



**MEETING MINUTES
FOR
BARRINGTON PLANNING BOARD
IN PERSON LOCATION
Early Childhood Learning Center
77 Ramsdell Lane
Barrington, NH 03825**

OR

**You are invited to appear by audio phone or computer see below:
The public has access to contemporaneously listen and, if necessary, participate in the meeting
through dialing the following phone #603-664-0240 and Conference ID: 679 391 837#**

**(Approved September 21, 2021)
Tuesday, September 7, 2021
6:30 p.m.**

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

ROLL CALL

Members Present

James Jennison, Chair
Jeff Brann, Vice Chair
Steve Diamond-Remotely
Ron Allard
Candice Krans-Remotely
Buddy Hackett
Andrew Melnikas

Members Absent

Donna Massucci
Andy Knapp ex- officio

Code Enforcement Officer: John Huckins
Staff: Barbara Irvine
Town Administrator: Conner MacIver

MINUTES REVIEW AND APPROVAL

1. Approval of August 3, 2021, meeting minutes.

A motion was made by J. Brann and seconded by R. Allard to approve the August 3, 2021, meeting minutes with minor edit to page 3. Vote 6/0

Roll Call:

Buddy Hackett-Yay

Jamie Jennison-Yay

Jeff Brann-Yay

Ron Allard-Yay

Candice Krans-Yay (Remotely)

Steve Diamond—Yay (Remotely)

ACTION ITEMS REQUEST FOR AN EXTENSION

2. [238-36-V-21-SR \(Owner: Waldron B. Haley Revoc Trust\)](#) Request by applicant for a one-year extension to allow obtaining State Permits on Below Application:
[238-36-V-20-SR \(Owner: Waldron B. Haley Revoc Trust\)](#) Request by applicant for Site Review to amend application for a multi-family Development **ADDED** 3.4 Conditional Use Permit located off Franklin Pierce Highway (Map 238, Lot 36) in the Village District. BY: Scott D. Cole, Beal Associates, PLLC; 70 Portsmouth Avenue; Stratham, NH 03885.

J. Jennison gave a brief description of the application.

Scott Cole from Beal Associates for an extension waiting for NHDOT State permits.

J. Brann explained that the Board does not hold things up waiting for State Permits and J. Brann referenced the applicant's letter stating that NHDOT was also impacting the AoT permit.

S. Diamond asked what was going on with the depth of drainage and traffic analysis because the applicant disagreed with what they got from the engineer firm.

Scott explained that they have addressed all concerns and they have their AoT permit where all the drainage has been certified; just waiting for NHDOT.

B. Hackett asked if one-year extension would be enough time.

Scott stated that it would be.

A motion was made by J. Brann and seconded by R. Allard to grant a one-year extension for application 238-36-V-20-SR. The motion carried unanimously.

Roll Call:

J. Jennison-Yay

C. Krans-Yay

S. Diamond-Yay

B. Hackett-Yay

J. Brann-Yay

R. Allard-Yay

3. [251-64-GR/SDAO-17-SRExt3 \(Steven & Pamela Lenzi Trs Rev Tr\)](#) Request by applicant for a

one-year extension to allow the applicant to construct the previously approved facility; deadline set forth in the site plan approval on the case below:

251-64-GR/SDAO-17-SR/Waiver (Owners: Steven F. and Pamela M. Lenzi Revocable Trust)

Request by applicant for Site Review to construct a 150' monopole tower that will structurally accommodate at least 4 wireless broadband telecommunications carriers and associated antennas, electronic equipment and cabling; and fence in the base of the tower to accommodate ground-based telecommunications equipment on Bumford Road and a waiver from 3.3. (3) existing topography. (Map 251, Lot 64) in the General Residential (GR) and Stratified Drift Aquifer Overlay Zoning District. By: Varsity Wireless Investors, LLC; 290 Congress Street, 7th Floor; Boston, Ma 02210.

J. Jennison gave a brief description of the application.

Daniel Klasnick from Duval & Klasnick LLC explained that he was asking for a one-year extension. Dan explained the background of the project and that there would be no changes. Dan explained that the consolidation prevented them from moving forward. Dan explained that the EIP Communications has delayed the scheduling, planning, and ordering of the materials necessary to undertake the install of the wireless telecommunications tower facility. Dan explained that they are working with a wireless service provider for a commitment from a provider. Dan explained that EIP Communications request that the Board waive the limitation and grant a further one-year extension.

J. Brann read the following from RSA 674:39 **Five-Year Exemption**

(a) Active and substantial development or building has begun on the site by the owner or the owner's successor in interest in accordance with the approved subdivision plat within 24 months after the date of approval, or in accordance with the terms of the approval

IV. I. The planning board may, for good cause, extend the 24-month period set forth in subparagraph I(a).

J. Brann explained that the State Statute allows the Planning Board to grant the extension and that they could waive the regulations. J. Brann explained that where this was under the 5-year exemption and where this was linked to the 5-year extension, this would likely be the last extension.

J. Jennison agreed with J. Brann except if there are no changes [in regulations] next year and this was an approved project.

J. Brann explained that the 5-year exemption law states that you are exempt for 5-years, and if law changed, they would need to apply to those laws.

John Huckins Code Enforcement explained that the 5-year law means that if you change Zoning or Site Review Regulations but if there are no changes than there would be no 5-year exemption.

J. Brann explained that the only evaluation would be through the application approval. J. Brann explained that the Board could waive any rule and then grant the extension.

S. Diamond stated a year ago the extension was for the reason for hardship of a merger and then had been additional mergers or hardships. S. Diamond asked if they were citing the same reasons as a year ago.

Dan explained to the Board that they did request a waiver with the one-year extension.

S. Diamond expressed that with changes in Board members that this application has been kicked down the road indefinitely and felt that they need to restart the process in they are not going to move forward in a reasonable time frame.

J. Jennison explained that changes would be in Zoning and Site Review, and to restart the project they would end up at the same point again.

J. Brann explained that was why he went back to the 5-year exemption.

S. Diamond agreed if this would be there last one.

John Huckins explained that the Board cannot hold the applicant to that.

J. Jennison opened public comment.

J. Jennison closed public comment.

Waiver Request:

2.5.12 Expiration of Approved Plans:

A motion was made by J. Brann and seconded by R. Allard to grant the waiver for application 251-64-GR-SDAO-17-SR/Waiver. Vote 4/2

Roll Call:

J. Jennison-Yay

B. Hackett-Nay

S. Diamond-Nay

C. Krans-Yay

R. Allard-Nay

J. Brann-Yay

A motion was made by J. Brann and seconded by R. Allard to grant a one-year extension for application 251-64-GR-SDAO-17-SR/Waiver. Approved. Vote 5/1

Roll Call:

J. Jennison-Yay

B. Hackett-Yay

S. Diamond-Nay

R. Allard-Yay

J. Brann-Yay

ACTION ITEMS CONTINUED FROM JUNE 1, 2021

4. [236-4-GR-20-SR \(Owner: Sunset Rock LLC\)](#) Request by applicant for Site Review to increase their operation in Barrington from 83.3 acres to a total of 88.8 acres (Map 236, Lot 4) (Map 222, Lot 13) and for a 3.4 Conditional Use Permit located backland off Tolend Road in the General Residential Zoning District. BY: Michael Wright, RESPEC; 67 Water Street, STE 109, Laconia, NH 03246.

J. Jennison gave a brief description of the application.

Attorney Ari Pollack from Gallagher, Callahan & Gartrell law firm represented applicant Sunset Rock LLC. Attorney Pollack explained that the applicant has been before the Board since November 2020 and was there looking to expand an assisting excavated area. Attorney Pollack explained that he was here to hopefully come up with a process to complete and resolve application issues. Attorney Pollack explained

that the City of Dover as an abutter to the project that has been active in data requests and some investigation of the application. Attorney Pollack was looking for the Planning Board to advise the applicant on some of the engineering issues. Attorney Pollack explained that they are looking for a continuance of the application and have the applicant agree to fund the scope of work needed. Attorney Pollack explained that they would like to continue for 60 days so that the Planning Board can work with the applicant to develop an engineering review budget for the applicant to approve and the applicant would continue to work with the City of Dover with their questions.

J. Brann explained that the Board uses CMA Engineers, Inc.; they would use an inhouse, subcontractor or consultant services so they could provide input. J. Brann explained that the Board would not want to impact on City of Dover or any other Town's municipal water supply.

J. Jennison asked if there was any communication from the city of Dover.

Attorney Pollack didn't know if there was any data from City of Dover, and as the owner and applicant they are trying to supply information for the expansion. Attorney Pollack explained that City of Dover has a consultant to review the information and he doesn't know where City of Dover stands with comments on the application.

J. Brann expressed that the Board would want City of Dover input, but the Board would also send this out for review.

Attorney Pollack explained that the applicant would want to review the scope and budget for the work.

John Huckins explained that the Board would submit the work order for the application to CMA for review and an estimate, and the work order/estimate would be reviewed with the applicant.

J. Brann expressed he didn't know if CMA had in-house expertise that could review the application but with the Town contract CMA could go out and hire someone.

Attorney Pollack explained that they also understand that CMA may have to subcontract the modeling.

R. Allard expressed that he felt City of Dover can not hold this process up.

Attorney Pollack stated that he felt that wasn't the case.

J. Brann expressed that he didn't feel that City of Dover was holding this project up and felt that Brox has given them time because of the significance of the issue here with respect to their municipal well. J. Brann explained that the Board acknowledged that it's time to move on and Brox was willing to pay for the third-party review.

S. Diamond asked John Huckins about the terms of scope of work and general on 50-year events. Maybe the Board should consider the scale of the consequences would be if there was an extremely long severe drought or heavy rain events. S. Diamond suggested evaluating what would be safe in the terms of this project if there would be a future increase in size of this site and what size would this be too big. S. Diamond expressed his concern for the hydrologic system and other conditions in the area.

John Huckins explained that would be why the Board would want to send this out to an engineering firm. John Huckins explained the engineer can determine that and explained that it would come out if it's too big.

J. Brann explained that for drainage and erosion plans, the State's is the one that dictates on their form that they look at the 50-year event. J. Brann explained that all the analysis that comes from the engineers' firms has always included the 50-year and 100-year events, so the data was there to look at.

J. Jennison expressed that with a review on a typical process they are reviewing things that they are familiar with but if are they reviewing unfamiliar information that they don't know what they don't have for a project like this.

John Huckins explained that the Board would send the information supplied and with their expertise, the engineer would look at it and determine if it would be reasonable for the Board could also ask for further information to perform a true assessment and how it would comply the Town regulations. J. Huckins explained that at that point the Board could have the engineer look at the 100-year event.

J. Jennison expressed that he was thinking beyond the drainage and flooding but also the effects that it has on the neighboring parcels with water recharge.

J. Brann explained that he would like to go beyond the flooding and drought events but also after their analysis say if there's potential adverse impact on the municipal well in Dover. J. Brann explained that there are two variables that seem significant with respect on the impact on the well; the first would be the distance from the well to the edge of the expansion. J. Brann explained that City of Dover was also concerned about the depth so if they were raised the elevation of the floor by another 15', 20' or 25', could CMA then determine whether the data be acceptable.

John Huckins explained that if City of Dover brought up the concerns, CMA should know about them so they can give the Board an assessment. John Huckins explained that their concerns appear legitimate and if they are, what can be done to minimize that so it's not going to have that negative effect.

J. Jennison asked if the Board could give City of Dover a deadline to have the information to the Board to that can go to CMA.

J. Brann explained that City of Dover was an abutter, and they are responsible to come in and provide information to the Board.

R. Allard explained that they have their own consulting engineers at their own expense and questioned having the Town engineers review their concerns at the same time.

J. Brann expressed that if City of Dover was listening and have concerns, they should submit their comments to the Planning office.

S. Diamond asked if John Huckins could contact City of Dover on staff time and let them know.

John Huckins stated that if they did that, they would need to notify every abutter on every case and there was a point where you're crossing the line. John Huckins explained that they were notified of the date and time of this meeting.

J. Brann explained that if the applicant wanted to contact City of Dover, they can do so. J. Brann explained that regardless if City of Dover was working on something, the Board would be getting a third-party review. If City of Dover comes in last minute with technical analysis that was contrary to what the Town engineer said, then the Board would need to go back to the Town engineer.

Attorney Pollack explained the applicant doesn't have any ability or desire to squelch the participation of an abutter. Attorney Pollack explained that they would contact the City of Dover and let them know that Brox just wants to get on a track to get to an end point.

J. Brann explained that the Board isn't showing bias or favoritism to a particular abutter as a Board.

B. Hackett explained that he appreciates the concern expressed as a representative for the applicant but if the applicant knows that there's other information potentially out there, that's not the Board's doing.

Attorney Pollack explained that the last thing the applicant wants is to get to a public hearing and have the Board feel surprised that someone hasn't participated fully and send it right back through the same turnstile again.

J. Brann explained that he would just have to believe that even they don't have direct conversations, the City of Dover understands it's in their best interest to participate with the applicant and the Board to get their information reviewed.

Attorney Pollack expressed that he doesn't think there's that is their intention at all.

J. Brann expressed that he supports sending this application out to third party review.

B. Hackett asked S. Diamond if his comment enough is enough was reference to the 83.3 to the 88.8-acre expansion or beyond that the scope might even get bigger. B. Hackett asked for about the question and was looking for clarification.

S. Diamond explained that he was concerned about both the acreage and the depth and suspected that it was going to be further expanded five acres at a time.

J. Brann asked if the Board could decide now that adding the additional five acres doesn't make it too big and felt you would evaluate on a case base each change that's made in the size of the pit. J. Brann explained that each change in its characteristics requires a new analysis and felt that its probably impossible from an analytical standpoint at this point to predict how big was too big. J. Brann explained that it depends on what changes, in what direction, and changes in the climate that we're living in today and he doesn't think that the Board can predict this would need to be evaluated each time.

S. Diamond expressed that J. Jennison's point about the depth and if it was evaluated what depth was too much, that addresses his concern.

J. Brann explained that was one of the issues that has came up; as they're going down, they're actually going down into the water table with the depth and they should look at the height that would minimize that impact.

Attorney Pollack stated it was.

J. Jennison opened public comment.

J. Jennison closed public comment.

John Huckins asked when they could get the information to the Planning office.

Attorney Pollack explained that the Board had the basic materials.

John Huckins asked if they wanted to go two months before they come back or if they want to come in another month.

Attorney Pollack stated they would like to come back in 60 days (2 months).

J. Brann explained that CMA would want to look at the application and see what questions the Board was asking.

A motion was made by J. Brann and seconded by R. Allard to continue the application for Sunset Rock until November 2, 2021. The motion carried unanimously.

Roll Call:

B. Hackett-Yay

R. Allard-Yay

J. Brann-Yay

J. Jennison-Yay

S. Diamond-Yay

C. Krans-Yay

ACTION ITEMS CONTINUED FROM JULY 20, 2021

5. [235-1.1&3-TC-21-SR/LL/9.6 \(Owners: Dove Development Group, LLC\)](#) Request by applicant for a Site Review, Lot Line Adjustment and a 9.6 Special Permit along with a waiver request proposing 20-unit mixed use building and 25 Townhouses off the proposed extension of Community Way (Map 235, Lots 1.1 & 3) on 23.63 acres in the Town Center Zoning District. BY: Christopher Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

J. Jennison gave a brief description of the application.

Chris Berry from Berry Surveying and Engineering represented applicant Dove Development Group, LLC. Chris explained that they have received CMA comments and wanted to bring the Board up to speed on where they are at. Chris explained the two review responses and showed the Board some of the Site Plan modifications that they have made based on the comments that they have received during design review. Chris explained that both the basic plan changes that they have made and the biggest design changes that came out of the last meeting from a site plan design standpoint. Chris explained addition of the sidewalk proposed High Point Drive, but that name would likely change based on another similar road in Town. Chris explained for this plan it would be called High Point Drive. Chris explained the locations of the sidewalks, additional parking, and the location of the disposal area.

Requested Waivers:

1. 12.7 Table 2 Intersection Design Standards

High Point Drive • Allow for a greater than 2% road grade within 100' of an intersection. • Proposed grade is 2% for 40' (20+16-20+56), then transition to a 6% grade with a 40' vertical curve by station 20+96 (80' from E.O.P. station 20+16).

A motion was made by J. Brann and seconded by R. Allard to grant the waiver 12.7 Table 2 Intersection Design Standards as not granting the waiver would pose an unnecessary hardship to the applicant and granting the waiver would not be contrary to the spirit and intent of the regulations. The motion carried unanimously.

Roll Call:

J. Brann-Yay

R. Allard-Yay
C. Krans-Yay (Remotely)
S. Diamond-Yay (Remotely)
B. Hackett-Yay
J. Jennison-Yay

2. Section 12.2.1 Figure 4A, Road Design Standards

Preferred Cul-de-Sac design: High Point Drive Cul-de-sac • Allow for a cul-de-sac with a 35' CL Radius (23' inner pavement radius, 47' outer pavement radius) when a 62' CL Radius (50' inner pavement radius, 74' outer pavement radius) is preferred

A motion was made by J. Brann and seconded by R. Allard to waiver 12.2.1 Figure 4A, Road Design Standards to allow for a cul-de-sac radius of 45' versus 62' as not granting the waiver would pose an unnecessary hardship to the applicant and granting the waiver would not be contrary to the spirit and intent of the regulations. The motion carried unanimously.

Roll Call:

C. Krans-Yay (Remotely)
S. Diamond-Yay (Remotely)
B. Hackett-Yay
J. Jennison-Yay
R. Allard-Yay
J. Brann-Yay

3. Section 12.2.1 Figure 4C, Road Design Standards

Boulevard Collector Roadway: Community Way Cross Section • Allow for a cross section of 8' center median 12' travel lanes, 2' grass strip, and 5' sidewalk on the right side, when a boulevard collector requires 10' median lane, 12' travel lane, 3' strip, 3'6" clear edge, 10' planter, then 5' walk (left and right).

A motion was made by J. Brann and seconded by R. Allard to waiver 12.2.1 Figure 4C, Road Design Standards as the specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations. The motion carried unanimously.

Roll Call:

B. Hackett-Yay
C. Krans-Yay (Remotely)
S. Diamond-Yay (Remotely)
J. Jennison-Yay
J. Brann-Yay
R. Allard-Yay

4. Section 12.3.2(5) Curbing, Driveway Design

North Point Commons Entrance • Allow for two curb radii to be 10' when 25' is required.

A motion was made by J. Brann and seconded by R. Allard to waiver 12.3.2 (5) Curbing, Driveway Design as the specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations. The motion carried unanimously.

Roll Call:

B. Hackett-Yay

C. Krans-Yay (Remotely)
S. Diamond-Yay (Remotely)
J. Jennison-Yay
J. Brann-Yay
R. Allard-Yay

R. Allard explained that he previously mentioned the headlight sweep on those residential buildings and the answer was that the ground level doesn't contain living space. R. Allard explained that coming up High Point Drive that due to elevation the headlight sweep is going to be much higher than the ground level and was concerned about the headlights.

Chris explained that he did not have an answer but would get one.

J. Jennison read the following staff comments:

Planners Comments:

- High Point Drive – Verify Name
- Private Road for Townhouses
-

Fire Chief, Rick Walker

- Min if 60,000 gallons of Water Available to FD, 24/7 Year-Round within 1000 drivable feet of any structure being protected
- Identify Proposed cistern location for Fire Department Approval
- Placement of "No Parking" signs un areas in which Fire Lane requirements may be restricted by vehicle parking
- Would like to see Life Safety Escape balconies on one window for each unit on the high side of the building
- Additional parking spaces for visitors of the Town Houses
- Where is winter snow storage located?

Police, George Joy Chief:

- Lighting on both roads and common areas.

J. Jennison opened public comment.

J. Jennison closed public comment.

A motion was made by J. Brann and seconded by R. Allard to continue the Dove Development application until October 5, 2021. The motion carried unanimously.

Roll Call:

C. Krans-Yay (Remotely)
S. Diamond-Yay (Remotely)
B. Hackett-Yay
J. Jennison-Yay
J. Brann-Yay
R. Allard-Yay

ACTION ITEM CONTINUED FROM AUGUST 3, 2021

6. [105-2&13-GR/HCO/WPO-21-LL \(Owners: Dan C. & Debra Cui\)](#) Request by applicant to adjust

boundary lines between Lots 2 and 13 at 761 Washington Street in the General Residential and Highway Commercial Overlay Zoning District. (Map 105, Lots 2 & 13) BY: David W. Vincent, LLS, Land Surveying Services; PO Box 1622; Dover, NH 03821.

J. Jennison gave a brief description of the application.

Dan Cui, homeowner, explained to the Board that they were looking to do a Lot Line Adjustment to the two parcels. Dan explained the change to the line where the house was originally built so that it stays as part of the property.

J. Brann addressed to the applicant that Note #11 on the plan needs to be corrected. J. Brann explained to the applicant that it reads A & C to be conveyed from Lot 13 to Lot 2 and parcel B to be conveyed from 2 to 13. J. Brann explained looking at the plan with the new boundary line, Parcel A would go from Lot 2 to Lot 13, and Parcels B and C would go from Lot 13 to Lot 2.

Dan explained that he would bring this to his surveyor.

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

Roll Call:

J. Jennison-Yay

C. Krans-Yay (Remotely)

S. Diamond-Yay (Remotely)

B. Hackett-Yay

J. Brann-Yay

R. Allard-Yay

J. Jennison opened public comment.

J. Jennison closed public comment.

J. Jennison read Conditions Precedent:



Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0330

jhuckins@barrington.nh.gov

DRAFT NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received: N/A</i>	<i>Surety returned: N/A</i>
--------------------------	------------------------	-------------------------------	-----------------------------

		n/a	n/a
"Applicant," herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.			
Proposal Identification: <u>105-2&13-GR/HCO/WPO-21-LL (Owners: Dan C. & Debra Cui)</u> Request by applicant to adjust boundary lines between lots 2 and 13 at 761 Washington Street in the General Residential and Highway Commercial Overlay Zoning District. (Map 105, Lots 2 & 13) BY: David W. Vincent, LLS, Land Surveying Services; PO Box 1622; Dover, NH			

Owners: Dan C. & Debra Cui 761 Washington Street Barrington, NH 03825 Applicant: David W. Vincent, LLC P.O. Box 1622 Dover, NH 03821	Dated: September 7, 2021
---	--------------------------

Dear applicant:

This is to inform you that the Barrington Planning Board at its September 7, 2021, meeting **CONDITIONALLY APPROVED** your application referenced above.

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

Please Note* If all of the precedent conditions are not met within 6 calendar months to the day, **by March 7, 2022**, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board. *Reference 8.2.3 of the Town of Barrington Subdivision Regulations*

Conditions Precedent

- 1)
 - a) Add the owner's signature to the final plan
 - b) Add the wetland scientist stamp & signature to the final plan
 - c) Correct Note #11 on all plan sheets
- 2) The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the plans.

- 3) Any outstanding fees shall be paid to the Town.
- 4) For lot line adjustments the applicant shall submit to the Land Use Office a copy of the signed and notarized deed which will affect the conveyance of the subject property before the plat is certified by the Planning Board. Once the plat is certified the deed must be recorded simultaneously with the plat. For Lot Line Adjustments where the property is in the same ownership deeds incorporating the adjustment must be provided.
- 5) Final drawings. (a) five sets of large black line plus (b) one set of 11"x17" final approved plans must be on file with the Town. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans. If there are significant changes to be made to the plans, as specified above, one full size paper check print must be sent to the Planning Department for review prior to producing these final drawings.

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

Sincerely,

John Huckins
Zoning Administrator

*A motion was made by J. Brann and seconded by R. Allard to approve the Lot Line Adjustment.
The motion carried unanimously.*

Roll Call:

S. Diamond-Yay (Remotely)
B. Hackett-Yay
C. Krans-Yay (Remotely)
J. Jennison-Yay
J. Brann-Yay
R. Allard-Yay

ACTION ITEMS

7. **220-3-RC-21-SR (Owner: Daryl Landry)** Request by applicant Riverside & Pickering Marine Contractors for a Site Review proposing a contractor's storage yard for construction marine, trucks, trailers, and construction supplies with no buildings or pavement on 5.03 acres at 15 Green Hill Road (Map 220, Lot 3) in the Regional Commercial Zoning District. BY: Eric Mitchell, Eric Mitchell & Associates, Inc; 38 South River Road; Bedford, NH 03110.

J. Jennison gave a brief description of the application.

Eric Mitchell from Eric C. Mitchell & Associates, Inc. represented the applicant Riverside & Pickering Marine Contractors. Eric gave a description the location and that it would remain a gravel area with no clearing and no buildings. Eric explained that they proposed to have a gated fence at the entrances, and they have sufficient site distance for their access in and out of the property. Eric explained that everything that was on the site have been removed and it is a gravel yard now. Eric explained that the applicant plans

to store some of their equipment there with some of their supplies for their projects. Eric explained that there would be no buildings or septic systems; nothing else. Eric explained that it was going to be used as a storage area for their trucks, vehicles, cranes, and materials.

J. Brann explained that most questions for a minor site plan have been answered for a change of use, which was what the applicant wants to do. J. Brann asked about the minimum traffic impact on the surrounding road.

Eric explained that was correct; what the site was before and what was proposed there's minimal change. As the vehicles coming into the yard would be the contractor's vehicles now it's not open to the public.

J. Brann asked if the access was changing.

Eric stated that they were not.

J. Brann asked if it's minimum lot grading that's taking place.

Eric stated correct and explained that it's all gravel. In some places where they may have taken the buildings out, they moved stuff around, so it'll be smooth.

J. Brann asked if there was any drainage improvement.

Eric stated no.

J. Brann asked if there would be any expansion of pavement.

Eric explained that there would be no paving.

J. Jennison expressed that his only concern would be screening from Calef Highway (aka Route 125) based on the proposed use.

John Huckins explained that there are trees and vegetation along Calef Highway (aka Route 125) that's was thick and open along Green Hill Road.

Eric explained that he looked at the site prior to the meeting and along Calef Highway (aka Route 125) the area was thick with gravel area on Green Hill Road. Eric explained that there are much smaller trees on Green Hill Road than Calef Highway (aka Route 125). Eric expressed that if there was additional screening needed on Green Hill Road, they could look into doing that.

J. Jennison asked if they were going continue using stock fence on Calef Highway (aka Route 125).

Eric explained that he believed that it was going to stay the way it was; the applicant wasn't looking to do any clearing on the outside. Eric explained that this was a commercial site but there would be no retail or opened to the public.

John Huckins explained that there was a small opening on Calef Highway (aka Route 125); the rest of it was all trees and vegetation.

Eric explained that he did see a couple pieces of fencing on the Calef Highway (aka Route 125) side.

John Huckins explained that there was an opening there, but it hasn't been used for years.

Eric explained that there was no fencing on Green Hill Road

S. Diamond explained that it was possible to see it from Calef Highway (Route 125) and to see what was in the lot. S. Diamond explained that a lot of the trees would lose their leaves during part of the year, so it won't be perfect screening.

J. Brann explained when he went by on Calef Highway (aka Route 125) when the salvage yard was there, he didn't recall seeing into the property.

B. Hackett explained that he drives by there twice a day and there was some sort of seasonal difference. Like S. Diamond was saying, when the winter comes and the leaves drop but nothing that appears like it was when it was the salvage yard.

J. Brann explained that the Site Review Regulations address screening and specifically preservation of existing vegetation that the applicant would maintain the vegetation that currently exists. J. Brann explained that the applicant would not decrease the depth of vegetation between the yard and Calef Highway (aka Route 125).

Eric agreed.

J. Jennison asked if there was an intent to fence the yard in to protect the equipment and things stores in there.

Doug Anderson explained that most of the stuff would require a trailer to move. Doug explained to the Board that this company is a high-end contractor based out of Newington, NH and it would be a very respectful clean organized yard. Eric explained that they are the only commercially zoned property next to residential district in Newington and they go by the similar rules already. Doug explained that they have no issues keeping the existing buffer on Calef Highway (Route 125).

R. Allard wanted to make sure that there was a buffer between the ice cream place was on Calef Highway (aka Route 125) as well as control of any petroleum products or hydrologic impact. R. Allard explained they don't want those hitting the ground and there would not be anything stored there of that nature.

Doug explained that anything like that would be store inside a container, such as inside a Conex box, and explained that was not their intent to store any such products.

S. Diamond asked if the intent was that this equipment was going to be coming and going throughout the year including winter.

Doug stated year use and the access was going to be minimal once they initially move their equipment in; they would be there two to three times a week.

S. Diamond asked about snow removal with no paving. With the vehicles being quite heavy he was concerned about management of erosion and no one getting stuck.

Eric explained that the site was currently gravel and this supplied enough foundation for the vehicles.

A motion was made by J. Brann and seconded by R. Allard to accept the application for Riverside & Pickering Marine Contractors as complete. The motion carried unanimously.

Roll Call:

J. Jennison-Yay

B. Hackett-Yay

C. Krans-Yay (Remotely)

S. Diamond-Yay (Remotely)

J. Brann-Yay

R. Allard-Yay

J. Jennison opened public comment.

J. Jennison closed public comment.

S. Diamond asked if all vehicles would be able to enter and exit at on all occasions without backing into the property.

Eric stated yes.

J. Jennison read Conditions Precedent:



Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0330

jhuckins@barrington.nh.gov

NOTICE OF DECISION

[Office use only]	Date certified:	As builts received:	Surety returned n/a
<i>"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.</i>			
Proposal Identification: <u>220-3-RC-21-SR (Owner: Daryl Landry)</u> Request by applicant Riverside & Pickering Marine Contractors for a Site Review proposing a contractor's storage yard for construction marine, trucks, trailers, and construction supplies with no buildings or pavement on 5.03 acres at 15 Green Hill Road (Map 220, Lot 3) in the Regional Commercial Zoning District. BY: Eric Mitchell, Eric Mitchell & Associates, Inc; 38 South River Road; Bedford, NH 03110.			

Owner: Daryl Landry 24 Greenhill Road Barrington, NH 03825 Applicant (Contact) Doug Anderson Riverside & Pickering Marine Contractors 34 Patterson Lane Newington, NH 03801	Dated: August 17, 2021
---	------------------------

Professional Eric Mitchell Eric C. Mitchell & Associates, Inc 38 South River Road Bedford, NH 03110	
---	--

Dear applicant:

This is to inform you that the Barrington Planning Board at its September 7, 2021, meeting **CONDITIONALLY APPROVED** your application referenced above.

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

Please Note* If all of the precedent conditions are not met within 6 calendar months to the day, by March 7, 2022, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

Conditions Precedent

- 1) Add owners' signature to the final plan.
- 2) Add wetland scientist stamp signature to final plan.
- 3) 3) Maintain the vegetated buffer and visual buffer between Calef Highway (aka Route 125) and
- 4) Green Hill Road in accordance with Site Review Regulations.
- 4) Any outstanding fees shall be paid to the Town.

2) Prior to obtaining Board signature, the Applicant shall submit three (3) complete paper print plan sets and supporting documents as required in Article 3 with a letter explaining how the Applicant addressed the conditions of approval. This shall include final and complete reports for all items submitted during review for the Town of Barrington's file. The Chairman shall endorse three copies of the approved plan(s) meeting the conditions of approval upon receipt of an executed bond for all improvements, excluding buildings. The Town shall retain a signed and approved reproducible 11"X17", and PDF format with supporting documents for Town records.

General and Subsequent Conditions

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

Sincerely,

John Huckins
Zoning Administrator

cc: File

A motion was made by J. Brann and seconded by R. Allard to approve the Site Review for Riverside & Pickering Marine Contractors. The motion carried unanimously.

Roll Call:

B. Hackett-Yay
C. Krans-Yay (Remotely)
S. Diamond-Yay (Remotely)
J. Jennison-Yay
J. Brann-Yay
R. Allard-Yay

8. **270-74-RC-21-Design (Nelson J. Murray Sr Trs Rev Liv Tr)** Request by applicant for a Design Review of a project that was previously approved by the Planning Board in 2007 to construct 12-units. Applicant would like to develop 6 two-family (12-units) duplexes with on-site water and septic on a 24.20-acre site on Holly Lane in the Regional Commercial Zoning District. BY: Wayne Morrill, Jones & Beach Engineers, Inc; PO Box 219; Stratham, NH 03885.

J. Jennison gave a brief description of the application.

Wayne Morrill from Jones & Beach Engineers, Inc. represented Nelson J. Murray Sr Trs Rev Liv Tr and Jack Murray. Wayne explained to the Board that this was 24.2 acres project that was approved by the Planning Board in 2007. Wayne explained that at that time this project did receive a NHDOT permit that did not get constructed but did get cut in. Wayne gave a background of the property and were proposing to the Board construction of duplex units. Wayne explained that the road would not change the access to the Yellow Dog, it would remain the same, and they are working on septic designs and buildings on a previously approved project. Wayne explained that the site was cleared a few years ago of some big specimen trees and they are going to try and keep some of the remaining trees. Wayne explained that there were many wetlands towards the rear of the property as well as the powerlines and they do not plan on going near there. Wayne explained that they received the comments from the Conservation Commission about protecting some of that area because it abuts some of the Town property on the other side of Holly Lane.

B. Hackett asked if they did have a conversation with the Conservation Commission about the 50' buffer.

Wayne stated no there was a 50' buffer with the wetland in the middle and a vernal pool in the north of the property that has a 100' to that. Wayne explained that they would not be impacting the 50' buffer to that wetland. Wayne explained that they are going to try and keep the duplexes close to the cul-de-sac that was already proposed.

J. Brann asked if they ever intended to take access off France Road Extension when putting in the new roadway.

Wayne explained that it was always the intention to put the 700' cul-da-sac off of Old Concord Turnpike (aka Route 4) and giving Yellow Dog the access when it gets built.

J. Brann expressed that they may have been present for the earlier reduction of the cul-de-sac radius.

Wayne stated that he was.

J. Brann explained that because of the access here and the movement of vehicles, he would be less amenable to a waiver as that was up to the end where the houses were and this is providing really access to all the units.

Wayne explained that he believed when this was approved there was a waiver request that was denied.

J. Brann asked if they were doing a Lot Line Adjustment.

Wayne explained that the Lot Line Adjustment was already done. Wayne explained that they do need to do test pits and wetlands need to be done because they were done years ago. Wayne explained that they would have a wetland scientist walk the area again. Wayne explained that they need to check because wetlands [definitions] changed around 2008.

J. Brann asked if they saw the comments with the Road Agent concerns and explained that he looked at the topo and there were some steep slopes. J. Brann expressed that they are going to have to have drainage off the roadways that are directed away from the France Road Extension.

Wayne explained that there are a lot of slopes on Holly Lane so they would have to try and stop the water either with level spreaders or try to hold that back so that they don't impact the road.

J. Brann expressed that there's not going to be Holly Lane, France Road Extension, access so how much land disturbance is there going to be. J. Brann asked if there was going to be any disturbance within the 40' setback.

Wayne explained that there may be some minor grading that has to come when the roundabout goes in but they have not designed it all out yet.

J. Brann asked for the landscape island, has that drainage been approved?

Wayne explained that the entire project was approved in 2008 but has expired.

J. Jennison expressed that the drainage has changed so much since 2007.

Wayne explained that they are going to drop the cul-de-sac down.

J. Jennison asked if they meet the lot size.

John Huckins explained that he did the math on it works and works out 12 units.

J. Jennison listed items needed:

Trash being handled

Are Dumpsters going to be on site?

Mailbox location

J. Brann added the following items:

Lighting-make sure the drawings are showing regular down lighting and illumination in accordance with the regulations.

Aesthetics-A New England country look (renderings show what the units would look like)

Drainage

J. Jennison asked if this would be considered a Conservation Subdivision?

John Huckins explained that they are doing as a multi-family but could be conservation subdivision because the density works out the same.

J. Brann expressed that the Fire Chief may want to have a cistern.

John Huckins explained that Fire Chief spoke to him about it. This was a ten thousand system and his regulations have changed so you may want to talk to the Fire Chief.

S. Diamond asked if they would be amenable to making a biking/walking connection from the cul-de-sac to Holly Lane/France Road Extension.

Wayne explained that they would work with the Conservation Commission to see what type of trails they get to from there. Wayne explained that Holly Lane was used by the people in the Town as a recreational road so they can put in a trail to get to it from this development.

J. Jennison read Letters:

Letter #1

To: Barrington Planning Board
From: Barrington Conservation Commission
Re: 270-74-RC-21 Holly Lane Design (Murray)

The Conservation Commission supports moving forward with this development.
However:

-We'd suggest a "conservation development" designation - i.e., a conservation easement or other protective option on the land to the west of the development be discussed prior to approval. The land in question is immediately adjacent to and up-gradient of a portion of the Oyster River that lies within the SATWSR conservation area (lot #13). It also has significant wetlands that could benefit from the proposed enhancement of the culvert on Topaz Dr. in Emerald Acres just downstream on the river. [The Nature Conservancy has submitted a grant proposal to that effect.] It appears to have a strong priority for conservation and appears to meet the criteria for conservation development.

--We would also like to see the proposed locations for the structures' septic systems/leach fields. We know that they must meet state criteria, but we would be concerned if they were not close to the structures but further afield, closer to the wetlands on the site.

Letter #2

Jon Ludwig

*74 Labrador Lane-Lot 66.1
Proposed Project (6 two-family duplexes) on Holly Lane
To Whom It May Concern:*

Thank you for letting us speak with you all. My name is Jon Ludwig and this is my wife Amanda Ludwig. We are property owners of lot 66.1, which is an abutting property to your proposed project. Our property is directly to the west of lot 69 and our home is set very close to our shared boundary line. We have lived in our home close to seven years and have three children. Our main concern is maintaining the privacy that we currently have. Although your projects buildings won't be located directly behind us, we do value the tall trees and underbrush that is shared between our property lines. Your proposed projects property was largely cleared in the Spring of 2016, taking out the woods, which provided us with privacy and a picturesque and peaceful rural setting. We understand your project is a big undertaking but we ask that you leave the remaining large trees and new undergrowth that was spared from the original clearing as much as is reasonable. This natural screen is what makes our property special to us and we appreciate you all taking this into consideration.

We do have a few questions for you all:

- 1. How much land will be cleared directly behind our boundary and to the wetlands located to the left of our lot?*
- 2. How much area will be cleared behind the building units themselves?*
- 3. In closing we see in your plans an area directly behind us for possible well and septic set up. How much are you planning on clearing for that portion of the project?*

J. Brann asked if this would be a private road.

Jack Murray stated he couldn't remember what the original intent was.

J. Brann asked if there was any planned vegetative buffer between the development in the property with Lot 71.

Wayne explained at this time, no, but as they move forward with the project Wayne explained that they would be working with the Yellow Dog for whatever buffer would be needed.

J. Jennison asked about the stockade fence on top of a wall to the east and west.

Wayne explained to the west was a house or construction that was close.

John Huckins explained that the retainer wall went up and then the fence had too on top of that because you could look down into the roadway.

J. Jennison asked about the one on Holly Lane and France Road Extension.

Wayne explained that was what they had for the units but they are going to redesigning units so that could go away.

J. Jennison opened public comment.

John and Amanda Ludwig from 74 Labrador Lane-Lot 66.1. John explained that their lot was directly to the right of the wetlands. John explained that their property abuts this project; they are to the west of Lot 69 and the home was close to the shared boundary line. John explained that their concern was to maintain the privacy that they currently have. John wants to keep the tall trees and underbrush that was shared between the properties. John asked the following questions:

- 1. How much land will be cleared directly behind our boundary and to the wetlands located to the left of our lot? **The applicant stated they did not know at this point; they are starting to layout the units.***
- 2. How much area will be cleared behind the building units themselves? **Answered in #1.***

3. *In closing we see in your plans an area directly behind us for possible well and septic set up. How much are you planning on clearing for that portion of the project? **Until they have a location for the well and septic they won't know if that's where they'll be cleared. Obviously septic has to be cleared as much as or as big as the septic was so it's hard to say at this point. The well is less of an impact depending on where it is. The applicant would share all the information as they move forward.***

J. Brann asked if they were looking for some type of vegetated buffer.

John Ludwig explained that there were not many trees; they are spread out after the clearing.

R. Allard explained that their concern was next to 11 and 12.

J. Jennison expressed that when they come back to the Board consider a vegetated buffer to protect the property lines of abutters.

Jack Murray explained to John and Amanda he suggested that they go look at a project that they have done and that he wants them happy too.

J. Jennison explained that there can't be any activity in the wetlands.

John Ludwig asked about the trees.

J. Jennison explained that logging was different than site development.

John Huckins explained to the applicant that when they talk to the Conservation Commission, look at the Town Conservation Subdivision regulations because you can do what they call cluster housing. John explained that they can say the area that's going to be developed space which even if you did duplexes or something like you did in a project before up to 12 single families coming around.

S. Diamond asked the abutters if they would have a preference on the buffer as the Board does have some latitude regarding visual buffering. S. Diamond asked if they had a preference on there being a certain distance within where they can't remove vegetation or do you want the Board to approach as what percentage of the area was blocked visually.

John Ludwig explained that distance would be a preferable because they want what is growing to continue to grow.

J. Brann explained to the applicant that they [Board] do want to see a landscape plan.

John Ludwig explained that their house was within 30' of the boundary line and it's not very clear.

J. Jennison asked if it was 30' of their property line to the back line.

J. Brann asked about a plan to maintain the area and was there a maintenance plan.

J. Jennison closed public comment.

Wayne asked about the landscape plan. Do they need to be licensed?

The Board said no.

Wayne asked about the analysis for 50-year storm, but a lot of the Board members are talking about the 100-year storm. Wayne asked which one the Board was looking for.

J. Brann explained that the State wants the 50-year storm, the regulations require the 50-year storm, and the Board receives 5, 20, 25 or 50 year and the 100 also.

J. Jennison explained that under existing conditions it references flood plain's location elevations of 100-year flood.

John Huckins expressed that the regulations state in 4.7.5 the 50-year.

J. Jennison suggested extra parking and a lighting plan is needed.

J. Brann suggested going to the regulations where it talks about illumination and show the outside lights in the renderings. J. Brann asked if there would be any lighting on the entrance road.

Wayne explained that if it ever turns into a Town road, he felt the Town would not want to take care of lighting.

J. Brann explained that the regulations require plan pages be numbered and a legend on each page.

Wayne expressed that he would be asking for a waiver.

A motion was made by J. Brann and seconded by B. Hackett to close Design Review. The motion carried unanimously.

Roll Call:

R. Allard-Yay

J. Jennison-Yay

S. Diamond-Yay (Remotely)

C. Krans-Yay (Remotely)

J. Brann-Yay

B. Hackett-Yay

REPORTS FROM OTHER COMMITTEES

UNFINISHED BUSINESS

Later Date Discussion: Ronald Allard has a Planning Board Parking Motion.

Board had a brief discussion on changes in the regulations.

The Board will work on Town Regulations at the September 21, 2021, meeting.

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

9. Review of a request for a building permit at 40 Union Lake Road, a Class 6 Road, for Jason Price ([Map 113, Lot 40](#)).

A motion was made by J. Brann and seconded by R. Allard to send the standard letter with corrections to the Select Board (support Road Agent comment). The motion carried unanimously.

Roll Call:

S. Diamond-Yay (Remotely)

C. Krans-Yay (Remotely)

B. Hackett-Yay

J. Jennison-Yay

J. Brann-Yay

R. Allard-Yay

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

The next meeting will be on September 21, 2021, at 6:30 p.m. at the ECLC at 77 Ramsdell Lane.

Without objection the meeting adjourned at 9:45 p.m.