



BARRINGTON PLANNING BOARD MEETING

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: 41991571#

(Approved June 15, 2021)

Tuesday, June 1, 2021

6:30 p.m.

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

ROLL CALL

ROLL CALL

James Jennison, Chair-aye
Jeff Brann, Vice Chair-aye
Steve Diamond-aye
Andy Knapp ex- officio-aye
Candice Krans-aye
Buddy Hackett-aye
Donna Massucci-filled in for R. Allard-aye
Andrew Melnikas-Alternate-aye

Members Absent

Ron Allard

Town Planner: Marcia Gasses
Staff: Barbara Irvine

MINUTES REVIEW AND APPROVAL

1. Approval of May 18, 2021, meeting minutes.

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

Roll Call:
D. Massucci-aye
B. Hackett-aye
C. Krans-aye
A. Knapp-aye
S. Diamond-aye
J. Brann-aye
J. Jennison-aye

ACTION ITEM FOR AN EXTENSION

2. 223-24&26-RC-20-AmendSub (Owner: Route 125 Development, LLC) On November 3, 2020, the applicant received Conditionally Approval that expired on May 3, 2021, they would like a 6-month extension SEE CASE BELOW:

223-24&26-RC-20-AmendSub (Owner: Route 125 Development, LLC) Request by applicant to amend the previous conditional approval from 55 residential lot and 5 commercial lots to 58 residential lots and 4 commercial, lots adjacent to Route 125 (Calef Highway) in the Regional Commercial Zoning District. BY: Scott D. Cole, Beals Associates, PLLC; 70 Portsmouth Avenue, 3rd Floor, Unit 2; Stratham, NH 03885.

J. Jennison gave a brief description of the application.

Joseph Falzone from Route 125 Development, LLC explained that they are asking the Board for a 6-month extension. Joe explained that the State was 75% done with the NHDOT permit, final plans when in last Friday, and is expecting that by mid-summer to have this permit. Joe explained that they can't file for the AoT permit until they receive the NHDOT permit. After the AoT permit they would file for State Subdivision approval.

J. Brann asked M. Gasses if, although the applicant was asking for 6-month extension, the extension could go up to a year.

M. Gasses expressed that the Board could go up to a year if they wanted to.

Joe expressed that he would prefer a year.

A motion was made by J. Brann and seconded by D. Massucci to extend the approval for one-year until May 3, 2022.

Roll Call:
B. Hackett-aye
C. Krans-aye
S. Diamond-aye
A. Knapp-abstain
D. Massucci-aye
J. Brann-aye
J. Jennison-aye

ACTION ITEM CONTINUED FROM MARCH 2, 2021

3. **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 RESPEC represented Sunset Rock LLC and gave an update that they have been working with Dover's

Engineer Emery and Garrett on alternate designs. Michael explained that two of them affect the drawings that have been supplied to the Town and two of them do not. Michael explained that Emery & Garrett was investigating the two that do not affect any of their drawings. Michael explained that Emery & Garrett need to review their files for the last couple of years and hope to get an answer in the next couple of weeks and resubmit revised drawings to the Town if they need to be updated. Michael explained that then they would get the AoT permit in, and they would like to have a continuance for about two months.

A motion was made by J. Brann and seconded by A. Knapp to continue the application until September 7, 2021.

Roll Call:

D. Massucci-aye

B. Hackett-aye

C. Krans-aye

A. Knapp-aye

S. Diamond-aye

J. Brann-aye

J. Jennison-aye

ACTION ITEM CONTINUED FROM May 4, 2021

4. 263-28-RC-21-SR (Owner: Jon Chinburg) Request by applicant for a Site Review to allow a business on the first floor and residential use above on Calef Highway/Pierce (Map 263, Lot 28) on a 1.89-acre lot in the Regional Commercial (RC) Zoning District.* Eric C. Mitchell & Assoc. Inc; PO Box 10298; 38 So. River Road; Bedford, NH 03110-0298

J. Jennison gave a brief description of the application.

M. Gasses explained to the Board that the applicant has withdrawn their application and the applicant would like to know if any of the fees could be refunded. M. Gasses explained that they thought they would go through the Site Review process and not need a variance.

J. Jennison asked how much the fees were.

M. Gasses explained that the Town could not refund money spent for certified mail and posting in the paper and explained that the only amount that could be refundable would be the \$150.00 application fee.

J. Brann asked why the applicant felt that they were misled.

M. Gasses explained that John Huckins, Code Enforcement Officer, realized that the 75' setback applied to both Route 125 and Pierce Road, and that would require a variance. M. Gasses explained that they had only filed for Site Review and had not filed for the variance.

The Board disagreed on returning any funds.

Roll Call:

D. Massucci-aye

B. Hackett-aye

C. Krans-aye

A. Knapp-aye

S. Diamond-aye

J. Brann-aye

J. Jennison-aye

ACTION ITEM CONTINUED FROM May 18, 2021

5. [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 for the Henderson property and gave a review of the application as follows:

- a. **Original Subdivision was approved in 2006 (ROD File 87-37) with access easement to Lot 1-1.**
- b. **NHDOT permit was approved in 2006.**
- c. **Wetland crossings in 2006**
- d. **On February 17, 2021 the Zoning Board approved the right to subdivide into two lots for homes instead of businesses.**
- e. **March 21, 2021, application was submitted to the Planning Board.**
- f. **They were asking for a subdivision according to Back Lot Subdivision and meets all the regulations for a subdivision.**
- g. **The Conservation Commission had no issues.**
- h. **Surveyor has revised the plans.**
- i. **NHDOT-Should receive revised permit this week.**
- j. **Easement language was in the package for the Board to review which was asked for by NHDOT as well. This would replace the previous driveway agreement.**
- k. **Driveway easement was there to serve the backlot.**
- l. **Deed shows that they are allowed to use as a driveway for access to the backlot.**
- m. **The use would go to the overburden of the easement.**
- n. **According to Mr. Henderson who did the subdivision in 2006, the intent was to allow for a driveway but not allow for a road and they are constructing a driveway for two homes.**
- o. **They would be meeting with the Fire Chief for the specifications for the driveway.**
- p. **The action from the Zoning Board and the Planning Board would replace the note on the plan for the single home.**
- q. **The grantor can also record a motivation as well.**
- r. **The abutters Candice Harvey and Raymond Estes have concerns of excess traffic. Candice's concern is of 4-5 cars per household racing up and down the driveway. Dave explained an average house has 2 cars with 4-5 trips a day. Two homes on 30 acres were not make a lot of trips.**
- s. **Dave stated that he knows that Candice runs a business. He counted cars in the driveway and there were 16 cars when there were usually 12-15 cars. Dave stated that his two lots would be nowhere near this amount of traffic.**
- t. **Dave explained that the plan meets the Zoning regulations.**

S. Diamond expressed that a backlot subdivision allows you to have one additional lot and said it looks like several lots.

Dave explained that there was one additional lot when subdivided it would be 2-Lots.

S. Diamond stated looking at the plan looks like 3-Lots.

J. Jennison explained that looking at the backlot, the narrow strip left [west] of Lot 1 gave the frontage to create the lot and there was an easement for the right side of the property to access the lot. J. Jennison explained that it has the frontage necessary on the left side that was wetlands and an easement on the right side to access the lot. J. Jennison explained that there was only one lot then Zoning Board approved for them to have the second lot.

S. Diamond asked about so many driveways and would not it be better to have one driveway.

Dave explained that there would only be one driveway where the 40' easement was.

J. Jennison explained that the driveway in the middle was for Bellaviso Salon & Spa that was an existing business.

J. Brann explained that the only driveway to be added was the one to the right [east] side where the easement was.

S. Diamond asked if the little bit of frontage on Route 9 was needed for each lot.

J. Brann explained that because of the wetlands they got an easement on the other side of Lot 1 so that they can build a driveway that did not impact the wetlands on the narrow strip to the west.

Dave explained that the impact using the easement was about 1,000 s.f. and this was subdivided in 2006. The owner at that time created this easement so no impact through the wetlands and the Conservation Commission was pleased with where it [driveway] was going to go.

J. Jennison opened public comment.

Candice Harvey from 643 Franklin Pierce Highway asked if Raymond Estes could speak for her. The Chairman granted the request. Raymond explained to the Board that when they purchased the property it was very clear that there would only be one lot behind them and traffic would be for only one home. Raymond explained that this was what was approved by the Town in 2006 and was listed on the plan. Raymond explained that they are against what Dave wants to do with more than one lot and anything other than the original intent of the subdivision done in 2006.

J. Jennison asked Raymond if they were able to go to the Zoning Board meeting when the Henderson's were going for the variance.

Raymond explained that they were at two meetings, but they were out of town for the last meeting, and they could not access the information for the meeting that this was approved at.

A. Knapp had questions and if Zoning Board made a mistake, he would not uphold their mistake for them issuing it and felt that it was not reasonable to try and follow the letter of the law. A. Knapp expressed that this could cause a legal action if someone would come back and sue the Town.

J. Brann explained that there was a process that when the Zoning Board made a decision it could be appealed.

J. Brann asked Candice if they appealed the decision of the Zoning Board.

Candice explained that they were not aware of the decision until after they received a notice for the Planning Board meeting which wasn't in time to appeal it.

J. Jennison asked if there was a time frame to appeal a decision.

M. Gasses explained that they have 30 days to appeal the decision.

J. Jennison asked if abutters are notified that this was approved.

M. Gasses explained not to each individual abutter.

J. Jennison stated so no abutters were notified.

M. Gasses explained that the public hearing was held, the decision was made at the hearing, and explained that the notices are uploaded to the website. M. Gasses explained that there was an opinion from the Town attorney on this and she would not say or disagree that the Zoning Board made a mistake. M. Gasses explained that there was a process for an appeal by an abutter.

J. Jennison explained that his questions were to avoid a costly lawsuit and appeal process would be less cost if there was time.

J. Brann explained that it would be the same for this Board. If the Planning Board made a decision, they would have 30 days to appeal the decision. J. Brann explained that the Board is bound the rules when making decisions.

S. Diamond asked what the Town Attorney had to say about this.

M. Gasses explained that it comes down to property rights and would be between the two property owners, not up to the Planning Board.

J. Brann stated that the easement issue was not the Town or the Planning Board decision. J. Brann expressed that the Board could approve this on the basis that the easement can be used for both back lots. J. Brann expressed if there was legal action, and the easement was unable to be utilized for both lots, that would mean that they would need a different access to the property though the wetlands. J. Brann asked what would happen then.

M. Gasses explained that they would need to come back to the Planning Board.

A. Knapp expressed that now they have taken a property through the Zoning Board process for a nonconforming lot by making it whole by making it more nonconforming.

M. Gasses explained that the Planning Board was bound by the Zoning Board approval.

S. Diamond asked if the Board had a responsibility to assess whether easements are held and used for the propose that they are there for.

M. Gasses explained that the Board members are not attorneys. The Town attorney was consulted, and the attorney came back with the same answer. M. Gasses explained that these are private property issues.

J. Brann responded to S. Diamond's comment that he does not recall anything in the regulations that says the Board was supposed to access the liability.

Dave expressed that the Town Attorney has an opinion, his Attorney has an opinion, and the opinion of his attorney was a little different from the Town Attorney. Dave explained that they felt they were processing things correctly with respect to private property rights.

Raymond Estes explained that his attorney has looked at it and stated that it was very clear in the deed with the approved plans what the intent of the easement was, and this was not meant for two house lots. Raymond explained that he understood the Board's role and they would take further action. They were hoping not to have to do that, and they were not aware that they could appeal the Zoning Board decision. Raymond explained that, if needed, they would appeal any decision made tonight.

J. Jennison explained that they are bound by the regulations and not by private property issues.

J. Brann also expressed that they are bound by the regulations and if they were to make any decision on a basis other the approved regulations that decision would be overturned. J. Brann explained that if an applicant meets all the regulations the Board was bound to approve an application.

J. Jennison closed public comments.

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

[Office use only]	Date certified:	As built received: Driveway	n/a
<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: David & Glenda Henderson 1273 Winged Foot Lane Denver, NC 28037 Garvey & Co Ltd. David Garvey PO Box 935 Durham, NC 03824 Atlas Survey C. LLC Adam Fogg 25 Nute Rd. Dover, 03824	Dated: XXXXX/2021
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Dear applicant:

This is to inform you that the Barrington Planning Board at its June 1, 2021, 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 December 1, 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 owner's signature to the final plan
 - b) Add the wetland scientist stamp & signature to the final plan
 - c) Add note on which plans are to be recorded and which on file with the town
 - d) Add at least on benchmark per sheet
 - e) Add the following "Required erosion control measures shall be installed prior to any disturbance of the sites surface and shall be maintained through the completion of construction activities. If, during construction, it becomes apparent that additional erosion control measures are required to stop erosion on the construction site due to actual site conditions, the Owner shall be required to install the necessary protection at no cost to the Town.
 - f) List FEMA sheet used to identify 100-year flood elevation
 - g) Add purpose of plan
 - h) Revise spacing of monumentation to no greater than 300'
 - i) Add location of proposed wells
 - j) Show proposed access easements by metes and bounds
 - k) Add the NHDOT updated driveway permit # to the plan
 - l) Add proposed lot #'s assigned by Assessor
 - m) Add wetland scientist stamp and signature to the final plan
 - n) Add the NHDES Permit # to the plan
 - o) Add purpose of Plan
- 2)
 - a) An as built for the driveway must be provided by an engineer that shows that driveway meets the 10% grade the entire distance for lot 239-1.2 prior to a certification of occupancy.
- 3) Add the following plan revisions
 - a) Correct the Zoning Designation to Town Center
 - b) 4.1.3 Neck must be owned equally (ZO)
- 4) A common driveway maintenance agreement must be recorded at Strafford County Registry of Deeds prior to the sale of any lots.
- 5)# 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*)
- 6) Any outstanding fees shall be paid to the Town
- 7) 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 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.
- 2) Current Use subject property or a portion of it is presently in Current Use. The applicant must provide the Town of Barrington Assessing Department current use map and/or other items needed to assure requirements of RSA-79A and the New Hampshire Department of Revenue Administrations Rules are satisfied.

(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

M. Gasses explained to Dave Garvey that before the plan was recorded at the Registry of Deeds that there were a lot of excess lines on the plans, and they do not usually take the ones with topography all over them.

J. Brann explained that he was looking though the regulations and stated that approval would be based on the easement use for both lots. J. Brann explained that if this does not get resolved in the favor of the applicant and they must come back before the Board to establish driveways through the extensions to the road, there would be no guarantee that would get approved.

S. Diamond stated based on the size of these lots, they could subdivide and asked at what point would the driveway need to be different.

J. Brann explained that they would need to build the road to Town standards if more than three lots used the access.

A motion was made by J. Brann and seconded by J. Jennison to approve the two Lot subdivision. Vote 5/2

Roll Call:

D. Massucci-aye

B. Hackett-aye

C. Krans-aye

A. Knapp-Nay

S. Diamond-Nay

J. Brann-aye

J. Jennison-aye

ACTION ITEM

6. **220-29-RC-21-SRAmendGarage (Owners: Anderson Properties, LLC)** Request by applicant for Site Review to construct a 1,200 s.f. garage on an approved site with waivers located at 10 Colonial Way on a 4.076-acre lot in the

[Barrington Planning Board Meeting Minutes/bi](#)

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Regional Commercial (RC) Zoning District. BY: Scott Lawler, PE, Norway Plains Associates; PO Box 249; Rochester, NH 03866.

J. Jennison gave a brief description of the application.

Scott Lawler from Norway Plains Associates represented Anderson Properties. Scott explained that they are before the Board for Site Review approval to add a 1,200 s.f. garage to an approved Site Plan. Scott gave a brief review of the previous application approval to which they want to add the garage. Scott explained that after constructing the building they needed additional storage outside the main building with two additional parking spaces in the hard packed gravel area. Scott explained that there would be no changes to the site. The garage would be in a previously approved area to be impervious with no changes to the storm water management system and there was no increase in impervious coverage. Scott explained that the garage would not be connected to the water or septic system. Scott explained that there would be underground conduits running to it for power and this would be cold storage. There would be no changes to the lighting on the site plan; all the lights as previously designed will maintain their locations with no other site changes. Scott explained that he had waivers to existing features because the building was still under construction and also a waiver for a full drainage analysis because he was the engineer that designed the site and could stipulate that there's no increase in the stormwater management runoff changes to the impervious coverage that would warrant an amended stormwater analysis. Scott explained that the 50' buffer for a residential buffer. This lot had a lot line revision after the site plan was approved and showed on the plan when the property line was.

M. Gasses explained that she was talking about the 50' wetland buffer after the lot line was done and wanted to make sure that the structure fits outside the 50' wetland buffer.

Scott explained that he shifted the plan back to what was presented in the application to the Planning Board.

M. Gasses asked if it was outside the 50' wetland buffer.

Scott stated that was correct.

S. Diamond asked what the inverted triangle was just to the right of the proposed garage.

Scott explained that was a contour line funneling the storm water from impervious surfaces to the low point and then it funnels down into the treatment swale.

S. Diamond asked that is a topography that you have or would be changing to create.

Scott stated that was correct.

A. Knapp asked about the location of the garage looking at the original plan; this would be right in the proposed snow storage area so now what was the plan to address this was part of the original plan.

Scott explained that they reduced the area and still have considerable amount of area for snow storage. They do not see a problem maintaining that snow storage.

A. Knapp explained looking at the original plan, it was assessed at 50% site coverage, and they are asking from relief from existing landscape and natural features but the original site was looking at 50% coverage prior to the Lot Line Adjustment. A. Knapp asked what the new site coverage with the Lot Line Adjustment.

Scott explained that he didn't have that information but looking at the page he could estimate with confidence that it would still be less than 50% of the 4.1-acre parcel. Scott explained the other large areas on the plan.

A. Knapp expressed that it was hard looking the plans.

Scott explained that the chart that A. Knapp was looking at wasn't what was existing or what was being proposed but just that the ordinance says the maximum lot coverage was 50%. Scott explained that they are still less than 50%.

J. Jennison asked how would the Board know with no calculation.

Scott explained that he could supply one.

J. Brann asked, after looking at the plans on Sheet A1, about the lighting that was in the narrative but not on the plans and showing where the shine on the elevation view. J. Brann also asked about the walk-in door shown on the east side on Sheet C-3 but shown on the west side elevation on Sheet A-1.

Scott explained that there was an issue with the plan describing the east and west entry. This was an error they would correct. Scott explained that there are no proposed lights on this building that is why none are shown on the building.

J. Jennison questioned that it does state that there are lights proposed on the garage.

Scott stated no lights on garage.

J. Brann explained that the dumpster pad would be located the parking lot between the garage and the detention basin, but this was the same area where the snow would be piled. J. Brann asked if would still leave sufficient room with the dumpster in that location.

Scott stated that there would be.

J. Jennison expressed that they say no lighting; do they need lighting to meet illumination requirements for site plan.

Scott explained that there was lighting on the southern end of the existing building that should provide ample illumination for the paved area that is in between two structures. Scott explained that there is an existing light pole to the east of the proposed garage by the two new parking spaces, so that would continue to illuminate that portion of the parking lot.

A. Knapp asked if it was the east or the west; he thought there was a proposed light on the corner close to the left-hand corner of that garage.

Scott explained that would be east of the proposed garage and Scott showed the light on the existing building and the light pole.

M. Gasses expressed in reviewing the original approval for the Site Plan it appeared that it did meet the requirements for illumination.

S. Diamond asked about the roof. It looks like it has little pitch and there is always some concern around snow loading with very slightly pitched roofs.

Scott expressed that he would let the applicant know when they go for the building permit. They would check on that.

B. Hackett asked, looking at the proposed garage and where the dumpster was going to be, if there was any challenge to moving the dumpster up to where the p203.20 mark was so that it would not be in the snow storage area. B. Hackett expressed that he felt the dumpster would be in the way in the wintertime.

Scott explained that the storm water management directs all the storm water down to the V to the 3-0 2036 and into the swale to 2032, then it curls around to the detention basin so placing the dumpster in this location would be counterproductive to the storm water management system.

Requested Waivers:

1. Article 3, Section 3.3. (16) existing manmade features, (17) Existing Landscape and Natural Features (21) Building & Structures

A motion was made by J. Brann and seconded by S. Diamond to waive Article 3, Section 3.3. (16) existing manmade features, (17) Existing Landscape and Natural Features, and (21) Building & Structures as specific circumstances relative to the site plan, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations. The motion carried unanimously.

Roll Call:

D. Massucci-aye
B. Hackett-aye
C. Krans-aye
A. Knapp-aye
S. Diamond-aye
J. Brann-aye
J. Jennison-aye

2. Article 4, Section 7 An in depth analysis of the proposed drainage system on the parcel

A motion was made by J. Brann and seconded by D. Massucci to waive Article 4, Section 7 as specific circumstances relative to the site plan, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations. The motion carried unanimously.

Roll Call:

D. Massucci-aye
B. Hackett-aye
C. Krans-aye
A. Knapp-aye
S. Diamond-aye
J. Brann-aye
J. Jennison-aye

A motion was made by S. Diamond and seconded by J. Brann to accept the application as complete. The motion carried unanimously.

Roll Call:

D. Massucci-aye
B. Hackett-aye
C. Krans-aye
A. Knapp-aye
S. Diamond-aye
J. Brann-aye
J. Jennison-aye

J. Jennison opened public comment.

J. Jennison closed public comment.

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

[Office use only]	Date certified:	As built received:	Surety returned
<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: 220-29-RC-21-SRAmendGarage (Owners: Anderson Properties, LLC) Request by applicant for Site Review to construct a 1,200 s.f. garage on an approved site with waivers located at 10 Colonial Way on a 4.076-acre lot in the Regional Commercial (RC) Zoning District. BY: Scott Lawler, PE, Norway Plains Associates; PO Box 249; Rochester, NH 03866.			

Owner: Anderson Properties LLC 3 Dean Drive Dover, NH 03820 Scott Lawler, PE Norway Plains Associates, Inc PO Box 249 Rochester, NH 03866	Dated: xxxxxx,
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Dear applicant:

This is to inform you that the Barrington Planning Board at its June 1, 2021 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 XXXXX, 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) Applicant's Engineer will sign off that stormwater facilities were constructed as approved.
 - b) *Waivers were granted from Article 4, Section 7 An In-depth analysis of the proposed drainage on the parcel.*
 - c. *Article 3, Sections 3.3(16 existing manmade features, 17 Existing Landscape and Natural Features & Structures*
- 2) -Revise the following plan notes
 - a) Need to correct not west side change to be east side
 - b) Note number page
- #3) Any outstanding fees shall be paid to the Town
- 4) 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 all 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 D. Massucci to approve the amended Site Plan to add a garage to a

Approved Site Plan. The motion carried unanimously.

Roll Call:

D. Massucci-aye
B. Hackett-aye
C. Krans-aye
A. Knapp-aye
S. Diamond-aye
J. Brann-aye
J. Jennison-aye

REPORTS FROM OTHER COMMITTEES
UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

7. Review of a request for a building permit at 350 Mica Point, a Private Road, for Alicia & James Beaulieu ([Map 118, Lot 90](#)).

A motion was made by J. Jennison and seconded by J. Brann to send the letter to the Select Board.

Roll Call:

D. Massucci-aye
B. Hackett-aye
C. Krans-aye
A. Knapp-Abstain
S. Diamond-Aye
J. Brann-aye
J. Jennison-aye

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

The next meeting will be on June 15, 2021, at 6:30 p.m. electronic meeting, no meeting place (pending Governor order this may change).

Without objection the meeting adjourned at 8:16 p.m.

A motion was made by J. Brann and seconded by A. Knapp to adjourn the meeting at 8:16 p.m.

Roll Call:

D. Massucci-aye
B. Hackett-aye
C. Krans-aye
A. Knapp-aye
S. Diamond-aye
J. Brann-aye
J. Jennison-aye