



BARRINGTON PLANNING BOARD MEETING

NEW LOCATION: EARLY CHILDHOOD LEARNING CENTER

77 RAMSDELL LANE

Barrington, NH 03825

**Tuesday September 4, 2018
6:30 p.m.**

**(APPROVED SEPTEMBER 18, 2018)
MEETING MINUTES**

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

Members

James Jennison, Chair
Jeff Brann, Vice Chair
Steve Diamond
Donna Massucci
Andy Knapp ex- officio
Fred Nichols

Town Planner: Marcia Gasses

MINUTES REVIEW AND APPROVAL

1. Approval of the August 7, 2018 meeting minutes.

Without objection the Board approved the August 7, 2018 meeting minutes with minor changes.

ACTION ITEM CONTINUED FROM JULY 10, 2018

2. [263-13.1,13.2,18&19-RC-18-9.6 263-13.1,13.2,18&19-RC-18-SR \(Owners: Town of Barrington, John Scruton, Town Administrator and Liberty International Trucks of Barrington, LLC\)](#) Request by Applicant Arleigh Green, Hard Rock Development, LLC, for development of an excavation project for the sale of sand/gravel. Construction to include the construction of proposed roads shown to road base and proposed drainage features on Route 125 (Calef Highway) and Pierce Road (Map 269, Lots 13.1, 13.2, 18, & 19) in the Regional Commercial Zoning District. BY: Barry W. Gier, PE, Jones & Beach Engineers, Inc.: 85 Portsmouth Avenue, Stratham, NH 03885. **Application has been accepted as complete.**

THIS APPLICATION WAS CONTINUED to October 2, 2018 AT THE August 7, 2018 MEETING
M. Gasses read the update below from Jones & Beach Engineers:

JONES & BEACH ENGINEERS INC.

85 Portsmouth Avenue, PO Box 219, Stratham, NH 03885
603.772.4746 - JonesandBeach.com

August 30, 2018

Town of Barrington
Attn: Planning Board
PO Box 660
333 Calef Highway
Barrington, NH 03825

RE: Project Update – Hard Rock Excavation
Barrington Planning Board Application: 263-13.1-13.2-18-19-RC-SR
Rt. 125 (Calef Highway) & Pierce Road, Barrington, NH
Tax Map 263, Lots 13.1, 13.2, 18 & 19
JBE Project No. 17082.1

Dear Board Members:

The intent of this letter is to provide the Barrington Planning Board with an update to the Hard Rock Excavation project currently before the Board.

As presented at the previous Planning Board meeting, the applicant has asked for continuance to allow sufficient time to complete the hydrogeological study requested by the Board and by NHDES. The applicant has been in contact with NHDES seeking clarification on the necessary scope of the study to ensure adequate information is provided to answer the questions presented by NHDES. The applicant is currently waiting for the requested clarification and scope from NHDES.

In an effort to expedite this process, the applicant has continued to seek proposals for the work necessary to complete the hydrogeological study required by NHDES and the Board. This process has taken longer than anticipated due to the current work-load of those companies qualified to complete the work as well as it being the construction season and vacation season. Proposals were requested from four qualified companies. After discussions, meetings, and site walks, proposals were received from two of the companies contacted with two others being unable to complete the work in a timely manner. The applicant is currently reviewing these proposals and intends to complete a selection shortly.

The proposed wetland impacts associated with this project have triggered the need for mitigation associated with the impacts. It is the intention of the applicant and land owner to provide additional conservation buffers around environmentally sensitive areas of the property as mitigation. These buffers will be in the form of conservation easements adjacent to the Atlantic Cedar Swamp in the north-western corner of the property and the existing wetland complex system in the south-western portion of the property. The applicant is currently working with the Society for the Preservation of New Hampshire Forests (Society) to act as custodian of these conservation easements. The Society currently holds the existing easements over lands adjacent to the project.

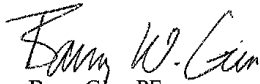
Over the next month, the applicant intends to continue working with NHDES on the required scope for the study as well as contract with a hydrogeologist to complete the necessary study. In addition, the

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applicant will continue working with the Society in an effort to obtain an easement holder and custodian for the proposed conservation easements.

If you have any questions or need any additional information, please feel free to contact our office.
Thank you very much for your time and consideration.

Very truly yours,
JONES & BEACH ENGINEERS, INC.


Barry Gjer, PE
Vice President

cc: Arleigh Greene, Hard Rock Development, LLC (via email)

JONES & BEACH
ENGINEERS INC.

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CONCEPTUAL REVIEW

3. Discussion with Joe Falzone regarding possible development of Map 223, Lots 24 & 26.

Joe Falzone explained to the Board that he currently has a purchase and sales agreement on Map 223, Lots 24 & 26 with 212 acres on Route 125. He explained to the Board that he was also the developer of the 64 lot Subdivision in Village Place that was connected to Deer Ridge Drive. He explained to the Board that Deer Ridge was connected to the 212 acres that he has under agreement. He explained that on the other side of the location he had 120 acres he developed on Tolend Road (Chestnut Woods). He explained to the Board that this was the last large parcel on 125 before the Tolend Road intersection at the set of lights at Route 125. He explained that he came to the Board for their opinion before he spent money and so came in with a design review. He explained that when he came in for Tolend Road, the land was zoned Regional Commercial; he explained that the 212 acre parcel was also zoned Regional Commercial. He explained that from 500' from the centerline of Route 125, you were allowed the commercial retail uses that are in the zoning and allowed to do residential development beyond that point. He asked the Board if they would like to see a conservation or conventional subdivision beyond the 500' feet.

J. Jennison asked the Board what they would prefer, and the Board stated conservation subdivision.

Joe Falzone asked the Board about the regulation for access prohibiting a cul-de-sac or dead end beyond 1000' in the subdivision regulations. He explained that he showed it as a boulevard and explained that the only way to access it was by Route 125. He explained that he would need to do a horseshoe which would breach Route 125 twice and he felt that NHDOT would not be happy. He stated that he would need to see if he should ask for a waiver from the subdivision regulations for proposing a boulevard that has an island that has one way in and one out. He explained that he would need to do a loop or buy or seek access off of Deer Ridge Drive. He asked if the Board would prefer the boulevard or for him to fight with NHDOT for two accesses off of Route 125.

J. Jennison expressed that he felt the boulevard was the way to go as long as two separate roads were going in and out that equaled 1000'. He explained that he would also like to see the connection with Deer Ridge Drive and other roads to give it a town feel.

J. Brann questioned that a cluster was allowed under the regulations within a conservation subdivision but because of the cul-de-sac prohibition that this could not be done.

M. Gasses explained that she would need more information including information from the Fire Chief too. She explained that she felt the boulevard could work depending on how long the boulevard was and how wide the lanes would be for access. She explained that a loop road was a lot more road but depends on the layout proposed.

Joe Falzone asked if they felt he would need a waiver from the subdivision regulations for the boulevard or was that allowed by the regulations.

M. Gasses explained that it would depend on how it was laid out.

S. Diamond explained that he believed that this was under fire protection and he would like to hear what the Fire Chief has to say about this. He explained that he was not very fond of cul-de-sacs.

M. Gasses explained that it could possibly happen if the lanes were wide enough to allow more than one way in and out for emergency services. She explained that the 1000' is measured from the back of the

loop.

J. Brann explained he had a conversation with the Fire Chief about such issues and it shouldn't be a problem if he [Falzone] talked to the Fire Chief as long as there was room to turn the fire trucks around.

D. Ayer expressed that Overlook Circle was designed to allow for emergency service access.

Joe Falzone explained to the Board that in this zone, multifamily housing was allowed. He explained the density only allowed for a two bedroom apartment for every 80,000 s.f. He explained that a portion of this property was connected to the Village Zone. He asked the Board if they felt there was a real need for apartments. He explained that you would take your first 80,000' in the Village Zone and that would give you one unit and after that you would get another unit for each 10,000 s.f. of upland. He asked the Board if they would like to see a portion of this be apartments or would they rather have single family homes.

J. Brann asked if this would be mixed housing.

Joe Falzone explained that it would be mixed housing. He explained to the Board that within the first 500' he was only allowed to put apartments above commercial businesses. He explained that the zoning allows you can do multi-family but he said that they can't make it work. He explained that if the Board felt that there was not a need he would not go pursue this.

J. Jennison felt that the regulations were written to keep Barrington's rural character but allows for rentals if that was the route they wanted to go with the density in this place. He felt that town houses would benefit the route they wanted to go with the density in this place. He felt that town houses would benefit more people.

S. Diamond expressed that he felt that this was more in line with the Town Center vision, with more density in that area with affordable housing. He explained that waterborne arsenic was a problem and the higher density water demands may intensify that problem.

J. Brann asked what the size of the apartments would be.

Joe Falzone stated that the zoning allows six units to a building, so they would be more like town houses.

M. Gasses believed that it was eight units.

J. Brann asked of the total number of structures, what would be the percent of multi vs single family homes.

Joe Falzone explained that 20% would be multi and 80% would be single family.

J. Brann explained that although this was not Town Center, but a small portion could be used for rentals.

D. Massucci expressed that she agreed with the mix and that the Town does need some rentals.

J. Brann expressed it was low impact with respect to maintaining the rural character and providing housing for the young educated and working families who work in Town is desirable.

D. Massucci agreed as long as the percent was kept low for rentals.

M. Gasses explained to the Board that they would already be 600' back. That would serve two purposes; they would be in their own area and they would not hear the noise from Route 125.

Joe Falzone explained to the Board that he was to discuss his offer to sell a four or five acre parcel of land for a dollar to locate a Town Hall and other buildings with the Select Board to see if they were interested. He explained that he would meet with the Select Board on September 10th. He explained to the Board that part of the reason he wanted to do this was he felt that this was an attraction for the rest of the development of the commercial uses. He explained to the Board that the only way the Town could build on it was that the Town had to purchase it and that was why he would sell to the Town for a dollar.

J. Brann expressed that the Board was split; he and D. Massucci were the only ones in agreement with a small percentage of apartments.

J. Jennison expressed that a 20% split mix in housing was good. He didn't agree with going heavy on the apartment side in Town.

A. Knapp expressed to the Board that apartments are a great way to bring people in, but homeownership creates a sense of the community. He felt that smaller townhouses, single level living homes for the aging, and young family starter homes were needed. He expressed that Barrington's market was in the middle to high 300's and this priced out the young people that want to come to town. He felt there was a need for smaller houses for a young or aging population and felt this would be the same as apartments.

J. Brann explained that multi-family housing for older people have common areas for catering to the senior population.

S. Diamond expressed that the Town was not senior friendly.

M. Gasses explained to the Board she believed those would be garden style single floor apartments. The regulations only allow for eight units to a building.

J. Jennison explained that if there was a conservation subdivision there would be a limit to the number of units.

M. Gasses explained to the Board that it was a large piece that could be subdivided and done in different ways.

J. Brann explained that it could be one side conservation subdivision and the other side apartments.

Joe Falzone explained to the Board that part of the land in the back abuts the Village District.

S. Diamond explained that he meant that his concern was arsenic in the water. He asked about Old Greenhill Road being a class VI road.

M. Gasses replied that it was a Class VI road.

S. Diamond encouraged Mr. Falzone consider using frontage roads and suggested rehabbing an existing road could save money.

Joe Falzone explained to the Board that he already met with Mr. Connick who owns 117 acres.

J. Brann expressed that the Board agreed that they were not against multi-family housing as it was long as a low percentage.

Joe Falzone explained to the Board that he needed to review the density before going forward on this. He asked the Board that if they were for the conservation subdivision then he would need to go to the Zoning Board of Adjustment. He explained that he would also be talking to the Fire Department before designing anything.

J. Jennison opened public comment.

John Wallace, Conservation Commission Chair, asked about the property that abuts Substitute Road; the Town owns conservation land there. He explained that if going with the conservation subdivision the first thing to do was to identify the natural resources of the property and try to incorporate the design around them. He explained that he was very much for the conservation subdivision depending on what was being done.

J. Jennison closed public comment.

ACTION ITEMS

4. **239-2&235-1.1&1-TC-18-SR (Owners: John & Linda Svenson & 1962 Real Estate LLC)**
Request by applicant 1962 Real Estate LLC, to re-develop Christmas Lane and associated drainage to provide access to 1962 Real Estate LLC land and Christmas Dove with waivers on Christmas Lane (Map 239-2, & Map 235-1.1 & 1) in the Town Center Zoning District. BY: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

J. Jennison gave a brief description of the application.

Chris Berry from Berry Surveying & Engineering explained that he was representing John & Linda Svenson and 1962 Real Estate, LLC. He explained to the Board that he had the final stormwater design and full application for the Board. He explained to the Board that this project had been going on for a little over a year. He explained that the first thing was they did a lot line with 1962 Real Estate LLC to grant them some additional land at the front of their site. He explained that they had created a designed roadway for the project. He explained that they just finalized the subdivision plan. He explained that the second part would be to take the house off the Christmas Dove property. He explained there would be a 60' right of way that would go down the center of the property. He explained that there would be one access instead of four or five on Route 9. He explained that this would provide access to the Christmas Dove, further development in the Town Center, and for proper access to a future bank on the property of 1962 Real Estate, LLC. He explained that this was part of their master plan development so that in the spring the co-applicants would be ready for the future bank full application in the spring and the roadway would already be done. He explained that they applied with a full engineered design, roadway and stormwater with two rain gardens one would be on the 1962 Real Estate, LLC property and one on the Svenson property. He explained that they have applied for NHDOT Driveway permit and this would improve site distance in both directions. He explained that they were waiting for the second review from NHDOT that he should receive in the next couple of days. He explained that the applicant was hoping to start construction late this fall. He explained that they have applied for notice of intent with the EPA, which was required, and with NH Division of Historical Resources that found no impact. He asked the Board if they could review the documents that he had and continue in two weeks for the remaining information from the engineers. He explained to the Board that they have made the changes to include concrete sidewalks.

S. Diamond asked about traffic studies where a turning lane was not needed to Christmas Lane. He expressed his concern about traffic may backup to the intersection with large trucks.

Chris Berry explained that he was not aware of any traffic backing up to the intersection. He explained to the Board that the only increase of traffic would be the future bank and stated that they have included the stormwater and traffic study. He explained that the only additional traffic would be from a proposed bank but not asking to construct the bank at this time.

J. Brann asked that since the concrete sidewalks would be moved to the curb because of the additional expense, does that mean that they would be able to keep the island at the entrance.

Chris Berry explained to the Board that they were keeping the island at the entrance and that it was consistent with other areas in town.

A. Knapp questioned if this was going to be built out in larger phases and was concerned about the property out back being built so that they would need a turn lane out front. He asked if the front would need to be changed structurally.

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

Chris Berry explained to the Board the answer to A. Knapp's question by showing on the plan that when a residential developer comes in, where they would need to tie in a right turn lane.

A. Knapp asked about a left turn lane into Christmas Lane and that in the morning traffic would be backed up and questioned would this create a problem.

Chris Berry explained that the left turn lane would be triggered at some point but most of the traffic to these uses are from Route 9. He explained that most people coming to the site in morning and afternoon would be coming from Route 9 to Route 125.

A. Knapp expressed that he didn't see issues until a lot more development occurred out back.

J. Brann asked if the same radius setback on the other side of the entrance would eventually allow a center turn lane.

Chris Berry explained that there are different levels; if you met the 5% threshold which was hard to meet, NHDOT requires a widened shoulder on the left side of the roadway and that would take place on the south side of Route 9. He explained that once the left turn traffic into the site meets the warrant, NHDOT starts looking at a left turn bay. He explained that he doesn't see this happening given the direction of this project on Route 9.

J. Brann questioned that if you included the radius on the west side, that you would be widening the road, and the pavement may have to be extended but the centerline would be moved over with less construction on the opposite side of the road.

Chris Berry explained from his experience with NHDOT unless a good reason for it they would not move the centerline in the roadway.

S. Diamond asked why it was necessary to cut down the silver maple tree.

Chris Berry explained that the reason for cutting down the silver maple tree was to provide for proper stormwater management, and roadway and the bank infrastructure.

S. Diamond expressed that at the previous meeting someone stated that the tree had issues and he thought that it meant that tree was dying. He explained he looked at the tree and it didn't seem like it had issues.

Chris Berry explained that it was in the area where the stormwater treatment needed to take place. He expressed that he didn't know if the tree would survive the construction process in that area.

J. Brann questioned Sheet 4 of the plan that shows a stop line and stop signs exiting the parking lot but didn't see anything there at the exit from the proposed credit union.

Chris Berry explained that when that credit union was constructed, they would show the intersection being constructed at that time.

J. Brann asked that in the subdivision regulations that granite bounds were only out along Route 9 and not the rest of the project. Some line markers were in pavement but other markers were not in paved areas. Chris Berry explained that they are not requiring any new subdivision lines. He explained that all of the subdivision lines have already been created and these bounds have already been set.

M. Gasses explained to the Board that when the subdivision was approved the road didn't exist and this was done in a two-step process so they set pins.

J. Brann asked if new pins would be set.

M. Gasses explained that the pins were already there.

Chris Berry explained that those are sidelines until the road is built.

J. Jennison opened public comment.

Stephanie Dimke from 43 Stephen James Road explained that she wanted to address the turn lanes in the Future; she works at the Christmas Dove and she felt there would be a low traffic impact there. She explained that she felt other areas in Town that need turn lanes and they don't have them.

J. Jennison closed public comment.

Waivers Requested:

12.5.2 of the Subdivision Regulation, minimum five feet wide and setback from Curb:

*A motion was made by J. Brann and seconded by A. Knapp to grant the waiver from 12.5.2 for the required five foot setback from curb, as not granting the waiver would pose an unnecessary hardship to the applicant and granting the waiver would not be contrary to the spirit and intent of the regulations.
Vote 4/1*

A motion was made by J. Brann and seconded by A. Knapp to continue the case until September 18, 2018. The motion unanimously.

5. [233-38-NR/HCO-18 \(Owners: Town of Barrington\)](#) Review of a proposal to construct a gravel parking lot located on Franklin Pierce Highway (Map 233, Lot 38) in the Neighborhood Residential (NR) and Highway Commercial Overlay (HCO) Zoning Districts. To be considered a hearing under RSA 674:54, II.

J. Jennison gave a brief description of the application.

John Wallace representing the Barrington Conservation Commission explained that he was there for a proposal to move the driveway and build a parking area on the Clark Goodwill property located on Route 9. He explained that the informal parking area was there when the Town acquired the property. He explained that the area was heavily used and in mud season its gets very muddy. He asked the Road Agent about putting gravel in there, who told him that it would not help. Mr. Wallace explained that he contacted NHDOT and found out that there was not an approved driveway there. He explained that NHDOT wanted the driveway moved 33' to the west side. He explained that at this point they would move the driveway and move the parking lot. He explained that Jeff Adler of Dubois & King donated his time to design the driveway and parking area. He explained that they would need to pay for the surveying cost out of the conservation fund.

J. Jennison asked if for safety reasons, paving the end of the driveway would help when pulling out onto Route 9.

M. Gasses explained that would be up to NHDOT because that was a State road.

John Wallace explained that the driveway design was already approved by NHDOT.

M. Gasses explained to the Board that the neighbor across the street called about inappropriate activity before and after dawn. She asked if the brush could be cleared away so that they could see the parking lot. She explained that the police were aware of this.

John Wallace explained that he felt no problem keeping it clear and moving the kiosk there too.

J. Brann expressed that this would open up the area to help stop vandalism.

S. Diamond expressed this was a good design.

M. Gasses suggested to ask the Select Board about having this closed one hour after sunset to one hour before sunrise. She felt this was a Select Board decision.

A. Knapp questioned if this was a Select Board or a Town vote decision.

M. Gasses explained that then it could be something that the police could enforce.

John Wallace felt that two years ago there was something with the Select Board about Town use of conservation land. He felt that dusk to dawn restriction was what was agreed upon.

M. Gasses felt that then the police could enforce to help with the ordinance vandalism.

J. Jennison opened public comment.

J. Jennison closed public comment.

COMMUNICATIONS RECEIVED

2018 Law Lecture Series in packet; sign up by September 18th or let Barbara Irvine now if you are going and when you are going.

M. Gasses explained to the Board that at the beginning of October there would be a meeting with the Select Board for the CIP presentation.

REPORTS FROM OTHER COMMITTEES

M. Gasses explained to the Board that an RFP was put out from the Wetlands Buffer Committee and the Committee met with Marc Jacobs, wetlands scientist. She explained that she received an email from Marc Jacobs to let the committee that being busy, he did not have the time to put together a proposal and no others were received. She explained that she would need to get the committee together to see how they wanted to proceed given everyone was busy.

J. Brann expressed that he didn't feel that the committee would get this in time for the upcoming Town spring vote. He explained that the committee was not technically bound to get this done this year and they needed to take whatever time it would take to get it right.

UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

6. Review of a request for a building permit at 429 McDaniel Shore Drive a Private/Class VI, for William & Renada Taylor ([Map 124, Lot 2](#)).

Without objection the Board agreed to send a letter to the Select Board stating that they knew of no pending projects or conditions that would hinder the issuing of a building permit, concurs with recommendations of Peter Cook, Road Agent, and notes that the application as presented does not meet the Select Board policy on Class VI and Private Roads minimum width requirement.

7. Review of a request for a building permit at 175 Brooks Road a Private/Class VI, for Rudy Cormier & Patricia Finnegan ([Map 211, Lot 2](#)).

Without objection the Board agreed to send a letter to the Select Board stating that they knew of no pending projects or conditions that would hinder the issuing of a building permit and concurs with recommendations of Peter Cook, Road Agent.

8. Discuss State 10 year plan projects.

The Board has a discussion on the State road plans for the next 10 years in Barrington.

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

The next meeting will be on September 18, 2018 at 6:30 p.m. at the ECLC 77 Ramsdell Lane.

Without objection the meeting was adjourned at 8:45 p.m.