



## **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: 640484605#

**Tuesday, April 20, 2021**

**6:30 p.m.**

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

(A. Melnikas and S. Diamond votes below are not valid as it was determined during the meeting that they had not been sworn in yet by the Town Clerk.)

### **ROLL CALL**

J. Jennison-AYE  
J. Brann-AYE  
S. Diamond-AYE (VOID)  
A. Knapp-AYE  
R. Allard-AYE  
C. Krans-AYE  
A. Melnikas-AYE (VOID)

### **Members Present**

James Jennison  
Jeff Brann  
Steve Diamond- (VOID)  
Andy Knapp  
Ron Allard  
Candice Krans

### **Alternate Member**

A. Melnikas(VOID)

### **Members Absent**

Donna Massucci

Buddy Hackett

Town Planner: Marcia Gasses

Staff: Barbara Irvine

## **MINUTES REVIEW AND APPROVAL**

1. Approval of April 6, 2021 meeting minutes.

*The meeting minutes of April 6, 2021 were approved as written.*

*A motion was made by J. Brann and seconded by A. Knapp to approve the meeting minutes as written.*

Roll Call:

J. Jennison-AYE

J. Brann-AYE

S. Diamond-Abstain

A. Knapp-AYE

C. Krans-AYE

A. Melnikas-AYE (VOID)

## **ACTION ITEM CONTINUED FROM MARCH 2, 2021**

2. [236-4-GR-20-SR \(Owner: Sunset Rock LLC\)](#) Request by applicant for Site Review to increase their operation in Barrington from 83.3 acres to a total of 88.8 acres (Map 236, Lot 4) (Map 222, Lot 13) and for a 3.4 Conditional Use Permit located backland off Tolend Road in the General Residential Zoning District. BY: Michael Wright, RESPEC; 67 Water Street, STE 109, Laconia, NH 03246.

J. Jennison gave a brief description of the application.

Michael Wright from Sunset Rock LLC explained to the Board that that they are finalizing things with Dover's engineers, and work like to ask for a two-month continuance.

S. Diamond asked what were they working on.

Michael explained that they are working on some variations of the design with Emery & Garrett and whether they incorporate their ideas into their designs. Michael explained that there was stormwater that they would like into their well and how they would like it discharged.

*A motion was made by J. Brann and seconded by A. Knapp to continue the application for Sunset Rock LLC to June 1, 2021.*

Roll Call:

C. Krans-AYE

R. Allard-AYE

A. Knapp-AYE

S. Diamond-AYE (VOID)

J. Brann-AYE

J. Jennison-AYE

A. Melnikas-AYE (VOID)

## **ACTION ITEMS CONTINUED FROM APRIL 6, 2021**

3. [121-28-GR-20-SR \(Owner: Mr. Todd Green-Barrington Shores, LLC\)](#) Request by applicant for expansion of 24 seasonal camp sites and waiver at 7 Barrington Shores Drive (Map 121, Lot 28) in the General Residential Zoning

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District.BY: Tobin Farewell, Farwell Engineering Services, LLC; 265 Wadleigh Falls Road; Lee, NH 03861.

J. Jennison gave a brief description of the application.

Andrew Melnikas (VOID) filled in for Board member Buddy Hackett.

Attorney Gregory Wirth represented Barrington Shores Campground-Todd Green. Attorney Wirth gave an outline of the application and history of the campground for the new Board members. Attorney Wirth explained that all the waivers have been approved by the Board except for one. Attorney Wirth explained that waiver of 4.7.2 (10) for water quality treatment facility needed to be designed to NHDES standards was requested. Attorney Wirth explained the last time that they were before the Board they had six issues that Dubois & King had requested addressed:

- 1. They requested AoT stormwater standard water quality worksheet calculations. They have been provided.**
- 2. Identify the proposed size of the V2B1 filtration system device to confirm that it meets water quality sizing requirements. They have been provided.**
- 3. Requested that the test pit information that was done a little over 2 weeks ago to confirm that the storage was above the seasonal high-water table. This has been provided.**
- 4. Requested that they provide the emergency spillway elevation plan set. This has been provided.**
- 5. They requested riprap outlet sizing calculations. These were provided**
- 6. Changing the size slope design to 2 to 1 to 2 ½ but after discussion that it would remain 2 to 1 and they are satisfied with that.**

Attorney Wirth explained that as of noon today they hoped they would receive a letter from Dubois & King that explained that they are satisfied with the information supplied but were unable to get a signed letter from them today.

Tobin Farwell from Farwell Engineering Services, LLC explained to the Board that he has been working with Dubois & King. Tobin explained that he wanted to make sure that they were under agreement before changing the plans; they are waiting for the final letter to be signed by Jeff Adler.

J. Brann asked M. Gasses if she had received any communication from Dubois & King.

M. Gasses stated no but explained she expressed that this could be conditional approved based on Dubois & King response.

J. Jennison questioned what they were approving on the waiver 4.7.2 (10).

Tobin explained that it was to meet AoT requirements.

J. Jennison expressed that the waiver would be to for allowing different standards.

J. Brann suggested waiving the 4.7.2 (10) with respect of the forebay basin.

Attorney Wirth stated that there was language in Dubois & King letter dated April 2, 2021. Attorney Wirth read the following language from Dubois & King's letter as follows: "the site has limited space in this area to provide a sedimentation forebay as required by NHDES. We are proposing a stormwater filtration system by Shea Concrete V2B1."

S. Diamond asked about the water supply, as he was not at the last meeting and asked if this had been concluded.

J. Jennison explained that the Board does not have the purview to control such things, and this was the jurisdiction of the water department. J. Jennison explained that there was a letter explaining the water situation.

J. Brann explained that the water district came back that there was not a problem with the aquifer; there was plenty of water. They noted that there was a problem with the back flushing of the system, and they could have used a larger pump.

J. Brann explained to S. Diamond that they did not see a problem during the drought.

J. Jennison opened public comment.

J. Jennison closed public comment.

### **WAIVER REQUESTED**

#### **4.7.2 (10) Site Regulations-Stormwater filtration system by Shea Concrete V2B1**

*A motion was made by J. Brann and seconded by R. Allard to grant the waiver 4.7.2 (10) from Site Review Regulations for stormwater filtration system by Shea Concrete V2B1 due to specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.*

Roll Call:

J. Jennison-AYE

J. Brann-AYE

S. Diamond-AYE (VOID)

A. Knapp-AYE

R. Allard-AYE

C. Krans-AYE

A. Melnikas-AYE (VOID)

J. Jennison asked if the Board had additional question prior to considering approval of the application and hearing none opened public comment.

Matt Niswender from 28 Rosemary Lane explained that he represents the abutters next to the campground and they had concerns on the setbacks with the fencing. Matt asked if they could review the drawing that was done showing the outline of the campground.

Ray Bisson shared the plans showing the buffers with their locations.

Matt explained that they are mostly concerned about the area around the Rosemary Lane area.

J. Jennison reviewed the plan explaining what all the buffers were along with the plantings.

S. Diamond asked for a periodic review of the visual vegetation buffer as far as maintaining the buffer.

Ray Bisson explained that they are going to fill in the trees with the location and explained the different trees that they would be planting along with the fence.

J. Jennison read Note #5 on the planting plan that they would maintain the buffer and replant if needed.

Matt asked about the maximum of 10' for the fence and only saw 8' on the plan.

J. Jennison explained that for code 8' fence was what they went for; no part was going to be 10'.

J. Jennison closed public comment.

J. Brann expressed that two items for the Notice of Decision need to be modified and suggested:

1. Under Conditions Precedent G. on the DRAFT, move F to G and on F add the waiver of 4.7.2 (10).
2. Add approval is contingent on receipt of correspondence from Dubois & King that all issues raised during

review have been resolved.

M. Gasses read the draft Notice of Decision:



## Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0195

[mgasses@barrington.nh.gov](mailto:mgasses@barrington.nh.gov)

### DRAFT NOTICE OF DECISION

<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>			
<b>1. Proposal Identification:</b> <a href="#">121-28-GR-20-SR (Owner: Mr. Todd Green-Barrington Shores, LLC)</a> Request by applicant for expansion of 24 seasonal camp sites, Conditional Use Permit and waiver at 7 Barrington Shores Drive (Map 121, Lot 28) in the General Residential Zoning District. BY: Tobin Farewell, Farwell Engineering Services, LLC; 265 Wadleigh Falls Road; Lee, NH 03861.			

<p>Owner: Mr. Todd Green Barrington Shores, LLC 240 Revere Street Winthrop, MA 02152</p> <p>Contact: Farwell Engineering Services, LLC 265 Wadleigh Falls Rd. Lee, NH 03861</p> <p>Raymond A. Bisson, LLS PLS Stonewall Surveying PO Box 458 Barrington, NH 03825</p>	<p>Dated: April 6, 2021</p>
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**Dear applicant:**

This is to inform you that the Barrington Planning Board at its April 6, 2021 meeting **CONDITIONALLY APPROVED** your application referenced above.

A 3.4 Conditional Use Permit was granted on December 1, 2020 by the Planning Board with adaption of the modified boat inspections and acceptable letter from the Swains Lake Water District.

A waiver was granted from Article 6.2.3(2) of the Site Review Regulation to allow a 50' buffer for the north boundary with Tax Map 121 Lot 37 and the south boundary along Hall Road and to reduce the buffer to 80 feet on the east boundary, except at the 100' buffer shall be maintained from the northeast corner boundary defined to be the northeast markers/pins shown on the Stonewall Surveying plan for Barrington Shores dated 18 November 2020.

A waiver was granted on April 6, 2021 from 4.7.7 (1) minimum allowable pipe diameter in any storm system shall be 15 inches.

A waiver was granted on April 6, 2021 from 4.7.7(3) Minimum depth of coverage for storm drain 36 inches.

A waiver was granted on April 6, 2021 from 4.12 Outdoor Lighting.

*Waiver Granted from Article 4.7.2(10) – Water Quality Shall be designed to NHDES Standards.*

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 October 20, 2021, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

## **Conditions Precedent**

- 1) Add the following plan notes
  - a) A Waiver was granted to 6.2.3(2) to allow a 50' buffer for the north boundary with Tax Map 121 Lot 37 and the south boundary along Hall Road to allow a 50-foot buffer, and to reduce the buffer to 80 feet on the east boundary, except that the 100-foot buffer shall be maintained from northeast corner boundary defined by the two northeast markers/pins shown on Stonewall Surveying plan for Barrington Shores LLC dated 18 November 2020
  - b) A Conditional Use Permit was granted as part of this application (Article 3.4) Commercial Recreational Facility
  - c. A waiver was granted from 4.7.7(1) Minimum allowable pipe diameter in any storm system shall be 15 inches.
  - d. A waiver was granted from 4.7.7(3) Minimum depth of coverage from stormwater drain lines shall be 36 inches from the top of pipe to finished grade.
  - e. Waiver was granted from 4.12 Outdoor Lighting.

- f) Applicant will adhere to the recommendations of Andy Fast of UNH Cooperative Extension and Urban Tree Service to the fullest extent possible.
- g) Waiver Granted from Article 4.7.2(10) – Water Quality shall be designed to NHDES Standards and stormwater filtration system by Shea Concrete V2B1.
- h. The applicants engineer shall certify in writing that the drainage improvements have been constructed as approved.
- i) Rules pertaining to boats:
  - All boats and watercraft shall be inspected and to the extent necessary and/or appropriate to maintain compliance with New Hampshire statutes related to the Clean Drain Dry campaign.
  - RSA 487:16-c mandates that all visible mud, fish, or animals must be removed.
  - RSA 487:16-d mandates that water be drained from equipment (engine water, intake systems, bilge, live wells, bait buckets). Clean and dry anything that comes into contact with water boats, trailers, equipment, etc. Documentation on the issue of foreign aquatic species (i.e. milfoil) and Clean Drain Dry campaign will be available.
  - All sites will be allowed no more than one boat/watercraft tied up at any time. Boat/watercraft tie ups are restricted to the designated area near the boat launch. 12 boat/watercraft max. No piggybacking. This area is first come first serve.
  - The campground reserves the right to further monitor, and to the extent necessary and/or appropriate, modify currently existing rules and regulations and issue additional rules and regulations to insure and harmonious recreational experience for fellow campers and the public.

2) Revise the following plan notes

- a) Add the NHDES Subsurface Bureau C.A. #

3) Approval is contingent on receipt of correspondence from Dubois & King that all issues raised during review have been resolved.

4) Any outstanding fees shall be paid to the Town

5) Prior to obtaining Board signature, the Applicant shall submit three (3) complete paper print plan sets and supporting documents as required in Article 3 with a letter explaining how the Applicant addressed the conditions of approval. This shall include final and complete reports for all items submitted during review for the Town of Barrington's file. The Chairman shall endorse three copies of the approved plan(s) meeting the conditions of approval upon receipt of an executed bond for stabilization of the site improvements, excluding buildings. The Town shall retain a signed and approved reproducible 11"X17", and PDF format with supporting documents for Town records.

## 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

*A motion was made by J. Brann and seconded by R. Allard to approve the application for 24 additional campsites.*

Roll Call:

C. Krans-AYE

A. Melnikas-AYE (VOID)

R. Allard-AYE

A. Knapp-AYE

S. Diamond-AYE (VOID)

J. Brann-AYE

J. Jennison-AYE.

4. 239-1.1-TC-21-2Sub (Owners: David & Glenda Henderson) Request by applicant for a 2-Lot subdivision Lot 1.1 would be 11.81 and Lot 1.2 would be 17.19 acres (Map 239, Lot 1.1) located off Franklin Pierce Highway in the Town Center (TC) Zoning District. BY: Dave Garvey, Garvey & Co Ltd; PO Box 935; Durham, NH 03824

J. Jennison gave a brief description of the application.

Dave Garvey from Garvey & Co Ltd represented David & Glenda Henderson. Dave explained that they surveyor was ill and would have the materials next week so was asking for a continuance.

J. Brann asked if there has been any progress on the issue with the access of the right of way.

Dave explained that he hoped to have a driveway permit in place with NHDOT and was working with the previous owner and the current owner. Dave explained that he hopes to work with the current owners next week. He was waiting for a couple pieces of paper from the Henderson's.

*A motion was made by J. Brann and seconded by S. Diamond to continue the application for the 2-lot subdivision to May 4, 2021.*

Roll Call:

J. Jennison-AYE

J. Brann-AYE

S. Diamond-AYE (VOID)

A. Knapp-AYE

R. Allard-AYE

C. Krans-AYE

A. Melnikas-AYE (VOID)

## **REPORTS FROM OTHER COMMITTEES**

### **UNFINISHED BUSINESS**

S. Diamond updated the Board that at Strafford Regional Planning the sidewalks were approved and provided other updates.



J. Jennison asked M. Gasses how much that would give the Town for sidewalks.

M. Gasses stated 1.2 million was what NHDOT approved and explained that the amount has gone up to 1.8 million, and gave other updates.

#### **OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD**

5. Review of a request for a building permit at 128 Flower Drive, a Private Road, for Mathew and Susan Kornguth (Map 112, Lot 20).

*A motion was made by J. Brann and seconded by R. Allard to send the recommendation letter written by the Town Planner to the Select Board.*

Roll Call:

J. Jennison-AYE

J. Brann-AYE

A. Knapp-Abstain

R. Allard-AYE

C. Krans-AYE

A. Melnikas-AYE (VOID)

S. Diamond-AYE (VOID)

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

The next meeting will be on May 4, 2021 at 6:30 p.m. electronic meeting no meeting place.

*A motion was made by J. Brann and seconded by A. Knapp to adjourn the meeting at 8:00 p.m.*

Roll Call:

J. Jennison-AYE

J. Brann-AYE

S. Diamond-AYE (VOID)

A. Knapp-AYE

R. Allard-AYE

C. Krans-AYE

A. Melnikas-AYE (VOID)

A. Melnikas and S. Diamond votes are not valid due to not being sworn in by the Town Clerk prior to the meeting.