



BARRINGTON PLANNING BOARD MEETING

NEW LOCATION: EARLY CHILDHOOD LEARNING CENTER

77 RAMSDELL LANE

Barrington, NH 03825

**Tuesday May 21, 2019
6:30 p.m.**

DRAFT MINUTES

Members Present

James Jennison, Chair
Jeff Brann, Vice Chair
Steve Diamond
Donna Massucci
Andy Knapp ex- officio
Ron Allard
Robert Pimpis

Alternate Member Present

Rondi Boyer

Town Planner: Marcia Gasses

MINUTES REVIEW AND APPROVAL

1. Approval of the May 7, 2019 meeting minutes.

Without objection the minutes were approved as written.

ACTION ITEMS CONTINUED FROM April 16, 2019

2. [238-16-V-19-SR \(Owner: Drew Pond, LLC\)](#) Request by applicant for a Site Review proposal to construct two private roads each to serve 20 townhouse units off Route 9 with waivers (aka Franklin

Pierce Highway) on an 18.02-acre site (Map 238, Lot 16) in the Village District. BY: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

Request to continue until June 18, 2019

M. Gasses expressed she felt no action was needed as this had been continued to June 18th at a prior meeting. (Note: This was an error and the application will be reposted and abutters notified for June 18th.)

ACTION ITEMS CONTINUED FROM May 7, 2019

3. **234-31&31.4-GR-19-ConsSub (Owner: Donetta Haley)** Request by applicant for a 13 Lot Conservation Subdivision, Waivers and 9.6 Special Permit on Meetinghouse Road and Oak Hill Road on 51.50 acres (Map 234, Lots 25, 31, 31.4) in the General Residential and Village Districts. By: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825

Request by applicant to continue until June 4, 2019

James Haden representing Berry Surveying and Engineering explained that they were asking for a continuation. Originally, they had Meeting House Road 3 rods wide and they had discovered while researching another project that Meetinghouse Road was actually 4 rods wide. The change in width necessitated redoing all their plans prior to submitting them to Dubois and King.

M. Gasses expressed when speaking with Chris Berry they had agreed that the June 18th meeting would be a more appropriate date to continue to.

A motion was made by R. Allard and seconded by J. Brann to continue to June 18, 2019. The motion passed unanimously.

4. **234-25-V-19-Sub (4) (Owners: Michael H. & Lisa M. McMahon)** Request by applicant for a 4 Lot Subdivision on Meetinghouse Road and Oak Hill Road on 23.55 acres (Map 234, Lot 25) in the Village Zoning District. By: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

Request by applicant to continue until June 4, 2019

A motion was made by J. Brann and seconded by R. Allard to continue to the June 18, 2019 meeting. The motion carried unanimously.

5. **234-25-V-19-SR (Owners: Michael H. & Lisa M. McMahon)** Request by applicant for a Site Review proposal to construct three private roadways and a driveway off Meetinghouse Road to provide access to 24 triplex units on Meetinghouse Road and Oak Hill Road (Map 234, Lot 25) in the Village Zoning District. By: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

Request by applicant to continue until June 4, 2019

A motion was made by S. Diamond and seconded by R. Allard to continue to the June 18, 2019 meeting. The motion carried unanimously.

DESIGN REVIEW

6. **233-77-V-19-DesignReview (Owners: Town of Barrington)** Request by applicant Turbocam for a Design Review to build a 100' x 250' building with associated parking, utilities and wetland buffer impacts (Map 233, Lot 77) at Route 9 and Redemption Road on a 5-acre site in the Village Zoning District. BY: Bruce Scamman, Emanuel Engineering, Inc.; 118 Portsmouth, NH 03885.

A. Knapp recused himself.

J.J. McBride of Emanuel Engineering represented the applicant. Jones and Beach were the surveyors and had performed the environmental work. Gove did the soil studies. The lot was located off Redemption Road and currently vacant. There was currently a gravel road to access the lot. Nine test pits were done on the site. Good gravel was found, so the lot drained pretty well. There were wetlands and ledge located on the site. Turbocam had plans for a training and educational facility. A 100'X 250' building with a 12-foot-wide loading dock was planned. The plan was to use a lot of porous pavement to treat stormwater runoff. Porous pavement was not used all the way around due to setbacks from the septic.

The site was tight, and they were trying to minimize impact to wetlands. They had relocated the loading dock from its original location to minimize the size of the retaining wall. The red on the plan indicated retaining walls. The site will require an AoT permit from the State. The retaining walls will be block. The entrance stormwater had not yet been designed.

Porous pavement required less salt. Turbocam was looking to see if they could make the building smaller. Bruce Scamman had been to the Conservation Commission and they had expressed they did not want the driveway to circulate the building.

M. Gasses expressed the Fire Chief had stated the driveway did need to go all the way around the building and be a minimum of 20' wide.

R. Allard asked how wide the driveway was as currently shown.

J.J. McBride stated 24'. He said the Conservation Commission had also suggested the traffic flow go in one direction, but he felt a 20' width would be sufficient for two-way traffic.

J.J. McBride expressed the Conservation Commission had also suggested moving the building north and possibly impacting the wetland instead of the buffer. The soil scientist had expressed the State usually liked the impacts not to be the wetland itself. They had asked for a Natural Heritage Bureau report to be done. There had been native turtle found in the pond across the street in 2013. Gove would work with NHB to do a survey.

S. Diamond asked if they would be looking for more turtles.

J.J. McBride stated "yes".

R. Boyer asked if there were any endangered plants found.

M. Gasses expressed there were none indicated on the report. The report was a State requirement.

M. Gasses asked the representative to address the requirements for a 9.6 permit for the proposed impacts to the buffer and provided a copy of the zoning ordinance.

J.J. McBride showed the location of the silt sox.

S. Diamond asked how they ended up with the size of the building.

Elliot Wilkins of Turbocam expressed the size was determined by their need. The original size was 25,000 square feet. There were five bays; two were for an educational center where they would run a boot camp to develop operators into machinists, and a third bay would be an incubator which is a training center for their engineers. The fourth bay was for a tool room to develop all the fixtures for the company and to develop operators and machinists. The fifth bay was for the development of electrochemical machining, which would be mostly experimentation and development of that process.

J. Jennison asked if there would be the potential for dangerous chemicals that could leak into the ground.

Elliot Wilkins expressed the electrochemical machining was basically salt water, so not really. There were filtration systems to filter out anything. The operation was currently occurring at Building 2.

D. Massucci asked about drainage and if spills could occur.

D. Massucci expressed there would be milling and asked about scrap pieces.

Elliot Wilkins expressed that the buildings were set up with no drainage at all and they did not allow anything to go outside of the building.

D. Massucci expressed that spills do happen. She asked what the process was for the materials.

Elliot Wilkins expressed the byproducts were recycled through a company called Simple Life, that would pick up the material from the site.

D. Massucci expressed that it would be a loading dock, so there was an area for spillage.

Elliot Wilkins expressed, possibly if you think so.

D. Massucci expressed she did believe it was possible.

S. Diamond asked how critical it was that they be next to the building they were currently in.

Elliot Wilkins expressed that they felt the location was perfect for them and very important.

J. Jennison asked if they could shrink the building to get out of the buffer. Could they make it narrower and longer.

Elliot Wilkens expressed if they built it too small it wouldn't be worth building it. They would not have enough space to get done what they had to get done. They could possibly go to 90'X 250'.

D. Massucci asked if it was two story.

Elliot Wilkins stated, "Yes." The second floor would have training rooms and possibly a little bit of office.

J. Brann expressed if you narrowed it to 90' it would not have significant impact on the buffers. He also felt the buffer was there to protect the wetlands which were of primary importance and impacting the wetland would need a significant reason in order to build into a wetland. It did not make a lot of sense. They were already close to the lot line on the north. Buffers were a local requirement and not a State requirement.

J. Brann expressed they were going to use porous pavement and wondered if during a rainstorm they were still going to have runoff.

JJ. McBride expressed the 5" of pavement was very porous and then an additional 6" of choker course before it gets into the sand course. The sand course is where absorption got slower and where all the treatment took place. The overall depth was between 12" and 20". The thickness had not been set in stone yet.

J. Brann expressed there appeared to be drains underneath.

J. Brann expressed that he thought it would not absorb any faster than his lawn. He recognized he did have runoff from his lawn on the slopes, which was why he was asking.

J.J. McBride expressed he had seen videos of water trucks dumping on porous pavement and it was immediately absorbed.

J. Jennison expressed there would be a drainage analysis done. The water off the roof itself would be significant.

J.J. McBride agreed.

M. Gasses expressed there would be a complete drainage analysis, in addition the AoT permit would look at the overall drainage of the site. Turbocam currently had some porous pavement on their site. It would not be a fair comparison to compare porous pavement to a lawn. Usually there were a few inches of soil on your lawn and it did not absorb the way a porous system was designed. She had been to the stormwater center at UNH and witnessed demonstration of the pavement functioning. The water was literally stored under the ground.

J. Brann asked for Mr. McBride to explain any outlet of the underdrains.

J.J. McBride expressed they had not located any of the underdrain outlets, but they would not go directly into the wetlands. They would likely go to the riprap to avoid scour by the pipes.

J. Jennison asked if there would be some sort of retention area.

J.J. McBride expressed that the roof discharge would also need to be treated under the requirements of the AoT permit. A bioretention basin may be used. The more area that was not porous that was going into the porous area, the deeper the treatment layer would need to be. The underdrains were shown along the edge of the wall. They would daylight along the outer edge of the parking lot. The wall would be built up and the pipe would go on the embankment.

S. Diamond expressed that Mr. McBride had said earlier that porous pavement required less salt.

Andy Knapp, Director of Facilities for Turbocam expressed that salt or brine helps break up ice and no sand is used. The pavement is vacuumed twice a year, typically in the spring and fall.

J. Jennison asked if removal of the lot line would allow for movement of the location of the building.

J.J. McBride expressed maybe a little with the entrance.

Eliot Wilkens expressed that there was a lot of ledge.

J. Brann asked if when they came back with a complete application all the drainage locations would be identified.

J. J. McBride stated, "Yes", and it would address all the AoT requirements.

R. Allard asked if the new plan would have a 20' road on the wetland side.

J.J. McBride expressed Bruce Scamman would look at it.

R. Allard expressed 20' would help address impact and the one-way traffic would not be a bad idea.

S. Diamond expressed if you looked at the plans this was pretty much eliminating the wetlands buffer that was required under the ordinance. He felt it sounded a little bit arbitrary as to whether the building needed to be located on this lot or whether the building needed to be this large. He read from 9.6(1) of the Zoning Ordinance, "After review of all reasonable alternatives it is determined to be infeasible to place the structure outside of the buffer zone". After hearing earlier comments, he was not convinced the building needed to be located on this lot. The building would not fit without eliminating the required wetland buffer.

J. Brann expressed they were building to meet their needs and when they returned they would need to go through all the requirements for a 9.6 Permit and whether they had fulfilled the requirements.

S. Diamond expressed there were two reasonable alternatives; the building did not need to be on this site and it did not need to be this big.

J. Jennison questioned whether the loading dock could be moved.

J. Brann expressed they need to build a building for their specific needs. They were trying to build on a lot that would require impacts to the buffer to address safety needs. It didn't mean that they did not need to address 9.6 requirements.

R. Allard expressed that it was close to the other building. They had roughly 12,000 sq. ft. of impacts. In his mind that did not mean they don't build a building there.

J. Brann expressed the purpose of the buffer was to protect the wetlands. The question would be whether there would be a negative effect on the wetland and would the buffers lose their protective function to the wetland. He had not heard that there would be a significant loss of the function of the wetland.

R. Allard expressed the biggest concern would be whether the wetland would be protected.

D. Massucci asked why they couldn't go three stories.

Andy Knapp expressed it would be difficult to move machinery, which would be very heavy. To go to a multi floor building with the reinforcement of the floors they would need due to [equipment] weight would increase costs considerably.

D. Massucci asked if the teaching facilities could be on the second floor and the machinery on the first floor.

Andy Knapp expressed the building was already planned to be setup that way.

D. Massucci expressed she was just trying to suggest ways to get the square footage they needed.

S. Diamond expressed the environmental scientist had felt it would not be much of an impact, but he had looked at the GIS and the site was part of an unfragmented open space.

M. Gasses expressed the location was adjacent to Route 9 and across from an existing building.

S. Diamond expressed it was a whittling away of part of a large area and habitat that turtles needed for the laying of eggs.

J. Brann expressed when it rains a sheen from oil leaks in parking areas often be seen and asked how that would be addressed.

J.J. McBride expressed as it rained the water and materials went down through the top layer and the choker course into the bank run gravel filter course where the bacteria breaks down the oils. It was one of the reasons the AoT required all the water be treated.

J. Brann expressed on Sheet D3 there was two feet that did not prevent untreated water from reaching the wall and going through the wall without being treated.

J.J. McBride expressed they would need to take a look at it, and an impermeable membrane could be added.

M. Gasses expressed that the Town's engineers could also take a look at the plans.

D. Massucci asked if there were sidewalks planned.

J.J. McBride expressed just at the entry.

J. Brann asked if they had looked at whether the additional traffic generated by the building would cause any problems.

M. Gasses explained the lot had been part of a commercial subdivision and the original State Driveway Permit. A turning lane had already been constructed.

J. Brann asked if they could go back and look at that to explain what had already been done and explain to the Board this would not have any additional impact on safety.

M. Gasses explained the State had permitted the entrance for Redemption Road and if there was an increase in use, the permit would need to be updated with the State and the applicant would need to meet their requirements. She did not know if the State had a full buildout at the time of permit or not, so that would need to be looked at.

R. Allard asked how many proposed parking spaces there were.

J.J. McBride expressed 42.

R. Allard expressed they may be short.

M. Gasses expressed the Town's parking regulations were suggested numbers and they wanted to make sure that the parking was based upon the need and excess impervious surface was not created. The regulations also encouraged shared parking. It would be important for the Board to address whether the parking adequately addressed the applicant's need.

J. Brann asked how many individuals they might have in the building at a time.

Eliot Wilkins expressed the boot camp had ten participants at a time. Across the way was also Turbocam's large parking lot.

R. Allard expressed that the use could change.

M. Gasses explained that if the use changed they would need to come back and meet the standard in place at the time for the new use. The entrance road was a possible location for additional parking.

S. Diamond questioned piping that existed on the side of the gravel road.

A. Knapp expressed that originally the possible location for a Town Hall was considered across the road from the existing building and Turbocam was looking at the possibility of providing heat generated by the machines during the manufacturing process. Also, there might be a need to connect systems to the other side of the road in the future. The pipes were laid in anticipation of future construction.

J. Brann expressed that there is the requirement that loading docks be sufficiently screened so that they were minimally visible from public roads.

J.J. Mc Bride expressed the area was fairly wooded, but they would look at what was there.

J. Brann expressed parking lots and loading docks would need to be incorporated into the information they brought back to the Board.

S. Diamond expressed that 9.4 if read literally seemed to negate 9.6 entirely. “The uses and structures as listed in Paragraphs (1) through (5) of this section, and no others, except as provided in Subsection 9.5.1, are permitted in wetlands and their buffer areas provided the use or structure does not involve substantial alteration of the surface configuration of the land; and will not result in a significant net loss of values associated with the functions of the wetland.” He went on to read the items under the five sections and expressed there were specific items under 9.5.

M. Gasses expressed the items under 9.4 did not require a permit.

J. Brann explained the items under 9.4 were the permitted uses. If an applicant did not meet the conditions under 9.4 they needed a permit under 9.6.

S. Diamond read, “provided such use is in keeping with the intent and purposes set forth in this Ordinance as permitted in the base zoning district and meets the standards listed below.” He expressed that you could interpret that to say you are not permitted to develop in the buffer in any of the districts, so 9.6 doesn’t exist or the intent is to mean allowed in the Regional Commercial Zoning District.

J. Jennison expressed it was pretty much understood; it was not allowed unless the Planning Board allowed it.

M. Gasses expressed in this instance a 9.6 permit was required for the impact, but the underlying use was allowed in the zoning district. The zoning district was the Village District and the use was allowed in the district.

J. Brann expressed Subsection 9.4 gave permitted uses, 9.5 gave exceptions, and 9.6 allowed for a use not otherwise permitted but may be undertaken if the Planning Board approves a request for a Special Use Permit, provided such use is keeping with the intent of the ordinance. This was why he had discussed whether there would be a net loss in value of the wetlands by doing the construction. So, if you do not meet the requirements under 9.4 or 9.5, the Planning Board may decide you can move forward provided you meet the requirements under 9.6, but you have to address all the issues raised under 9.6.

S. Diamond expressed it would seem unusual to have a section in the Ordinance that was not relevant, but he was just trying to raise what he thought was an inconsistency.

J. Jennison opened public comment.

Stephen Jeffery of 128 France Road expressed that S. Diamond had approached an issue that he believed the Planning Board was all wrong on. It talked about a use not otherwise permitted, which was not the same as a prohibited use. It would be like a permitted use that was not listed in the list of permitted uses. For the proposed impact the applicant really needed a variance. The Planning Board had granted permission for some minor or temporary impacts to the buffer, but this was a significant impact. The intent was to protect the significant wetlands in Barrington. He did not believe it meant to preserve it under asphalt. The Board needed to look up land use planning in other cities and towns, and around the

country. The proposal was a complete mis-application of this type of permit. He did not believe it was appropriate for the Planning Board to be granting this type of permit for these types of impacts.

J. Jennison closed public comment.

J. Jennison expressed in his opinion the purpose was to protect the wetlands and restrict use of the buffers. That was his interpretation.

J. Brann expressed that the purpose of the buffer was to protect the wetlands. The Board should walk themselves through 9.1(1) through 9.1(4) and see if the applicant has addressed those questions. Is there enough protection through the engineered design that the buffers can fulfill their function. If the proposal satisfied those requirements, then he did not see that a 9.6 permit was in violation of anything if the buffer was protected. If the proposal is found to cause a significant impact to protection of the wetland, than they would have an issue. He suggested the applicant look at the entire section starting at 9.1 to see if they can meet the requirements.

S. Diamond expressed that although he was not an engineer, it seemed they did not have a lot of room to do the necessary things right.

M. Gasses expressed that in her staff recommendations she attempted to stress to the Board that the requirements under ordinance were what the Board had to decide whether the applicant met or not. If when the applicant comes back they find there is no diminution of the functions and values of the wetland than fine, and if not, the Board based on the evidence can vote not to grant the permit.

A motion was made by J. Brann and seconded by R. Allard to close the Design Review. The motion carried unanimously.

Andy Knapp returned to the table.

COMMUNICATIONS RECEIVED

REPORTS FROM OTHER COMMITTEES

1 **UNFINISHED BUSINESS**

2
3 **OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD**

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5 The Board confirmed they would not have a second meeting in July. J. Brann would not be in attendance
6 on July 9, 2019.

7
8 The Board decided to postpone action on Solar to September based on the case load the Board had. M.
9 Gasses would look at when under the law the ordinance would take effect.

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

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13 June 4, 2019 at 6:30p.m. at the Early Childhood Learning Center.

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15 Respectfully submitted,

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18 Marcia J. Gasses
19 Town Planner