



Meeting Minutes
Town of Barrington Planning Board
Public Hearing

(Approved October 25, 2022)
October 4, 2022, at 6:30p.m.

1. CALL TO ORDER

2. ROLL CALL

Members Present: Andy Knapp, Ron Allard, John Driscoll, Bob Tessier, Donna Massucci, Joyce Cappiello

Members Absent: Andy Melnikas, Buddy Hackett

A. Knapp appointed D. Massucci as a full Board member.

Staff Present: Town Planner: Vanessa Price, Code Enforcement Officer: John Huckins, planning & Land Use Administrator Assistant: Barbara Irvine

3. REVIEW AND APPROVAL OF MINUTES

A. Review and approve minutes of the September 20, 2022, meeting.

A motion was made by R. Allard and seconded by J. Driscoll approve the meeting minutes of September 20, 2022, with minor correction. The motion carried unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

4. DISCUSSION WITH BOARD FOR A PRELIMINARY CONCEPTUAL SITE PLAN

A. The owner/Applicant for Town Center Properties, LLC are presenting a concept for initial discussion with the Board.

A. Knapp gave a brief description of the concept application.

Francis X. Bruton, Esq., from Bruton & Berube, PLLC represented Bud Meador present and Daniel Gabriel, Member of Town Center Properties LLC. Francis explained that they are before the Board for a preliminary conceptual review. Francis explained that this would be informal discussion and know that anything said would not be binding for when they come back before the Board. Francis explained that thing may change on how they get to the final design. Francis explained that this parcel was on a 12 +/- acre site. Francis explained the location of the site location and history of the property along with a supplied plan handed to the Board. Francis explained that they are looking at putting in a medical office, a day care along with two buildings. One of the buildings would be for independent elderly living and the other would be assisted living. One building would be 62 units and 32 units in the other. Francis explained that the way the Town Center Ordinance was setup basically has a restriction of one unit per acre and this was about 13 acres, and they are not thinking of doing this. Francis explained that the other issue was the building behind to 40' and they could do that with a three-story building. Francis explained that they would be going to the Zoning Board of Adjustment for relief. Francis explained that they would like to make this a Town Center and this lot was in the Town Center District. Francis explained that to have a Town Center you need to have the people. Francis shared with the Board the vision statement from 2007 and passed these copies out to the Board. Francis showed multiple buildings, senior housing, recreational facilities, or public use facilities at things like bandstands, parks things of that natural. Francis explained the routes and area businesses, school in the area. This would be businesses to benefit elderly people. Francis explained that they show a medical office, a one-story medical office, a daycare in the area along with two other buildings. One of the buildings would be for independent elderly living and the other would be for assist living. Francis explained that they wanted to go over with the Board and explained what they were proposing to do in the Town Center and get thoughts from the Board. Francis explained that there would be commercial uses and have enough residential use to make the plan work.

John Huckins explained that he came up with a different density then they did and explained for one bedroom unit for every 10,000 s.f. this gives you a little more density. John explained that because of the PUD he based it on the 12 acres and didn't realize that it was 13 acres. John explained because of the PUD you can do 25% residential. John explained that the assisted care was commercial so you can use 50% of the lot.

R. Allard expressed that he felt there was some letter of the law was good he felt the density downtown could help the businesses was what was needed. R. Allard expressed that this only concern was liked more sidewalks, one entrance and 55+ living felt another entrance.

Francis explained that there were three entrances shown on the plan.

R. Allard explained that his other concern was that maximum coverage was 60% and there was a lot of impervious surfaces.

J. Cappiello asked about the public space you have tennis courts and various things there that's

up to the Town to build.

Francis showed the bandstand area that could be used for something else and understand that was the Town and go through the same process.

John Huckins explained that in the Zoning Ordinance Chapter 16 it talks about the 25% Civic Use/Open Space because it would be part of a PUD. John explained that the recreation could take some of their funds and build something. John explained that this couldn't be built by the Town.

Francis explained that they are looking for more public use.

J. Cappiello asked if this would be without any financial contribution from the applicant other than the open space.

J. Driscoll asked about the septic.

Francis expressed they would have the answering when they come back with the site review.

A. Knapp explained that he felt that people would be there for work purposes, but they would not be the hanging out. A. Knapp explained that there wasn't anything there that would draw anyone to the area no restaurant or shopping. A. Knapp expressed that there would be a medical office that would be open from AM to 5:00 PM a with a playground that would not be touched because this would be reserved for the schools/daycares. A. Knapp explained that the residents there would walk out of there house and have no place to go. A. Knapp expressed that an older person that are living in assist living they would not be walking in large stretches over to Calef's Country Store or across the street to George Calef's Fine Foods.

Francis explained that was why they are there for ideas on what the Board was looking for.

A. Knapp expressed that they would need to get funding to building this out and maintenance.

Francis explained that the Town Ordinance where they want 25% set aside for either open space for public use and that was what they were doing so the Town could do what they wanted to do.

A. Knapp asked if 70% increase would be above what it's or a little bit of a stretch.

Francis asked if this was in terms of the numbers.

A. Knapp stated yes.

Francis explained to the Board that they are not asking the Board to make the decision, but he felt John Huckins expressed that their numbers are perceived to be low and at least the allowed uses.

A. Knapp explained that he was basing it off the allow uses.

John Huckins explained to the Board that the assist living was commercial by the Town Regulations. John explained that you could do 50% commercial on the lot.

R. Allard expressed that this was commercial property and 55 plus this would help the tax base.

R. Allard explained that he felt this was very good for the space.

John Huckins explained that if you look at the Master plan more than 80% of the Town was 55 plus, for the demographics and this was no different than a residential subdivision.

J. Cappiello explained to Francis that the Town was updating the Master Plan in terms of Land Use and Transportation. J. Cappiello explained that some of the survey questions that are going out in the next couple of weeks to residents are under the Land Use would be pertinent to what you're thinking about in terms of the open space use. J. Cappiello explained that many of the assist living facilities that she has seen have an internal garden.

Francis expressed that they could look at the incorporating that kind of concept in this design this was preliminary.

J. Driscoll expressed that if there was commercial on the first floor the demand for parking would be overwhelmed.

Francis explained that they have spaces enough for the units.

J. Driscoll asked if assist living and residential was this affixed by the numbers.

Francis stated yes.

J. Driscoll asked if they couldn't increase the walkable 55 plus area

Francis explained that you could create a care structure for 10 units and there's a breaking point to get what you need.

D. Massucci asked if there was anyway that carry unit plus one? D. Massucci explained that all the togetherness was right in the middle with gardens.

Francis explained that this was 13 acres that was in the center zone and based on limitations of the site need for the cost benefit works so that have caregivers enough to support. Francis explained to have them you need a certain number of units. Francis explained that they would probably be asking for three stories how that would be configured with inside garden lot.

A. Knapp asked if they were still going to ask for relief on the three-story apartment building?

Francis explained that only with respect to making it the new england look.

B. Tessier expressed that he supports what the applicant was discussing to do.

A. Knapp expressed that he felt this doesn't accomplish what the Town Center should be.

R. Allard explained that with the other projects around this makes these units better with the different situation. R. Allard that this would bring commercial opportunities to the area.

Francis explained that they would be going to the Zoning Board of Adjustment and come back along with the information from the Board. Francis thanked the Board.

J. Cappiello asked about where the tennis courts and pickleball was close to the expanded parking lot.

Francis explained that was need elfmade.

J. Driscoll asked about the gardening that was there.

Francis explained that would not be impacted. Thanked the Board.

Concept was closed.

5. ACTION ITEMS

A. EXTENSION REQUEST

[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.

A. Knapp gave a brief description of the application.

Robert Baldwin from Dove Development explained to the Board that they were able to have a community water system. Rob explained that they drilled two wells, and the wells are producing enough water. Rob explained to the Board that they have had a water system that has been designed, and has been submitted to the State. Rob explained that they have preliminary approval and it takes about a year for water system approval.

A motion was made by R. Allard and seconded by B. Tessier to grant the one-year extension for Map 235, Lots 1 & 3 for Dove Development Group, LLC. The motion carried unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay
R. Allard-Yay
A. Knapp-Yay

B. APPEAL

239-1.1-TC-21-2Sub (Owners: David & Glenda Henderson) Request by applicant for a 2-Lot subdivision Lot 1.1 would be 11.81 and Lot 1.2 would be 17.19 acres (Map 239, Lot1.1) located off Franklin Pierce Highway in the Town Center (TC) Zoning District.
BY: Dave Garvey, Garvey & Co Ltd; PO Box 935; Durham, NH 03824.

A. Knapp gave a brief description of the application and explained that Attorney Gregory Wirth David Garvey's attorney are asking for the appeal to be continued until November 1, 2022.

A motion was made by R. Allard and seconded by B. Tessier to grant the one-year extension to November 1, 2022, for Map 239, Lots 1.1 for David & Glenda Henderson. The motion carried unanimously.

Roll Call:

D. Massucci-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay
R. Allard-Yay
A. Knapp-Yay

C. 9.6 PERMIT

118-4-GR-22-9.6Permit (Owners: Joseph & Cheryl Wilson) Request by applicant for a 9.6 Special Permit for Construction in a Wetland Buffer with an impact of 1300' within the 50' wetland buffer at 79 Phinney Way in the General Residential Zoning District.
BY: S.E.C. and Associates, Inc.; PO Box 1337; Plaistow, NH 03865.

A. Knapp gave a brief description of the application.

Charlie Zilch from S.E.C. & Associates, Inc. explained that he was represented Joe Wilson owner of 79 Phinney Way. Charlie explained that they are before the Board for a 9.6 Special Permit and explained to the Board that they received approval for a Lot Line of Adjustment in December of 2021. Charlie explained that they received relief from the Zoning Board of Adjustment from Swain Lake to be 53.7 from the lake. Charlie explained that there was a wetland located on the east side of the home and there was a small pocketed poorly drained forested wetland was delineated by there wetland scientist. Charlie explained that they are looking to construct a two story 1,236 s.f. addition to the home on the east side. The addition would contain an indoor swimming pool on the first floor and relocated master bedroom above.

Charlie explained that the septic and driveway are to the south and the addition would be added in the only reasonable area to support the expansion. Charlie explained that they had an NHDES Shoreland Permit that was prepared, submitted, and approved. Charlie explained that there would be no stormwater run-off soils around the house are well drained.

John Huckins asked what was the actual size of the wetland?

Charlie explained that it was about 3,000 s.f. or so.

John Huckins explained that in the Zoning Ordinance from Article 9 Section 9.5 (4) (g) “An isolated or surface water of 3,000 square feet or less that does not meet the definition of a swamp, marsh, bog or vernal pool”.

R. Allard asked about the 54’ waterfront buffer the town was 75’.

Charlie explained that the Town was 75’ and the State was 50’ variance was received for the 53.7’ by the Zoning Board of Adjustment.

R. Allard expressed that for a 9.6 permit you need to look at all the reasonable alternatives.

R. Allard explained that he felt that the septic system should be moved and adding a 30’ x 40’ addition with the scope of the project he felt the applicant has not met the requirement for a 9.6 permit.

J. Driscoll asked R. Allard if he was asking that the septic system be moved to the 50’ setback line.

R. Allard explained that they have 12 acres, and the septic system needs to be moved away from the lake.

Charlie explained that the only way that would if you are trying to get outside the 50’ buffer would be pickup the whole addition and then put over the left side of the home you would be within the lot line. Charlie explained that the load would not be increased because it’s still going to maintain three bedrooms.

A. Knapp asked where the water for the pool going to go.

Joe explained that he could have trucks come.

Charlie explained that his sister has an indoor pool, and they have water brought in but doesn’t recall ever taking water out. Charlie explained that they wouldn’t let the water in the lake they would have it removed by truck if needed.

B. Tessier expressed that he only drained his pool for a new liner normally you add water to a pool.

A. Knapp asked about the metal roof and the runoff going toward the lake.

John Huckins explained to the Board that NHDES didn't seem to have a problem with it sometimes dry wells in for the runoff. John explained to the Board that they are allowed to use the existing septic system until the system goes into failure.

Joe explained that there would be gutters.

A. Knapp opened public comment.

Stephen Jeffery from 128 France Road asked if there 9.6 permit was because it was prohibited for construction in the wetland buffer.

A. Knapp explained that they have State approval.

Stephen explained that according to the Zoning Ordinance construction, dredge, filling, etc. was prohibited in the wetlands.

A. Knapp stated correct without getting relief.

Stephen states 9.6 specifically authorizing otherwise permitted it doesn't say for any use that's prohibited. Stephen explained that this was a common complaint that he has. SEE BELOW:

NHMA

A. A conditional use permit is a tool used by municipalities to implement "innovative land use controls" adopted pursuant to RSA 674:21.

Land use activities can be divided into three categories:

- (1) "permitted" uses that are allowed in certain areas without the need for a special permit (such as a single-family home in a residential zone);
- (2) prohibited uses that are not allowed in certain areas; and
- (3) the middle ground of uses that might be beneficial but can create problems if not controlled properly.

Conditional use permits address this middle ground of uses. By placing certain conditions on them and requiring a separate permit approval process, the municipality can allow property to be used in ways that will benefit the community while still controlling the potential risks.

Conditional Use Permit and ZO relief

The conditional use permit is a device that allows the planning board to be flexible in the implementation of innovative land use controls adopted in accordance with RSA 674:21. To the extent that you have adopted wetland protection provisions as “environmental characteristics zoning” under RSA 674:21, I(j), it may be appropriate to consider situations such as you describe as part of a conditional use procedure. However, such a process must be described in the ordinance itself, and the ordinance should give you the criteria for making the decision. If those provisions are not in the ordinance, the issue belongs to the ZBA. Planning boards only have jurisdiction to deal with subdivisions and site reviews; they are not the body that deals with relief from the provisions of the zoning ordinance when there is no subdivision or site review pending.

Paul Sanderson LGC

The Planning Board authority derives from RSA 674:35; “the authority to regulate the act of subdivision” There is however case law which limits the PB authority, this is shown in the current RSA - 2011-2012 Edition: page 497, “this section grants the town Planning Board the power to regulate the act of subdividing but not the land that has been subdivided.” Lemm Dev. Corp. v. Bartlett 133 N.H. 618 580 A.2d 1082, 1990 N.H. Lexis 114 (1990).

<https://www.jdsupra.com/legalnews/what-s-so-special-about-special-use-5616323/>

A **special-use permit** authorizes land uses that are allowed and encouraged by the ordinance and declared harmonious with the applicable zoning district.^[1] *Nolon, John R. (2006). Land Use. ISBN 0-314-16371-9.*

If the local zoning authority grants a special-use permit that exceeds the discretion allowed to it, then an incidence of spot zoning may arise. Such discretion then may be attacked as ultra vires, and the special-use permit overturned as an unconstitutional violation of equal protection. *Wiki*

John Huckins explained that they all have met with Attorney Buckley with NHMA under this was adopted under innovative Land Use it says 9.6 Permit it says it used otherwise permitted. John explained that this was supported by the attorney and NHMA.

A. Knapp closed public comment.

A motion was made by B. Tessier and seconded by J. Driscoll to accept the application for the

9.6 permit as complete. The motion carried unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

Charlie read the following criteria's:

1. The proposed use is in keeping with the intent and purposes set forth in the zoning ordinance as permitted in the base zoning district (See Table 1, Table of Uses, located in the zoning ordinance). If the base zoning district requires a conditional use permit or special exception for the proposed use, one must already have been obtained; or if the proposed use is not listed on the Table of Uses or is listed but not permitted, one must already have obtained a variance.

EXPANSION OF RESIDENTIAL IN REED. ZONE. DES SHONBLAND PERMIT OBTAINED, SAID PERMIT CONSIDERS SEWAGEWATER MANAGEMENT, EROSION CONTROL & STABILIZATION - NO IMPACT
2. After a review of all reasonable alternatives, it is determined to be infeasible to place the proposed structure or use outside of the buffer zone.

DUE TO PARKING, SEPTIC OR PROPERTY LINE IN OTHER POTENTIAL LOCATION - VARIANCE GRANTED TO BE WITHIN 75' OF SHORE.

3. The proposed structure or use must be set back as far as possible from the delineated edge of the wetland or surface water.

PROPOSED ADIT TO BE 26.8' FROM POORLY DRAINED WETLAND. TREED BUFFER TO REMAIN

4. Appropriate erosion control measures must be in place prior to and during construction.

COIR LOG, INFILTRATION TRENCHES, LOAM & SEED

5. Any disturbance to the surrounding buffer zone must be repaired and restored upon completion of construction.

TREED BUFFER TO REMAIN, ALL DISTURBED AREAS TO BE STABILIZED

Revised 5/22/13

6. All available mitigation measures to address changes in water quality and quantity be implemented, along with design and construction methods to minimize adverse impacts, if required by the Planning Board.

INFILTRATION TRENCHES PROPOSED TO MITIGATE SEWAGEWATER INCREASE FROM IMPERVIOUS AREA GRADING & RET WALL TO CONTAIN STORMWATER AS WELL

A motion was made by B. Tessier and seconded by R. Allard to grant relief for the 9.6 permit on 79 Phinney Way based on the 6 criteria. Vote 3/2 and 1 abstained permit 9.6 Permit denied

D. Massucci-Nay

J. Cappiello-abstain

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Nay
A. Knapp-Nay

R. Allard expressed that Article 6 Section 6.1 (1) the septic system could be moved and D. Massucci also agreed that it could be moved around.

A. Knapp expressed that felt that there was a need for a waiver and that the stormwater hasn't been addressed.

D. CONTINUED FROM SEPTEMBER 6, 2022

1. [223-9-G R/SDA-22-3LotsSub \(Owners: Gibb Family Trust\)](#) Request by applicant proposing a 3-lot subdivision with 1 backlot and a waiver on Scruton Pond Road (Map 223, Lot 9) on an 18.88-acre site in the General Residential and Stratified Drift Aquifer Overlay Zoning District. BY: Daniel O'Lone, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

A. Knapp gave a brief description of the application.

Daniel O'Lone from Berry Surveying & Engineering represented the Gibb Family Trust. Daniel explained that the applicant was proposing a 3-lot subdivision with one would be a backlot on Scruton Pond Road. Daniel explained that test pits have been done and the application does fall until NHDES for two of the lots because they are less than 5 acres these are pending.

A motion was made by J. Driscoll and seconded by A. Knapp to accept the application as complete. The motion carried unanimously.

Roll Call:

D. Massucci-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay
R. Allard-Yay
A. Knapp-Yay

R. Allard asked about the red line has 50' frontage down the road asked how narrow that was?

Daniel explained that was 50' and the red line doesn't have that was an existing lot that was the way the lot was currently shaped.

R. Allard explained that you can't create a lot less than 75'.

Daniel explained that they were not creating a lot this lot exists in its current state.

R. Allard expressed that there should be a waiver for this.

WAIVERS REQUESTED:

Article 8, Section 8.1 General Waiver Provision

Setting of boundary monuments on existing property lines every 300’

A motion was made by J. Driscoll and seconded by R. Allard to waive Article 8; Section 8.1 general amended waive provision for 3-Lot Subdivision for the Gibb Family Trust 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:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

Article 12, Section 12.3 Driveway and Access Design Standards

A motion was made by A. Knapp and seconded by R. Allard to waive Article 12; Section 12.3 Driveway and Access Design Standards waive for 3-Lot Subdivision for the Gibb Family Trust 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:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

Article 11, Section 11.2.2 (3) No portion of a lot created under these regulations shall be less than 75 feet in width except as provided for in subsection 11.2.4 creation of backlots.

A motion was made by R. Allard and seconded by B. Tessier to waive Article 11; Section 11.2.2 (3) no portion of a lot waive for 3-Lot Subdivision for the Gibb Family Trust 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:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

A. Knapp opened public comment.

A. Knapp closed public comment.

V. Price read Conditions Precedent:

Date of Application: August 4, 2022

Date Decision Issued: October 4, 2022

Case File #: 223-9-GR/SDA-22-3LotsSub

NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built/s received:</i>	<i>Surety returned</i>
<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>			
Re: <u>223-9-GR/SDA-22-3LotsSub</u>: Request by applicant proposing a 3-lot subdivision with one backlot on Scruton Pond Road (Map 223, Lot 9) on a 18.88-acre site in the General Residential and Stratified Drift Aquifer Overlay Zoning District.			
Owners: Gibb Family Trust 71 Old Mill Road Lee, NH 03824			
Applicant: Berry Surveying & Engineering 335 Second Crown Point Road Barrington, NH 03825			

Dear applicant:

This is to inform you that the Barrington Planning Board at its October 4, 2022, meeting **CONDITIONALLY APPROVED** your application referenced above.

All 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 the precedent conditions are not met within 12 calendar months to the day, the October 4, 2023, Board's 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) Add the following to the Plan:

- a) Please add Owner Signature.
- b) Please add Wetland Scientist Signature.
- c) Please add Professional Surveyor Signature
- d) Please add the delineation of additional bounds, ¾" rebar w/id cap, located on east side of the parcel abuts the former Boston and Maine railroad bed, where the proposed building area location is and along the non-buildable area not impacting wetlands.
- e) At the October 4, 2022, Planning Board Meeting, Board approved waivers for:
 - a. The requirement to allow Monuments for the lot being developed shall be placed not more than 300 feet apart in any straight line per Section 8.8 Monuments of the Subdivision Regulations.
 - b. The requirements for line of sight from 12.3 Driveway and Access Design Standards; and Figure 4A Road Design Standards and Guidelines of the Subdivision Regulations.
 - c. The requirement for no portion of a lot created under these regulations shall be less than 75 feet in width except as provided for in subsection 11.2.4, creation of backlot per Section 11.2.2(3) of the Subdivision Regulations.
- #2) At final submittal, all Town Planner comments to applicant for Site Plan Review and Subdivision regulations shall be addressed.
- #3) Any outstanding fees shall be paid to the Town.
- #4) 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. The Town shall retain a signed and approved reproducible 11"X17", and PDF/A format with supporting documents for Town records.

General and Subsequent Conditions

- #1) Where no active and substantial work, required under this approval has commenced upon the site within two years from the date the plan is signed, this approval shall expire. An extension, not to exceed one year, may be granted, by majority vote of the Board so long as it is applied for at least thirty days prior to the expiration date. The Board may grant only one such extension for any proposed site plan. All other plans must be submitted to the Board for review to ensure compliance with these and other Town ordinances. Active and substantial work is defined in this section as being the expenditure of at least 25% of the infrastructure improvements required under this approval. Infrastructure shall mean in this instance, the construction of roads, storm drains, and improvements indicated on the site plan. RSA 674:39.
- #2) Current Use subject property or a portion of it is presently in Current Use. The applicant must provide the Town of Barrington Assessing Department current use map and/or other

items needed to assure requirements of RSA-79A, and the New Hampshire Department of Revenue Administrations Rules are satisfied.

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

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

Sincerely,

Vanessa Price

Town Planner

cc: File

A motion was made by A. Knapp and seconded by J. Driscoll to approve the 3-Lot Subdivision for the Gibb Family Trust. The motion carried unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

2. **234-77-TC-22-SR (Owners: Paul & Linda Thibodeau Revocable Trust)** Request by applicant proposing a Site Review for mixed-use detached structures consisting of 6 single-family homes with commercial spaces on the lower walk-out level with waivers (Map 234, Lot 77) located on Franklin Pierce Highway on a 3.42-acre site in the Town Center Zoning District. BY Christian Smith, Beals Associates PLLC; 70 Portsmouth Avenue, Suite 2; Stratham, NH 03885.

A. Knapp gave a brief description of the application.

V. Price read the following abutter letter to the Board:

10.02.22

To both the Planning Board and Conservation Commission

Thank you for taking the time to hear and consider our concerns.

We're not opposed to what is proposed to be built – concerned of the number of units; especially the one right behind our lot. Wildlife will be impacted by the number in this size lot. Deer use the path regularly – that unit will for sure be disruptive to the deer.

Concerned about the driveway so close to wetland and angled toward our house.

During the Site Visit – my opinion headlight impact not adequately reviewed due to day light, viewing not from our house and trees/shrubs in full foliage. I do get the sense that most of you agree that there is a high probability of headlight impact and you plan to address that.

Not sure if verbalized at the September Planning Board meeting - the concern of rain/water runoff from the driveway– going in our direction. We are concerned about our well but at the same time don't want flooding in our basement. The only time we've had water in our basement was during the Mother's Day statewide flooding back in 2006, and then it receded on its own within days.

Seems to be the consensus that many of you are in agreement with most of our concerns; wetlands, headlights and number of units.

We would prefer less units, further away from the wetland and none at the top of the path behind us.

Sincerely,

Sue & Ray Morrison

Christian Smith from Beals Associates PLLC represented Paul Thibodeau. Christian explained that they have received the review from CMA Engineers, and they had a couple of questions. Christian asked if they had enough information to act on the final waiver for the landscape and the 9.6 Special Use permit. Christian expressed that some questions from CMA were largely road design questions. Christian explained that this was a private driveway and felt that some of these were intended for roads not driveways.

CMA Engineers concerns:

- 1. Minimum of 36" cover over the culverts shown (This was a stormwater trench pipe) and there was one culvert that goes under the driveway. Christian explained that this would not be a Town issue it would be an association issue. Christian asked if the Board felt that this would not be needed because this was a private drive and not a Town road.**

J. Cappiello asked what they have now?

Christian stated 2 to 2 ½.

J. Cappiello expressed that they are going to have commercial building and traffic.

Christian expressed that was correct.

A. Knapp explained that he was concerned about the lift in the pipe.

Christian explained that a house could have a foot coverage and explained that these are stronger pipes and felt that this a specific to a Town road.

R. Allard explained that if the drainage works on both sides, you can get it that deep why not put that deep.

Christian explained that they would be pushing the floor of the pond down and they would probably do it and the other thing that would cause it to have to elevate the driveway.

R. Allard expressed if that would be enough that was a good reason specific site, he thought that they need to talk about it and discuss.

Christian explained that in one location was right where the driveway splits one goes into the commercial parking area and the other one goes up around the residential where a pipe comes under the driveway. Christian explained that if you drive the pipe down, you're going to drive that pond down deeper.

A. Knapp asked how close to the season high water table?

Christian expressed that he did not know but it would typically be going to a foot below the bottom of the stone and the retention ponds.

A. Knapp asked if they were going between 210 and 212 then dropping then dropping down to elites that's two feet down.

Christian explained that they can change the grade, and this was not a Town maintain road.

R. Allard explained that his perspective was saying enough everywhere that needs to be specific about why you don't think it's a fit for that location. R. Allard expressed that he felt just saying that they shouldn't have to follow the Town regulations wasn't enough needs a reason.

Christian explained that the traffic impact evaluation typically used for determining driveway permit and how the entrance gets configured this would be the jurisdiction of the Department of Transportation. Christian explained that if NHDOT requires a traffic evaluation then they would need to get one.

V. Price explained that there was a similar instance on a recent project and explained that this was where something the Board needs to look in the Town regulations to change.

John Huckins explained that the State requirement was different requirement.

Christian explained that would be in the next submittal package when they get wrapped up. Christian explained that just to get up the hill a very short section 110/150 of eight and half percent drive where seven percent was the maximum required in the Village District zone. Christian explained to the Board that this was not a road this was a driveway. If the Board feels that a waiver was required, then they get one for that section. Christian explained that in the Village District the road design are maximum.

John Huckins explained that under road design for private way was 10% equivalent to allow your own design.

Christian asked the Board that after the site walk there was a waiver for the buffer screening plantings landscaping waivers. Christian explained that the Board wanted to hold off until the site walk to review and act on and act on the 9.6 Special Use permit to the 300' wetland crossing and buffer impacts.

Vanessa explained to the Board that there was discussion about the headlights.

J. Driscoll asked about the pitching of the driveway to the right as you go up into push water off and closer to the Morrison property.

John Huckins explained that the buffer going up the hill would need the 9.6 special Permit.

J. Cappiello asked if the y received a recommendation from the Conservation Commission for a type of screening.

V. Price explained that the Conservation Commission recently has a meeting, and the adjacent wetland could be best protected through less intrusion into the buffer area with fewer buildings, and/or revision to the roadway. If the 9.6 is approved for the buffer, it is crucial that the remaining buffer be replanted with native vegetation, especially shrubs suitable for moist conditions.

J. Cappiello explained that one was putting in drainage issues and putting in low bushes and then the concern about headlights.

John Huckins explained about the headlights you couldn't discuss it at the site walk and explained that when he came around with the truck when it was to the point in front of the house his truck was way above the height of the house. John explained that traveling down the driveway the headlights would hit the house and was going away from the house not facing the house.

B. Tessier explained that they are going to be cutting the grade way down.

John Huckins explained the driveway grade they're turning to where they are facing away from the house not facing toward the house. John explained that when you go down the driveway the lights are going the direction you go away from the house not at the house.

The Board had a lengthy discussion on the travel way of the truck with the way the lights would shine.

A. Knapp asked how far from the wetlands?

John Huckins explained that there was a temporary impact on the slope 6' and then another 6' up above.

A. Knapp explained that the Conservation Commission suggested to move one house essentially unit five or eliminate unit five.

John Huckins explained that it would make the driveway a little steeper and do some type of cut there. John asked the applicant if they know how the Board feels about the 9.6 Special Permit.

Paul Thibodeau expressed that they are discussing an alternative.

John Huckins explained that they would need to resubmit what they are going to do.

Paul explained that it seems that the buffer would work best at the bottom near the Morrison house where the trees would with any height of 10' would take care of the whole problem instead trying to shield headlights over the top.

J. Driscoll stated that the buffer was the real problem its 5,570 s.f.

Paul asked if that includes the wetland crossing over the culvert.

J. Driscoll suggested putting unit 5 up by unit 6 and make a tighter corner.

Christian explained that they could look at that, and this was the kind of information that they are looking for. Christian explained that they can make the change and resubmit to CMA.

A. Knapp opened public comment.

Sue Morrison from 687 Franklin Pierce Highway asked if they could repeat what the suggestion was for the change of plans?

A. Knapp explained that they didn't suggest to the change of plans they had concerns to the wetland impact or the buffer for the upper drive going between units five and six they are concerned about the impact of it. A. Knapp explained that there was no guarantee that a waiver request would be approved.

R. Allard explained alternative options to lessen the impact are required in the regulations.

A. Knapp closed public comment.

A motion was made by R. Allard and seconded by A. Knapp to continue the Case 234-77 Franklin Pierce Highway to November 1, 2022. The motion passed unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

E. NEW APPLICATIONS

1. **269-11.1-RC-22-SR (Owner: Heather Cooper)** Request by applicant proposing a contractors' storage yard and a 9.6 special permit for construction in wetland buffer on a 1.86-acre site at 336 Old Concord Turnpike in the Regional Commercial Zoning District. BY: Stephen Haight PE, Civilworks New England; PO Box 1166; Dover, NH 03821.

A. Knapp gave a brief description of the application.

Steve Haight PE, from Civilworks New England represented Cuccia Asphalt owner Heather Cooper. Steve explained to the Board that this application was specific existing units since 2005 and they spoke to the Code Enforcement and the Town Planner. Steve explained that they are looking to modify the existing use that's here for the site plan application. Steve explained that there was no additional work being proposed, no expansion of the use, no hours of operation changing. Steve explained that they store their equipment there leave in the morning they come back in the afternoon Monday-Friday work April to November then they shut down. Steve explained that it has been recommended by Code Enforcement John Huckins to come before the Planning Board to modify the existing use for the site plan application. Steve explained to the Board that they also have encroachments associated with the wetland buffer. Steve explained that they have been revegetated over the years and supplied the Board with photos that have been taken recently.

Steve explained that he received comments from staff from the road agent about putting a construction entrance in and get the driveway permit. There was a driveway permit already issued off Warren Road in 2007. Steve explained that nothing was being asked for that already exist and Conservation Commission was concerned about some additional runoff photographs its well vegetated there's a vegetative Vern and some piles along the edge does direct the water away from the wetland and goes across vegetative grassed area. Steve explained to the Board if they were to do anything now it would disturb the buffer. Steve explained that they are before the Board to ask for approvals.

A. Knapp expressed that the impacts have already been made over the years with multiple complaints filed, reports issues with a list of cited with the Town between partial property.

John Huckins explained that one of the complaints was running an illegal contract storage yard And now they are before trying to make it a legal contractor storage yard.

J. Driscoll suggested that they should have a site walk.

V. Price suggested a site walk on October 12th at 4:00 p.m.

A motion was made by A. Knapp and seconded by R. Allard to accept the application for Cuccia Asphalt-Heather Cooper as complete. The motion carried unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

A. Knapp opened public comment.

Missy Duyon and husband John from 22 Warren Road explained that they have lived in Barrington since 2004. Missy explained they were there before they moved in, and they have filed several complaints. Missy expressed that Mr. Huckins recommended this because she has been going to him with some of her complaints. Missy explained that she has current photos that show the wetlands and they have been destroyed. Missy explained that they have a paving business and continued to pave over the wetlands over the years and showed an area that they continue to dig up. Missy explained that they have several sheds and a pool in their yard. Missy explained they are not an 8-5 and the machinery was registered in different states. Missy explained that sometimes they were parked on Warren Road and Market Basket along with other places. Missy asked if this was granted would this be surveyed again, they had a lot of campers/RVs on the lot people living in them. Missy explained that Mr. Huckins stated that they are allowed to live in them 6 months out of a year. Missy explained that all the trees were cut down and she doesn't know if they were their trees or hers.

Stephen Jeffrey from 128 France Road expressed that his previous comments applied of this one as he understands that the wetland buffer has been impacted already. Stephen explained without benefit of any kind of approvals and when he was on the Planning Board the Town attorney advised the planning Board, they could not approve a 9.6 after the fact. Stephen explained that you can't document the conditions that are required to exist but then certainly eliminates any impact on what was done.

Daniel Ayer from 334 Old Concord Turnpike gave the Board photos and explained that he was an abutter, and he shares a drive with them. Dan explained that in the photos there's a State violation wetlands and keeps filling in the buffer. Dan explained that he gets 2' of water in the winter and then runoff in the summertime. Dan explained that he has taken the applicants to court and showed plans also a lot of complaints. Dan explained that this was 17 years of violations. Dan expressed that if the Town has regulations why aren't they enforced? Dan explained that the driveway change was no longer what the State approved and felt that they need to reapply to the State for the Driveway. Dan explained that the Town issued a residential

driveway permit on Warren Road and pointed out that was wrong residential was 18' and commercial was 30'. Dan explained that right now the driveway was more than 30' not defined.

A. Knapp closed public comment.

V. Price asked if October 12, 2022, at 5:00 p.m. was agreed by the Board and abutters.

Steve should the Board the current survey and wetland mapping with the overlay mapping that was done on the original plan. Steve explained that the change in the wetland boundaries was insignificant it's essentially the same boundary that was there before. Steve explained that there was a violation that the State had, and this was resolved and a closure letter from the State of New Hampshire for that violation. Steve explained that they met with Mr. Huckins, and they decided that this was the best way to go about this. Steve explained that the Town was not working with them in any way shape or form. Steve explained that they were asking for guidance and they're providing to them. Steve explained that he was working with the applicant and the use was allow in Regional Commercial zone which they are in.

A. Knapp asked if they had a violation, and it was addressed at the State level and now there's a new impact to the buffer and they went back mitigated their violation then repeated it.

Steve explained that the State of New Hampshire has no wetland buffer requirements. Steve explained that what they have was a wetland violation which was resolved.

A. Knapp explained that they need to understand the Town has wetland buffers knowing that because they have been to court for this.

John Huckins explained that there was another driveway put in crossed over the wetland buffer and it was brought across. John explained that they got the State involved to get the wetland cleaned up and revise a plan from Orvis & Drew (Geometrics Blue Hill Design) showing that the buffer was restored the wetland restored. John explained that he received photos that it was all restored since then the other driveway got widen back after being restored.

Steve explained that they are before the Board because of a violation for a site review approval for a Contractors Storage Yard which was an allow use and for a 9.6 Special Use Permit for the wetland buffer impacts.

A motion was made by A. Knapp and seconded by R. Allard to continue the application to a Site walk on October 12, 2022, at 5:00 p.m. at 336 Old Concord Turnpike and public hearing on November 1, 2022. The motion carried unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

2. 220-54.7-1-RC-22-SR (units 39 & 40) (Owners: Al Estes-Mill Falls RE, LLC)

Request by applicant proposing for permission for operation of used cooking oil storage and recycle business (light manufacturing) and waivers at 244 then 110 Isinglass Circle in the Regional Commercial Zoning District.

A. Knapp gave a brief description of the application.

Bill Mello applicant for the Independent Bio-Energy Collection, LLC explained that he would be at Unit 39 on Isinglass Circle would be used as a used cooking oil storage and processing facility. Bill explained that he would be resourcing recycling used cooking oil and this would be light manufacturing. Bill explained that this was a highly green process utilizing no electricity and no processing. Bill explained how the cooking oil was processed and put in different tanks then the sold the oil of solid then either provided to wastewater treatment plants to feed bugs which are used in the anaerobic processing and wastewater. Bill explained that they are also used for fertilizer or hay farmers and things of that nature.

Bill explained that the facility would be monitored by the New Hampshire Department of Environmental Services and once approved they can receive from the Department of Wastewater. Bill explained that he would start with 10, 000 gallons to start of oil and water to find the fluid was non-hazardous and non-flammable. Bill explained that Chief Walker added some addition questions and he talked to the NH State fire Department to find out what the requirements were for internal storage of used cooking oil. Bill explained that this was a Class 3B liquid and they would be able to hold per fire coded in a non-sprinkle building approximately 23,000 gallons of used cooking oil. (Would not be going near this amount)

A. Knapp asked what about NHDES?

Bill explained that would be higher.

A. Knapp explained that NHDES would require significant permitting process.

Bill explained that Chief Walker had concerns about how much, how they are storing and dealing with used oil how much would it be contained and when their caps would kick in along with how much would be inside. Bill explained that the fire code for the structure was going to cap in. Bill explained that there would be silt fence around the outside of the property. Bill explained that currently there was 25,000 gallons stored at Tractor Supply locations. Bill explained that the hours of operations would be 7a.m. to 6 p.m. Monday thru Friday. Bill explained that the lighting would be sufficient for what they are doing there but for safety the would add right away.

A. Knapp asked largest container size?

Bill explained that right now the are at 3,000 but could see them as high as 5,000 but no higher.

A. Knapp asked about secondary containment for the oils under NHDES must have. A. Knapp asked if the square footage of the building was what they are utilizing.

Bill explained that his calculation was the combination of a walled off piece of the building with a two-level cylinder block cut off where his truck would be pulled into. Bill explained that it would be a 16" rise all the way around that half of the building and sealed with plastic.

A. Knapp asked if a SPCC plan engineered for the site?

Bill explained that wastewater has not indicated that yet.

A. Knapp explained that NHDES would require that and suggested that the approval be conditional based on receiving all the State permits.

J. Driscoll asked about part of the containment was a silt fence what was the maintenance plan for the silt fence.

Bill explained that he was targeting every 24 months to go back out and refill with the local tree guys.

A. Knapp explained that they would not let it leave the building the containment was going to have to hold with the building and if does they would be looking for on-site remediation.

R. Allard asked about the 20,000 gallons and reading the chart to him it looked like 13,000 Gallons.

Bill explained that it was 13,000 gallons and you are allowed to double it in certain circumstances.

R. Allard explained and it would need to be met.

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

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

A. Knapp opened public comment.

A. Knapp closed public comment.

V. Price read Conditions Precedent:

NOTICE OF DECISION

Date of Application: September 12, 2022

Date Decision Issued: October 4, 2022

Case File #: 220-54.7-1-RC-22-SR (Unit 39)

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i>	<i>Surety returned</i>
<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>			
RE: Request by applicant proposing for permission for operation of used cooking oil storage and recycle business (light manufacturing) and waivers at Isinglass Circle.			
Owners: Al Estes Mill Falls RE, LLC PO Box 627 Center Ossipee, NH 03814		Applicant: Bill Mello Independent Bio-Energy Collection, LLC PO Box 473 Northwood, NH 03261	

Dear applicant:

This is to inform you that the Barrington Planning Board at its October 4, 2022, meeting **CONDITIONALLY APPROVED** your application referenced above. The approval for proposing operation of used cooking oil storage and recycle business (light manufacturing) with waivers. It has met all the Town's Ordinances and Regulations of the Town of Barrington.

All the precedent conditions below must be met by the applicant, at the expense of the applicant. Once these precedent conditions are met the approval is considered final.

Please Note:

If all the precedent conditions are not met within 12 calendar months to the day, the October 4, 2023, Board's approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

Conditions Precedent:

1. The approved dates and hours of operation are Monday – Friday 7:00 AM – 6:00 PM.
2. Light manufacturing use to be allowed in unit 39.
3. All permits are required before operation of business.
4. Building to meet fire codes for the operation of used cooking oil storage and recycling.

Any changes to the site used for the operation of the business will require reapplication and review by the Planning Board.

At the October 4, 2002, Planning Board Meeting, the Board approved waivers:

- i.) The requirement to have all site plans shall be prepared and stamped by a professional engineer. Boundary monuments shall be certified by a licensed surveyor per Section 3.1.1 of the Site Plan Review Regulations.

I wish you the best of luck with your project. If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,

Vanessa Price
Town Planner
cc: File

A motion was made by A. Knapp and seconded by J. Driscoll to approve the Site Review for Unit #39 for Bill Mello at Isinglass Circle. The motion carried unanimously.

Roll Call:

D. Massucci-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay
R. Allard-Yay
A. Knapp-Yay

3. [220-47-RC-22-SR Amend \(Owners: DRTR Holdings, LLC\)](#) Request by applicant to amend their Site Review to propose adding outdoor events at 55 Calef Highway on a 2.87-acre site in the Regional Commercial Zoning District.

A. Knapp gave a brief description of the application.

Michael Pascalis representing Ren Arms and Buddy Hackett to amend the Site Review to have outside events at 55 Calef Highway.

A motion was made by B. Tessier and seconded by A. Knapp to accept the application as complete. The motion carried unanimously.

Roll Call:

D. Massucci-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay
R. Allard-Yay
A. Knapp-Yay

R. Allard addressed the comments from the Fire Chief any parking on Route 125 (aka Calef Highway) would be a problem. R. Allard expressed that they have a large parking area.

Michael explained that there was overflow parking in the rear.

Requested Waiver:

The requirement to have addressing items on the checklist Section 1.5.2 of the Site Plan Review Regulations.

A motion was made by R. Allard and seconded by A. Knapp to grant the waiver Article 1, Section 1.5.2 of the Site Plan Regulations 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:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

A. Knapp opened public comment.

A. Knapp closed public comment.

V. Price read Conditions Precedent:

NOTICE OF DECISION

Date of Application: September 19, 2022

Date Decision Issued: October 4, 2022

Case File #: 220-47-RC-22-SR Amend

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i>	<i>Surety returned</i>
<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>			
RE: Request to amend the Site Plan to propose adding outdoor events at 55 Calef Highway on a 2.87-acre site in the Regional Commercial Zoning District.			

Owners/Applicant: DRTR Holdings, LLC Buddy Hackett 55 Calef Highway Barrington, NH 03825
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Dear applicant:

This is to inform you that the Barrington Planning Board at its October 4, 2022, meeting **APPROVED** your application referenced above. The approval for a Change of Use (added Use) as a permitted use in the Regional Commercial Zoning District to add outdoor events.

If parking on Calef Hwy becomes an issue (It has not been an issue for anything they have done yet) that the town will require them to install legal, no parking signs that meet the requirements for the police to take proper enforcement action.

Any changes to the site used for the operation of the business will require reapplication and review by the Planning Board.

At the Planning Board Meeting, the Board approved waivers:

- ii) The requirement to have addressing items on the checklist Section 1.5.2 of the Site Plan Review Regulations.

I wish you the best of luck with your project. If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,

Vanessa Price
Town Planner
cc: File

A motion was made by R. Allard and seconded by A. Knapp to approve the amended application for outdoor events at 55 Calef Highway. The motion carried unanimously.

Roll Call:

D. Massucci-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay
R. Allard-Yay
A. Knapp-Yay

6. PRIVATE ROADS

- A. Review of a request for a building permit for EOR Realty Development, at Long Shore Drive ([Map 103 Lot 64](#)) a Class VI/Private Road.

A. Knapp gave a brief description of the application.

John Huckins explained to the Board that the applicant has been working with the Road Association and they are willing to do the 10% along with doing the work that was need on the road.

The Board agreed to send a recommendation to the Select Board supporting the proposal from the applicant.

A motion was made by B. Tessier and seconded by A. Knapp to send a recommendation to the Select Board supporting the applicant.

The motion carried unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

R. Allard-Yay

A. Knapp-Yay

7. OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

8. ADJOURN

- A. Adjourn the Planning Board Meeting. The next Planning Board meeting is a Site Walk on October 12, 2022, at 5:00 p.m. and Work Session on October 25, 2022, at 6:30 PM.

A motion was made by R. Allard and seconded by J. Cappiello to adjourn the meeting at 10:23 p.m. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

Ron Allard-Yay

John Driscoll-Yay

Bob Tessier-Yay

Donna Massucci-Yay

Joyce Cappiello-Yay

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