



BARRINGTON PLANNING BOARD MEETING MINUTES

As Chair of the Barrington Planning Board, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are: We are utilizing the Microsoft Team for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through the Microsoft Team, and the public has access to contemporaneously listen and, if necessary, participate in the meeting through dialing the following phone #603-664-0240 and Conference ID: 939756870#

Call 603-664-0182 or email: birvine@barrington.nh.gov

(Approved October 20, 2020)

Tuesday October 6, 2020

6:30 p.m.

MEETING MINUTES NOTE: THESE ARE SUMMARY ACTION MINUTES ONLY. A COMPLETE COPY OF THE MEETING AUDIO IS AVAILABLE AT THE LAND USE DEPARTMENT.

Roll Call Vote

James Jennison-Yay
Jeff Brann-Yay
Steve Diamond-Yay
Donna Massucci-Yay
Ron Allard-Yay

Members Present

James Jennison, Chair
Jeff Brann, Vice Chair
Steve Diamond
Donna Massucci
Ron Allard

Members Absent

Andy Knapp ex- officio

Town Planner: Marcia Gasses
Code Enforcement Officer: John Huckins
Staff: Barbara Irvine

MINUTES REVIEW AND APPROVAL

1. Approval of September 1, 2020 meeting minutes.

Without objection the minutes of September 1, 2020 were approved as written.

Roll Call:

R. Allard-Yay
D. Massucci-Yay
J. Brann-Yay
J. Jennison-Yay

ACTION ITEMS

2. **238-51-TC-20-SR (owner: Greg Bolton)** Request by applicant for Site Review for change of use to add a hair salon/barber shop (Map 238, Lot 51) on a .5-acre site located at 614 Franklin Pierce Highway in the Town Center (TC) Zoning District.

J. Jennison gave a brief description of the application.

Eric Jacques explained that they are before the Board for a Salon/Barber Shop because the use was not listed for the property.

J. Brann asked about the previous approval, which was to have the driveway closed off and asked why the driveway was not closed off.

M. Gasses explained that there were planters there and the owner agreed to put them back. M. Gasses explained that NHDOT was weighing in on this even though this business has less impact than the retail that was approved.

J. Brann asked about the chemicals going into the septic system and asked if the system could handle the chemicals.

M. Gasses explained that they would need to go before the barber and hairdressing licensing by the State for permitting and the Board would not review.

Melissa Jacques explained that before they received occupancy from the Town the Cosmetology Board would come out. There was a list of things that they go through. They have a checklist they need to go through before they can open. Melissa explained that they have already had a plumber come out and inspect.

Eric explained that the plumber came out to make sure the septic was able to support the hairdressing business and the Cosmetology Board would come with a materials safety data sheet for any chemicals that would be used. Eric explained that in reference to the driveway, it was closed off and no traffic was currently going through there.

J. Huckins explained that septic was regulated by NHDES for the use and explained that the Town has gone out for a rough inspection and they still need to go out for a final inspection.

R. Allard expressed that it makes more sense to have the one-way circle then taken it away. R. Allard asked if the Board could allow them to do it or was it a done deal with NHDOT.

M. Gasses explained that this was NHDOT permit and they were admitted with their decision.

J. Huckins explained that there are 4 or 5 parking spaces between Calef's Country Store and business, and this was for one-way traffic.

M. Gasses explained that NHDOT and Fire Chief were concerned about people backing out onto Route 9 (Franklin Pierce Highway) and explained that this was a State Law. M. Gasses suggested that the operator use the parking in front of the building and the customers use the side parking.

J. Jennison asked if there was signage that that was not public parking for customers.

Eric explained that the driveway was blocked off so that they would be complying for this project approval; he spoke to the owner and he was going to abide by NHDOT. Eric explained that the owner would prefer one way in/one way out.

J. Jennison asked if there was signage, so customers know that this was employee parking.

Eric explained that currently there wasn't any signage there, but they could add it.

M. Gasses asked they should add the signage.

J. Jennison explained that would make the most sense for employees' entrance only.

Melissa explained that she was having a sign made now near the Calef store parking and could add to the sign.

R. Allard explained that he read something about the rocks blocking off some parking spaces.

M. Gasses explained that the Fire Chief weighed in on this and explained this was not part of the Site Review Regulations and that was for the outside dining this would be handled separately.

S. Diamond asked about the shared parking spaces with Calef's Country Store; were this legally formalized to share spaces.

Eric explained that the parking spaces are on the property for 614 Franklin Pierce Highway and that property was sharing with Calef's Country Store.

M. Gasses explained that this was approved when they did the original Site Review and explained the only thing the applicant is doing is moving their business where the Country Cupboard was.

J. Huckins explained that the business was for one chair business and not like having 5 hairdressers in there.

A motion was made by J. Brann and seconded by R. Allard to accept the application as complete. Vote 5/0
Roll Call:

S. Diamond-Yay
D. Massucci-Yay
J. Jennison-Yay
J. Brann-Yay
R. Allard-Yay

J. Jennison read the Planners comments:

- This application is strictly to add a permitted use to the existing building
- No changes are proposed to the current site or building exterior
- The use is consistent with the prior approval
- The applicant will need to meet all required State and local permitting requirements
- The required 4 parking spaces were approved under the prior approval
- 7 spaces required 10 spaces provided
- The circular driveway must be closed consistent with the prior site approval
- The property owner must address the protection of the picnic dabbles unrelated to the change of use requested

D. Massucci asked what the days of operation would be.

Melissa explained that she would be open Monday, Wednesday, Thursday, and Friday and at this time no walk-ins.

D. Massucci asked what the hours would be.

Melissa explained she could be open until 9:00 p.m.

D. Massucci asked about lighting.

Melissa explained that there would be plenty of lighting: porch lighting and spotlights.

J. Brann stated that he saw a sign on the plan and asked about a sign permit.

M. Gasses explained that if there was a sign permit, this would go to Code Enforcement.

Eric explained that there was an existing sign with a spot for the unit they would be in.

J. Huckins explained that they do not need a permit if they are just changing the wording but keeping the sign to the same size.

J. Jennison opened public comment.

J. Jennison closed public comment.

S. Diamond stated that J. Huckins said the septic was NHDES, but he was concerned about the hazard material products used at this location.

Melissa explained that she does not do perms, does not use products with plastic beads, and has the [MSDS] sheet for the color products and lighting that she uses.

S. Diamond asked if the lighting was a bleach product and how that was done.

Melissa explained that it was a condition lighter and explained that there weren't many clients that get this done.

J. Jennison asked if the Board of Cosmetology look at septic design as a requirement with the MSDS sheets.

Melissa explained that she didn't believe it was on the list; she expressed that she believed they focused on the plumbing of the water.

J. Jennison asked J. Huckins if there was any information about the septic and was it needed.

J. Huckins explained that it doesn't apply to this application because this was a change of use for the loading but this use would be less than a residential use.

J. Jennison read Conditions Precedent:



Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0195

mgasses@barrington.nh.gov

DRAFT NOTICE OF DECISION

NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i> N/A	<i>Surety returned</i> N/A
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"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.

Proposal Identification: 238-51-TC-20-SR (owner: Greg Bolton) request by applicant for Site Review for change of use to add a hair salon/barber shop (Map 238, Lot 51) on a .5-acre site located at 614 Franklin Pierce Highway in the Town Center (TC) Zoning District.

Greg Bolton
614 FPH Real Estate LLS
PO Box 57
Barrington, NH 03825

Melissa Jacques LLC
106 Liberty Lane
Barrington, NH 03825

Dated: October 6, 2020

Dear applicant:

This is to inform you that the Barrington Planning Board at its October 6, 2020 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, prior to the plans being certified by the Planning Board. Certification of the plans is required prior to commencement of any site work or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please Note* If all of the precedent conditions are not met within 6 calendar months to the day, by April 6 2021, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

Conditions Precedent

- 1) The circular driveway must be closed consistent with the prior site approval unless changed by NHDOT
- 2) The applicant must meet all State and local permitting requirements
- 3) Provide sign for Employee Parking Only
- #4) Any outstanding fees shall be paid to the Town

General and Subsequent Conditions

#1) Where no active and substantial work, required under this approval has commenced upon the site within two years from the date the plan is signed, this approval shall expire. An extension, not to exceed one year, may be granted, by majority vote of the Board so long as it is applied for at least thirty days prior to the expiration date. The Board may grant only one such extension for any proposed site plan. All other plans must be submitted to the Board for review to ensure compliance with these and other Town ordinances. Active and substantial work is defined in this section as being the expenditure of at least 25% of the infrastructure improvements required under this approval. Infrastructure shall

mean in this instance, the construction of roads, storm drains, and improvements indicated on the site plan. RSA 674:39(Note: in both sections above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).

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

Sincerely,

Marcia J. Gasses
Town Planner

cc: File

D. Massucci asked about trash removal where hair dyes are used.

J. Jennison asked if there was a dumpster on site.

Eric stated that there was a dumpster on site.

A motion was made by J. Brann and seconded by D. Massucci to approve the Site Plan for the Salon/Barber shop as Read by the chair. Vote 5/0

Roll Call:

J. Jennison-Yay
J. Brann-Yay
S. Diamond-Yay
D. Massucci-Yay
R. Allard-Yay

3. [238-36-V/TC-20-\(2\) Sub \(Owner: Waldron B. Haley Revoc Trust\)](#) Request by applicant for a 2-Lot subdivision Lot 1 would be 8 acres and Lot 2 would be the remaining 21 +/- acres with a waiver (Map 238, Lot 36) located along Franklin Pierce Highway in the Village & Town Center Zoning District. By: Scott D. Cole, Beal Associates, PLLC; 70 Portsmouth Avenue; Stratham, NH 03885.

J. Jennison gave a brief description of the application.

Scott Cole from Beal Associates, PLLC represented J & L Terra Holdings. Scott explained that this was for a 2-lot subdivision that would be part of the next item before the Board. Scott explained that the lot was a total of 29.3 acres that would be divided into 2 lots; one being 21 acres with frontage on Route 9 (Franklin Pierce Highway) and Lot 2 would be 8 acres with frontage on Route 125 (Calef Highway) that would stay with the current ownership, Waldron B. Haley Revocable Trust. Scott explained that they did go out and got passing test pits on both lots along with well locations. Scott explained that due to the sizes of the lots they did not require State Subdivision Approval.

A motion was made by J. Brann and seconded by R. Allard to accept the application as complete. Vote 5/0

Roll Call:

J. Jennison-Yay
J. Brann-Yay
S. Diamond-Yay
D. Massucci-Yay
R. Allard-Yay

J. Jennison opened public comment.

J. Jennison closed public comment.

J. Jennison read the follow Planners comments:

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This application is done in conjunction with the Site Review for Map 238 Lot 36
Does the applicant have an NHDOT curb cut on Route 125 for Lot 36.2?

Scott explained that on surveyor David Vincent's plan historic driveway easement connected to the property using the Irving station entrance. (Note #5c on plan) If needed they can use this, they cannot go onto Route 125. (Calef Highway)

J. Jennison read Conditions Precedent:



Planning & Land Use Department

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DRAFT NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i> <i>n/a</i>	<i>Surety returned</i> <i>n/a</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>			
Proposal Identification:			

Owner: James W. Haley Waldron B. Haley Revoc Trust 14 Shakespear Road Nashua, NH 03062	Dated: October 6, 2020
Applicant: J & L Terra Holdings 79 Exeter Road North Hampton, NH 03862	

Dear applicant:

This is to inform you that the Barrington Planning Board at its October 6, 2020 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, prior to the plans being certified by the Planning Board. Certification of the plans is required prior to commencement of any site work or

recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please Note* If all of the precedent conditions are not met within 6 calendar months to the day, by April 6, 2021 the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board. *Reference 8.2.3 of the Town of Barrington Subdivision Regulations*

Conditions Precedent

- 1)
 - a) Add the owners signature to the final plan
 - b) Add the wetland scientist stamp & signature to the final plan
- 2)# Proper and complete survey monumentation shall be installed on the properties as a condition to final approval of the application. Granite bounds shall be set at the intersection of existing or proposed lot sidelines with existing proposed streets. Iron pins (pipe or rod) are to be placed at all property line corners and angles, and all points of curvature and points of tangency. Monuments for the lot being developed shall be placed not more than 300 feet apart in any straight line. The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the submitted plan. (*Reference 8.8 of the Town of Barrington Subdivision Regulations*)
- 3) Any outstanding fees shall be paid to the Town
- 4) Final Drawings (a) five sets of black line (b) plus one set of 11"X17" final approved plans must be on file with the Town. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans. Note. If there are significant changes to be made to the plans, as specified above, one full size check print must be sent to the Land Use Office for review prior to producing these final drawings.

General and Subsequent Conditions

- 1)# In accordance with RSA 674:39 active and substantial development shall mean the expenditure of at least twenty-five percent (25%) of the infrastructure costs required for a development, as indicated by a subdivision approved by the Planning Board, within (24) months of said approval, where approved plans have been properly recorded at the Registry of Deeds. Infrastructure shall mean in this instance, the construction of roads, storm drains, water and sewer facilities, or parking lots. Compliance with this definition shall also necessitate that a bond or other security to cover costs of said infrastructure requirements has been posted with the Town prior to the beginning of construction, if required as a condition of approval.

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

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

Sincerely,

Marcia J. Gasses
Town Planner

cc: File

S. Diamond expressed that this includes a road connecting from Route 9 (Franklin Pierce Highway) to Route 125. (Calef Highway)

J. Jennison explained that when a project like this was put forth let's leave connectivity like the Board has with other parcels.

M. Gasses explained to the Board that when you see the next plan you would see that they connect.

Scott explained that they left an easement from the large to the small lot in case there was a need for use of the right of way.

A motion was made by R. Allard and seconded by J. Brann to approve the 2-Lot subdivision as read by the Chair.

Vote 5/0

Roll Call:

J. Jennison-Yay

J. Brann-Yay

S. Diamond-Yay

D. Massucci-Yay

R. Allard-Yay

4. **238-36-V-20-SR (Owner: Waldron B. Haley Revoc Trust)** Request by applicant for Site Review for a multi-family Development 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.

J. Jennison gave a brief description of the application.

Scott Cole from Beal Associates, PLLC represented J & L Terra Holdings for a proposal for 80-unit multi-family on 21-acre site. Scott explained that each building would be three-story buildings with the lower level would be a garage with living space on the other two floors. Scott explained that he supplied architectural plans, about which they can ask applicant Jason White at the end. Scott explained that during the review there was a question about an elderly or older person being able to purchase one of the units and about access. The developer stated that he could install electric chair rails as he has done this in prior units, and it works fine so this would give access for an older person.

Scott explained from the color plan that previously they had two buildings at the entrance that they moved to the back that were 50' from the front entrance. Scott explained that they have moved them back so that now it gives a large landscape buffer from Route 9 (Franklin Pierce Highway) to the first building which would be approximately 160' from the entrance. Scott explained that they are trying to give more green space to the abutters. Scott explained that the abutter from the west side should not see any of the buildings from their view. Scott explained that if a building was on the east side that also would not be seen from the abutter. Scott explained that there was a private right of way from the entrance coming in from Route 9 and explained that even being a private road needed to meet the Town specs. Scott explained that it was 24' wide with a curb. The private loop was designed so that a ladder truck or tractor trailer could go around the loop. Scott explained on the plan that there was a bituminous sidewalk with five-foot grass stripe as a buffer with a bituminous curb. Scott explained that the Fire Chief wanted visitors parking of 20 spaces added in case needed. The kiosk was 100' from the main entrance to keep a good landscape buffer. With the bituminous curbing for the drainage, there was several catch basins catching the drainage and run to the southern portion of the project. Scott explained that they provided a maintenance schedule for the association that would be privately maintained. Scott explained the utilities that are on site:

- a) 5 septic beds
- b) 2 community wells with a pump house in the open space which was 13 acres
- c) 3 septic beds in the middle of the property. Conservation wanted at a different location but there was NHDES location.
- d) For Fire protection: each building would have sprinkler system and 30,000 gallon fire cistern across from Building #7
- e) 7 lighting spots at the intersection of the road safety lighting
- f) Did not provide landscape plan would have at a future date
- g) Traffic counts and entrance supplied
- h) NHDOT application 2 months ago was filed and they commented back they wanted 10-year turn or buildout
- i) Hired Vanasse & Associates, Inc traffic engineer for the 10-year plan that would show this

Scott supplied a waiver because they thought that any right of way including private roads required a 50' right of way. Scott explained that they are requesting a 30' right of way instead of a 50'. Scott explained with the 30' right of way they still would have the 40' building setback. Scott explained the road to the Board and the access.

J. Brann asked if this project was going to be done in phases.

Scott explained that he believed so, but he would need to check with the developer.

S. Diamond asked about the dark green area being left; it doesn't mean that would be a visible buffer but means older trees that don't have much foliage on the lower part. S. Diamond asked if the landscape plan could include the area maintained to visible buffering standard. S. Diamond asked if the sidewalk could connect to the west around Building #15 for bicycles and pedestrians that may not want to walk on the edge to Route 125 (Calef Highway) or Route 9 (Franklin Pierce Highway).

Scott stated they could go from Building #11 to Building #15 and could be added too.

S. Diamond asked where that would be would it be west or south of Building #15 property.

Scott explained that it would be toward Building #11 and would pick up on the other side of the parking spaces.

S. Diamond asked what about the measuring of a buffer standard.

Scott explained that the intent was to leave everything there and expressed that he felt it would be good for everyone to see; maybe the Planning Board could do a site walk.

S. Diamond agreed to a site walk.

Scott explained that a landscaping plan would be supplied at the next meeting.

J. Brann asked if the kids would walk to the middle school.

M. Gasses explained that was the school department's decision -and she expressed that she didn't think there were any walkers in Town nor would until sidewalks were in. M. Gasses explained that this was in the 10-year plan.

D. Massucci asked about buses going into the development and buses are not allowed to turn around.

J. Huckins explained that they could drive around the route like any truck would.

Scott agreed with J. Huckins that they would go around the route and pick up at the mail kiosk; that would be perfect for a bus stop.

M. Gasses expressed that she felt the applicant should check with the bus company because this was going to be a private road, and most of these two-bedroom units historically have a low child count.

D. Massucci stated you needed to account for it because there are a lot of single parents, and the ECLC children would not be able to meet at the end of the road, they would need to come into the complex.

M. Gasses explained that would be up to the bus company.

J. Huckins explained that the buses went in around the loop in Village Place and at the time that was private.

R. Allard asked what the road width has to be to take over a road was it 50' right of way (RoW).

M. Gasses explained that this was going to remain private.

J. Jennison questioned if they have 50' right of way, how does that impact the buffer?

Scott explained with the right of way you would still have the 40' setback and if you widen the right of way that puts Building #1 right up to the setback on the property line and would be closer to the abutters. RoW

J. Brann asked about in the Site Review Regulations minor access/private road the RoW was 30'. J. Brann where this is was a private road, was this applicable and does the 50' apply.

Scott explained that he would want to be safe and ask for it and to not need it was fine.

M. Gasses and J. Huckins agreed that they should ask for the waiver.

R. Allard explained that in Zoning Ordinance under Village District 2.2.3 (2) expressed that sidewalks on side of road are necessary and felt that going narrower gives the room with everything being done to provide pedestrian access required.

J. Huckins explained that on the plan shows the 30' RoW and this doesn't change the usage in the road, and they are asking for the RoW to be smaller. J. Huckins explained that the setback was based on the end of the road not the property line even though this was a private road.

R. Allard explained that it shows one sidewalk on the left side and the Road Agent that there way a RoW to the school and toward the businesses that there would be pedestrian traffic going in both directions.

M. Gasses explained that the sidewalk on Route 9 (Franklin Pierce Highway) was State controlled and this has been added to the 10-year plan. M. Gasses explained that they have requirements and she felt that this couldn't be pushed on this developer.

R. Allard explained that he was talking about both sides of the driveway.

M. Gasses explained that she wasn't sure about the traffic on the inside of this development and if you could ask for sidewalks on both sides of the road.

R. Allard expressed that he was concerned about crossing over to the other side of the development for safety purposes.

J. Brann questioned why they couldn't have a sidewalk one side of the road along the entrance but have a crosswalk near Building #2 so they could cross over the private road within the development and not at the Route 9 entrance (Franklin Pierce Highway).

Scott explained that putting a sidewalk on the other side would not make a difference, but they could put up a painted crosswalk.

R. Allard explained that where Building #2 goes out to Route 9 (Franklin Pierce Highway) gives kids crossing the road with traffic coming off Route 9 (Franklin Pierce Highway) a risk of getting hit from behind so crossing over by Building #2 would be safer than crossing over at the entrance way.

Scott expressed that if you are requesting a sidewalk from the end of Building #2 to Route 9 (Franklin Pierce Highway), he doesn't think that was a major obstacle but would need to talk to the developer.

S. Diamond expressed sidewalks connect to the west, but he also would like them to the east, and on the RoW size, seems okay with him to the immediate future but if down the road they get developed differently would there be space to add later.

Scott asked if S. Diamond was talking about Route 9 (Franklin Pierce Highway).

S. Diamond stated no; add a sidewalk on the eastside of the driveway heading toward Route 9 (Franklin Pierce Highway).

J. Huckins explained that if lot was redeveloped, all of it would need to be done at that time.

S. Diamond expressed that was the intent of having a large RoW.

Scott explained that this was private but if this became public this would be a whole new submission to the Town.

J. Jennison explained that if this became a business failure, this could be a problem if the Town had to take over with the smaller setback.

M. Gasses explained to J. Jennison that the Town of Barrington would not take this over private development only for tax deeded.

J. Huckins explained that it would be the whole infrastructure but the use would be the same.

M. Gasses explained that the road would be taken over.

J. Huckins explained that would mean that all 80 units would bankrupt at the same time and explained that this would be almost impossible to happen.

S. Diamond suggested on the right of way the width for turning lane and straight lanes for waiting time.

M. Gasses explained that the turning lanes maybe part of NHHDOT driveway permit.

J. Brann expressed as far as putting the sidewalks on both sides of Route 9 (Franklin Pierce Highway) if it doesn't get done now it would never get done. J. Brann expressed on the RoW if this was a major access and the Board wants to waive the 50', what was the intent of the waiver. J. Brann asked Scott what the width of the pavement.

Scott stated that it was 24' wide.

J. Jennison asked that if this was waived, would be a minor or a major access.

J. Brann stated that it would be a major access.

R. Allard explained that if it was a 24' road and sidewalks on both sides so it sit's already up to 30'. R. Allard expressed that he felt there should be some space for the road and walkway.

J. Brann asked Scott if they said there would be a greenspace between the walkway and the road.

Scott explained to the Board that there was a 5' green strip between the two. Scott explained that the two choices were to ask for a waiver or reduce the property line setback so would have a 30' setback instead of a 40' setback, leaving the same amount of green space.

J. Huckins expressed that they could have a 50' RoW coming in, then 30' once you get into the development.

J. Brann asked J. Huckins if this was a private road does the setback apply.

J. Huckins explained that it does in zoning and was for front setback not the property line.

J. Jennison asked if the front buildings would not meet the rear setbacks if they met the front setbacks.

Scott explained that they were right on the setback lines that was negative from both abutters during the design review.

J. Brann expressed the more space between the property lines the better.

R. Allard asked why this would be a problem.

J. Huckins explained that this would not be Planning Board this would need to go to the Zoning Board setback because the setback was written in zoning regulations.

S. Diamond explained that from Buildings #1 and #2, with the sun from the south, you could tell the height of the trees.

M. Gasses explained that she felt this would be more helpful once they get the landscaping plan.

J. Jennison asked if the Board was amendable for the first section of the building for 50' then 30' into the development.

R. Allard asked J. Huckins and M. Gasses if this was a three-story building with full basement.

J. Huckins explained that the basement was a drive-under-garage which creates as a three-story.

R. Allard explained that in the Village District allows 2 ½ story.

J. Brann asked what the distance was from Route 9 (Franklin Pierce Highway) to Building #2.

Scott stated that it was 160'.

J. Brann asked if the Board was agreeing on waiving beyond 160' off Route 9 (Franklin Pierce Highway).

Scott agreed that could be acceptable.

A motion made by J. Brann and seconded by R. Allard to accept the application as complete. Vote 5/0

Roll Call:

S. Diamond-Yay

D. Massucci-Yay

R. Allard-yay

J. Brann-Yay

J. Jennison-Yay

J. Huckins explained to the Board going back to R. Allard's comment that 2 ½ stories in residential Village District was 35'; this would need to go to the Zoning Board for relief for 3 story building.

J. Brann explained that the application needs a Conditional Use Permit for Multi-Family.

S. Diamond read A. Knapp email on his concerns.

J. Jennison asked the opinion of the Board. Overall the Board of favored adhering to the two story requirement, more creative architectural design, and more outdoor space.

M. Gasses reminded the Board that the regulations do not apply in this case the centerline of must be within 150' Route 9 (Franklin Pierce Highway).

J. Brann asked about the lighting on the building and whether it meets standards, test pits data, and water levels relative to the three septic leach fields nearest Route 9. J. Brann asked why all the leach fields couldn't be moved to the back near the other two.

Scott explained the reason was that gallons per day allowed to go off the property, moving them to the rear of the property was not allowed given these restrictions, and this plan meets State requirements. Scott explained the reason why they cannot be moved.

J. Jennison opened public comment.

R. Spinale from 534 Franklin Pierce Highway asked where the septic systems are all over the lot, was there an injection pumping system.

Scott explained that it was an injection pressure pump system.

J. Jennison asked if it was gravity system or an injection pump system.

Scott explained that it would be a pressured system.

R. Spinale said so it's an injection system.

Scott stated yes.

R. Spinale asked when the test pits were done as we have been in a drought.

Scott explained that test pits are done by a soil scientist and not by the water level. They go 6' to 7' deep and have to make sure no ledge.

J. Brann gave the dates of 5/21 and 9/1 that the test pits were done based on the application.

Rick Spinale asked what the 80' into Route 9 (Franklin Pierce Highway) on the plan indicated.

Scott explained 80.57 was the distance for the proposed right of way and has nothing to do with the pavement width.

Rick Spinale asked if he pulled into the development it would be an 80' width.

Scott explained that was not correct that would be the private right of way the pavement was 24' wide.

Rick Spinale asked how close the RoW was to his driveway; it looks like 54'.

Scott state that it was 54'.

Rick Spinale said the other side looks like 117' and wanted to know why it [private road entrance] is not in the center.

J. Jennison closed public comment.

J. Jennison stated that if it meets the requirements.

Scott explained the tree line on the opposite side of road and not having headlights from this project shine in the house Relocated the driveway so that it hits the tree line.

Rick Spinale was concerned about lights of cars pulling into Buildings #4, 5 & 6 shining in the back of his house.

J. Brann stated when the do the landscape plans; see if they can make sure headlights are not going into his house.

Scott said they would look at that and explained that the closest one was over 200' away.

S. Diamond suggested making the neighbors happy and try to center the driveway.

R. Allard expressed he didn't agree he wouldn't want lights shining in his house.

J. Brann wanted missing legends/legend items added.

Scott would add legends/legend items and would like to have drainage looked by the Town engineer.

A motion was made by J. Brann and seconded by R. Allard continue the application to November 3, 2020.

Vote 5/0

Roll Call:

D. Massucci-Yay

S. Diamond-Yay

J. Brann-Yay

J. Brann-Yay

RECOMMENDATIONS FROM THE PLANNING BOARD

5. Pursuant to RSA 41:14a Sale of Town owned property needs to make recommendations to the Select Board for request from Michael & Diane Flaherty from 302 Smoke Street ([Map 225, Lot 70](#)) to possibly purchase 1-acre of Town property.

The Board had a brief discussion about the resident's request and the Board did not support the request.

A motion was made by J. Jennison and seconded by S. Diamond to send a memo to the select Board that they do not support this request. Vote 5/0

Roll Call:

D. Massucci-Yay

R. Allard-Yay

J. Brann-Yay

S. Diamond-Yay

J. Jennison-Yay

REPORTS FROM OTHER COMMITTEES

UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

8. Review of a request for a Building Permit at 32 Crossley Road, a Private Road, for Scott Fillion & Kasey Landry-Fillion ([Map 106, Lot 15](#))

The Board had a brief discussion and agreed with the Road Agent and sent the standard letter. Vote 5/0

Roll Call:

S. Diamond-Yay

D. Massucci-Yay

R. Allard-Yay

J. Brann-Yay

J. Jennison-Yay

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

The next meeting will be on October 20, 2020 at 6:30 p.m. electronic meeting; no meeting place.

Without objection the meeting was adjourned at 9:22 p.m.

Respectfully,

Barbara Irvine
Planning & Land Use
Administrative Assistant