

Meeting Minutes
Town of Barrington Planning Board
Public Hearing
(Approved August 1, 2023)
July 18, 2023, at 6:30 p.m.

1. CALL TO ORDER

J. Driscoll called the meeting to order at 6:30 p.m.

2. ROLL CALL

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

Members Absent: Buddy Hackett, Andy Knapp, Andy Melnikas

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

D. Massucci will be a full voting member.

3. REVIEW AND APPROVAL OF MINUTES

A. Review and approve minutes of the June 20, 2023, meeting minutes.

A motion was made by B. Tessier and seconded by R. Allard to approve the meeting minutes of June 20, 2023, as written. The motion passed unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

R. Allard-Yay

J. Driscoll-Yay

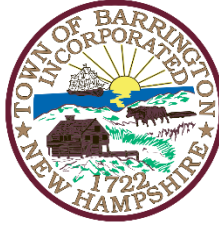
4. STAFF UPDATES -TOWN PLANNER

A. Housing Chapter Subcommittee meeting July 24, 2023, from 4:00 PM – 6:00PM.

V. Price updated the that the Housing Chapter Subcommittee would be meeting on July 24, 2023.

B. Training Opportunities with NH OPD:

- Housing Toolbox Training series webinars in June of 2023.



- Posted all the slides and recordings of the webinars on [NH OPD Training Page](#).
- The Housing Toolbox website is located here: <https://nhhousingtoolbox.org/>

V. Price explained to the Board that there was some upcoming if any of the Board members were interested in.

5. PUBLIC HEARING FOR SUBDIVISION REGULATIONS

1. A. Updated grammar and cleaned up text to make concise language of the document.
2. Updated the stormwater and sediment control sections.
3. Updated traffic impact analysis.
4. Bring the regulations into compliance with updated references so they are current.
5. Removed duplications (i.e., waivers).
6. 11.4 (Entire Section) Building envelope (new).
7. 11.11 (Entire Section) Names of subdivisions and streets.
8. 12.8.6 Surety of work – entire section reviewed and updated with Town Attorney removed and put under section 18.5.
9. Surety moved to Construction administration procedures.
10. New article 18: Construction administration procedure.
11. Definitions are now article 19 and grammatical errors corrected.

https://www.barrington.nh.gov/sites/g/files/vyhlf2766/f/uploads/barrington_subdivision_regulations_2023_draft_11_july_2023_public_comment.pdf

V. Price explained that Board that Josh Bouchard from CMA Engineers was there if there was any questions.

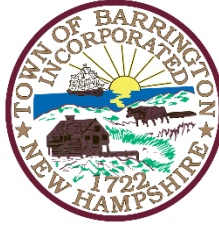
J. Driscoll asked the Board if they had any questions no Board comments.

J. Driscoll opened public comment.

J. Driscoll closed public comment.

6. ACTION ITEMS-CONTINUED APPLICATION FROM June 6, 2023

- A. [240-8-NR-23-Sub \(23\) \(Owner: Young Road, LLC \(Previously-Norma Bearden\)\)](#) Request by applicant for a major site plan to subdivide into 23 Lots using the Conservation Subdivision Ordinance with waivers on a 65.55-acre lot (Map 240, Lot 8) in the Neighborhood Residential



Zoning District on Young Road. BY: Christopher Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

(Application was accepted as complete on April 4, 2023)

Applicant asked to be continued until August 1, 2023

A motion was made by R. Allard and seconded by B. Tessier to continue the application to August 1, 2023. The motion passed unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

R. Allard-Yay

J. Driscoll-Yay

7. ACTION ITEMS – NEW APPLICATIONS

- A. [204-03-GR-23-CUP \(Owner: Berry Family Revocable Trust\)](#) Request by applicant for a Conditional Use Permit (CUP) to install a Solar Tracker in the side/rear yard to offset the power needs of the commercial office located on 335 Second Crown Point Road (Map 204, Lot 3) on a 70.27-acre lot in the General Residential Zoning District. BY: Christopher R. Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

J. Driscoll gave a brief description of the application.

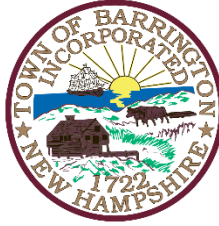
Christopher Berry from Berry Surveying explained that he was there to represent himself. Chris explained the history of the property and why he needed a Section 3.4 Conditional Use Permit. Chris explained that he was there to install a solar tracker in the side and rear yard to offset the power needs to the office. Chris explained that being a commercial use and was non-residential it falls under the Commercial Industrial category that requires a conditional use permitted by the Planning Board. Chris explained that they want to install so that they can become energy dependent, and the office was in the General Residential Zoning District.

R. Allard explained that this needed a waiver.

Chris explained that if this was residential system that he would not be before the Board.

D. Massucci asked if these were going to be like the ones at Staples in Rochester.

Chris explained that do not compare to Staples. Chris read the 3.4 Conditional Use Permit:



Planning Board Members

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Ron Allard, Vice Chair
Buddy Hackett
Andy Knapp
Andy Melnikas
Bob Tessier
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Donna Massucci

Describe in detail all proposed uses, structures, construction, or modifications requiring a Conditional Use Permit:

We are proposing a 48 Panel Solar Tracker which is considered a Commercial/Industrial use being that this is for consumption onsite for the business. The tracker will be placed between the septic system and the 50' wetlands buffer. The total height of the tracker is 35' tall. The installation is in the side/rear yard and not the front yard, and is reasonably screened by the building as well as two large maple trees from the roadway.

Describe in detail how the following conditions of the Town of Barrington Zoning Ordinance under Section 3.4 "Conditional Use Permits Issued by the Planning Board" have been satisfied by your proposal. (You may attach a separate sheet.)

1. The building, structure or use is specifically authorized under the terms of this Ordinance.
Ground Mounted Solar Units are permitted with a CUP under Article 21

2. If completed, the development in its proposed location will comply with all requirements of this Ordinance, and with specific conditions or standards established in this Section for the particular building, structure or use.

The tracker will comply with Article 21

3. The building, structure or use will not materially endanger the public health or safety.
There is no public health or safety detriment involved with a solar tracker

4. The building, structure or use will not substantially de-value abutting property.
The tracker is screened to the east by a woods line along the boundary line.

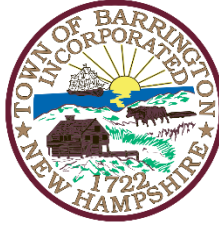
5. The building, structure or use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located.
All abutting land uses are active farms.

6. The building, structure or use will not have a substantial adverse impact on highway or pedestrian safety.
There is no change in safety as a result of the tracker

7. The building, structure or use will not have a substantial adverse impact on the natural and environmental resources of the town.
The tracker will be outside of the wetland buffer and no vegetation is required to be removed for the installation

8. Adequate public utilities, community facilities, and roadway capacity are available to the property to ensure that the proposed use will not necessitate excessive public expenditures in providing public services.
There is no need for public expenditures for the tracker

9. Where deemed necessary when considering an application for Conditional Use approval, the Planning Board may require that adequate visual buffers be established.
As noted above the tracker will be to the side and rear of the building. There are two large maple trees at the street that will remain and will block the view of the tracker during most periods of the year.



Chris explained that they are proposing a 48-panel solar tracker which was considered a commercial/industrial use being that this was for consumption onsite for the business. Chris explained that the tracker would be placed between the septic system and the 50' wetlands buffer. Chris explained that the total height of the tracker was 35' tall. The installation was in the side/rear and not in the front yard and was reasonably screened by the building as well as two large maple trees from the roadway.

A motion was made by B. Tessier and seconded by R. Allard to accept the application as complete. The motion passed unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

R. Allard-Yay

J. Driscoll-Yay

J. Driscoll opened public comment.

J. Driscoll closed public comment.

A motion was made by R. Allard and seconded by D. Massucci to approve the 3.4 Conditional Use Permit for Berry Surveying & Engineering. The motion passed unanimously.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

R. Allard-Yay

J. Driscoll-Yay

V. Price read the Notice of Decision:

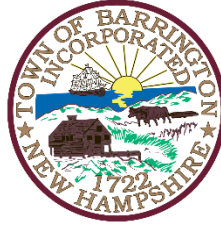
NOTICE OF DECISION

Date of Application: June 21, 2026

Date Decision Issued: July 18, 2023

Case File #: **204-03-GR-23-CUP**

TOWN OF BARRINGTON, NH
LAND USE DEPARTMENT
Vanessa Price, Town Planner
Barbara Irvine, Planning &
Land Use Administrative Assistant



Planning Board Members
John Driscoll, Chair
Ron Allard, Vice Chair
Buddy Hackett
Andy Knapp
Andy Melnikas
Bob Tessier
Joyce Cappiello (Ex-Officio)
Donna Massucci

<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 for a Conditional Use Permit (CUP) to install a Solar Tracker is the side/rear yard to offset the power needs of the commercial office located on 335 Second Crown Point Road (Map 204, Lot 3) on a 70.27-acre lot in the General Residential Zoning District.			
Owner: Berry Family Revocable Trust Sylvia Berry Trustee 337 Second Crown Point Road Barrington, NH 03825		Applicant: Christopher R. Berry 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 July 18, 2023, meeting **APPROVED** your application referenced above. The approval of a Conditional Use Permit (CUP), per 3.4 of the Barrington Zoning Ordinance, to install a Solar Tracker in the side/rear yard to offset the power needs of the commercial office.

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

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,

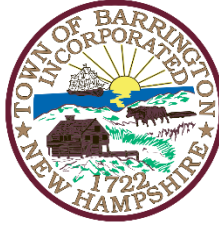
Vanessa Price, Town Planner
cc: File

8. CLASS VI/PRIVATE ROAD APPLICATION

- A.** Review of a request for a building permit for Joseph Sweeney and Devon Beckwith at 14 Kelly Lane ([Map 234, Lot 6](#)) for a Category 3 on a Class VI/Private Road.

J. Driscoll gave a brief description of the Class VI/Private Road.

Joseph Sweeney owner of 14 Kelly Lane explained to the Board that they would like to replace the home with a double wide. Joe explained that the Road Agent said that the road does not meet the 16' with 2' shoulders. Joe explained that he was asking for a waiver so that they would not have to widen the road.



Joe explained that there was a culvert the 16' and a fire truck could get in. Purpora and Sons keep the road maintained. Joe explained that there are 4 people that live on this road and the Fire Chief points out traffic and paving an apron coming off Route 9 for safety improvements.

John Huckins explained that if they agreed to do the work and you couldn't get your CO until the work was complete just so that they understand.

R. Allard expressed that he doesn't see justification for the waiver.

V. Price asked R. Allard was the reason not to recommend the waiver because of Road Agent and Fire Chief comments.

J. Driscoll explained that the scope of work would be based on what the applicant supplies.

R. Allard explained that they need to layout exactly what the requirement.

John Huckins explained also show exactly what the cost was.

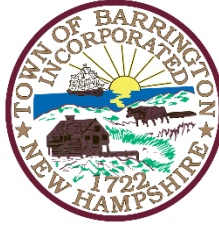
B. Review of a request for a building permit for Kevin M Roy Tr. And Jean P Roy Tr. on Holly Lane ([Map 270, Lot 74](#)) for a Category 3 on a Class VI/Private Road.

J. Driscoll gave a brief description of the of the Class VI/Private Road.

Kevin Roy owner the land on Holly Lane explained to the Board that they are looking to build a single family home on a Class VI Road. Kevin explained that the first part of the road was in pretty good shape due to the possible encroachment on the neighbor's property, local terrain, and nearby wet areas he was proposing road improvements to bring it to an acceptable standard.

Kevin explained what the improvements would be:

- 1. Widening the Road where possible where possible to 14' with drainage swales where needed**
- 2. Replacing a French drain (Currently somewhat ineffective due to the damage from the power company construction traffic)**
- 3. pseudo drain with 15' road culverts**
- 4. Improve the beginning of Holly Lane to recommended standards (including replacing the existing undersized and short culvert.**
- 5. Raising the roadbed grade at the location of the driveway to allow proper pitch/drainage**
- 6. installing a hammerhead turnaround approximately 50' beyond the driveway**
- 7. Asking to allow for a narrower roadbed than is standard**
- 8. Proposing to install pull-offs, where terrain allows, approximately every 300' in lieu of the required 16' with two-foot shoulders. This would allow the simultaneous passing of two safety vehicles and should cover the spirit and intent of the original standards, but minimize the impact on the local environment and help reduce the already very expensive and burdensome cost of the**



improvements.

Kevin explained that they have already purchased the equipment at approximate cost of over \$72,000 to help build, maintain, plow, and take responsibility of the road and maintenance agreement. Kevin explained that the Fire Chief asked why they don't construct a driveway through the existing ROW to the property off Route 4. Kevin explained that it would be cost prohibitive for several reasons because it was written in their deed because this was a development originally. Kevin explained that it's written into the deed that if they use that to maintain that and if they use the 400' of sight coming out onto the State highway he would have to move the signage for Yellow Dog kennel that's right there. Kevin explained that there was limit paved driveway effectively rode into behind their facility and build them a parking lot. Kevin explained that it would be difficult to put in a parking lot. Kevin explained that it's a 550' driveway to go up into with the house it would be and as well as they must excavate and install a retaining wall on the west side of the driveway. Kevin explained that would be a 12' driveway and it's kind of counter logic to say that would be safer that going on a already 13 to 14 foot wide road.

John Huckins asked if he would point out the pull outs that he was planning on putting in and felt that would make a big difference.

Kevin explained that money permitting he would like to look at maybe doing pull offs. Kevin explained that would be the idea to have the ability for two fire engines or safety vehicles to be able to pass each other on the road.

J. Driscoll asked about a paved apron.

Kevin explained that there was already one there he wasn't sure if that was 15' deep and Holly Lane already has a paved apron.

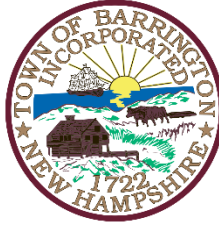
J. Driscoll asked if he could make a note that he was going to put in about 100' of HDPE.

Kevin explained that it was basically 30' each with the driveway and the other three culverts on the road with 30' raved PVC. Kevin explained that they are located on the southern end of the property and it extends another 1500' beyond where the property line begins and goes under the power lines and further. Kevin explained that the lot was kind of a pie shape and there was a slight grade that goes up with the house was going to be on a null probably 200' from where the property line was in the south side for where the actual house would be. Kevin explained that the driveway would enter the property approximately 8200'.

D. Massucci asked if he could get closer.

Kevin explained that they cannot get any closer they are already to that end of the property.

D. Massucci explained that was for safety.



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J. Cappiello asked if they could ask for more.

R. Allard explained that was contrary to the policy and the policy gives a pathway of 10% as long as you comply with that the policy was met.

J. Driscoll explained that the recommendation would be to support option 2 category 3.

John Huckins explained that when they do their scope of work show that it meets the dollar amounts.

Kevin explained to the Board that the Conservation Commission was looking to do a parking lot down at the end of the road for hiking into the conservation land.

The Board supports the option 2 10% category 3.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

B. Tessier-Yay

R. Allard-Yay

J. Driscoll-Yay

C. Review of a request for a building permit for Dale and Sarah Kandoll on Long Shores Drive ([Map 101, Lot 58](#)) for a Category 3 on a Class VI/Private Road.

J. Driscoll gave a brief description of the of the Class VI/Private Road application.

John Huckins explained that they proposed no upgrades because it meets the 16' travel way with 2' shoulders was that probably up towards driveways closer to 24'. John explained that the road already conforms to the Town's regulations.

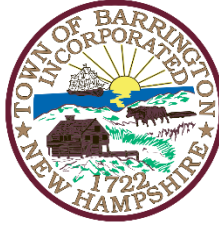
R. Allard explained that it doesn't meet the private road.

J. Driscoll explained that the pavement was 16/18' but the right side going up the hill the shoulder was not existent.

Dale explained there's a little wash out on that side where the pavement was and last week, he put a couple feet of gravel there where the washout was.

J. Driscoll asked about the Road Agent's comment about the swale being to close to the road.

Dale explained that everything meets Town specs.



John Huckins explained that when we got all the heavy rain, the right side of that washed out.

Dale explained that he put gravel on the side there when they were doing the driveway, they put an extra half of load of gravel so he could gravel that right side going up the hill.

J. Driscoll read from the Road Agent that the existing pavement should be paved patched and gravel surface be graded to repair all construction associated damage.

Dale explained that was part of the association maintains that does the grading and everything.

John Huckins explained that we got heavy rain that shoulder on the right side washed out and repaired it. John explained that shoulder was there before the rainstorm.

R. Allard explained that the road should be finished with a minimum of four inches of crushed gravel with a properly established and maintain crown directed water off the road.

John Huckins explained that right now the 16' was paved and the shoulder was what washed out.

Dale explained that it's probably 20 to 25' wide on the flats as it goes up the hill it's paved 16 to 18' with one little part that washed out.

R. Allard asked about patches the pavement was that a possibility?

Dale asked if they were looking for a cold patch.

John Huckins explained that if it meets the standard then they don't have to do the 10% and he was a member of the association.

V. Price asked the Board if they were recommending that it meets the Town policy for category 3 as long as the gravel shoulder was repaired.

Board supports.

Roll Call:

D. Massucci-Yay

J. Cappiello-Yay

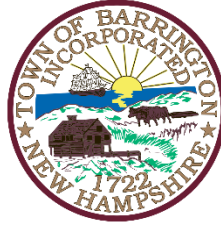
B. Tessier-Yay

R. Allard-Yay

J. Driscoll-Yay

9. OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

J. Driscoll asked if there was any other business before the Board.



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V. Price explained that two Planning Board members met with the Conservation Commission to talk about the amendments that they want to do to the 9.6 permit in the Zoning Ordinance. V. Price explained that the Planning Board members felt that the Conservation Commission was not doing exactly what was agreed upon in the original scope of work. V. Price explained that the Conservation Commission wanted to still pursue to do a case study on a recent 9.6 application that has already gone by. V. Price explained that there was a data checklist to go by to see how that works and effects the average homeowner. V. Price explained that she was not comfortable, and a professional should do it and the Conservation Commission said that it doesn't have to be a Professional to see what the findings are. V. Price explained that then they would meet with the Conservation Commission then go from there.

John Huckins explained that all this stuff the planning Board said that they didn't want that policy to be that they were against they wrote exactly what they said they wouldn't do. John explained the whole bit about the landowner can fill the thing out the landowner has no clue what any of the stuff means. John explained that if they talk to professionals its going to be \$4-\$5000.00 after spending that amount to do another wetland delineation. John explained that asking for a waiver after spending \$10,000 and if you go to that point system a wetland that has almost no value at all was going to exceed the point that you can't go less than 50 and 50 was what they have already before they start the waiver. John expressed that he felt this whole thing was ridiculous his opinion.

J. Driscoll explained that he told them right up front that the Planning Board does not support.

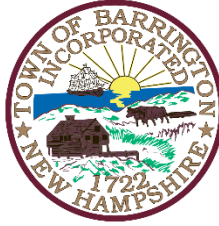
R. Allard expressed that he thought they were going to put a process together for themselves.

R. Allard explained this way the homeowner does it all and no one has complained about any of the decisions the Board has made.

John Huckins explained to the Board that if this doesn't work the applicant, they would go to the Zoning Board of Adjustment for a hardship. John explained that instead of the planning Board looking at the 9.6 it has an application as a site review or a subdivision so the Board can look at the whole thing together.

B. Tessier feels as strongly as John Huckins.

V. Price explained that she sees when the Conservation Commission was coming from that there



are not sure what the implications maybe past. V. Price explained that she knows the buffer that's already in place like there could be unknown consequences. V. Price expressed to the Board that she has not received any complaints that the 9.6 was not working.

J. Driscoll explained that it doesn't make sense that the Conservation Commission wants to reduce the requirements.

10. ADJOURN

- A. Adjourn the Planning Board Meeting. The next Planning Board meeting is a Public Hearing Meeting on August 1, 2023, at 6:30 PM.

Meeting Adjourned at 7:45 p.m.

A motion was made by B. Tessier and seconded by J. Cappiello to adjourn the meeting of July 18, 2023 at 7:45 p.m. The motion carried unanimously.

Roll Call:

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

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