



(Approved March 7, 2023)

MEETING MINUTES
Town of Barrington Planning Board
Public Hearing
February 7, 2023, at 6:30p.m.

1. CALL TO ORDER

2. ROLL CALL

Members Present: Ron Allard, John Driscoll, Andy Melnikas, Joyce Cappiello

Remote Present: Donna Massucci

Members Absent: Andy Knapp, Buddy Hackett

Staff Present: Town Planner: Vanessa Price, Code Enforcement: John Huckins, Planning & Land Use Administrative Assistant: Barbara Irvine, Road Agent: Marc Moreau (virtually), Town Engineer, CMA: Josh Bouchard

3. REVIEW AND APPROVAL OF MINUTES

A. Review and approve minutes of the January 3, 2023, meeting minutes.

A motion was made R. Allard and seconded by A. Melnikas to approve the minutes of January 3, 2023, with the correction to line 88. The motion passed unanimously.

Roll Call:

J. Cappiello-Yay

J. Driscoll-Yay

A. Melnikas-Yay

R. Allard-Yay

D. Massucci-Yay (Remote)

4. STAFF UPDATES -TOWN PLANNER

A. Discussion on not holding work session in February; Vote to Cancel the February 21, 2023.

The Motion passed unanimously.

A motion was made by R. Allard and seconded by A. Melnikas to cancel the February 21, 2023, work session.

Roll Call:

J. Cappiello-Yay

J. Driscoll-Yay

A. Melnikas-Yay

R. Allard-Yay

D. Massucci-Yay (Remote)

- B. Discussion of the Planning Board future Work Session Meetings. Propose to work on regulations update, and zoning amendments for 2024.

V. Price explained to the Board that at future work session meetings they would be reviewing the regulations. The Town engineer would start providing the Board with some comment starting with the Subdivision Regulations.

R. Allard asked if this would be discussed at the March work session.

V. Price stated that it would be. V. Price explained the Board that she was still waiting for two Planning Board members applications. V. Price explained that B. Hackett would be providing his application and no reply from D. Massucci along with two alternative spots are available.

5. ACTION ITEMS-CONTINUED FROM December 6, 2022

- A. [239-35-V-22-17Sub \(Owner: Paul Guptill\)](#) Request by applicant Joseph Falzone proposing 2 conventional front lots and 15 conservation lots located on Mallego Road (Formally known as Guptill pit) on a 43.3-acre site with waivers located in the Village Zoning District. BY: Scott Cole, Beals Associates, PLLC; 70 Portsmouth Ave, Stratham, NH 03885.

R. Allard gave a brief description of the application.

Scott Cole from Beals Associates represented applicant/developer Joseph Falzone. Scott explained to the Board the last time they were before the Board they reviewed the first letter from CMA Engineering. Scott explained to the Board that they went before the Zoning Board of Adjustment for a variance to have the two conventional lots on Mallego Road. They were granted on January 18, 2023. Scott referenced the CMA Engineers comments from February 1, 2023.

Article 6, Section 6.3.5

The applicant shall provide details of the Homeowner's Association. The applicant was proposing to submit HOA documents as a condition of approval and wanted to know if this was acceptable to the Board? Scott explained that the open space would be the biggest part component of the subdivision. Scott explained that the open space was being donated to the Town in time the 15 residential open space lots and after time the Town may take over the road proposed to be a Town road. Scott explained once the condition of approval was granted then the HOA documents would be supplied.

Article 12, Section 12.2.1 Road Design Standards

The town engineer wrote that roads located in the Village District should incorporate additional features such as trees, planting strips, buffer vegetation, buffers/pathways in accordance with Figure 4C. Scott explained that it's been ongoing conversation on the trails and recreation trails. Scott explained that they are providing trails, and Scott expressed he didn't believe any residential subdivision has been doing this in the Town. They've provided vegetated planting strip along the roadway. Joe does see a benefit to planting and he was expecting to plant two trees per lot along the frontage. (Roughly 30 trees for the subdivision) Scott explained that the town engineer wanted to know if this was suitable for the Board.

J. Driscoll explained that the homeowner's association may have their own desires once everything was setup.

R. Allard explained the applicant met the conditions, not the homeowners. R. Allard explained that the trails were a big concern and has this been changed.

Scott passed out an illustrative plan of the recreational trail system in the property.

Scott explained the plan to the Board the status with the recreational trails, and these plans have been supplied to CMA Engineers. Scott explained that the existing trail system on the plan was the red on the plan aspects of the trail would remain and there's an existing gravel pit road that's separate. Scott explained to the left on the plan that was where they are proposing an expanded gravel parking area for those concerned to have adequate parking for people to park and walk down. Scott explained that the yellow on the plan was the existing trail system that would be deleted along with the stub would also be eliminated. Scott explained that the main corridor for the snowmobile trail was shown in blue. Scott described the proposal. The trail system would be to go down the road shortly down Mallego Road down to the 20' strip which would be owned by the Town. The embankment would be regraded because of drainage issues in that location. This would help them out on the road drainage in the red on the plan at the other end which was the main trail. The trails have been in multiple locations trying to appease everyone. Scott explained that this was the best location to put the snowmobile trail, with the Barrington Snowgoers and asked the Board for their input.

J. Driscoll asked if this was between 227 and 235 on Mallego Road and asked if a fence could go on the other side of that strip?

Joe explained that the fence would be considerably less on either side of the property lines because it makes that swing.

J. Driscoll explained that he was talking about the straight edge of the property line.

Joe explained that he would be open to that but didn't know if the neighbors would be.

J. Driscoll asked if the drainage was 19%.

Scott explained the drainage was reduced to 15%.

J. Driscoll asked about pedestrians getting down there to use the trail.

Scott explained that the blue on the plan was not just restricted to snowmobiles, but the other trails are. Scott explained that the snowgoers maintain certain trails.

J. Cappiello asked if the recreation walking trail goes to Mallego Brook and ends there.

Scott stated that was correct.

J. Driscoll asked when it eventually becomes comes a Town road and noticed a gravel maintenance road off bulb of the road.

Scott stated that was correct.

J. Driscoll asked if that would be residents of the development.

Scott explained that it would be for the Town for their drainage to get to the pond. However, with a truck you would need something flatter.

J. Driscoll explained that he felt that the best part of the conservation was on the right side of the parcel and addressed Scott stating he discussed that it restricted to snowmobiles. However, pedestrians are going to try and use the trail.

Scott explained that they can walk that section of the trail.

J. Cappiello expressed that the snowmobile trails seem steep where the snowmobile trail was and then goes out very steep. J. Cappiello asked if there was any problem with gravel coming off there.

Scott explained that it would all be stabilized. Note from CMA Engineers:

Article 12, Section 12.8.13(2)(q) Provide utility location:

Scott explained the notation that the applicant did not provide location of all utilities, as they would be underground. Scott explained that they did have an underground conduit which would be underground utilities. Scott explained that they did show the main going throughout the subdivision. They did not show transformer and pull location because this was up to the utility company. Scott explained that the construction cost estimate they would get at condition of approval.

Article 12.8.13 (2)(t) Provide a notarized letter fixing the legal responsibility for maintenance of the streets.

Scott explained that Mallego Road the applicant they are working with the Town, they know that Mallego Road in this section was going to be revamped in totality. Scott explained that Joe and his contractors understand if they did any kind of damage to it, they would need to fix to where it was. Scott expressed that it was up to the Board if this was needed for this project.

John Huckins explained that the owner maintains the road until the Town takes it over.

Scott explained that would be normal for the HOA documents.

John Huckins felt that this was what this meant.

Josh Bouchard, from CMA, explained what they wrote was the regulations.

Scott as if that can be in the HOA documents that was standard practice.

R. Allard asked if this was between the homeowners and the developer or the Town and the developer?

John Huckins explained that sometimes it's the association that maintains the road and sometimes the developer.

Scott explained that on sheet P1 (Page 15) where the entrance was, they have a landing, and the landing was supposed to be 100' long up to the existing road the maximum of 2% slope. Scott explained that it is a hair over 2% within the 100'. At the site walk they were concern about the 8% slope, or too close to the horizontal curve at the bottom of the hill which shoots around slightly changes the vertical curb into the 100'.

Requested Waiver:

Article 12, Section 12.7, Table 2 of the Subdivision Regulations.

The requirement of the Intersection Design Standards to the max. road grade of 2% for a minimum of 100' from Article 12, Section 12.7, Table 2 of the Subdivision Regulations.

A motion was made by R. Allard and seconded by J. Driscoll to grant the waiver from Article 12, Section 12.7, Table 2 of the Subdivision Regulations 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 passed unanimously.

Roll Call:

J. Cappiello-Yay

J. Driscoll-Yay

A. Melnikas-Yay

R. Allard-Yay

D. Massucci-Yay (Remote)

R. Allard opened public comment.

Jim Saccoccia, 21 James Henry Drive, explained that looking at the proposed snowmobile trail they are going to be going across the street over Stone Farm Road and across another driveway that's not shown. Jim explained that they would also be going by a cemetery and all of that was steep and rocky. Jim explained that he felt that he couldn't see a snowmobile trail going there especially where that was plowed by the Town. Jim explained that he was concerned about people that drive to multiple power sports businesses whether it's service or sales. Jim explained that they need to be with the commercial people in Town that benefit the Town. Jim explained that where the yellow trail on the plans connects to the red on the plan there was no real trail out that other way that's been shut down for a while. Jim explained that this was how people could get to Swain's Lane from Green Hill Road and was hoping that the applicant could come up with a better idea.

James Jennison, 18 Cate Road, explained that he also wanted to comment on the snowmobile trail. He defers location to others, but he wants to ensure that there's language in place that prevents a future Select Board or Conservation Commission or Trails Committee from rescinding the rights. James explained that he was looking for some language that snowmobile access would be granted in perpetuity was really the key ingredient here to keep open for future generations.

R. Allard closed public comment.

R. Allard asked if the blue trail on the plan all on Town land was.

Scott stated that was correct. Scott explained that the blue and red on the plan are all in the open space.

J. Cappiello asked if there could be an opinion that's not legally finding that they hope that this remains open.

R. Allard explained that it was going to be on the plan and was Town property.

John Huckins explained the possibility in 10 years there would be a new Select Board, perhaps one doesn't like snowmobiles and they don't want them to go though there anymore. John explained that he didn't believe that the Planning Board has the authority to do anything perpetuity on land that the Town owns. John explained that it was Town land it would be the Select Board's decision not the Planning Board decision.

J. Cappiello expressed that she could ask for this to be put on the next Select Board meeting.

John Huckins explained that even from a Select Board perspective the current Board can't tie the hands of future Boards. John explained that's what he means by a Planning Board can't tie those hands of a Select Board.

R. Allard reopened public comment.

James Jennison, 18 Cate Road, asked if the applicant could put restrictions in the easement with no motorized vehicles or could allow motorized vehicles. James explained then the Select Board would have no authority to change the easement language.

Daniel Ayer, 334 Old Concord Turnpike, explained that this was an ideal situation and a deeded right of way for drainage. If anything happens in the future, someone can do a petition not to override the Select Board. Dan explained that the drainage, easement and comments don't matter as this could be overturned by a petition article.

Jim Saccoccia, 21 James Henry Drive, explained that a developer comes in to produce future homes and asked why it couldn't continue with a deeded right of way. Jim asked why it couldn't continue where the blue line on the plan hits the white outline houses too and continue it down to the left and make that trail the trail to not only support new residents and businesses that support the Town.

R. Allard closed public comment.

R. Allard explained once owned by the Town, they would have control.

John Huckins explained that once it was owned by the Town has it that he felt the Town would have a deeded right of way.

Joe Falzone asked about the Zoning Board decision for the approval for the two frontage lots in the notice of decision could be written with the same language. This request is for the , and title insurance none of the stuff on the road has to do with those two lots. Joe asked if the decision could be broken up so the two lots on one sheet and one sheet and the same conditions that all apply to the subdivision.

John Huckins explained that if you look at the subdivision regulations, the road needs to be bonded to get a building permit. John explained for the two road front lots, there was no requirement by the Town regulations. John explained that you could do it as one approval but the two front lots wouldn't be tied to the road construction. John explained that there could be a condition that the two front lots are not incumbent upon those conditions.

Joe asked if the notice could have the same condition as the Zoning Board of Adjustment.

Scott explained that what Joe was asking if he could sell the two front lots prior to the remaining permits being obtained for the other lots because like AoT could be four months out.

Joe asked if it could say for the front two lots if they can construct because they are not part of the roadway infrastructure because that's what we're bonding and no bonding for the front two lots.

Marc Moreau, Road Agent asked how many manholes are in that section there from Mallego Road to the pitch?

Scott explained one at each end.

Marc explained that if there was 25' to work in their width he doesn't see any kind of a problem.

V. Price read the notice of decision with the precedent conditions and General and Subsequent Conditions:

Date of Application: November 16, 2022
Date Decision Issued: February 7, 2023
Case File #: 239-35-V-22-17Sub

NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i>	<i>Surety returned</i>
<i>Case File Close out date:</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: 239-35-V-22-17Sub: Request by applicant proposing 2 conventional front lots and 15 conservation lots located on Mallego Road. (Formally known as Guptill pit) on a 43.3-acre site with waivers located in the Village Zoning District.			
Owners: Paul Guptill PO Box 58 Barrington, NH 03825		Applicant: Joseph Falzone 5B Emery Lane Stratham, NH 03885	
Engineer: Christian Smith, PE, or Scott Cole Beals Associates, PLLC 70 Portsmouth Avenue Stratham, NH 03885			

Dear applicant:

This is to inform you that the Barrington Planning Board at its February 7, 2023, meeting **CONDITIONALLY APPROVED** your application referenced above.

The application has met all the Town's Ordinances and Regulations of the Town of Barrington.

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 12 calendar months to the day, February 7, 2024, the Board's approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

Conditions Precedent

- #1) Add the following plan notes:
- a) At the December 6, 2022, Planning Board Meeting, the Board approved a waiver for:

- i) The requirement of road design standards for maximum road grade to allow a grade up to 8.0% in Article 12, Section 2.1 of the Subdivision Regulations.
 - b) At the February 7, 2023, Planning Board Meeting, the Board approved a waiver for:
 - i) The requirement of the Intersection Design Standards to the max. road grade of 2% for a minimum of 100' from Article 12, Section 12.7, Table 2 of the Subdivision Regulations.
 - c) At the January 18, 2023, Zoning Board of Adjustment Meeting, the Board GRANTED, the variance from Article 6, Section 6.2.6 Perimeter buffer to allow two (2) conventional lots to be developed separate from the proposed conservation subdivision on Mallego Road (Map 239, Lot 35).
- #2) Add the following to the Plan:
- a) All Owners' Signature.
 - b) Wetland Scientist Signature.
 - c) Professional Surveyor Signature.
 - d) State Subdivision Approval Number.
 - e) AoT Approval Number.
- #3) Ownership and Maintenance of Common Facilities and Open Space and the proposed Homeowner's Association in accordance with the Ordinances to be approved by Town Attorney. The applicant is responsible for attorney fees.
- #4) Town Engineer to review final plans to include but not limited to road construction standards, data requirements, utility design standards, landscaping, stormwater management & sediment and erosion control plan to ensure all outstanding comments have been met prior to Planning board chair signature. The applicant is responsible for Town Engineer fees.
- #5) At final submittal, all outstanding plan comments to applicant from Town Planner and Town Engineer (CMA) for Subdivision regulations and Drainage shall be addressed.
- #6) Provide a detailed engineer's estimate of construction cost.
- #7) Provide a notarized letter fixing the legal responsibility for maintenance of the streets.
- #8) Any outstanding fees shall be paid to the Town.
- #9) Prior to obtaining Board signature, the Applicant shall submit three (3) full size paper copies of the site plans, one (1) 11' x 17' copy and .pdf/a format file format with supporting documents as required in Article 3 of the Barrington Site Plan Review Regulations, with a letter explaining how the Applicant addressed the conditions of approval to the Land Use Office.

The Planning Board Chair shall sign and date all plans meeting the conditions of approval. The Board shall endorse three (3) full size paper copies of the site plans for their records and one (1) 11' x 17' copy and .pdf/a format file format for the case file folder.

General and Subsequent Conditions

- #1) The Road agent coordination with the abutters, on Tax Map 239, Lot 38 and Tax Map 239 Lot 39, on agreement to the location of the 6' privacy fence along the the property lines along the

gravel access road/recreation and/or snowmobile trail, off of Mallego Road, after the drainage work is complete. The applicant is responsible for associated fees for the fence installation.

- #2) Two (2) conventional lots (Map 239, Lot 35-17 and Map 239, Lot 35-16) to be developed separate from the proposed conservation subdivision on Mallego Road (Map 239, Lot 35). Map 239, Lot 35-17 and Map 239, Lot 35-16 can be transferred without the roadway infrastructure being completed.
- #3) 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.
- #4) Where no active and substantial work has commenced upon a site, plans that are approved and signed by the Board shall expire two years from the date the plan is signed. 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 subdivision. Expired plans must be submitted to the Board for review to ensure compliance with these and all other town ordinances and regulations via the normal application process.
- #5) In accordance with RSA 674:39, active and substantial development shall mean the expenditure of at least twenty-five percent (25%) of the infrastructure costs required for a development proposal, as indicated by a subdivision approved by the Planning Board, within twenty-four (24) months of said approval, where the approved plans have been properly recorded at the Registry of Deeds. Infrastructure shall mean in this instance, the construction of roads, storm drains, water and sewer facilities, or parking lots. Compliance with this definition shall also necessitate that a bond or other security to cover the costs of said infrastructure requirements has been posted with the town prior to the beginning of construction, if required as a condition for subdivision or site plan approval.

For determining whether an approved subdivision is vested under the terms of RSA 674:39 the following conditions must be met. At least fifty percent (50%) of the total cost of all public and private improvements approved by the town must have been expended within four (4) years of the date of approval of said subdivision plan. In addition, a bond or surety for completion of all required public improvements, if required as a condition of approval, shall have been posted with the town.

(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 R. Allard and seconded by J. Cappiello to approve the 17 lot subdivision Bending Brook Subdivision as read by the Town Planner. The motion passed unanimously.

Roll Call:

J. Cappiello-Yay
J. Driscoll-Yay
A. Melnikas-Yay
R. Allard-Yay
D. Massucci-Yay (Remote)

A motion was made by R. Allard and seconded by J. Cappiello approve the amended the notice to say two years 17 lot subdivision Bending Brook Subdivision as read by the Town Planner. The motion passed unanimously.

Roll Call:

J. Cappiello-Yay
J. Driscoll-Yay
A. Melnikas-Yay
R. Allard-Yay
D. Massucci-Yay (Remote)

6. ACTION ITEMS – NEW APPLICATIONS

- A. 238-2-TC-23-SR (Owners: Robert Huffman/Elfmade Properties, LLC)** Request by applicant proposing a minor site plan to place ten (10) 10' x 20' structures for the purpose of holding and displaying additional retail merchandise, and three (3) 10' x20' containers for receiving deliveries of store merchandise. The location is at 603 Franklin Pierce Highway with waivers on a .64-acre lot in the Town Center Zoning District.

R. Allard gave a brief description of the application.

Attorney Chris Regan represented the applicant Robert Huffman from Elfmade Properties, LLC. Attorney Regan explained to the Board that there was an application for a Site Plan approval. Attorney Regan explained the project description is to seek for the approval to place 10 x 20 structures that are repurposed containers on the property. Attorney Regan explained that there would be ten 10 x 20 structures to put merchandise in to display for the customers. Primarily of larger bulky type merchandise, for example furniture, braided rugs and things that he has started showing that he doesn't have the room in the current space. Attorney Regan explained that they are the high and the specialty items and other things that aren't really fitting in the current store area. Attorney Regan explained that the plan was to bring customers over there for product they're interested in. That is the purpose of the structures. Attorney Regan explained that there would also be three 10 x 20 structures intended to receive delivery and store merchandise. The plan was either purchasing the merchandise, and it goes across the street into the structures on this particular site, or they would be moved off to spare box, or into the store. Attorney Regan explained that he already has storage for his items or merchandise storage for what he's not using over spare box and would continue to use it. The merchandise the customers would come to, they would have access to all the items that they could be interested in and make purchases.

Attorney Regan explained that the larger structures that are currently on the property would be removed along with the trailers and other equipment. Attorney Regan explained that they have submitted a waiver for the requirement of the plan by a registered surveyor or engineer. Attorney Regan explained that the site was .63-acre lot.

John Huckins explained that on the existing lot of record there's no requirement on the lot.

J. Driscoll expressed that the last time they were before the Board they were going to put a fence around the units and asked if this was still the plan.

Attorney Regan explained that wasn't the major part last time was not included this time but if this was something that the Board wanted, he would consider that.

A. Melnikas expressed that he should put something around the units.

J. Driscoll expressed that there are historical buildings across the street this was in the Town Center plan that was setup in 2008. J. Driscoll explained that there are small businesses, walkable situation where you would draw tourists and residents.

Attorney Regan explained that at some point he would like to come back with a larger structure at some point.

J. Driscoll asked if they wanted approval for one year.

John Huckins explained to the Board that it would be site approval you can't with one year he would need to come back before the Board when he wants to build a building.

R. Allard questioned that John said its appropriate for an accessory use that's permitted on the result of the zoning ordinance, and he didn't read it that way. R. Allard explained that the last part said on the same lot, and this was not on the same lot so it should not apply.

Attorney Regan explained that the Town attorney that was here at the last meeting stated that they did not need to be on the same lot.

R. Allard explained that she (Town Attorney) stated that the Board could be flexible. R. Allard explained that on page 69 the regulation and accessory use was a structure usage was going and purpose to the principal use contributes to the comfort, convenience and was located on the same lot as the principal use. R. Allard expressed that to him this was not an accessory use this would be the principle use on the lot. R. Allard explained to him that these are containers put on the lot for storage, so the principal use was storage and that was not allow in the Town Center.

Attorney Regan explained that he's not pretending this to be the principal uses as storage. Attorney Regan explained that the principal use was to have merchandise that was going to be available to his customers that could be purchased.

R. Allard explained that structures in that zone would need to meet the appearance design standards and the containers cannot meet these standards.

J. Driscoll asked if this was like a shopping bizarre where you open the containers and people just wander in and out.

Attorney Regan explained that they would be available across the street.

J. Cappiello explained that there are no cross walks so there would be pedestrian safety issues.

D. Massucci expressed that this was a company that has been in our Town for many years and has served a good purpose and brought a lot of customers into Barrington. D. Massucci explained that they need to support our Town people that are in business, and she strongly feels that if they can extend help to this company in the future, maybe able to build onto it. D. Massucci explained that the Board needs to help Town people where they can help with stores and companies to keep people coming into our Town to buy and leave. D. Massucci explained to the Board that she understands about a cross walk, but they cross to go to Calef's Country Store, and she hasn't heard of any fatalities. D. Massucci explained that she agreed with the that's its an eyesore and could this be corrected if they support the store and could be corrected.

R. Allard expressed that he didn't see a fast way to correct this.

D. Massucci asked why they couldn't put up a fence and explained that there has to be a way to keep this company here. D. Massucci expressed that was this Board should be doing.

R. Allard agreed with D. Massucci, but they need to comply with the regulations too and if they do something that was not in the regulations the Town could be put at risk.

John Huckins asked R. Allard what regulation does it not meet?

R. Allard explained that this was an accessory use.

John Huckins explained that it doesn't have to be this was a business use on that lot and the parking was on the side that he's doing and that walking across the street with the other businesses. John explained that if the Board deny this, they need to say what regulation did they not meet.

R. Allard stated that this would not meet design standards.

John Huckins explained that they were saying before that it doesn't have a business use and it was allowed by zoning where he would be displaying merchandise.

R. Allard explained that it depends on what these are used for the regulations do not allow warehousing or storage in the Town Center. R. Allard explained that if they put up a structure, they would need to meet design standards for the Town Center.

D. Massucci expressed to the Board that they talked about a fence around the units, and everyone was agreeable that there would be a fence around it.

Robert Huffman owner misunderstood he thought that the 10' x 20' were exempt from all the rules.

John Huckins explained that if you read the definition under structures the rules, they are exempt from building permits and setbacks. John explained that businesses need to go for site approval for a business but not building permit was needed.

Robert Huffman asked if a 10' fence about them would work and you wouldn't be able to see the units.

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

Roll Call:

J. Cappiello-Yay
J. Driscoll-Yay
A. Melnikas-Yay
R. Allard-Yay
D. Massucci-Yay (Remote)

Requested Waiver:

Article 3, Section 3.1.1

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.

A motion was made by J. Cappiello and seconded by J. Driscoll to grant the waiver Article 3, Section 3.1.1 for Elfmade 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. Cappiello-Yay
J. Driscoll-Yay
A. Melnikas-Yay
R. Allard-Yay
D. Massucci-Yay (Remote)

R. Allard opened public comment.

James Jennison, 18 Cate Road, asked the following questions:

EIF Mde

First and foremost what is substantially different about this application? nothing

Must meet site review and subdivision regs

Town center : contractor storage and equipment not allowed, his machinery exceeds the reasonable need for snow removal. Equipment and material piles are by definition not allowed even if that is not his profession or use. Currently has 2 skidsteer with multiple attachments, fork truck, plow truck , flat bed trailers , utility trailers, and piles of fill material.

Truck terminals not allowed if he thinks about TT body

Warehouse operations not permitted.

His description is a manipulation to get what he wants. He feels if he says its open to the public it somehow changes what is actually there

Just because he is asking to doing something that does not conform to our zoning does not mean he should not have to satisfy all other regulations: consistent with other applications.

at a minimum needs the following

Existing conditions: There are two other buildings and most likely other features on the property.

Parking and circulation

Illumination plan

4.5 requires all sites have water: needs well with protective radius or agreement to take water from another.

4.6 requires all sites have sewage. Needs sewage disposal system or at minimum portable toilets access across street meet dot approval without crosswalk.

Both required for CO

4.6.....Sewage Disposal

All sites shall provide for adequate and sanitary on-site disposal of sewage. A State approved disposal system is required prior to final approval, and the approval number shall be indicated on the plat. The system shall be installed and functioning prior to the issuance of the Certificate of Occupancy.

Drainage? Adding impervious structures to a large portion of site. Maybe not neccessary as paved area is impervious and the trade off may be equal.

4.8.4 sidewalks : it would be in the best interest to require side walks as part of the proposed project to connect with future sidewalks and dove development sidewalks.

It is unsafe to have an accessory use where pedestrians will cross to view products. A need for a cross walk should be reviewed.

4.9 parking and loading.

Parking standards if now retail . 1 for ea. 250sf plus ADA designate what units for public access

Demarcation required by regulations.

Satellite parking 4.9.12 needs to be within 300' and with written permission from landlord

Circulation plan and access for deliveries. No on street loading or backing. demonstrate how loading will take place

4.9.6.....Off-Street Loading Requirements

4.9.6(1).....Minimum Off-Street Loading Requirements - Every structure constructed after the effective date of this ordinance and used for business, trade or industry, or structure that predates this ordinance that is modified to incorporate a new loading access or dock, shall provide space on the premises to accommodate the unloading and loading of the anticipated type and number of delivery vehicles. As a minimum, the number of spaces in Table 6 shall be provided. Such space shall have access to a public alley, or if there is no alley, to a public street.

4.9.6(2)(d)No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking. Barrington Site Plan Review Regulations Amended May 17, 2022
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4.9.6(3).....Loading areas shall be designed so that, without resorting to extraordinary movements, vehicles may maneuver without backing onto or off of a public street.

4.9.6(4).....All loading and unloading shall be accommodated **on the subject parcel**. No such activities shall be permitted to occur in a public right-of-way.

Lighting plan

Fire access and protection: analysis of stored materials for fire safety and the need for sprinklers.

Setbacks 20,15,15 all structures must comply with setbacks regardless of size.

Lot coverage 80% in town center .68 lot size ,all impervious area

Landscape plan complying with regulations

Screening 4.10.4

4.11 design standards to improve the aesthetic character

4.11.3.....Reviewable Actions

4.11.3(1).....Site Plans in the Village (V) and Town Center (TC) districts - All new structures, alterations or additions to existing structures, changes in outdoor land use or changes in site design which require Site Plan Review and which affect the exterior architectural appearance of a building or site shall be subject to review by the Planning Board.

4.11.3(2).....Exterior actions within 150 feet of the centerline of Routes 4, 125, 9, 126, and 202 - Any construction, alteration, demolition or removal that affects the exterior architectural appearance of a building or site shall be subject to design review by the Planning Board provided that the site is on or within 150 feet of the centerline of the roadway corridors listed above, as measured from the center of the public right-of-way

4.11.4.....Design Definitions

4.11.4(1).....“Exterior architectural appearance” shall be defined as the architectural character and general composition of the exterior of a building, including but not limited to Barrington Site Plan Review Regulations Amended May 17, 2022 Prepared By the Barrington Planning Board Page 52 the kind, color and texture of building materials, including paint color, and the type, design and character of all windows, doors, light fixtures, signs, awnings, utility and ventilation structures and all other appurtenant elements.

4.11.4(2).....The “appearance of a site” shall be defined as the character, layout and general composition of the site, including but not limited to the kind, color and texture of such materials as plantings, paving, benches, site lighting, free-standing signs, utility structures and all other appurtenant elements.

Design should match caleds and village barn

Should be required to save, remodel and repair existing historic structures (building to the rear.)

4.11.6.....Supplemental Retail Design Standards For existing and proposed retail establishments that meet the review thresholds established in Subsection 4.11.3 **above the following supplemental design review standards apply:**

4.11.6(1).....Preserve Historic and Aesthetic Resources - Each building or man-made structure, including stone fences shall be reviewed with the Planning Board for historic significance and aesthetic importance. To the extent possible, such features will be preserved.

4.11.6(6).....Screening - Screen rooftop and ground-level mechanical equipment from public view. Screen areas for outdoor storage, truck parking, trash collection, loading and other such uses from view of abutting properties and streets

4.11.7.....Back and Facade Guideline All facades of a building which are visible from adjoining properties and/or public streets should contribute to the pleasing scale features of the building and encourage community integration by featuring characteristics similar to the front facade.

4.12 Lighting

Traffic analysis if sqft of retail meets threshold

Snow removal

Trash (should not transport across state rd in his fork truck or other unregistered vehicles.)

Safety of containers that public will access :

Certified new containers that meet certifying agency standards for safety and as hazardous materials may have been previously stored

Certified plot plan or as built so future expansion doesn't happen without PB approval

Driveway permit is only for 8 containers applicat proposes 10. Recommend new driveway permit based on pedestrian access and added containers.

Maintenance agreement as required

Daniel Ayer, 334 Old Concord Turnpike, expressed that he felt sorry for the applicant he's in a bad situation of rules and regulations. Dan expressed that the Board should give the applicant his money back he owns then property paying taxes on it and trying to survive with the pandemic and has to go by the rules and regulations.

R. Allard closed public comment.

John Huckins asked the Board if they wanted to give the applicant a list of things that he needed and continue with the application. John asked the Board if they want to say that he needs a structure that meets the downtown design. John explained that now would be the time to discuss that and have him come back to the Board to address the comments, if the Board is considering to deny it based on other regulations.

Attorney Regan explained that he looked back on the prior application and that has not been brought up in the record as a concern before. Attorney Regan explained that every time that he comes back before the Board something else was added.

R. Allard explained that the first time was for storage on the site with no customer access. R. Allard explained that based on the new requirements new things happen.

Robert Huffman explained that they would make a time that customers would want to go over to the units along with parking over there so they would not have to cross the street. Robert explained to the Board that people have crossed the street for years to go to Calef's and his store.

Attorney Regan explained that his question was more to the architectural standards being raised.

Robert Huffman explained that there would not be any night ime use to the units. Robert explained that they would like to put a building there but can't right now.

J. Cappiello explained that she knows that she can't restrict the decision to say one year for a building but was there a way they could say within a specific time.

John Huckins explained that the only way that they could do that was if he did the application that way. John explained that it would need to be done in phases (example Storage units Phase 1 then add a building) showing the whole buildout.

J. Driscoll expressed that this was just a storage yard.

A. Melnikas explained that he didn't want people coming to Barrington seeing storage.

D. Massucci stated she looks at the Village Barn and she sees storage units with stairs and felt that maybe Elfmade could do that, and would the Board approve if this was on blocks? D. Massucci asked the applicant what they plow?

Robert explained that he plows Calef's, Elfmade and Village Barn and the property next to Calef's and George's Fine Foods.

John Huckins explained that as part of this application they were going to move the equipment out of there.

R. Allard expressed that what he's doing now was a code enforcement issue. R. Allard suggested that they ask for a continuous and come back with something else.

Attorney Regan stated that they would like to come back before the Board with something else.

John Huckins asked the Board that if the applicant came back and asked for two years to put up a building and use the units in between would the Board support this.

R. Allard explained that he would be up for a phase plan as well.

John Huckins explained that they would also need an elevation plan to show what it looks like and the stuff under Town Center.

Robert expressed that he would like to continue until August 1, 2023.

A motion was made by R. Allard and seconded by J. Driscoll to continue application for Elfmade to August 1, 2023. The motion carried unanimously.

Roll Call:

J. Cappiello-Yay

J. Driscoll-Yay

A. Melnikas-Yay

R. Allard-Yay

D. Massucci-Yay (Remote)

- B.** [238-8-V-23-SR \(Owners: George Tsoukalas\)](#) Request by applicant for Major Site Plan Review to allow 1,648 SF commercial/retail in an existing building with parking. The location is at 565 Franklin Pierce Highway on a 2.10-acre lot in the Village Zoning District. BY: Scott Cole, Beals Associates; 70 Portsmouth Avenue; Stratham, NH 03885.

R. Allard gave a brief description of the application.

Scott Cole from Beals Associates represented the owner, George Tsoukalas. Scott explained that he was before the Board for a Site Review application for Map 238, Lot 8 on Franklin Pierce Highway. Scott explained the project. The lot has been cleaned up and got permits to reestablish the barn. He explained the lot has been cleaned up from the previous condition and the client would like to do a proposed Site Review on 1.99-acre lot. Scott stated that a wetland scientist has looked at the site and no wetlands on the parcel. Scott explained that the proposal was for commercial within the existing structure that was 1,648 s.f. in size. Scott explained that the existing building already has underground power and well with a proposal for its use of a new septic system which was included in the plan set. Scott explained that the client wasn't sure of what the use would be at this time fix up the site and see what he gets for applicants. Scott explained that the existing building would be used and provide parking spaces all applicable regulations would be met. They took the most stringent in that zone and based it off of restaurant regulations. For parking, they have 19 stalls and 2 handicap based on square footage of the existing building. Scott explained that the drainage was simple in the project Scott all the locations on the plan. Scott explained that the permits that are needed on this site are the Septic approval and NHDOT Permit. Scott explained that they are asking the Board for a waiver for Traffic Analysis. Scott explained that the applicant understands that they know that they would need to come back with any explanation which in the further he plans on adding a building, which would need another site plan review.

Scott supplied a list below of what they could have on the site:

Chairman
Town of Barrington Planning Board
4 Signature Drive
Barrington, NH 03825

February 6, 2023

Re: PB Case # 238-8-V-23-VP
565 Franklin Pierce Highway Commercial project
Tax Map 238, Lot 8
Owner: George Tsoukalas

Mr. Chairman and members of the Board,

We are writing to detail possible allowed uses the owner would consider at the referenced commercial site with a pending application before the Board. These include:

Arts & Crafts establishments

Art Studio

~~Sale of auto parts~~

Bank and ATM

Business support services

Business & professional office

Commercial recreational facility

Conference center

Distillery/brewery with retail

Drug Store

~~Elderly assisted care home~~

Grocery Store

Hardware store

Health care facility

Health club

Inn

Landscape Nursery/Greenhouses

Medical/Dental Clinic

Packaging and delivery services

Professional service establishment

~~PUD~~

Publishing and printing

Repair service

Restaurant

Retail

~~Service for vehicles~~

Social or fraternal organization

Veterinary office/clinic

Scott explained that they supplied a lighting plan.

R. Allard explained that on the lighting plan the minimum was .6 where .3 was required and the was ok.

Scott explained that a landscape plan was required and that there was existing vegetation that would remain along with trees staying.

Scott explained that he has a request where this has existing utilities, existing building the drainage was very simplistic. Scott explained that they felt this did not need a full engineer review and everything would be reviewed by the State NHDOT and septic was going to NHDES not leaving much for engineer review.

R. Allard that the Board requires the location of the lights on the renderings.

Scott explained that would be for a proposed building per the regulations, but this is anthe existing building.

R. Allard explained that rendering require lighting on the front, side and back.

A motion was made by R. Allard and seconded by A. Melnikas to accept the application for 565 Franklin Pierce Highway as complete. The motion carried unanimously.

Roll Call:

J. Cappiello-Yay

J. Driscoll-Yay

A. Melnikas-Yay

R. Allard-Yay

D. Massucci-Yay (Remote)

Waivers Requested:

Article 4 Design and Construction Standards

Section 4.14 Traffic Impact Analysis and Mitigation Standards

A motion was made by R. Allard and seconded by A. Melnikas to grant the waiver for 4.14 Traffic Impact Plan for 565 Franklin Pierce Highway 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. Cappiello-Yay

J. Driscoll-Yay

A. Melnikas-Yay

R. Allard-Yay

D. Massucci-Yay (Remote)

Article 3.8 Illumination Plan

Section 3.8.5 Illumination Plan with building elevations, walls, and remote fixtures

A motion was made by R. Allard and seconded by J. Cappiello to grant the waiver for 3.8.5 Illumination Plan for 565 Franklin Pierce Highway 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. Cappiello-Yay

J. Driscoll-Yay
A. Melnikas-Yay
R. Allard-Yay
D. Massucci-Yay (Remote)

Article 4 Outdoor Lighting Design Standards

Section 4.12 Outdoor Lighting minimum lighting threshold to allow 03cf per 06 minimum

A motion was made by R. Allard and seconded by A. Melnikas to grant the waiver for Article 4 Outdoor Lighting Design Standards for 565 Franklin Pierce Highway 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. Cappiello-Yay
J. Driscoll-Yay
A. Melnikas-Yay
R. Allard-Yay
D. Massucci-Yay (Remote)

R. Allard opened public comment.

R. Allard closed public comment.

V. Price read the notice of decision with the precedent conditions and General and Subsequent Conditions:



Planning & Land Use Department
Town of Barrington
PO Box 660
4 Signature Dr.
Barrington, NH 03825
603.664.0195
VPrice@barrington.nh.gov

NOTICE OF DECISION

Date of Application: January 18, 2023
Date Decision Issued: February 7, 2023
Case File #: 238-8-V-23-SR

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As builts 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 238-8-V-23-SR: Request by applicant for Major Site Plan Review to allow 1,648 SF commercial/retail in an existing building with parking. The location is at 565 Franklin Pierce Highway on a 2.10-acre lot in the Village Zoning District.

Owner: George Tsoukalas
PO Box 684
Barrington, NH 03825

Applicant: Scott Cole
Beals Associates
70 Portsmouth Avenue
Stratham, NH 03885

Dear applicant:

This is to inform you that the Barrington Planning Board at its February 7, 2023, meeting **CONDITIONALLY APPROVED** your application referenced above.

The application has met all the Town's Ordinances and Regulations of the Town of Barrington.

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 the precedent conditions are not met within 12 calendar months to the day, February 7, 2024, the Board's approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

Conditions Precedent:

#1) Correct the following plan notes to address Site Plan Regulations:

- a) Section 3.2.10 (4) Zoning designation of subject parcel to be added on existing conditions page.
- b) Section 3.2.10(5) Minimum lot area, frontage & setbacks dimensions required for districts to be added onto the existing conditions plan.
- c) Section 3.2.10(6) Add the existing and proposed use of the site in the plan notes. They should be under the note page on Sheet 2.
- d) Section 3.3 (5) Add to all plan sheets: the zoning of all abutting landowners.
- e) Section 3.3 (6) Existing streets, please add status noted or labeled and the ROW dimensioned on all plan sheets.

#2) Add the following plan notes:

- a) At the February 7, 2023, Planning Board Meeting, the Board approved a waivers for:

i) The requirement for a full traffic impact analysis per Section 4.14 of the Site Plan Review Regulations.

ii) The requirement for outdoor lighting for the minimum lighting threshold to allow for .3CF where .6CF is the minimum per the Outdoor Lighting Design Standards Section 4.12, Table 8 of the Site Plan Review Regulations.

iii) The requirement for a drawing of all relevant building elevations showing the fixtures, the portions of the walls to be illuminated, the luminance levels of the walls, and the aiming points for any remote light fixtures per the Illumination Plans in Section 3.8.5 of the Site Plan Review Regulations.

#3) Add the following to the Plan:

i. Approved list of uses permitted on site:

- a. Arts & Crafts establishments
- b. Art Studio
- c. Bank and ATM
- d. Business support services
- e. Business & professional office
- f. Commercial recreational facility
- g. Conference center
- h. Distillery/brewery with retail
- i. Drug Store
- j. Grocery Store
- k. Hardware store
- l. Health care facility
- m. Health club
- n. Inn
- o. Landscape Nursery/Greenhouses
- p. Medical/Dental Clinic
- q. Packaging and delivery services
- r. Professional service establishment
- s. Publishing and printing
- t. Restaurant
- u. Retail
- v. Social or fraternal organization
- w. Veterinary office/clinic

ii. NHDOT Driveway Access Permit Approval Number.

iii. NHDES Septic Approval Number.

iv. Owner Signature(s).

v. Professional Surveyor Signature.

#3) NHDOT traffic analysis (if required by NHDOT) to be submitted to Land Use office prior to Planning Board Chair signature on final plans.

#4) Address all plan comments from letter dated January 30, 2023, letter from the Town Planner.

#5) Any outstanding fees shall be paid to the Town.

#6) Prior to obtaining Board signature, the Applicant shall submit three (3) full size paper copies of the site plans, one (1) 11' x 17' copy and .pdf/a format file format with supporting documents as

required in Article 3 of the Barrington Site Plan Review Regulations, with a letter explaining how the Applicant addressed the conditions of approval to the Land Use Office.

The Planning Board Chair shall sign and date all plans meeting the conditions of approval. The Board shall endorse three (3) full size paper copies of the site plans for their records and one (1) 11' x 17' copy and .pdf/a format file format for the case file folder.

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) The applicants engineer shall certify in writing the improvements have been constructed as approved prior to the issuance of a certificate of occupancy.
- #3) 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 R. Allard and seconded by J. Driscoll to approve the Site Review Plan for 565 Franklin Pierce Highway. The motion carried unanimously.

Roll Call:

J. Cappiello-Yay
J. Driscoll-Yay
A. Melnikas-Yay
R. Allard-Yay
D. Massucci-Yay (Remote)

7. PRIVATE ROADS

- A. Review of a request for a building permit for Jennifer Miksis-Olds and David Olds, at 21 Rocky Point Road ([Map 118 Lot 11](#)) a Class VI/Private Road.

R. Allard gave a brief description of the application.

Jennifer Miksis-Olds and David Olds from 21 Rocky Point Road explained that they are requesting a private road waiver. Jennifer explained that they want to build a new house at 21 Rocky Point Road. Jennifer explained that they purchased the house in May of 2022, and they are looking to replace the Structure within the same footprint same deck structure and utilizing the same well and septic. They have also submitted the shoreland permit approval by the State.

R. Allard asked the applicant if they were asking for the 10% waiver.

Jennifer expressed that they were asking a waiver from the 10%. The waiver submitted is consistent with the road waiver that was granted to the Torrey's at 68 Rocky Point Road in June. Jennifer explained that the road was in good condition and accessible to all emergency vehicles.

J. Driscoll explained to the Board that on July 19th the Planning Board had no objections because widening the road would approach on the neighbor's property. The Road Agent wouldn't like it and was supported.

John Huckins explained at that same time this was supported by the Fire Chief.

J. Driscoll asked how old the septic was.

David Olds explained that they did not know how old the septic was, but they had it assessed and was operational not to code they have a plan for a new septic and was submitted with the building permit.

J. Cappiello asked if they were going to replace the septic.

Jennifer stated they are.

R. Allard explained that they have a letter in support from all neighbors.

J. Cappiello explained that she recalled that you can't upgrade the road because it was so narrow and they couldn't spend the 10% to upgrade because they can't upgrade the road.

R. Allard explained that the 10% needs to go to road improvements and there are no road improvements.

V. Price explained that they have supplied more information and no staff gave any comments.

R. Allard took a roll call vote in support of waiving the 10% of sending the standard letter in to the Select Board.

Roll Call:

J. Cappiello-Yay

J. Driscoll-Yay

A. Melnikas-Yay

R. Allard-Yay

D. Massucci-Yay (Remote)

8. DISCUSSION WITH BOARD FOR A PRELIMINARY CONCEPTUAL SITE PLAN

A. Applicant Clint Gendreau and Daniela Moebius discussion with the Board for a Preliminary Conceptual site plan at 14 Winkley Pond Road.

R. Allard gave a brief description of the preliminary conceptual.

Daniela Moebius and Clint Gendreau are the new owners of 14 Winkley Pond Road and are before the Board to see what they can do on their property. Daniela explained that they just purchased the property along with the 97 Acres of conservation land across Route 125. Daniela stated she was an architect and Clinton was a builder and they were looking for a place to invest in and to create something unique together. They came across this and barn to create a mixed use and this was located in the Regional Commercial Zone.

Clinton explained the location was in the Winkley Pond Road and Beauty Hill Road and these were two separate parcels that they bought together.

Daniela explained that the previous owners wanted to keep the parcels together. There is access to the connectivity between the parcels underneath Route 125, as they built it for safe crossing for the cows to go under Route 125.

Clinton explained to the Board that the concrete tunnel was in great shape with no cracks its 70 years old. Clinton showed the parcel that was 3.8 acres in the commercial zone, and they see a lot of opportunity to develop that into something nice on Route 125. Clinton showed the Board what they would like to do with the commercial property and they have plans along with ideas for the commission land.

Daniela showed a conceptual plan to the Board showing the overall sets of plans. Daniela showed the existing farmhouse the existing barn and they would like to be able to add another building to the lot. Daniela explained that they would like to turn the farmhouse into either two or three family. Daniela explained that they know they would need residential parking there was an opportunity to create a vegetative buffer in between. Daniela explained then in the future that could become more of the commercial parking that would service the barn and the new building. The barn was a really unique historic timber frames with a lot of character. Daniela explained that the barn could be used for restaurant, offices, farmers market, or something similar.

Clinton explained they want to build something they just aren't sure what they are going to put there.

Daniela explained that the property has two frontages and the existing structures do not conform with the Regulations. They had a wetlands scientist walk the property with the worst and best case. Daniela explained that in the further they would like to build a new building and would with the existing Master Plan.

A. Melnikas asked if the access is off Winkley.

Daniela expressed yes. Daniela explained they just bought the property and would like to phase the development of the property. Daniela explained that she knows what the cost are for fixing up existing barns and for habitable space. They are in no rush in phase one, they are asking to do was to create the

multi-family in the house and then use this in commercial industrial use for storage. Daniela explained that at this time the would-be minimal impact.

John Huckins explained that Daniela was using the term mixed use he explained that its going to be a multifamily subdivision with commercial and the house would be residential. John explained that the definition says it's supposed to be on the second floor, but the regulations say any legally existing residential use can be combined as part of that use. John explained that they would have to give you some type of nonresidential use to get the density on that lot for mixed use.

R. Allard explained that he likes what they are doing but residential dwelling with the exception of mixed structures may not be included as part of a mixed use development in the Regional Commercial area. R. Allard read legally existing maybe part of the mixed-use development.

John Huckins explained this was an existing building and part of their phase one would need to show the nonresidential use.

R. Allard explained that he sees a problem with three driveways and we have nothing that says you can have a third driveway.

Clinton explained that depending on the phase two building would really set the parking if they would need that part of the lot.

Daniela explained that they would have more information once the survey was done.

R. Allard explained that he was not saying it wouldn't get approved that it was something that was not allow in the regulations.

Clinton explained that at the time they had this prepared that had not talked to Marc yet this was preliminary.

R. Allard expressed that Beauty Hill Road has the most accidents at that intersection and they are right across the street.

John Huckins explained that if they look at the pavement on Beauty Hill Road, it kind of comes off square. John explained that was put there because the Town was working on the concept of straightening that intersection out by making Beauty Hill Road come right turn to that and that's why that pavement was there. John explained to the Board that they need to talk about what the commercial non residential use was going to be to make the mixed use work. They need a direction from the Board on what that use would be especially for Phase one.

J. Cappiello asked about renting it out for storage.

John Huckins explained that it doesn't say commercial it says for a nonresidential use and show what the nonresidential would be used there to have a mixed-use development.

R. Allard asked if storage would be a problem.

John Huckins stated no.

Daniela explained that Clinton has a construction company so there's always a need for material storage in something like this.

John Huckins explained that what they talked about with the applicant was that Clinton wanted to put some of his construction equipment there for like a constructor storage yard. John explained that the storage would be the nonresidential and the house would be the residential use.

R. Allard explained that Phase one would need to be the resident and the nonresidential use.

J. Cappiello asked how would they determine if they were going to do two or three units?

Daniela explained that would depend on the budget and fire regulations along with the best way to work with what they have within the existing structure of the house.

Clinton explained that to get three units they would expand into the attic.

John Huckins explained to the Board that fire separation was different from a 2-unit to a 3-unit.

Daniela explained that they also have plans for the farmland that was next to it they have started conversations with the University of NH. Daniela explained with modern farm and with integrate all the best practices there's a lot of collaboration and maybe down the road if they can manage that part of the farm and provide housing. Daniela explained there would be more flexibility with more units.

J. Driscoll asked what the condition was of the barn of the farmland?

Clinton explained that it was nothing that he would use. Clinton explained that it was currently vacant and they have no intention of using it.

R. Allard explained that there are things to work out the Board likes the concept.

Daniela asked about Phase one of the process they are already talking to a civil engineer for the survey and planning do they need to do a traffic study?

John Huckins explained that because they are coming off a Town road, they do not need a NHDOT permit in would be a Town permit. John explained that the Board would want a copy of an assessment because if it's on a state road they give that assessment to the State.

J. Driscoll expressed that it could be a minor traffic study.

John Huckins explained that Phase one could be minor but depends on what Phase two does with the intersection they need more.

V. Price asked if they could just do Phase one or would they need the whole thing designed?

John Huckins explained that they typically would show all the phases with everything on the site. John explained that on this one they would do as an intent phase one and two and only asking for Phase one now. John explained that the septic system would need to be designed for what the intended use was.

Daniela explained that they are planning on putting in a new septic system.

J. Cappiello asked if they were working with the abutters?

Clinton explained that the abutter directly across the road and bought a parcel from the same estate they bought from.

John Huckins explained that it needs to be sent to current homeowners on the abutters.

Preliminary review closed.

9. OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

A. Conservation Commission discussion with Planning Board members progress for developing a Zoning Ordinance Wetlands Conservation District.

V. Price explained that they would be meeting with the Board on March 21, 2023.

10. ADJOURN

Meeting Adjourned at 9:45 p.m.

Roll Call:

J. Cappiello-Yay

J. Driscoll-Yay

A. Melnikas-Yay

R. Allard-Yay

D. Massucci-Yay (Remote)

A. Adjourn the Planning Board Meeting. The next meeting Planning Board meeting is a Public Hearing On March 7, 2023.

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