
 District 2, 8 Eastman Hill Road, Enfield, NH 03748
 District 3, 2 Sawmill Rd, Gilford, NH 03249

District 4, 19 Base Hill Road, Swanzey, NH 03446
 District 5, PO Box 16476, Hooksett, NH 03106
 District 6, PO Box 740, Durham, NH 03824

APPLICATION FOR DRIVEWAY PERMIT

Pursuant to the provisions of Revised Statutes Annotated, Chapter 236, Section 13 (printed on reverse of application) and amendments thereto, and Declaratory Ruling 2000-01, permission is requested to: (circle one) Construct Alter (Indicate quantity of) One driveway entrance(s) to my property on the (circle one) North South / East / West side of NH Route 9 or Street/Road: _____ In the Town of Barrington at a location which will meet the requirements for safety specified in said statutes.

The driveway entrance(s) requested is (are) for access to: Other 5 vehicle Parking area

Describe nature and size of industry, business or subdivision Residence, Industry, Business, Subdivision, Other
80 Feet (circle one): North / South / East / West of Utility Pole Number: PSC3/254, NETT 1064
1021 Feet or Miles (circle one): North / South / East / West of Road or Junction: Route 125

Town Tax Map # 238 and Lot # 9.1

As the landowner (or designated applicant) I agree to the following:

1. To construct driveway entrance(s) only for the bonafide purpose of securing access to private property such that the highway right-of-way is used for no purpose other than travel.
2. To construct driveway entrance(s) at permitted location(s).
3. To construct driveway entrance(s) in accordance with statutes, rules, standard drawings, and permit specifications as issued by the New Hampshire Department of Transportation.
4. To defend, indemnify and hold harmless the New Hampshire Department of Transportation and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.
5. To furnish and install drainage structures that are necessary to maintain existing highway drainage and adequately handle increased runoff resulting from the land development and obtain all easements thereto.
6. I am the owner or a duly authorized agent of the owner of the parcel upon which the driveway will be constructed. I have provided accurate and complete title and subdivision information concerning the parcel to the Department. I understand that the Department is relying on this information in considering this application and that the Department does not perform independent title research or make judgments about title or access disputes.

- For new driveway(s), include copy of current deed and, if not the same, previous deed dated prior to July 1, 1971 of the parcel. If this parcel is part of a larger tract subdivided after July 1, 1971, then provide complete subdivision plans and deed history dating back to at least July 1, 1971.
- Attach sketch or plan showing existing and proposed driveway(s) and the adjacent highway indicating distance to town road, town line, or other readily identifiable feature or landmark and also to the nearest utility pole (including pole numbers)

W. Morrill
 Signature of Landowner (Applicant)

7B Emery Lane
 Mailing Address

Barrington Village Place, LLC
 Printed Name of Landowner

Stratham, NH 03885
 Town/City, State, Zip Code

Date: January 29, 2016

Telephone Number(s) _____

Contact /Agent, if not Landowner: Wayne Morrill, Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH 03885

FOR OFFICE USE ONLY:

GPS N = 43.211414 GPS W = -70.992368
 Section: 603 W 1010 E Width: 1 Speed: _____
 Right of Way: _____ Drainage: _____ SLD: _____
 Conditions: _____
 Permit Number Assigned: _____

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DISTRICT SIX

LAND USE OFFICE

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§ 236:13 Driveways and Other Accesses to the Public Way. - I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of transportation.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:

- (a) Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
- (b) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter.
- (c) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
- (d) Include any other terms and specifications necessary for the safety of the traveling public.

III. For access to a proposed commercial or industrial enterprise, or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:

- (a) Said permit application shall be accompanied by engineering drawings showing information as set forth in paragraph II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-foot all season safe sight distance has been provided.
- (c) For the purposes of this section, all season safe sight distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

IV. No construction permit shall allow:

- (a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
- (b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III and IV shall be conferred upon the planning board in cities and towns in which the planning board has been granted the power to regulate the subdivision of land as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II (a).

VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

§ 236:14 Penalty. - Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.

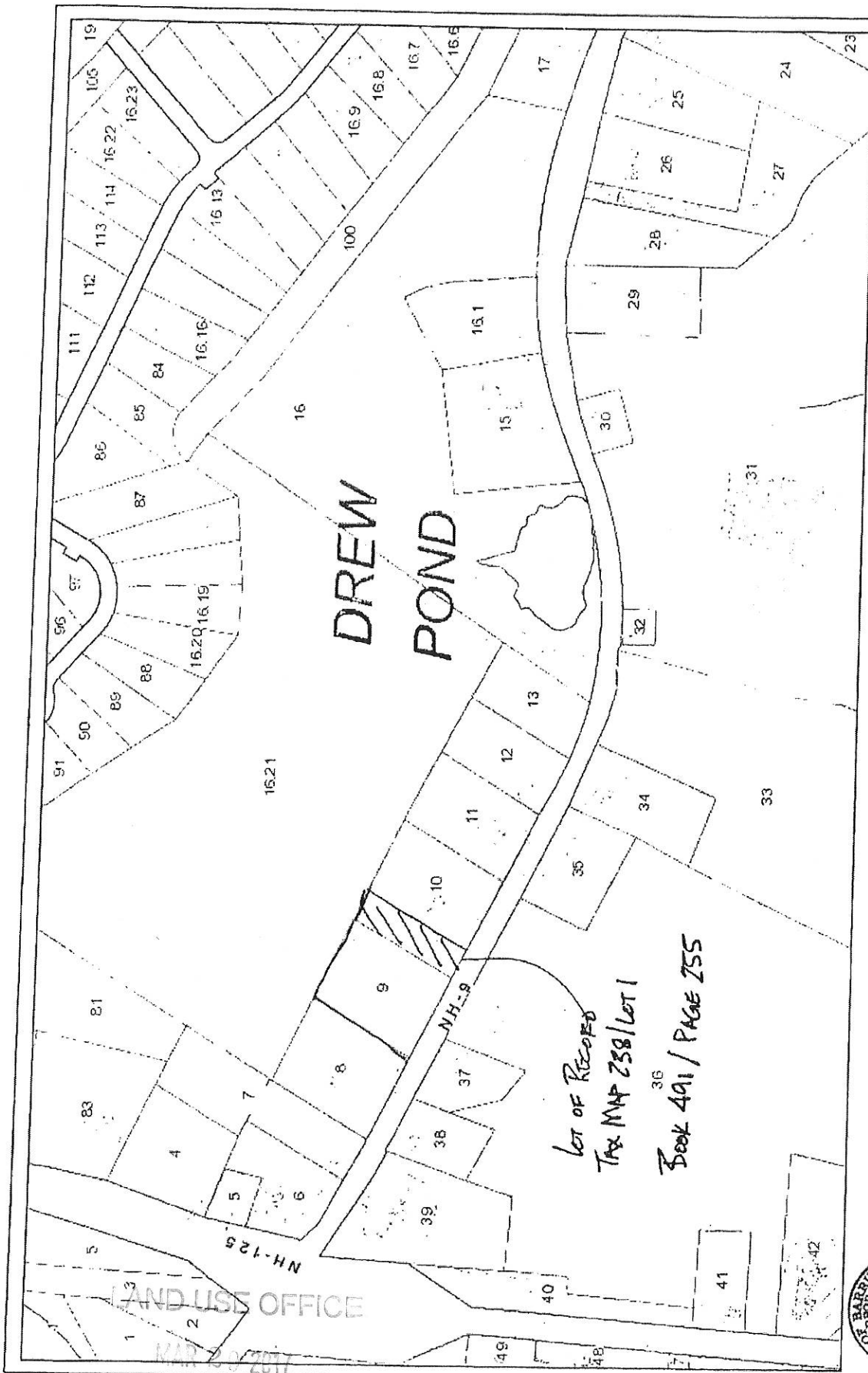
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MAR 28 2016

DISTRICT SIX

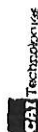
Barrington, NH

1 Inch = 400 Feet

March 22, 2016

The property data available on this site is updated periodically. The Town of Barrington makes no warranties with regard to its accuracy or completeness and assumes no liability associated with the use of this data.

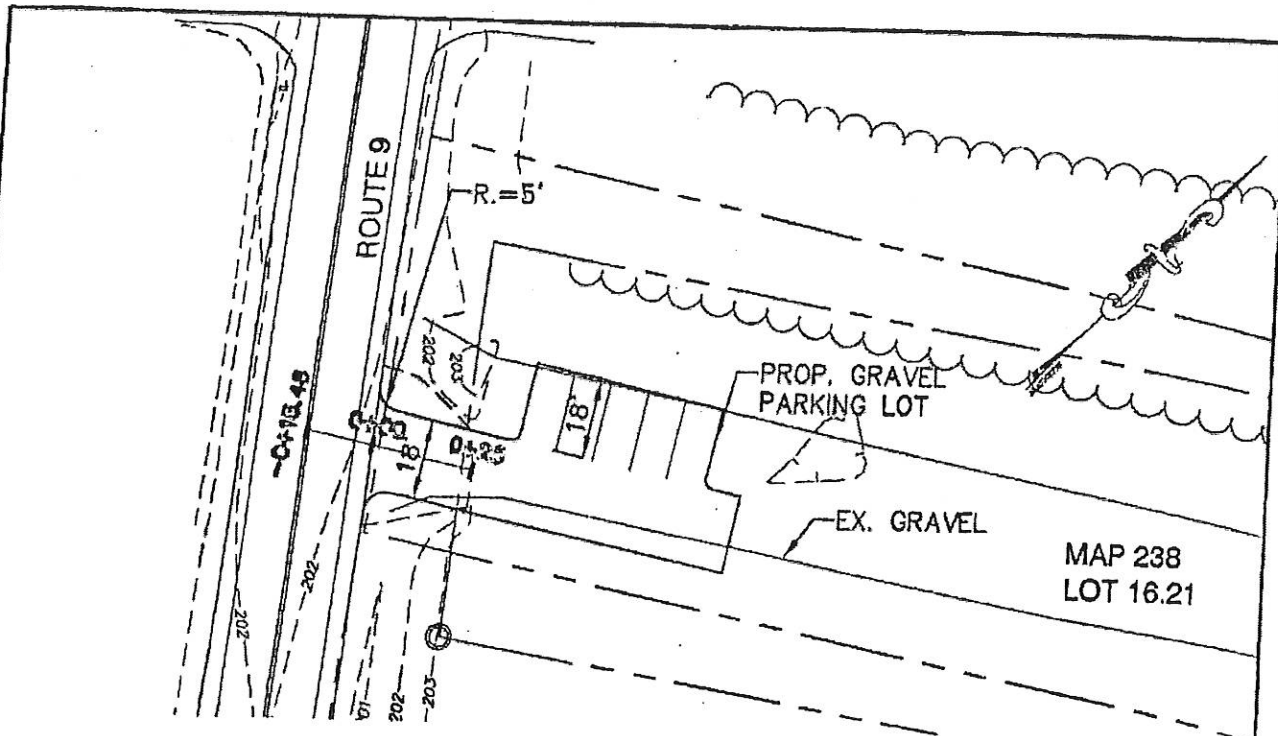
www.csi-tech.com



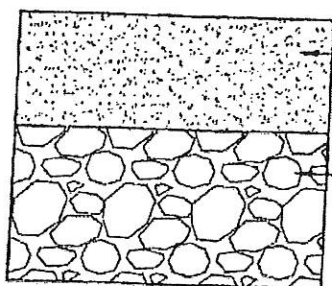
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4/5

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PLAN

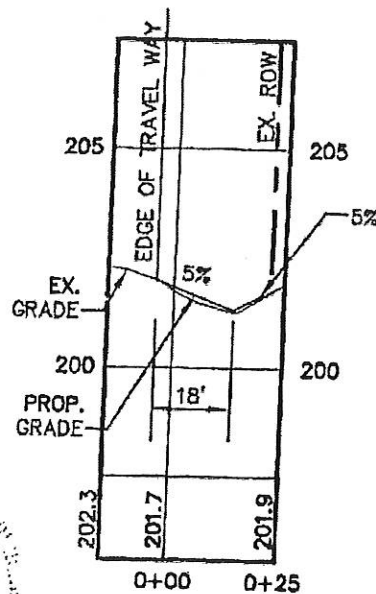


COMPACTED SUB GRADE
OR ROCK FILL

N.H.D.O.T. ITEM 304.3
6" CRUSHED GRAVEL
95% COMPACTION (MIN)

N.H.D.O.T. ITEM 304.2
12" BANK RUN
GRAVEL MIN. OR AS
REQUIRED TO STABILIZE
95% COMPACTION (MIN)

NOTE: IN AREAS OF ROCK EXCAVATION,
MINIMUM 9" BANK RUN GRAVEL SHALL BE PLACED



PROFILE

GRAVEL SECTION

NOT TO SCALE



REVISION DATE: 3/28/16

J/B Jones & Beach Engineers, Inc.
Civil Engineering Services

85 Portsmouth Ave.
PO Box 219
Stratham, NH 03885

603-772-4748

FAX: 603-772-0227

E-Mail: JBE@jonesandbeach.com

Drawing Name: **TRAILHEAD DRIVEWAY PLAN**

Project: **BARRINGTON VILLAGE PLACE**

BARRINGTON VILLAGE PLACE, LLC
Owner of Record: 7B EMERY LANE, STRATHAM, NH

DRAWING No.

T-1

SHEET 1 OF 1
JBE PROJECT
No. 10144
DATE: 3/21/16

6/7

JONES & BEACH ENGINEERS, INC.

85 Portsmouth Avenue
Post Office Box 219
Stratham, NH 03885
Telephone: (603) 772-4746
Fax: (603) 772-0227

Post Office Box 484
Alton, NH 03809
Email: jbe@jonesandbeach.com
<http://www.jonesandbeach.com>

March 22, 2016

George Gubitose
NHDOT District Six
271 Main Street
Durham, NH 03824

**RE: Barrington Village Place
Proposed Driveway Permit
Route 9, Barrington, NH
Tax Map 238, Lot 9.1
JBE Project No. 10144**

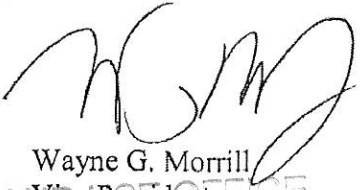
Dear Mr. Gubitose,

Jones and Beach Engineers received your comments on this proposed driveway permit by email dated March 16, 2016. The following is in response to your questions:

- Attached is a copy of the current Tax Map and the area of our Lot pre July 1971.
- The intended use of this driveway is to access a five (5) vehicle parking area. This parking area will serve the residents of Barrington to access existing trails that run around the existing 70+/- acre lot residential subdivision and commercial properties in the northeast corner of Route 125 and Route 9.
- Attached sketch depicts the driveway plan, profile and gravel section.

Thank you very much for your time. If you have any questions, or need further assistance, please contact our office.

Very truly yours,
JONES & BEACH ENGINEERS, INC.


Wayne G. Morrill
Vice President

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MAR 28 2016

DISTRICT SIX

7/7



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

District 6 Office, PO Box 740, Durham, NH 03824



William Cass, P.E.
Assistant Commissioner

DRIVEWAY PERMIT

To:
Barrington Village Place
7B Emery Lane
Stratham, NH 03855

City/Town: Barrington
Route/Road: NH 9 (S0000009)
Patrol Section: 606
Tax Map: 238
Lot: 9.1
Development: trailhead parking

Permit #: 06-027-525
District: 06
Permit Date 3/29/2016

Permission is hereby granted to construct (alter) a driveway, entrance, exit or approach adjoining NH 9 (S0000009), pursuant to the location and specifications as described below. Failure to adhere to the standards and engineering drawings previously approved shall render this instrument null and void. Failure to start or complete construction of said facility within one calendar year of the date of this permit shall require application for permit extension or renewal in accordance with the Driveway Access Rules. Facilities constructed in violation of the permit specifications or the rules, shall be corrected immediately upon notification by a Department representative. Any cost by the State to correct deficiencies shall be fully borne by the landowner. The landowner shall defend, indemnify and hold harmless the Department and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.

06-027-

Drive 1

Location: Approximately 0.2 miles east of Junction of Route 125 and Route 9 on the north side of NH 9 (S0000009).

GPS: 43.211414 N 70.992368 W.

Specifications: This permit authorizes a gravel access to be used as a recreational drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

The right-of-way line is located 33 feet from and parallel to the centerline of the highway.
The driveway shall not exceed 20 feet in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

400 foot sightlines must be maintained by cutting trees and vegetation

Other Conditions:


No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the Highway Right of Way.

No parking, catering or servicing shall be conducted within the Highway Right of Way.

The applicant shall comply with all applicable ordinances and regulations of the municipality or other State Agencies.

The Department has relied on the title and subdivision information provided by the landowner. The Department has not performed additional title research and makes no warranty or representation concerning landowner's legal right to access. In the event of a dispute about the landowner's legal right to the access provided herein, the landowner will defend and indemnify the Department.

Approved


District Engineer
For Director of Administration

Copies: District, Town, Patrolman

Assistant

Date: 3/31/2016

LAND USE OFFICE

AppID: 5133

Page 1

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NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 1, 641 Main St, Lancaster, NH 03584
 District 2, 8 Eastman Hill Road, Enfield, NH 03748
 District 3, 2 Sawmill Rd, Gilford, NH 03249

District 4, 19 Base Hill Road, Swanzey, NH 03446
 District 5, PO Box 16476, Hooksett, NH 03106
 District 6, PO Box 740, Durham, NH 03824

APPLICATION FOR DRIVEWAY PERMIT

Pursuant to the provisions of Revised Statutes Annotated, Chapter 236, Section 13 (printed on reverse of application) and amendments thereto, and Declaratory Ruling 2000-01, permission is requested to: (circle one) Construct Alter
 (Indicate quantity of) One driveway entrance(s) to my property on the (circle one) North South / East / West side of
 NH Route 9 or Street/Road: _____ In the Town of Barrington
 at a location which will meet the requirements for safety specified in said statutes.

The driveway entrance(s) requested is (are) for access to: Other 5 vehicle parking area

Describe nature and size of industry, business or subdivision. Residence, Industry, Business, Subdivision, Other
80 Feet (circle one): North / South / East / West of Existing residential driveway no longer being utilized to be used to access a 5 vehicle gravel
1021 Feet or Miles (circle one): North / South / East / West of Road or Junction: Route 125 parking for pedestrian use of Conservation Trails.
 Utility Pole Number: PSC3/254, NETT 1064

Town Tax Map # 238 and Lot # 9.1

As the landowner (or designated applicant) I agree to the following:

- To construct driveway entrance(s) only for the bonafide purpose of securing access to private property such that the highway right-of-way is used for no purpose other than travel.
 - To construct driveway entrance(s) at permitted location(s).
 - To construct driveway entrance(s) in accordance with statutes, rules, standard drawings, and permit specifications as issued by the New Hampshire Department of Transportation.
 - To defend, indemnify and hold harmless the New Hampshire Department of Transportation and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.
 - To furnish and install drainage structures that are necessary to maintain existing highway drainage and adequately handle increased runoff resulting from the land development and obtain all easements thereto.
 - I am the owner or a duly authorized agent of the owner of the parcel upon which the driveway will be constructed. I have provided accurate and complete title and subdivision information concerning the parcel to the Department. I understand that the Department is relying on this information in considering this application and that the Department does not perform independent title research or make judgments about title or access disputes.
- For new driveway(s), include copy of current deed and, if not the same, previous deed dated prior to July 1, 1971 of the parcel. If this parcel is part of a larger tract subdivided after July 1, 1971, then provide complete subdivision plans and deed history dating back to at least July 1, 1971.
 - Attach sketch or plan showing existing and proposed driveway(s) and the adjacent highway indicating distance to town road, town line, or other readily identifiable feature or landmark and also to the nearest utility pole (including pole numbers)

W. J. M. O.
 Signature of Landowner (Applicant)

7B Emery Lane
 Mailing Address

Barrington Village Place, LLC
 Printed Name of Landowner

Stratham, NH 03885
 Town/City, State, Zip Code

Date: January 29, 2016

Telephone Number(s) _____

Contact /Agent, if not Landowner: Wayne Morrill, Jones & Beach Engineers, Inc., PO Box 219, Stratham, NH 03885

FOR OFFICE USE ONLY:

GPS N = 43.21144 GPS W = -70.992368
 Section: 603 W 100'S Width: 1 Speed: _____
 Right of Way: _____ Drainage: _____ SLD: _____
 Conditions: _____
 Permit Number Assigned: _____

2/7

MAR 29 2017

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FEB 16 2016

DISTRICT SIX

§ 236:13 Driveways and Other Accesses to the Public Way. - I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of transportation.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:

- (a) Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
- (b) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter.
- (c) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
- (d) Include any other terms and specifications necessary for the safety of the traveling public.

III. For access to a proposed commercial or industrial enterprise, or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:

- (a) Said permit application shall be accompanied by engineering drawings showing information as set forth in paragraph II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-foot all season safe sight distance has been provided.
- (c) For the purposes of this section, all season safe sight distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

IV. No construction permit shall allow:

- (a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
- (b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III and IV shall be conferred upon the planning board in cities and towns in which the planning board has been granted the power to regulate the subdivision of land as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II (a).

VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

§ 236:14 Penalty. - Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.

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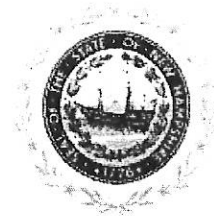
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Final Approval for Non-Community Water Systems

NHDES Drinking Water & Groundwater Bureau
Design Review



RSA/Rule: 485; Env-Dw 406

Directions:

For non-community water systems only – please complete this form to apply for Final Approval for the water system. This form is applicable for a new system, as well as, an expansion or modification of an existing system.

If you have any questions, please contact the DWGB at (603) 271-2513.

Definitions:

Non-Community Water System – RSA 485:1-a, XV and X; Env-Dw 103.37

A public water system of piped water for human consumption that is not a community water system, with at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

Non-transient, Non-community (NTNC) Water System – RSA 485:1-a, XI; Env-Dw 103.38

A non-community water system that serves the same 25 people, or more, over 6 months per year. Examples: child care centers, schools and workplaces.

Transient, Non-community (TNC) Water System – Env-Dw 103.61

A non-community water system that serves at least 25 persons in a transitory for more than 60 days each year. Examples: Restaurants, campgrounds, hotels and places that serve coffee or other beverage service.

Application Date: <u>3/10/17</u>		Design Review Number (NHDES use only): _____	
PWS ID Number: <u>TBD</u> (for existing systems)			
<u>TROPIC STAR CONVENIENCE</u>		<u>238-14 & 238-4</u>	
Name of Project		Map & Lot Number	
<u>ROUTE 125 CALEF HIGHWAY</u>		<u>BARRINGTON</u>	
Location of well (street address)		Location of well (city/town)	
Check water system type: <input type="checkbox"/> Non-Transient, Non-Community (NTNC) <input checked="" type="checkbox"/> Transient, Non-Community (TNC)			
1. Property Owner Information			
<u>THREE SOCIOS, LLC</u>		<u>SCOTT@TROPICSTARDEVELOPMENT.COM</u>	
Name of Legal Property Owner		Email address	
<u>SCOTT MITCHELL</u>		<u>603-926-7770</u>	
Contact Name		Telephone Number	
<u>321D LAFAYETTE ROAD</u>		Fax Number	
Mailing Address		NH <u>03842</u>	
<u>HAMPTON</u>		State Zip Code + 4	
City/Town			
2. Agent Information (if someone has been hired to assist the owner with an application, please provide the contact information. This contact will be used as the primary contact during approval.)			
<u>HAMPSTEAD AREA WATER SERVICES, CO.</u>		<u>CLANZA@HAMPSTEADWATER.COM</u>	
Agent Company, if applicable		Email address	
<u>CHARLIE LANZA</u>		<u>603-362-1916</u>	
Contact Name		Telephone Number	
<u>54 SAWYER AVENUE</u>		Fax Number	
Mailing Address		NH <u>03811</u>	
<u>ATKINSON</u>		State Zip Code + 4	
City/Town			

3. Certified Operator Information (certified operator required for a NTNC system only)Name of Certified Operator: Rich BibeauLicense Number: 2601 Certification Grade(s) DII TII**4. Design Review Fee** – Env-Dw 406.06 (refer to: www.des.nh.gov → A to Z List → DWGB → Rules/Regulatory)Fee: \$45 per eq. unit X 9.16 eq. units = \$412.20**5. Well Inventory**

List each well in use with a location description and attach the **Well Completion Report(s)**, if available. With no Well Completion Report, please complete the remaining 5 columns to the right, if known.

Type (ie. Dug, Bedrock)	Location Description	Well Driller (If known)	Owner When Installed	Install Date	Pumping Rate (gpm)	Depth (feet)
1.	Well 1 (See Plan)	Faxon Well	Three Socios	2/27/17	14	600
2.	Well 2 (See Plan)	Faxon Well	Three Socios	2/28/17	28	300
3.						

(if more wells, attach information on a separate sheet)

6. Yield for NTNC systems (note - the yield must be at least 1.5 times more than the design flow):

- If the design flow is equal to or less than 13,500 gpd, you may use the yield from the well completion report. Yield = 42 gpm or 60,480 gpd (1 gpm = 1,440 gpd)
- If the design flow is greater than 13,500 gpd, a pump test is required to determine yield (Env-Dw 406.13). Yield = n/a gpd

7. Standard Water Quality Analysis – Env-Dw 406.14

A standard water quality analysis shall be collected for each source and analyzed by an accredited laboratory (www.des.nh.gov → A to Z List → DWGB → Laboratory Search) for the following:

Bacteria (total coliform and *E. coli*)
Nitrate/Nitrite
Arsenic
Iron
Manganese
Stagnant Lead & Copper

Hardness
pH
Chloride
Fluoride
Sodium

Radionuclides (NTNC only):
- compliance gross alpha
- Radium 226 + 228
- Uranium

Sample ID: 3703-00087, 3703-00088Date sampled: 3/1/17

Lab name: Nelson
Analytical

Is treatment needed to meet drinking water standards? yes (yes/no)If yes, what treatment is proposed? Iron & Arsenic Removal

(attach treatment design & discharge registration for treatment backwash, if applicable)

NOTE: For NTNC water systems within the first quarter of operation, required sampling will include: inorganic chemicals (IOCs), volatile organic compounds (VOCs), and synthetic organic chemicals (SOCs). Based

8. Cross-Connections & Backflow Devices – (ex. fire sprinkler systems, campground dump stations, geothermal installations) Describe what measures are in place to reduce the likelihood of contamination.

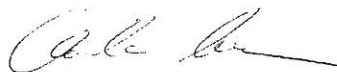
n/a

9. Application Check List - include the following with this application form (check all that apply):

- ☐ Fee
- ☒ Well completion report(s), if available
- ☒ Water Quality Analysis report(s)
- ☐ Pumping Test Results - For design flows greater than 13,500 gpd
- ☐ Business Plan - For NTNC systems (Template: <http://des.nh.gov/organization/divisions/water/dwgb/capacity/>)
- ☒ Water treatment design, if applicable
- ☐ Discharge registration, if applicable
(http://des.nh.gov/organization/divisions/water/dwgb/dwspp/bmps/documents/floor_drain_form.pdf)
- ☒ Site Plan with information from the Well Location Plan and the following:

- | | |
|---------------------------|--|
| - North Arrow | - Surface waters, wetlands, drainage ways |
| - Scale | - 100-year floodplain elevation |
| - Property boundaries | - Wellhead location |
| - Lot numbers | - SPA, with the radius noted |
| - Name of adjacent owners | - 50' radius (common setback) |
| - Contours, if available | - Wastewater disposal areas – existing and proposed |
| - Nitrate setbacks | - Buildings, roads, right-of-way, driveways, and parking areas |
| | - Distribution system – pipes, storage tanks, etc. |

10. Signature Required:



Signature of owner or owner's agent

3/10/17

Date

Charlie Lanza

Print name of owner or owner's agent

Return completed form by mail, fax or email to:

NHDES Drinking Water & Groundwater Bureau
PO Box 95, Concord, NH 03302-0095

Fax: (603) 271-5171

Email: dwgbinfo@des.nh.gov

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