



MEETING MINUTES
Town of Barrington Planning Board
Public Hearing
September 6, 2022, at 6:30 PM

1. CALL TO ORDER-

2. ROLL CALL

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

Members Absent: Ron Allard, Buddy Hackett

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

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

3. REVIEW AND APPROVAL OF MINUTES

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

A motion was made by A. Knapp and seconded by A. Melnikas to approve the meeting minutes of August 2, 2022, with corrections to lines 212 and 374. The motion carried unanimously.

Roll Call:

Andy Knapp-Yay
John Driscoll-Yay
Andy Melnikas-yay
Bob Tessier-Yay
Joyce Cappiello-Yay
Donna Massucci-Yay

4. APPLICATION REVIEW

A. ACTION ITEM REQUEST FOR EXTENSION

1. 238-36-V-20-SR (Owner: Waldron B. Haley Revoc Trust) Request by applicant for Site Review for a multi-family Development, **ADDED** 3.4 Conditional Use Permit, along Franklin Pierce Highway (Map 238, Lot 36) in the Village District. BY: Scott D. Cole, Beal Associates, PLLC; 70 Portsmouth Avenue; Stratham, NH 03885.

A. Knapp gave a brief description of the application.

Scott Cole from Beal Associates explained that they are working with the State on some septic issues and would like to have a one-year extension.

A motion was made by B. Tessier and seconded by J. Driscoll to grant the one-year extension for the multi-family development. The motion carried unanimously.

Roll Call:

Andy Knapp-Yay

John Driscoll-Yay

Andy Melnikas-yay

Bob Tessier-Yay

Joyce Cappiello-Yay

Donna Massucci-Yay

B. PRELIMINARY DESIGN REVIEW

1. **239-35-V-22-Design (Owner: Paul Guptill)** Request by applicant Joseph Falzone for a Design Review for a Conservation Subdivision of 2 conventional frontage lots and 15 Conservation lots with approximately 26 acres of open space on the land located on Mallego Road (Guptill pit) (Map 239, Lot 35) in the Village District. BY: Scott Cole, Beals Associates, PLLC; 70 Portsmouth Avenue; Stratham, NH 03885.

A. Knapp gave a brief description of the application.

Scott Cole from Beals Associates Project Manager represented the applicant, Joe Falzone. Scott explained that they are proposing 18 lots. Scott explained that Joe was looking to develop Map 239, Lot 35 and they are looking to do an open space subdivision with smaller reduced lots with 26 acres of open space. Scott explained that by the Town regulations they would develop have 1,000' cul-de-sac. Scott expressed that this would have 15 lots and two conventional lots to the front right. Scott showed the location of the Mallego Brook, location of the 5.9 acres of wetlands most that was connected to the Mallego Brook. Scott explained that in the upper right corner was Red Fox Lane their open space would abutt this open space and thought there are 8 acres of open space along with the 26 acres. Scott explained that each lot would support there well and septic system along with being held by the NHDES with water quality too. Scott explained that there was a single lot that was owned by Mr. Guptill, and he was selling that lot this is not part of the subdivision.

J. Driscoll asked about the circle at the top of the run and asked if that the computable size was not highpoint circle.

Scott explained that was Town regulations.

J. Driscoll asked between Lots 38 and 39 there was a little deeded piece coming off to Mallego Road this was not on the Town maps.

Scott explained that was correct the survey did some research title search, and this was a deeded strip.

J. Driscoll asked if that would give the neighbors access to the open space.

Scott asked if J. Driscoll was talking about the neighbors on Mallego Road?

Joe Falzone explained that was for the homeowner's association.

J. Driscoll expressed that the water problems on Mallego Road was there going to grant an easement to the Town to handle some of the water.

Scott explained that they understand that there was a drainage issue and Conner has been in contact with Joe, they are trying to get in touch with the engineer that has the data. Scott explained have acknowledged that there was an issue there and there was space to take some of the drainage the situation better with a larger detention pond or something like that.

J. Driscoll expressed that there was 40' between Lots 16 & 17.

Scott explained that the hard part was not knowing where the bulk of the issue was.

J. Driscoll asked if they needed an AoT permit?

Scott stated that they do.

D. Massucci asked if they were going to be single family homes.

Scott stated yes.

B. Tessier asked if this was just going to be a gravel or was there going to be growth trees.

Scott showed on the plan the darker tree line that the existing tree line that was thick woods and the slopes would be left as they are.

D. Massucci asked how many bedrooms?

Joe explained that the houses would have 3 bedrooms and they would be under 2000 s.f.

A. Knapp expressed some of the staff comments and the Fire Chief preferred a through road.

Joe explained that by right they are allowed 1000'. Joe explained that he has worked with the fire department, and he was going to want cistern, fire pond and they are going to put in all the safety things that he wants not to go over 1,000'.

A. Knapp explained that the yield was there but a couple of lots that don't meet it they would need to bring the driveway on the in a jointing neighbors' lot or they would be in the wetlands buffer.

John Huckins explained that the wetlands doesn't apply.

Scott explained that they have preliminary test pits with very low high-water table.

A. Knapp expressed that there was a historical snowmobile trail that runs through the site and allowing to fish.

Scott explained that they have the trails in the back of their mind and Joe's only concern would be the liability that they need to check on.

J. Driscoll explained that the New Hampshire law was good about this opening it up for the use.

Joe explained that they talked about whether the 20' strip might be any use to get water out of the road to get it where they want it to go.

Scott explained that knowing that this was an existing gravel pit their trucks do not have to adhere to road design at all. Scott showed the profile of the road and explained to the Board.

A. Knapp asked what would the runoff be if it went to 7%?

Scott explained that everyone was 5' vertically at the highest point it was a savings of 3 1/2 '.

John Huckins asked if there were any wetlands near that area.

Scott stated no.

A. Knapp suggested that maybe they should plan a site walk.

J. Driscoll expressed that the conservation commission would like to do a site walk too.

Conner explained to the Board last year with improvement to Mallego Road and Cate Road. Conner explained that the engineering was to import the road replacing the bridge section of Mallego and Cate Road repaving. Conner explained that this section of the road and the big problem was that that can't reclaim it without fixing the drainage problem. Conner explained that they don't have the cross culverts in place to discharge the water. Conner explained that the Select Board authorized engineering for improvements to the road. Conner explained that they are still working on the engineering to see what they need when the property sells or stays vacant the water needs to flow downhill. The Town was going to find a solution on the Mallego drainage.

D. Massucci asked if there was going to be a site walk.

Vanessa Price explained that the Conservation Commission was also interested in a site walk.

A. Knapp suggested September 12, 2022, at 4:00 meet at site.

A. Knapp opened public comment.

Melanie Ross from 227 Mallego Road asked what they are going to do with the slopes because that was right behind her house. Melanie asked if they were going to dig anymore out of there and does it have to be so many feet away from existing buildings. Melanie explained that there was a lot more trees behind her house some are ready to fall over, and some are dead they are on their property she doesn't want them falling on her property while construction was being done. Melanie also stated that she doesn't want her well filling up with dirt she said anytime construction going on she losses more footage in her well.

Linnea Anne Morley from 286 Mallego Road explained that she was right across from where the trails are now and asked if they were planning on keeping the trail in to get to the Conservation land. Linnea asked if the trail was from the house on the right? Linnea was also concerned of the drop off in their wells and stated she has not had a septic or well but has only lived there for 5 years.

Scott that they would be looking at relocating the trial in the open space so it wouldn't be on private property.

Donald Millette from 221 Mallego Road asked if the buffer zone was still going to be in the same spot between there lots? Donald asked if that was no longer going to be a buffer zone.

Scott showed on the plan where the required buffer zone was and the only thing that Joe would be doing would be cleaning it up behind the homes.

Nicole Atkinson from 27 Rogers Run asked if there was going to be any blasting.

A. Knapp explained that the application stated they hit no rock anywhere.

Nicole Atkinson asked what the distance was between the subdivision property lines off Rogers Run and Red Fox Lane.

Scott explained that the river was her property line and a buffer between the property line and the lot line. Scott explained that it was approximately 100'.

Nicole Atkinson asked if they would be clearing for someone's yard and property.

Scott showed on the plan the areas have already been cleared.

Nicole asked where was the river?

Scott showed on the plan where the river on the dark line in the rear.

A. Knapp closed public comment.

A. Knapp closed Design Review.

C. ACTION ITEMS-NEW APPLICATIONS

1. [239-90-V-22-SR \(Owners: Rebecca Santos & Kameron Mahoney\)](#) Request by applicant to use her home at 83 Cate Road (Map 239, Lot 90) on a 1.9-acre site for a Family Group Daycare with two full time employees for 12 children and be licensed for ages 6 weeks to 12 years along with a waiver in the Village Zoning District.

A. Knapp gave a brief description of the application.

Rebecca Santos & Kameron Mahoney of 83 Cate Road explained that they are before the Board for a in house Childcare and that would allow them 7 to 12 preschool and plus five school age children. Rebecca explained that with both they would be allowed to have 17 children. Rebecca explained that with their space of 390.06 s.f. that would need to be divided by 40s.f. per child according to NH State Licensing. Rebecca explained that would give them 9 or 10 Chief Walker hasn't been to the property so they are not sure if it would be 9 or 10 children.

A. Knapp asked if she was saying that she would have 7 to 10 children includes preschool and after school.

Rebecca expressed yes and explained that they would mostly have preschool aged children except if they had siblings that were in school would be able to take them exceptions as long as they stayed in their ratio.

D. Massucci asked what ages they are looking for she saw six weeks to 12 years.

Rebecca stated that was correct.

D. Massucci asked if there was separation for the rooms?

Rebecca gave the Board a plan for the separation.

D. Massucci asked if licensing has come out to her home?

Rebecca stated no they have not they needed to go to the Planning Board first then they would come out. Rebecca explained that she would need to submit the packet then the State would come out.

D. Massucci asked if she was going for a multi age group.

Rebecca stated that was correct. Rebecca explained that they would like to stay in the preschool age range, but they are going for the 6 weeks to 12 years for licensing.

D. Massucci explained that a childcare center even in home that you need to have either a CDA or an associate degree in ECE.

Rebecca explained that she was qualified to be a center director.

D. Massucci asked if there was a fence outside.

Rebecca explained that they do not have a fence outside not until she talks to licensing she stated if the Board wanted a fence, then she would. Rebecca explained that the children are not in the front yard they are only in the backyard. Rebecca supplied a drawing of what would be fenced in the backyard.

D. Massucci explained that with a private well NHDES would need to do the testing along with a licensed well operator to be able pull thoughts.

J. Cappiello asked about the ground surface outside.

D. Massucci explained that it depends on it could be multi if they had anything over 27' has to have a different kind of fill cushion to fall on it a rubber mulch its less. D. Massucci explained that wood mulch would be more and must be 48' from the fall zone. D. Massucci expressed that they would want a fence especially with neighbors' children can wander off.

A. Knapp expressed the location on Cate Road it's blind coming over the hill. A. Knapp concerns are if a child came from the backyard to the front and you wouldn't be able to react to respond with the poor sight line. A. Knapp questioned the cars pulling in and off the road and asked what the plan was for traffic conditions for 10 to 12 children.

Rebecca explained the sight distance concerns from department heads she was not sure how to address that was hoping to get some direction from Chief Walker or the appropriate person. Rebecca explained that by the calculations it seems like they have enough parking spots if the needed they could do staggered drop-off and pick-up.

A. Knapp explained that part of his concern was if they were backing onto the road and then somebody coming over the hill while they're backing out someone could get hit.

Rebecca showed a parking picture and showed the area to the Board.

A. Knapp explained that he did a drive by and noticed a gravel turn off area and a plentiful number of private vehicles on the property.

Rebecca explained that they have 5 private vehicles on the property.

A. Knapp expressed that that was an impact.

Rebecca explained that they have room in their garage for 2 vehicles and the other vehicles are parked to the side.

A. Melnikas asked if the age group 6 weeks to 12 years.

Rebecca stated that was correct.

A. Melnikas asked if there was two people with the age.

Rebecca stated yes. Rebecca explained that the State would determine how many children.

J. Driscoll asked if the lead paint has been checked since the house was built in 1977.

Rebecca explained that the previous owner had it checked but they have not.

J. Driscoll asked if that was part of the licensing?

D. Massucci stated that it was now. D. Massucci explained that rex was one to four under 12 months old and one to five twelve to two so keep that in mind. D. Massucci explained that it breaks down in different ages even multi-groups they don't care they want to make sure those ratios are correct.

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

Roll Call:

A. Knapp-Yay

John Driscoll-Yay

Andy Melnikas-Yay

Bob Tessier-Yay

Joyce Cappiello-Yay

Donna Massucci-Yay

V. Price explained to the Board that the applicant can't go any further whether her State Licensing without some form of approval from the Board.

D. Massucci explained to the Board that the applicant needs to get a license number for all her paperwork.

A. Knapp asked if the license number was tied to her Map.

D. Massucci explained that the license number was tied to her name. D. Massucci explained that the State was strict about the square footage. D. Massucci explained that its one bathroom for 20 people and she felt that they had enough.

J. Cappiello asked if the Board needed to issue preliminary approval to go forward.

V. Price explained that they would do a Notice of Decision with conditions and Fire Chief and Code Enforcement would need to inspect the home.

A. Knapp asked with a young child in the daycare world at some time the State would need to come out to the site.

Rebecca explained that the State can come at any time.

D. Massucci asked if she was already in operation.

Rebecca explained that they are, and they have six children because they misunderstood, they thought it was 3 to 1 that we could watch, and they were watch six. Rebecca explained that a neighbor had a complaint, and they received a letter from the Town on what needed to be done.

D. Massucci asked if the State has come to the home?

Rebecca stated no.

D. Massucci explained that they are still running ahead of the State basically.

Rebecca explained that she has called the State and she told them what had happened and told them that she was going to the Planning Board. Rebecca explained that she needs to work with the Town and State because it must meet zoning.

D. Massucci explained that they needed to go to the State licensing first to start the process and they would give you the information to come to the Town then the Town would inspect everything. D. Massucci explained then everything goes to the State then appointment and would come out and check your home.

Rebecca stated she thought it was 3 to 1 in-home.

A. Knapp opened public comment.

Courtney Garland from 160 Deer Ridge explained that her daughter has been in the care of Rebecca and Cameron since September 2022, and she support their home childcare.

Tatum Santos from 83 Cate Road daughter to Rebecca supports there childcare that she has ran for 4 years.

Amanda Cinfo from 86 autumn Lane supports their childcare he child has been going there since September of 2021.

A. Knapp closed public comment.

V. Price read letters from neighbors:

Dear Barrington Planning Board,

Subject: Family Group Daycare

Thank you for giving us the time to voice our opinion on this matter brought forth.

As a member of the community and a resident that will be directly impacted by this proposal I have to oppose of a family daycare.

Our concerns would be as followed; increased traffic flow, increased level of noise, and the lack of supervision. Moreover, there is the simple fact that they have deceitfully been running a business for several years before they were forced to apply for a license.

We have had to go to great lengths and financial expenses on our behalf to provide privacy and decrease the noise that currently comes from their residence. I feel a commercial business in a small residential area would not be beneficial nor be fair to the residents living in close proximity.

Thank you for taking the time to hear our request.

Respectfully, Steven R. and Dina J. Twombly

[EXTERNAL]

Just a note to let you know that we support the use of the home on Cate road for a daycare as described in the application.

Stephen and Carol Blain
Map 239 Lot 83

Jeff & Rachel Collupy
93 Cate Rd
Barrington, NH 03825
603-833-0421
September 6, 2022

Barrington Planning Board
4 Signature Ln
Barrington, NH 03825

Dear Board Members,

We would like to make comments on the upcoming consideration of 239-90-V-22-SR (Owners: Rebecca Santos & Kameron Mahoney) regarding permitting of a daycare at 83 Cate Rd, Barrington, NH 03825.

Although we are not direct abutters of the 83 Cate Rd property, we would like to voice a concern about the proposed licensing of a daycare business on the property. Our property line is 50 ft from the property in question and we have had impact for years now from the property running the daycare. We are very much aware of the need for adequate daycare for children and would certainly support any legally running licenced daycare if the noise impact could be reduced to an acceptable level. Until recently we were unaware that this daycare did not have zoning and licensing permissions to run this business in our residential area.

Over the years we have put up with almost constant excessive noise coming from the daycare. We do not have the funds to build a large sound barrier between our properties. We understand that a reasonable amount of intermittent noise is appropriate in a residential neighborhood, however on most days, unless the weather is bad the noise is pretty much constant from early morning to early evening. On several occasions recently we have heard what appears to be adults encouraging children to, "Fight!, Fight!". While we have not seen what was taking place at the time, it does give us cause for concern about the type of adult supervision that is being given. We question whether this daycare should be given the proposed permit and if it is, we would like to see some measures taken to mitigate noise and safety concerns.

Thank you for considering our comments,
Jeff & Rachel Collupy

A. Melnikas expressed that if everyone goes by the rules, and everything was in line.

A. Melnikas explained that the Board was not there to deny projects they are there to make them as safe as possible.

A. Knapp expressed his personal experience with the Board based on childcare to public education system. A. Knapp explained to the Board that the welfare of the child was the most important thing.

D. Massucci thanked A. Knapp and appreciated what he said. D. Massucci expressed that this was not about the competition they are here to help the child. D. Massucci explained that she was in favor of approval.

A. Knapp expressed that he is concerned about the safety of the children that are currently already in their care.

Chief Walker explained to the Board that they need to know what to do on their property before they come before the go to him. Chief Walker explained that they need to make sure the place was safe for the children and the State inspectors.

B. Tessier asked if any Chief Walker has done any inspections.

Chief Walker stated no.

A. Knapp asked about getting Chief Walker to go do an inspection.

Chief Walker explained what he would need to inspect when he goes there.

WAIVER REQUEST:

Article 3, Section 3.1.1 Preparer

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

A motion was made by B. Tessier and seconded by A. Knapp 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.

V. Price read Conditions Precedent:



Planning & Land Use Department
Town of Barrington
PO Box 660
333 Calef Highway
Barrington, NH 03825
603.664.0195
VPrice@barrington.nh.gov

NOTICE OF DECISION

Date of Application: July 25, 2022
Date Decision Issued: September 6, 2022
Case File #: 239-90-V-22-SR

<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: 239-90-V-22-SR: Use current residence for childcare (family group daycare) at 83 Cate Road (Map 239, Lot 90 on a 1.9-acre site for a Family Group Daycare in the Village Zoning District.			
Owners/Applicants: Rebecca Santos 83 Cate Road Barrington, NH 03825			

Dear applicant:

This is to inform you that the Barrington Planning Board at its September 6, 2022, meeting **CONDITIONALLY APPROVED** your application referenced above.

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

Please Note:

If all the precedent conditions are not met within 15 calendar days to the day, September 21, 2022 for the inspections with Town Staff, (Fire Chief and Code Enforcement); and 60 calendar days to the day, November 5, 2022 for the licensing for an in home family group daycare from the NH State office, the Board's approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

Conditions Precedent:

- #1) Provide the Town of Barrington a Copy of the State license to operate a current residence for childcare (family group daycare). This will include the State regulations for the operation for childcare.
- #2) The approved hours of operation are year-round from 7:00 am to 5:30 pm, Monday thru Friday.
- #3) Fencing and screening the outdoor play area of the property for safety.
- #4) Adequate parking and signage needed for loading zone for pickup/drop-off and accessing Cate Rd.

#5) Inspection from the Fire Chief within 15 calendar days to the day, September 21, 2022, for the inspection for safety. Report to be submitted to the Land Use Office for the case file.

#6) Inspection from Code Enforcement within 15 calendar days to the day, September 21, 2022, for the inspection for health safety. Report to be submitted to the Land Use Office for the case file.

#7) NHDES water test to be submitted to the Code Enforcement Department within 15 calendar days to the day, September 21, 2022, for the inspection for health safety. Report to be submitted to the Land Use Office for the case file.

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

At the Planning Board Meeting, the Board approved waivers:

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

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

Sincerely,

Vanessa Price
Town Planner
cc: File

A motion was made by A. Knapp and seconded by B. Tessier to approve the in-home Childcare at 83 Cate Road. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
John Driscoll-Yay
Andy Melnikas-Yay
Bob Tessier-Yay
Joyce Cappiello-Yay
Donna Massucci-Yay

2. **223-9-GR/SDA-22-3LotsSub (Owners: Gibb Family Trust)** Request by applicant proposing a 3-lot subdivision with 1 backlot on Scruton Pond Road (Map 223, Lot 9) on a 18.88-acre site in the General Residential and Stratified Drift Aquifer Overlay Zoning District. * BY; Daniel O'Lone, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

A. Knapp gave a brief description of the application.

V. Price explained to the Board that she received a letter today asking to continue the application until October 4, 2022. V. Price explained after staff comments they would be revising the plans.

A motion was made by B. Tessier and seconded by J. Driscoll to approve to continue the application for Gibb Family Trust to October 4, 2022. The motion carried unanimously.

Roll Call:

A. Knapp-Yay

John Driscoll-Yay

Andy Melnikas-Yay

Bob Tessier-Yay

Joyce Cappiello-Yay

Donna Massucci-Yay

3. **234-77-TC-22-SR (Owners: Paul & Linda Thibodeau Revocable Trust)** Request by applicant proposing a Site Review for mixed-use detached structures consisting of 6 single-family homes with commercial spaces on the lower walk-out level with waivers (Map 234, Lot 77) located on Franklin Pierce Highway on a 3.42-acre site in the Town Center Zoning District. BY Christian Smith, Beals Associates PLLC; 70 Portsmouth Avenue, Suite 2; Stratham, NH 03885.

A. Knapp gave a brief description of the application.

Christian Smith from Beals Associates along with applicant Paul Thibodeau from 76 Young Road. Christian explained to the Board that the applicant would like to propose six residential units each with a 480's.f. commercial space in the basement/lower floor level. Christian explained that this lot was on Map 234, Lot 77 with 3.42-acre site in the Town Center Zoning District. Christian explained the assisting conditions of the lot to the Board. Christian explained that there are about 8,815 s.f. of wetlands on the parcel and they would be proposing a wetland impact in access which Mr. Thibodeau already has an existing NHDOT permit to have the crossing that would need to be upgraded to a change of use. Christian showed on the plan where the crossing was, and it ends up on being 365' of wetland disturbance with the buffer disturbance in that area as well as the road the total impact would be 11,000 s.f. newly implements wetland buffer. Christian explained that Mr. Thibodeau supplied a 9.6 Special Wetlands Permit with the application along with waivers for landscaping and one for lighting criteria in the Site Review Regulations. Christian read through the staff comments and Chief Walker made the comment about the turnout for the fire truck. Christian showed the area that they have 42' to the center line in the turn around and with an additional 10 feet from the other lane. There would be 52' with a 20-foot radius a 20-foot width and believed that meets NFTA they would meet with Chief Walker to make sure he agrees with this.

Christian explained that they designed a significant component of infiltration to this property simply because the soils are good their Soil Scientist Jack Hayes did the soil mapping along with the wetland delineation. Christian explained that the soil at the top of the hill was a group-based soil coarse sand drain very well. Christian explained the case at which was the infiltration rates that are published by the soil scientist book for the northeast and then divide that rate by two for

factory safety. Christian explained that the bioretention area which was filtration fund in relocation to four locations and he showed these on the plan along with how they work. Christian explained that there would be 2 proposed culverts at the entrance to keep the roadside soil flowing and one of the wetland crossings. Christian explained that they are proposing a cistern they had a 10,000 and Chief Walker discussed a 20,000.

J. Driscoll asked about the structure being changed.

Paul explained that was what A. Knapp requested.

J. Driscoll expressed that the ends are not open they are boxed in now.

Paul explained that he felt that would keep the snow out.

B. Tessier expressed that he thought they should go with the first design.

The Board had a discussion on the structures.

Christian explained to the Board that there were comments about snow storage out by Franklin Pierce Highway (aka Route 9). Christian explained that they have Mr. Thibodeau's existing NHDOT Permit and the reporting easement sight line easement that he has with the neighboring parcels. Christian explained that Mr. Thibodeau was able to already trim back that area and he drive in the site distance was incredible without the woody vegetation there.

John Huckins explained that they have their 15% open space in the front.

Christian mentioned to the Board that he has seen this type of setup and a lot of tenants use the commercial area of their own office.

J. Cappiello stated that way there would be no traffic coming in.

D. Massucci asked what time of heating would be in these buildings.

Paul explained that the heat would be force hot air heat could be tanks.

A. Melnikas asked if the Town has above grown verses buried.

Paul stated buried.

A. Melnikas expressed that buried was concerned about a leak propane hugs the ground fight and trying to find the ignition source and if a leak underground you would never smell it. A. Melnikas expressed his feeling of danger for underground.

D. Massucci asked if trash was addressed.

Paul stated that there was a dumpster near unit one.

D. Massucci asked about the mail.

Christian explained that the post office would want a kiosk.

Paul expressed to the Board that he felt that the residents would rather go to the transfer station than have a dumpster. Paul explained that the dumpster could be for commercial use.

D. Massucci asked if there was going to be any greenly for a buffer.

Paul explained that the driveway would go straight back to the leach field so if people wanted to have a garden or what was in the scope of the HOA.

J. Cappiello asked about lighting.

Christian explained that they would be asking for a waiver the lighting regulations to a true commercial sight. Christian explained that this sight was largely residential with small commercial. Christian felt that the neighbors or the abutters would want this lite up they are suggesting safety lighting around the doors which would illuminate the parking spaces in front of the commercial area and the resident.

Paul asked what was needed for code.

John Huckins explained that parking lot lighting was not necessary.

J. Cappiello asked if commercial work not occur at night would people be coming in the evening.

Paul couldn't say any business that would come in at night.

The Board discussed the uses in length on what would be allowed.

V. Price asked if the Board wanted CMA Engineering to review the drainage the Board agreed to have this set to CMA Engineering.

A motion was made by J. Driscoll and seconded by B. Tessier to accept the application for the mixed-use detached structures on Franklin Pierce Highway (aka Route 9) as complete. The motion carried unanimously.

Roll Call:

A. Knapp-Yay

John Driscoll-Yay

Andy Melnikas-Yay

Bob Tessier-Yay

Joyce Cappiello-Yay

Donna Massucci-Yay

A. Knapp opened public comment.

Sue Morrison from 687 Franklin Pierce Highway explained that she was concerned about the house in question, and it was in the clear view from her backyard. Sue explained that the leaves are on the trees so its not that visible but as when they are gone it would open the area. Sue explained that she felt six units was a lot for a three-acre site.

A. Knapp explained that the number of units was what was permitted in the Town Center.

Sue asked what effect these six units would have on her water system with so many families. Sue asked these were going to be rental properties or are they going to be for sale?

J. Cappiello asked if they would sell verses being a landlord?

Paul explained that they probably would sell. Paul explained that his intent was not to keep these as investment properties.

Sue asked if the commercial space could be someone independent of the owner of the building.

Paul stated yes.

Sue asked if the driveway had to be that close to her property?

A. Knapp suggested some greenery so that its not shining towards her property.

Sue expressed that she was very concerned about her water supply system.

A. Knapp explained that would need to be permitted through the State.

Christian explained that these wells would draw from a different water source than a dug well. Christian explained that the dug well was surface water and artesian wells are going through bedrock to find an aqua blue that means they are not connected to the surface line. Christian explained that the leach fields besides one and two others are going to be three gallons a day based on the loading for two bedrooms.

Sue asked if these would 55 years and older?

John Huckins explained that they did a demographics in Town and even if they did one every house in Barrington would qualify.

Paul explained that it was not going to be age restricted.

A. Knapp closed public comment.

WAIVER REQUESTED:

1. **Article 3 Existing Conditions Plan, Section 3.5.10 Landscaping and Screening** (Site Plan Review Regulations)

The Board decided to hold off on this waiver until the site walk.

2. **Article 4, Landscaping in parking lots, Section 4.9.7(4) Internal shade trees** (Site Plan Review Regulations)

A motion was made by A. Knapp and seconded by J. Driscoll to grant Article 4, Section 4.9.7 (4) 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:

A. Knapp-Yay

John Driscoll-Yay

Andy Melnikas-Yay

Bob Tessier-Yay

Joyce Cappiello-Yay

Donna Massucci-Yay

3. **Article 4 Landscaping in parking lots, Section 4.97(5) Perimeter shade trees** (Site Plan Review Regulations)

A motion was made by A. Knapp and seconded by J. Driscoll to grant Article 4, Section 4.9.7 (5) 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:

A. Knapp-Yay

John Driscoll-Yay

Andy Melnikas-Yay

Bob Tessier-Yay

Joyce Cappiello-Yay

Donna Massucci-Yay

4. **Article 3 Illumination Plans, Section 3.8 Illumination Plans** (Site Plan Review Regulations)

A motion was made by A. Knapp and seconded by J. Driscoll to grant Article 3, Section 3.8 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:

A. Knapp-Yay

John Driscoll-Yay
Andy Melnikas-Yay
Bob Tessier-Yay
Joyce Cappiello-Yay
Donna Massucci-Yay

The Board scheduled a site walk for Wednesday, September 21, 2022, at 4:30 p.m. meet at the Historical Parking area.

The next meeting will the site walk on September 21, 2022, at 4:30 p.m. meet at the historical building and the public hearing continued on October 4, 2022, at 6:30 p.m.

D. PRELIMINARY CONCEPTUAL REVIEW

1. 238-2-TC-22-PreReview (Owners: Elfmade Properties, LLC-Robert Huffman)

Discussion with the Board on adding storage containers to their site.

A. Knapp gave brief description of application.

Robert Huffman explained that he came before the Board because a complaint was received.

V. Price explained to the Board that he was before the Board for suggestions on what they want him to do before he comes back to the Board.

J. Driscoll asked if it was for warehousing your products for your retail store so a warehouse.

Robert explained that this was their inventory.

J. Driscoll asked how does warehousing fit in this zoning District?

A. Knapp explained that they are in Town Center.

J. Driscoll explained that a warehouse was not allow but what about a contractor storage equipment with 2 bobcats in the front.

Robert explained that they also have equipment there for moving things and plowing in the winter.

B. Tessier asked John Huckins what controls the containers?

John Huckins explained that the way zoning was written was if you read the definition for structures in zoning it says anything installed, placed, or erected. John explained then under They don't need a building permit and they don't need a building permit and they don't need to comply with setbacks if under 200s.f. or under. John explained that you don't need a building

permit you don't need to meet setbacks, but you are still putting a structure on the lot. John asked does the structures under 200 s.f. fall under site review or not.

B. Tessier asked what was making the storage units a structure?

J. Driscoll asked if you gang 5 separate units together.

John Huckins explained that all is says was if they are unit 200 s.f. doesn't say only one.

Robert stated that they have brand new 10 by 40 containers or if they don't get permission for though he could fill 10 by 20's all banged up in all different colors. Robert explained that right now we can get all one color.

J. Driscoll asked if they would get rid of the trailer?

Robert explained that he would be willing to get rid of the trailer and replace it with another blue container.

John Huckins explained that the larger containers would need to meet setbacks and he explained the way the site was he wasn't sure he can meet the setbacks.

J. Driscoll asked if they could fence the containers in.

Robert stated that he could fence them in.

John Huckins explained that if they were looking at this as warehousing, they are not allowed in the Town Center.

J. Driscoll explained that if they do warehouse in the front and the side even covers their construction equipment.

D. Massucci wondered how security would be.

Robert explained that he had to put in cameras.

J. Driscoll asked John Huckins about the setback for parking?

John Huckins stated parking was exempt from setbacks.

A. Knapp suggested configuration so it would almost make a U.

Robert explained that if they got rid of the trailer and put another container in.

J. Cappiello suggested a tall fence.

Robert suggested a 10' fence.

John Huckins explained if they go over 8' for the fence they would need to go to the Zoning Board of Adjustment and if they go over 7' they would need a building permit.

The Board had a lengthy discussion on what the applicant needs to do.

D. Massucci asked where the snow would go.

A. Knapp stated open the fence plows it out.

John Huckins explained one of the reasons that he had them come before the Board was one of the regulations calls for a plan.

A. Knapp suggested that the Board may issue a waiver for the plan.

A. Knapp opened public comment.

Jamie Jennison from 18 Cate Road expressed that he can't believe the Board was even considering a shipping container storage yard in that part of Barrington. Jamie expressed screwing plywood to the sides and painting murals he felt that was appalling he would like to ask the Board to deny any use for shipping containers on that property. Jamie stated that it doesn't make since at the other location he did not have 5 containers, and this is not suitable for the area where Calef's historical was and building up the Christmas Dove area.

A. Knapp closed public comment.

Robert explained that was why they bought the property to put their stuff there.

J. Cappiello asked if there was any room to push the containers back?

Robert explained that they couldn't meet the setbacks.

John Huckins explained that they could not meet the setbacks by pushing them back.

Robert explained that they must take the quality they say when ordering.

5. OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

A. Discussion of School Impact fees. Recommendation to the Select Board.

A motion was made by A. Knapp and seconded by B. Tessier to end the school impact fee on October 1, 2022. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

John Driscoll-Yay

Andy Melnikas-Yay

Bob Tessier-Yay

Joyce Cappiello-Yay

Donna Massucci-Yay

B. Letter from Nottingham Planning Board requesting Route 4 Corridor Study.

The Board supports the Nottingham's send letter.

C. Planning Board Rules of Procedure update. Will work on this at the September 20, 2022, Work Session.

V. Price explained that Planning Board Rules of Procedures the Board would be working on this

7. OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

8. REPORTS FROM OTHER COMMITTEES

9. ADJOURN

A. Adjourn the Planning Board Meeting. The next Planning Board meeting is on September 21, 2022, for a site walk and the public hearing on October 4, 2022, at 6:30 PM.

The meeting adjourned at 11:11 p.m.

A motion was made by A. Knapp and seconded by B. Tessier to adjourn the meeting at 11:11 p.m. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

John Driscoll-Yay

Andy Melnikas-Yay

Bob Tessier-Yay

Joyce Cappiello-Yay

Donna Massucci-Yay

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