



BARRINGTON PLANNING BOARD MEETING MINUTES

IN PERSON LOCATION

**Early Childhood Learning Center
77 Ramsdell Lane
Barrington, NH 03825**

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: 190515131# OR link bit.ly/BarrPB210615

(Approved July 20, 2021)

Tuesday, June 15, 2021

6:30 p.m.

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

Members Present

J. Jennison
J. Brann
A. Knapp
R. Allard
C. Krans
S. Diamond (remotely)
A. Melnikas

Absent Members

Donna Massucci
Buddy Hackett

Town Planner: Marcia Gasses
Staff: Barbara Irvine
Town Administrator: Conner MacIver

MINUTES REVIEW AND APPROVAL

1. Approval of June 1, 2021, meeting minutes.

A motion was made by J. Brann and seconded by R. Allard that without objection the meeting minutes of June 1, 2021, were approved as written.

Roll Call:

A. Melnikas-Yay

R. Allard-Yay

J. Brann-Yay

J. Jennison-Yay

C. Krans-Yay

A. Knapp-Yay

S. Diamond-Yay (Remotely)

PREMININARY REVIEW

2. [270&273-2&3;49-GR-21PrelimReview \(Owner: Anthony Serra\)](#) Request by applicant for a Preliminary Conceptual Review to construct an 11-lot Conservation Subdivision with a 670' cul-de-sac at 44 Meadowbrook Drive on at 58.57+/- acre lot in the General Residential (GR) Zoning District. BY: Barry Gier, P.E: Jones & Beach Engineers, Inc.

J. Jennison gave a brief description of the application.

Barry Gier from Jones & Beach Engineers, Inc. represented applicant Sal Ragonese with the location of the project at 44 Meadowbrook Drive. Barry explained that the Preliminary Design Review involves Map 270, Lots 2 & 3 and Map 273 Lot 49 that abuts Meadowbrook Drive. Barry explained that it was over 58 acres in the General Residential Zoning District with large wetlands on the west side of the project. Barry explained that the intent of the project was to construct a Conservation Subdivision single family homes with a 670 linear foot cul-de-sac. Barry explained that there would be on-site wells and septs. Barry explained that by putting this in a Conservation Subdivision it allows preservation of 47 acres that includes the wetland complex that was in the back of the property. Barry explained that 80% of the lot would be preserved and explained that they are here to get input from the Board before they go to full submittal.

J. Brann asked what percentage of the Conservation area was wetlands.

Barry stated that 27 acres was wetlands.

J. Brann stated greater than 50% of the open space.

Barry agreed that it was greater than 50%.

J. Brann explained that the portion that was undevelopable that would include wetlands cannot be greater than 50% of the open space.

Barry expressed that he believed it was required open space.

J. Brann read the following from the **Zoning Ordinance 6.2.2 (3)**:

The total amount of open space that is identified as open water, wetland soils, exposed ledge, or other terrain conditions that would normally be considered otherwise undevelopable, shall not constitute more than fifty percent (50%) of the area proposed as open space within a Conservation Subdivision.

Barry stated that he would look into this.

J. Brann asked about plan OSS Lot 4 with the double cul-de-sac and Lot 5 with the single cul-de-sac; what are the two marks on Lot 5.

Barry explained that was a concrete pad for a pool.

J. Brann asked about the proposed build as it appears there a building on the site.

Barry expressed that there was, and he wanted to show that they could meet the setbacks.

J. Brann asked what was going to happen to the existing house.

Barry explained that the existing house would stay.

J. Jennison asked if the existing house fits in the setbacks, but the pool structure does not on the Conservation Subdivision.

R. Allard asked if the pool was existing.

Barry stated that was correct.

J. Brann explained that it was Lot 5 on the single cul-de-sac and Lot 4 Double cul-de-sac on the OSS plan.

M. Gasses explained that the Yield Plan was not what they are planning to build.

R. Allard asked about the access to the property; the road looks like Meadowbrook goes one way then you access the property.

Barry explained that was a separate lot that stands out to the whole frontage.

R. Allard expressed that Meadowbrook go one way then you access the property.

Barry explained that was a separate lot and they would access through their current property.

J. Brann expressed that they were a lot of comments from the Road Agent about bringing the access out right in the corner and suggested that there should be a three way stop. J. Brann asked if there was any conversation about having the intersection in the corner.

Barry stated no and explained that they could be more down the road away from the corner but you would have a safety issue and felt it would be better with a three way stop.

J. Brann asked what the minimum sight distance was.

Barry stated that it was 400 feet.

J. Jennison expressed that the three-way stop would address some of the comments about speed on that road.

M. Gasses suggested that they have an engineer design the road layout to meet the standards.

J. Brann stated they are going to have to do something for the impact on Meadowbrook.

M. Gasses explained that the speed limit was 20 MPH.

J. Jennison stated that Meadowbrook was a cut though, so you do not have to go to the Lee traffic circle.

S. Diamond explained that he noticed that the wetlands, from the GS maps, on the far side prime wetlands so he was glad they were staying away from them. S. Diamond explained that no flood maps would say that the area would flood because the flood maps are not up to date.

S. Diamond's questions:

- 1. How many feet up above the wetlands are the buildings.**
- 2. Would the homes have basements.**
- 3. The GS map points out that near the entrance at Meadowbrook Drive there were agriculture soils of local, important and could you use some of this as green space.**

Barry explained that the wetlands are approximately 170 [feet] elevations, and the houses would be about 180 [feet]. Barry explained that they would be 10 feet above the wetlands. Barry explained that they would have basements and try to reserve more green space.

R. Allard stated that remember if they have basements, they would be 2 ½ stories.

J. Jennison explained that there would be full engineering of the roadway, drainage, and stormwater. J. Jennison asked S. Diamond if this answered his question.

S. Diamond explained that it was a local importance when houses are built over though things and adapt where infrastructure was placed to allow for food production in the future.

J. Brann stated that he already brought up that the undeveloped area has to be less than 50% of open space outside the buffer and seems like is a small amount of area that wasn't wetlands with the largest area of open space surrounded by wetlands. J. Brann asked how usable was this conservation area and how would they be access them.

Barry explained that was a wood road out to the back area and they want to preserve the wetland area by doing the Conservation Subdivision. Barry explained that the prime wetlands on the far west side this would allow them to preserve all of that.

J. Brann asked if the primary purpose would be open space and would there be public access or not.

Barry explained that they have not discussed that because this was a preliminary hearing but there would be access for the people that live there.

A. Knapp asked if there was an access road.

Barry stated that they are looking into that.

A. Knapp stated that they would need to get a wetland crossing.

J. Brann explained that they need to go by the regulations.

A. Knapp expressed that he felt it was a stretch of the use of a Conservation Subdivision.

J. Jennison explained that was the purpose of the percentages with the wetlands that would not be able to build as many houses.

M. Gasses asked what the percentage was.

J. Jennison explained that it was 27 acres, more than 50%.

Barry explained that they were close to 50% and explained that they needed to have 50% of the open space.

J. Brann explained it shall not constitute more than 50% of the area proposed as open space.

Barry stated that he would need to look at this.

J. Jennison explained to the Board that the Conservation Commission did not comment so he would like to have them comment in person.

Ken Grossman Chair of the Conservation Commission asked the following:

- 1. What are the Natural Resources that you are preserving?**
- 2. Wetlands they are valuable.**
- 3. Wildlife impact?**
- 4. Open space preserved; who is going to keep an eye on it?**
- 5. Oyster River Area; did you talk to them?**

Barry explained per the regulations it would not require them to do so, but he could talk to the Oyster River about the area. Barry explained that the Homeowners Association would take care of the open space. Barry stated that he could have a conversation with the Conservation Commission.

J. Jennison explained that there was no requirement for monitoring.

Ken Expressed that he understood.

A. Knapp expressed to the board that there was an email from an abutter about a warranty deed that ran to the river and the property lines do not agree with the plan.

Barry explained that there was a discrepancy in the deeds with regards to the property lines; one shows a straight line and one follows the river. Barry stated they are working on correcting this.

A. Knapp expressed that this would need to be corrected before the Board can weigh in on a plan.

J. Jennison asked if they used the property line on the side of the river for calculation.

Barry explained that he used the deed for the property for the preliminary proposal for this meeting.

J. Brann explained that the regulations say that the Conservation Subdivision can be utilized to protect wetlands which was their primary intent. J. Brann stated that A. Knapp already said that you would need to get a special permit to get to the open space.

Barry explained that there was a wood road there so they can access the open space.

M. Gasses asked if the wood road was shown on the plan.

Barry explained that the wood road was shown on plan C1.

J. Brann explained that they would need to show access for Lots 6 & 7 if they used wood road.

A. Knapp explained that it would be Lots 10, 9, 8 & 7.

Barry explained that they plan on using the woods road for walking.

J. Jennison asked if it was for the owners of the lots in the subdivision.

Barry stated that was correct and explained that they could walk the wetlands and they could provide an access that would connect into the woods road as well.

J. Brann explained that this would be to preserve the wetlands in the open space.

Barry explained that the homeowners would prefer not to have the public.

J. Brann explained that they would still need to provide access to that area.

J. Jennison explained that there would be a buffer behind all the houses and asked if they knew if there were existing snowmobile trails on the property.

Barry explained that he was not sure and would check but he did not believe that there were.

R. Allard explained that with the open space they cannot cross their property and gives them the right to say no.

J. Brann expressed that they have the 100-foot buffer between Meadowbrook Drive and the development and asked what the plan for the vegetated buffer was.

Barry explained they would leave the 100-foot vegetated buffer and would not impact any more that necessary.

J. Brann explained that they need to look at the regulations and see what the requirements were along with a landscape plan.

J. Jennison suggested looking into what waivers would be needed for the existing house and other structures.

M. Gasses explained that the house and structures would be grandfathered.

Barry explained that they still need to meet their lot setbacks.

J. Brann explained that in an email an abutter explained that there was wildlife in the conservation area and asked what was the impact for wildlife.

Barry explained that they are not impacting any of the wildlife and their project, but they are doing a wildlife study. Barry explained that they are preserving the wildlife area and this was the purpose of a Conservation Subdivision to limit development.

J. Brann agreed there may be no impact itself but could potentially change travel patterns.

M. Gasses stated that there was logging that took place and explained that was not something the Planning Board does.

Barry explained that they are developing private land and they are limiting the impact while developing the land.

J. Jennison explained they have concerns but it was not about not allowing the Conservation Subdivision but changes so they can save something.

Barry explained that is where the impact study can look at.

S. Diamond asked about the data that they have unfragmented land map across the street that has the large conservation area that was 0 to 500 acres that was the unfragmented land. S. Diamond stated near the brook was the most likely area for wildlife activity. S. Diamond asked about that M. Gasses mentioned the speed limit was 20 mph for Meadowbrook Drive and it was a small road with a lot of other houses in the area. S. Diamond asked if this would have a need to improve Meadowbrook Drive for the additional housing; would the road need to be larger because of additional residents.

M. Gasses explained that the issues with the road were the twist and turns in it and people need to drive slowly. She went out and looked. M. Gasses explained that she contacted NHDOT because the road does come out to Route 4 and they did not need anything from them with the accesses. M. Gasses addressed in her staff recommendations that the intersection was fully engineered.

S. Diamond expressed that if there were a lot of curves in the road, maybe more shoulder could be added to improve site lines or make the road a little straighter.

M. Gasses explained that an engineer needs to design the road.

J. Jennison expressed that from looking at the map it looks straight to Route 4 to the turn in the road where the proposed development is which would be a right turn onto Meadowbrook Drive.

J. Brann explained that even though the Subdivision Regulations only require any traffic analysis at 15 units or more, the Board can require it for this project. J. Brann expressed that the Board would want to see some kind of traffic analysis. J. Brann suggested that whoever does the traffic analysis, the engineer was look at widening shoulders and other improvements that may need to be made in the area of the entrance.

J. Jennison expressed that the fork down by Lot 12 was a mess; it was narrow.

J. Brann stated that the Fire Chief said they need a 30,000-gallon fire cistern and when the engineer was evaluating the roadway, the Road Agent would like to see a 15" culvert with minimum 12" of cover and ditch line adjusted according to each side.

M. Gasses asked if this would need an AoT permit.

Barry explained that it would not need one.

J. Jennison opened public comment.

Angelina Risso from 43 Meadowbrook Drive expressed that she calls curve dangerous across from the proposed Subdivision. Angelina explained that they are not just coming off Route 4, they come off Route 125 and go the back way to get to Route 4. Angelina explained that she was home all day, and she sees every type of wildlife animal. Angelina explained that this would be 11 potential families and asked how many people would go through the wetlands.

J. Brann explained that they would need an engineer evaluation done for the corner and the intersection for the development. The Road Agent felt that they needed a possible concept to make it a three-way stop.

Angelina stated the stop sign would be in front of her house, but they could really use some help.

Stephen Graves from 16 Hickory Lane encouraged the Board members that if they have not been out to the site, they should go. He explained that he would abut Lot 4 and part of Lot 5. Stephen explained that there is a 200 year old graveyard that sits directly across from the 100 foot setback should there be any concerns there. Stephen expressed his concern on the select cut that has already taken place and cut just about every tree that abutted him. Stephen stated in the 100-foot setback he would like to see not just vegetation but add more for future growth to replace what was there. Stephen expressed his concern for the wildlife as had others; there was all kinds of wildlife. Stephen expressed that something needs to happen not only by the developer but the Planning Board also.

Stephen main concerns:

1. 100-foot Buffer

2. Wildlife

Stephen stated that he did not know about the access road that they talked about; it may have been a path at some point that was connected to the back of his property. Stephen asked about the access by the Town to that area that was deeded to the conservation. Were there any guidelines by the Town that the Board could grant access to the residents and anyone that abuts a new development. Stephen expressed that the road was a concern, and something needs to be done at that corner as it could be a problem when additional houses are there in the future. Stephen expressed that anyone would be welcome to come out including the Conservation Commission.

J. Brann asked if putting a stop sign at the corner would help with some of the concerns with the traffic.

Stephen expressed that he felt that Miss Risso's concern would be greater than his and he doesn't deal with it on a daily basis.

Michael Houst from 48 Serenity Way explained that he was not an abutter in this area. Michael explained to the Board that he felt stop signs in the area would help based on he has driven down that way. Michael expressed that was a heavy population area with lots of children. Michael expressed that he felt this development was like an expansion of the existing development. Michael expressed that he did not know with the number of houses, is there would meet the NHDOT minimum for review.

J. Brann stated that the Town Planner checked with NHDOT, and it did not meet the requirement.

Michael explained to the Board that he looked on Google map and if you look at Tax Map 273, it shows it as wetlands with what looks like maple trees and explained that it was not an open wetland, but it is more of a wet forest area.

Katie Brouse from 95 Old Concord Turnpike explained that she abuts the land across the creek and the plans show that they claim a couple feet of her property as part of their property in order to meet the setback requirements. Katie expressed that she believed that when they purchased the house, they were told that the property dispute was already resolved. Katie asked was it incumbent upon them or of the current landowner for the property line.

J. Jennison explained that it's incumbent on you to do your own diligence. If their lawyers say that they're right and yours say you're right, you're going to have a dispute that still needs to be resolved.

Barry explained that they noted the discrepancy and they are trying to determine which one was correct. Barry explained that this happens often with properties as one surveyor would do your property and another surveyor would do another property. Typically the surveyors can talk and resolve which is the correct line. Obviously, the chairman was right; if you do not agree with the outcome and the surveyors can't agree then it go to a judge. Barry explained that they do not anticipate it going to that they are trying to figure out. Barry explained that if it becomes an issue, it is not the Planning Boards issue.

Katie explained that her biggest concern was that Lot #6 would not meet the setbacks and there was a house there that was very close to the creek. The Planning Board might want to look into if more houses are there, the wells and possibly the septic maybe to close to the creek.

J. Jennison explained that as far as the wells and septic, they have standards that they need to meet. J. Jennison asked Katie if she was talking about the existing house that was close to the creek.

Katie stated that was correct. According to her warranty deed it does not meet the 100' setbacks but that was already there when they moved so this was not an issue.

J. Brann read the following emails into the record:

EMAIL #1

From: Haley Arsenault <haleybarsenault@gmail.com>

Sent: Tuesday, June 15, 2021 11:19 AM

To: Barbara Irvine <birvine@barrington.nh.gov>

Cc: jeremy.w.arsenault@gmail.com

Subject: Property on 44 Meadowbrook Drive hearing

[EXTERNAL]

Hello,

Barrington Planning Board Meeting Minutes/bi
June 15, 2021/ pg. 8 of 11

Due to prior commitments my husband and I will not be able to attend the hearing in regards to the potential development behind our property. We do however need to express our concerns for this. We had recently moved here within the past year to be in a quiet wooded area. We had moved away from a new subdivision lot, to get to an area with more seclusion and peace. With the build of a new constructed subdivision in the conservation area behind us, it will create more traffic, more noise, less privacy, and less wildlife our family enjoys seeing in our backyard.

Sincerely, Haley and Jeremy Arsenault

[26 Candlestick Lane Barrington NH, 03825](#)

EMAIL #2

Good morning,

I am unable to attend this evenings planning board meeting regarding the property at 44 Meadowbrook Drive, but I wanted to voice some initial concerns I have regarding the proposed project.

1. The area in question is fairly wet and does abut wet lands. If this project moves forward, what measures will be taken to ensure the wetlands are not negatively impacted.
2. We have a significant amount of wildlife that will be impacted, already a mating pair of broad wing hawks have been displaced by the logging that has occurred. Not to mention the negative effects to the breeding/den areas for red fox, deer, turkey and bear in that area.
3. There is already a high volume of cut through traffic that doesn't obey the posted 20mph speed limit through the neighborhood. There are many young families in the neighborhood with children riding their bikes and playing. In this past year alone, in three separate incidents, vehicles while speeding have hit trees, run onto property causing damage to landscaping and mailboxes. Either the speed limit needs to be enforced and cut through traffic encouraged to use the Lee Traffic circle or the plans could be reengineered and access come directly from Route 4 so as not to negatively impact the safety of the neighborhood.

Thank you for your consideration and I look forward to your response.

Sincerely,
Margaret Mathson
23 Meadowbrook Drive
Barrington, NH

J. Jennison closed public comment.

S. Diamond expressed that acting on what Mr. Graves said, he was in favor of preserving access to conservation area for abutters as well as the property owners. S. Diamond expressed to the Board that leaving mature vegetation does not necessarily guarantee good visual buffering and felt that the abutters would want a significant amount of visual buffering.

S. Diamond expressed that the abutters would want buffering in place which means not just leaving what is there but would want potentially adding and preserving along with maintaining other vegetation or fencing so they would have adequate visual buffering for them.

J. Brann expressed that he agreed with S. Diamond and explained that the Boards expectation was there would be evaluation of the existing vegetation in the buffer and a landscape plan that would propose what the vegetative buffer would look like.

J. Jennison expressed that he agreed but in situations such as this the Board can not ensure the enjoyment of someone else's property on an abutter's behalf. J. Jennison explained that the woods have been there for along time and the abutters have enjoyed for this long but not there right to enjoy in the current state now wildlife, water protection, along with traffic are the purview of the Board. J. Jennison explained that an abutter likes a wooded 50 acres behind them and proposing 11 houses is not necessary a right that an abutter has.

J. Brann explained that it was currently private property and there was no buffer, so they had a right to cut in the area that would be part of the buffer in the future; as of now they can cut to the property line.

J. Jennison explained as a Planning Board they ask for more buffers.

S. Diamond expressed that the Board cannot necessarily say that they have to provide access to abutters; he's just saying that he felt that it would be appropriate for them to do so and would like it if they did.

J. Jennison expressed that was something that he wasn't opposed to at all abutters does the discussion of whether public in general, there is too much traffic on those sensitive lands and could have more comment. J. Jennison suggested that maybe abutters have access to wetlands and in the future homeowners do not try to prevent the other abutters from coming across but not public access where in past the Board has asked for public parking so they can get in there and the neighbors hate because of more cars.

R. Allard agreed with J. Jennison that increased access can be increase impact but there needs to be a balance there.

J. Brann expressed that whenever an applicant proposes a project, it is the Board's obligation under State Law to act within the Regulations that have been approved by Zoning Ordinance approved by voters of the Town. If the Subdivision and Site Review Regulations have been met by the applicant, then the Board acts to approve an application.

J. Jennison asked Barry Gier if he had everything he needed.

J. Brann expressed that during development, and this was an issue elsewhere, that there's that the minimum requirement under the regulations that it was 50' of crushed stone for an entrance onto the roadway to prevent the mud getting into the roadway noted by the Road Agent.

J. Jennison also stated logging activity was conducted and was not sure if was done or not. J. Jennison asked M. Gasses to expand on the AoT permit.

M. Gasses explained that if it was within 5 years, they kind of add them to the other one but we haven't had anything in that area.

Barry explained that it would have to be the same property. Barry explained that they are totally separate property owners not like an LLC.

Barry reviewed below what the Board was looking for:

- 1. Wildlife study**
- 2. Landscape plan**
- 3. Traffic Analysis**
- 4. Snowmobile Trails**

J. Brann explained what he was asking was for the road frontage a visual buffer but also they also need to look at the entire buffer area.

J. Jennison explained that he called it a buffer repair; it may be clear cut in the 100' buffer.

J. Brann asked that there be more considerations and analysis with respect to that corner.

Barry explained that with respect to the intersection, a traffic analysis can vary from looking at all intersections within a two-mile radius to the intersection and attached roadways.

R. Allard stated that they need to look at in the regulations 6.2.2 (3).

Barry explained that would need to look at the wetland's requirement for the open space as well as the actual confirmation on the property line.

A motion was made J. Brann and seconded by A. Knapp to close Design Review.

Roll Call:

A. Melnikas-Yay
R. Allard-Yay
J. Brann-Yay
J. Jennison-Yay
C. Krans-Yay
A. Knapp-Yay
S. Diamond-Yay

REPORTS FROM OTHER COMMITTEES

UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

R. Allard asked about the parking spaces. He would like to have the Table Six parking standards on page 42 of the Site Plan Regulations change from one space requirement in all categories in the residential section changed to two spaces. Also change in Zoning Ordinance page 32 from Route 126 to Route 125.

The Board had a discussion that all the changes in the Regulations need a review and public hearing, and Zoning Regulations would need to go to the voters.

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

The next meeting will be on July 20, 2021, at 6:30 p.m. at the ECLC 77 Ramsdell Lane.

Without objection the meeting was adjourned at 8:13 p.m.

Roll Call:

A. Melnikas-Yay
R. Allard-Yay
J. Brann-Yay
J. Jennison-Yay
C. Krans-Yay
A. Knapp-Yay
S. Diamond-Yay