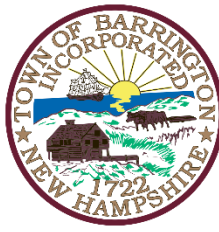


TOWN OF BARRINGTON, NH
LAND USE DEPARTMENT
Vanessa Price, Town Planner
Barbara Irvine, Planning &
Land Use Administrative Assistant



Planning Board Members
John Driscoll, Chair
Ron Allard, Vice Chair
Buddy Hackett
Andy Knapp
Andy Melnikas
Bob Tessier
Joyce Cappiello (Ex-Officio)

Meeting Minutes
Town of Barrington Planning Board
Public Hearing
June 6, 2023, at 6:30p.m.
(Approved June 20, 2023)

1. CALL TO ORDER

J. Driscoll called the meeting to order at 6:30 p.m.

2. ROLL CALL

Members Present: John Driscoll, Andy Knapp, Bob Tessier, Joyce Cappiello

Members Absent: Ron Allard, Buddy Hackett, Andy Melnikas

Staff Present: Town Planner: Vanessa Price, Code Enforcement: John Huckins, Planning & Land Use Administrative Assistant: Barbara Irvine

3. REVIEW AND APPROVAL OF MINUTES

A. Review and approve minutes of the May 16, 2023, meeting minutes.

A motion was made by J. Driscoll and seconded by B. Tessier to approve the meeting minutes of May 16, 2023 as written. Vote 3/1 abstained

Roll Call:

A. Knapp-Yay

J. Cappiello-Abstained

B. Tessier-Yay

J. Driscoll-Yay

4. STAFF UPDATES -TOWN PLANNER

A. Housing Chapter Subcommittee formed. Applications to be accepted at the June 20, 2023, Planning Board meeting. Kick off meeting with the subcommittee is Monday June 26, 2023, for 2:00 PM – 5:00PM.

V. Price updated the Board and public that the Housing Chapter has been formed. V. Price explained that was one citizen, Staff, and there's 3 or 4 and herself along with J. Cappiello and Select Board member Tracy Hardekopf. V. Price explained that at the June 20, 2023, meeting to discuss the applications and a kickoff meeting on Monday, June 26, 2023 and would be sending out an email.

B. New Hampshire Municipal Association is hosting its annual Local Officials Workshop. Date moved to June 29, 2023.

V. Price explained that the NH Municipal Association would be hosting their annual Local Officials Workshop and the

date has been moved to June 29, 2023.

5. MASTER PLAN PRESENTATION

Strafford Regional Planning Council to present the updates to the Master Plan Vision, Land Use and Transportation Chapters for Public Comment. (Receive public comment until June 19, 2023. Final Master Plan chapters anticipated adoption at the Planning Board's June 20, 2023, meeting. Documents can be found online: <https://www.barrington.nh.gov/masterplan>)

J. Driscoll gave a brief description of the presentation by Strafford Regional Planning Council.

Colin Lentz Transportation Planner and Blair Haney Principal Regional Planner are presenting the of the Barrington Master Plan Transportation and Future Land Use updated chapters.

Colin explained that he has been working on this for about a year on the Transportation for the Land Use Chapters. Colin explained that the kickoff was in June of 2022 in the fall a Town wide survey. Colin explained that in December 2022 they had a Community Forum in person and in April 2023 had some reviews of the outreach results, initial plan outline and draft goals and recommendations. Colin explained that in May 2023 the steering Committee review the draft and made comments before it was submitted today.

Colin explained the purpose and a summary of the community survey. He described the different types of questions there were and general questions on transportation. Colin explained that the open house election, which was the largest one response, and tax bills and showed the range of 614 participants total. Colin explained that the community forum was in person, and they started with an overall group discussion with several small group exercises where people rotated around the room and imagined what Route 9 and Route 125 could look like in the future.

Colin explained that on the Transportation Chapter updates expansion of road shoulders was removed and this would involve some updates to the vision specific to the land use and transportation sections. Colin explained that there are some minor updates on the language around public transportation. Colin explained that the connection of the trails and recreation access points around the community. Colin explained that he recommended language about separating people outside of cars, pedestrians, and cyclists from vehicular traffic wherever possible. Colin explained that he also recommended removing language about expansion road shoulders. Colin updated the Board with all the data that he had received and what would be updated. Colin shared with the Board what the final survey looked like along with the comments that people made and went over the safety.

Blair Haney principal planner for Strafford Regional Planning Commission and oversaw the future Land Use Chapter. Blair explained that he was updating the 2017 chapter on the key finding of the acreage in Barrington. Blair explained were concerns:

No more clear-cutting and planting housing.
Smaller parcels to form greenway trails linking neighborhoods
Not enough services/businesses to residential ratio
Accessory Units are important

Blair explained that the population in 2020 was 9,326, a 9% increase since 2010. Blair reviewed the historical land use in Barrington and the current land use.

J. Cappiello expressed that 2015 was old data because Barrington has had so much development recently.

Blair answered that the data they use is statewide by NH GRANIT. He listed below the goals (Land Use Implementation):

1. Protect and preserve rural character
2. Increase and improve trail access to open space areas
3. Encourage shops and services in Town Center and Village Zoning Districts., and destination or specialized businesses in the Regional commercial district.
4. Create space for cultural events and town gathering
5. Encourage low-density housing

J. Driscoll opened public comment.

J. Driscoll closed public comment.

J. Cappiello expressed her interest in walking and bike trails.

DISCUSSION WITH BOARD FOR A PRELIMINARY CONCEPTUAL SITE PLAN

6. Discussion with Derek Small to consider modification of his prior approved plan for Wildlife Encounters.

J. Driscoll gave a brief description of the discussion.

Derek Small explained that he lives at 270 Beauty Hill Road acquired the property of the old Swain farm in July 2017 from Peter Cook. Derek explained for the last 21 years of life he primarily worked operating a USDA licensed Animal and Wildlife facility located in Rochester, NH working with animals that were dependent on releasable animals. Derek explained they served as ambassadors to promote environmental and scientific literacy and conservation awareness. Derek explained since moving to Barrington and the pandemic and second year of serving as the vice Chair of the Greater Barrington Chamber of commerce. Derek explained that he just completed his second year running the peeper race and the peeper committee.

Derek explained that his company Wildlife Encounters has partnered with the Barrington Conservation Commission. Derek explained that they are the sponsor and the founder of the Trails Checker program. Derek explained that was a walking trails all the documented trails as a part of the Trails if you complete you get a little trail tracker badge.

Derek explained that this was a way to get kids and families outdoors into natural spaces.

Derek explained that he was there with his wife and partner Jackie. Derek explained that she most recently became A certified force therapy practitioner and she has a major driving force behind their organization.

Derek explained that his prior approval and what was on the plans they are identified as an ecology center and farm school. Derek explained that during the pandemic he had to reassess how he wish to use the land, what they offer as services and he just heard that Barrington needed service-based businesses.

Derek explained that the that they have already mentioned their community outreach educational services. They are currently midway through a record-breaking year in average past pretend pandemic years with visits to schools including all the schools in the Barrington community, libraries including the Barrington Library, REC Departments and many more.

Derek explained that they often do 1,000 to 1,100 presentations per year across the New England states with live Ambassador animals. Derek explained that they are projecting to do 12 to 1300 presentations in this calendar year. Additionally, the have commenced doing at their Rochester facility which they intended to do at there Barrington Facility which was to invite people to come to them for the first time in their organization's history. They started hosting community private tours and small groups events. Derek explained that they have a church youth group at the Rochester facility where his staff were doing a private tour now.

Derek explained that in 2022 they welcomed 101 such reservations and groups people from the seacoast generally in the area, north and central New England, some came from Chicago. Derek explained that in 2023 they have 49 reservations that they bring to there Rochester facility and the Rochester Community they would consist of private tours and on site parties and small private character group field trips.

Derek explained that in the last 8 months they've launched a group retreat service. They hosted a group of four people to South Africa in February and 12 people joining them to the Azores Islands this coming October and more international or domestic US retreats planned. There long-term plan was to host their own small group nature-based retreats, activities, corporate retreats, ladies' weekends and much more at 270 Beauty Hill Road with 77 acres.

Derek gave the Board documents and explained that the first two pages are documentation representing the State and Federal Regulatory oversight that they received along with a copy of the Animal Welfare Act. The federal regulation that they operate under, and the second page was their license that they just received that was good for the next three years.

Derek explained that they just completed some USDA inspections. Derek explained one of the conditions of their approval last time was that there 270 Beauty Hill operations also become a part of our USDA inspected licensed

operations and they are that today. Derek explained these permits, the one from the State and the one from the Federal Government cover both of there Rochester and Barrington locations.

Derek explained that the ambassador animals that the do all the programs with are currently resident in their Rochester facility. The only animals at the Barrington facility are the farm animals. Derek explained that this was in the decision that was made in April of 2020 by the planning Board. Derek explained that he assumed that everyone wasn't familiar with the types of animals that they work with. Derek supplied the Board with the different time of animals.

Derek supplied a picture of the location in Rochester where they are at on Charles Street on a .46 acres lot largest one that was around them. Derek explained that everyone around them including the City of Rochester supports them.

Derek explained that he envisions bringing the community to Barrington regarding to the animal and nature. The Environmental education component might best be just conceptualized as a land-based version of the Seacoast Science Center. Derek explained that the difference would be that everything would be guided and other services in the future.

Derek explained that the 270 Beauty Hill Road property was used over 300 years as farmland with animals. They do not intend to get that large as most of the barns have been taken down and he removed one. Derek explained that they want to put new structures on the already disturbed space where barns use to exist. Derek explained that his prior approval has a long dirt driveway several 200' down to the back of the field dropping off in elevation and the small dirt parking lot in the back with an education building off in the woods.

Derek explained that when he got quotes of \$100,000 to \$110,000 for customer parking, he couldn't do it economically. Derek asked if the Board would support the following:

- 1. Get the survey and engineering done to greatly reduce the environmental impact.**
- 2. Make things a little bit more discreet.**
- 3. Instead of an education building that was previously approved.**
- 4. Would bring them up to where the prior barns stood.**

Derek explained that the approval was given at the start of the pandemic and understandably the pandemic put a pause on everybody's life and businesses.

Derek asked A. Knapp if this was what the Planning Board wanted:

Planning Board supported them coming to Barrington

Supported the proposed plan.

Put the parking for the customers

Use was already approved in the zone as an educational institution

Bring the animals out

Build the USDA license facility

Do the educational programs (but the animals need to go back to the Rochester facility to sleep every night.)

Animals can stay 12-14 hours a day then return to Rochester (including paying staff to bring back)

Derek asked the Board if there was a way to get a yes from the Planning Board to permanently moving all the animals from the .46 acre in Rochester to 270 Beauty Hill Road in Barrington if so, how do they do that.

J. Cappiello asked if there were concerns about animals escaping?

Derek explained that he couldn't find anything in the Barrington code that justified.

J. Cappiello asked what the track record in Rochester for animals escaping from cages?

Derek explained that the Rochester facility has been in operation for 20 years and no problem with the City of Rochester. Derek explained that there was no cause or justification for that decision.

J. Driscoll asked A. Knapp if he could give any input.

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A. Knapp explained that when it originally came in, he felt that there was intention of bringing animals out to Barrington at that time.

John Huckins explained that it had to do with agricultural animals were allowed and zoning was setup not specifically allowed it's disallowed. John explained so the other animals weren't allowed to come in that zoning hasn't changed. John explained that if they went to the Zoning Board of Adjustment and the Zoning Board gave relief to use those animals and the thing as part of that regulation he felt that would work. John explained the Planning Board would have proved that because they have the relief, because the way the zoning was written was the reason why they couldn't be brought in. John explained that the Board looked up agricultural animals and exotic animals was the reason.

A. Knapp explained that he was trying to connect with other members that were there because he was trying to remember some of the content around why it wasn't originally he remembered the agricultural part met and complied with the zoning. A. Knapp explained that the secondary part was ok to use for the day but to live there as part there as part of their life, it didn't meet the zoning requirement which was why he would agree with John with Zoning Board relief.

Derek explained that at the time no one suggested Zoning Board of Adjustment at that time, and it was described to him was that it wasn't as much the animals as the use. Derek explained that he clearly remembered bringing up the example of one of the exotics that was commonly used in their programs and that they keep multiple of called a hedgehog. Derek explained most people have heard many have seen a hedgehog. Derek explained that hedgehogs are completely legal for any member here to have one in their house. Derek explained that a member said they could have a hedgehog but can not use for educational commercial purposes because they approve the use. Derek explained that all the residential property has an educational institution. Derek explained that if it was an unregulated animal and of that list of animals and of that 80-85% of them are unregulated.

Derek explained any member of the public can have a hedgehog, a boa constrictor, a parrot whatever it happens to be. But he can't have them live there with no educational talk with a small group. Derek explained that would be educational activity under the approved use.

J. Cappiello asked John Huckins where she would find those regulations.

John explained that if you go to the table of uses on page 93 and go to the agricultural definition there was a section in Zoning that talks about the Town Center that you can now go across this was not Town Center. John explained that if you go to page 8 in zoning 3.2.(3) Prohibited Uses read the Section. John explained that if they went to the Zoning Board and discussed that use he felt that the Zoning Board would say that use was allowed.

A. Knapp explained that he remembered they're agricultural use commercial keeping of, and it was commercial keeping of farm animals because farm animals were the only thing. A. Knapp explained that there were also concerns from abutters about have their kids out and around the yard with and with the potential of something moving freely amongst the property.

Derek explained that the abutters concern was that there was a ladder up because he was disassembling the old crumbling barn.

A. Knapp explained that he thought it was the people to the right that built a house and the three people that had comments provided were basically everyone that surrounds you.

Derek explained that he would go to the Zoning Board and not waste the Planning Board's time. Derek explained that the approved use was as an educational institution. Derek asked how do the animals get disapproved?

A. Knapp explained that he remembered going back and forth on this and the reason that it didn't move forward was because in the approval of using the property for a use that was different than its permitted use. A. Knapp explained that it didn't meet the approved uses through our table of uses that was why the farm animals became an acceptable piece

but the exotics can come out and be utilized for their component but were not authorized or approved. A. Knapp expressed that the Zoning Board would be the fastest and easiest way.

Derek asked what he would be going to the Zoning Board for he was not asking for relief. Derek explained that V. Price Explained to him that because they want to relocate the education building from the prior approval and the parking, they need a whole new site plan. Derek asked if he goes to the Zoning Board to address the animal concern before even submitting the application.

Board agreed.

John Huckins explained that when going to the Zoning Board that it includes exotic animals just to make it clear.

Closed the discussion.

7. CLASS VI/PRIVATE ROAD APPLICATION

A. Review of a request for a building permit for Christian and Ellen LaRocca, at 95 New Bow Lake Rd. ([Map 216, Lot 9](#)) Category 2 on a Class VI/Private Road.

J. Driscoll gave a brief description of the application.

Christian and Ellen LaRocca from 95 New Bow Lake Road. Christian explained that they are before the Board for a recommendation on a Class 6 Road New Bow Lake Road. Christian explained that they would like to a barn 20' wide x 24' deep with two 10' wide lean to covers (open sides) on their property that has 34.9 acres adjacent to the house. Christian explained that the barn would not have running water, no plumbing, no living space.

A motion was made by A. Knapp and seconded by B. Tessier to send a letter to the Select Board recommending the Category 2 Class 6 road. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

8. ACTION ITEMS

A. REQUEST FOR EXTENSION

[223-26.58&59-RC-22-SR \(Owner: Joseph Falzone\)](#) Request by applicant Josh St. Hilaire from St. Hilaire Motorsports proposing a 17,400 s.f. commercial building to include sales and service with a possible future 10,000 s.f. storage building and loading with associated parking and display area. The proposed area is located on Calef Highway (Map 223, Lots 26.58 & 59) in the Regional Commercial Zoning District. BY: Scott Cole, Beals Associates, PLLC; 70 Portsmouth Avenue; Stratham, NH 03885.

J. Driscoll gave a brief description of the application.

Scott Cole from Beal Associates, PLLC explained that he was represented Josh St. Hilaire. Scott explained that the applicant received conditional approval and are asking for a one-year extension while they are in the process of obtaining all State permits that includes approval engineer for NHDOT.

A motion was made by A. Knapp and seconded by J. Cappiello to grant the one-year extension for St. Hilaire

Motorsports. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

B. CONTINUED APPLICATION FROM MAY 2, 2023

1. [2023-OldSettlersRd-TreeTrimming](#) Request by applicant for a Site Review to do tree trimming by Eversource along the Scenic Road Old Settlers Road **Pursuant to RSA 231:158**. BY: Crystal Franciosi, ACRT; 4500 Courthouse Boulevard, Suite 150; Stow, Ohio 44224.

J. Driscoll gave a brief description of the application.

Crystal Franciosi is the consulting utility forester contracted with Eversource. Crystal explained that they hired her to manage the tree trimming cycles. Crystal explained that the score of the project was for just routine scheduled maintenance trimming that the complete every four to five years. Crystal explained that this was mandated by the Department of Energy that was required to maintain the safety and reliability of the electrical lines. Crystal explained that all of the property owners have been notified 45 days prior. Crystal explained that they are hoping to start the trimming in the next couple of weeks. Crystal explained that they are not doing any tree removal strictly trimming around the conductors. Crystal explained that she did send in a copy of the notifications that she sent out along with the scope of there trimming was. Crystal explained that it's 15' above the primary conductors, 8' to the sides of the lines, and then 10' below the top primary conductor.

A motion was made by J. Driscoll and seconded by B. Tessier to accept the Old Settlers Road Tree Trimming application as complete. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

J. Driscoll opened public comment.

Dan Ayer from 334 Old Concord Turnpike explained that he believed that this was an historical road and last winter there was a lot of outages with trees coming down. Dan explained it needs to be addressed that if there was a tree that needed to be removed for safety purposes they should be taken down.

V. Price asked Crystal if she wanted to address this.

Crystal explained that they are happy to remove trees, and didn't know if ok because of the scenic road and didn't know what the Board would approve. Crystal explained that there are hazard trees that the Board would need to approve to take down they would take down because there has been a lot of issues out there.

V. Price explained that she would follow up this may be a Planning Board or a Select Board action.

Crystal explained that she wasn't sure if these trees were in the Town right of way or on private property. Crystal explained private property they can remove if in Town right of way, they need Town approval.

John Huckins explained that on a scenic road that was a Planning Board approval this application was just for tree trimming if they want to remove tree, they would need another application for removal of trees that was the way he understands that RSA.

explained that the normal process when they take down specific trees that they have been identified. Crystal explained that this request from Eversource was just for tree trimming. Crystal explained that while they are there, they would look at the tree removal.

John Huckins explained that they would need to make an application back to this Board for the trees that they want to remove.

J. Driscoll closed public comment.

V. Price read the Notice of Decision:

Date of Application: April 4, 2023

Date Decision Issued: June 6, 2023

Case File #: 2023-OldSettlersRd-TreeTrimming

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i>	<i>Surety returned</i>
<i>"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.</i>			
RE: Request by applicant for a Site Review to do tree trimming by Eversource along the Scenic Road Old Settlers Road Pursuant to RSA 231:158.			
Applicant: Eversource Energy-Crystal Franciosi Representing ACRT/Eversource Energy 4500 Courthouse Boulevard, Suite 150 Stowe, Ohio 44224			

Dear applicant:

This is to inform you that the Barrington Planning Board at its June 6, 2023, meeting **APPROVED** your application referenced above for the utility company, Eversource, to do tree trimming along the Scenic Road Old Settlers Road.

Reviewed in accordance with the Town of Barrington, Site Plan Review Regulations For Nonresidential Uses and Multi-Family Dwelling Units, amended May 17, 2022, and the Barrington Zoning Ordinance, amended March 28, 2023. The application has met all the Town's Ordinances and Regulations of the Town of Barrington.

I wish you the best of luck with your project. If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,

Vanessa Price
Town Planner

cc: File

A motion was made by J. Cappiello and seconded by B. Tessier to approve the tree trimming on Old Settlers Road according to RSA 231:158. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

2. **2023-CanaanBackRd-TreeTrimming** Request by applicant for a Site Review to do tree trimming by Eversource along the Scenic Road Canaan Back Road **Pursuant to RSA 231:158**. BY: Crystal Franciosi, ACRT; 4500 Courthouse Boulevard, Suite 150; Stow, Ohio 44224.

J. Driscoll gave a brief description of the application.

Crystal Franciosi is the consulting utility forester contracted with Eversource. Crystal explained that they hired her to manage the tree trimming cycles. Crystal explained that the score of the project was for just routine scheduled maintenance trimming that the complete every four to five years. Crystal explained same as Old Settlers Road, and she would be on site with any questions.

A motion was made by A. Knapp and seconded by J. Cappiello to accept the Canaan Back Road Tree Trimming application as complete. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

J. Driscoll opened public comment.

Dan Ayer from 334 Old Concord Turnpike about further bridge on Old Settlers Road they may want to look into the tree removal.

J. Driscoll closed public comment.

V. Price read the Notice of Decision:

Date of Application: April 4, 2023

Date Decision Issued: June 6, 2023

Case File #: 2023-CanaanBackRd-TreeTrimming

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As builts received:</i>	<i>Surety returned</i>
<i>"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.</i>			
RE: Request by applicant for a Site Review to do tree trimming by Eversource along the Scenic Road Canaan Back Road Pursuant to RSA 231:158.			

Applicant: Eversource Energy-Crystal Franciosi Representing ACRT/Eversource Energy 4500 Courthouse Boulevard, Suite 150 Stowe, Ohio 44224

Dear applicant:

This is to inform you that the Barrington Planning Board at its June 6, 2023, meeting **APPROVED** your application referenced above for the utility company, Eversource, to do tree trimming along the Scenic Road Canaan Back Road.

Reviewed in accordance with the Town of Barrington, Site Plan Review Regulations For Nonresidential Uses and Multi-Family Dwelling Units, amended May 17, 2022, and the Barrington Zoning Ordinance, amended March 28, 2023. The application has met all the Town's Ordinances and Regulations of the Town of Barrington.

I wish you the best of luck with your project. If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,

Vanessa Price
Town Planner
cc: File

A motion was made by A. Knapp and seconded by B. Tessier to approve the tree trimming on Canaan Back Road according to RSA 231:158. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

- 3. 240-8-NR-23-Sub (23) (Owner: Young Road, LLC (Previously-Norma Bearden)** Request by applicant for a major site plan to subdivide into 23 Lots using the Conservation Subdivision Ordinance with waivers on a 65.55-acre lot (Map 240, Lot 8) in the Neighborhood Residential Zoning District on Young Road. BY: Christopher Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.
(Application was accepted as complete on April 4, 2023)

J. Driscoll gave a brief description of the application.

Chris Berry from Berry Surveying & Engineering represented Paul Thibodeau of Young Road, LLC. Chris explained that they are before the Board for discussion regarding the yield plan at the last public hearing Mr. Allard not present pointed out, as did the chair that they really need to ratify and review the yield plan on this project. Chris explained that without consensus on the yield plan the rest of the conservation was meaningless. Chris explained that they could do all the studies they would want to, but if the Board doesn't agree with the yield plan it doesn't really matter than much.

Chris explained to the Board that their focus was on the yield plan, the prior public hearing, a couple of the Planning Board members had some questions and concerns regarding the grade of the roads that were shown on the plan. Chris explained that the members were concerned on whether they would be able to meet the minimum and maximum road grades allowed and subdivision ordinance with those layouts. Chris explained that they have done as they've broken the hill plan out of the rest of the plan set. Chris explained that it has been revised so that the roads have a little better and then topographic relief them.

Chris explained that they have provided a 14-page plan set for just the yield plan and its approach. Chris explained that it still provides for 23 lots within the subdivision frontage along Young Road. Chris explained Proposed road 1 and then proposed Road 2, which now takes its access from proposed Road 1.

Chris explained that the wetlands crossing that's shown was still generally the same location as prior that was the most minimal location approach to the crossing. Chris explained that the proposed crossing as they've created out the roadway was just under 2000' of wetlands disturbance. Chris explained that it has a small impact area, that would be approvable by NHDES given the fact they're able to access 3 proposed units on that side of the wetlands.

Chris explained that each one of the roadways provides for a maximum of 2% within 100' of the roadway. Chris explained that the max grade of primary road was at 7% based on the number of units that are of the roadway. Chris explained that the second access road was 9% because it has four units or less and the proposed road grade was allowed to be more. Chris explained that each one of the houses shown are proposed in locations that have topographic advantage that have driveway access available to them so that the grade of the driveway entering a lot conforms with the 10%. Chris explained or they would be constructed would either drive under or an accurate so that again the topography was used to the advantage of the home site. Chris explained that each of the appropriate lots has the appropriate setback shown, and each one of the lots respects the 50' wetland setbacks where applicable, to 100' prime wetland setback where applicable.

Chris explained that they took the time to physically grade each one of the roads to and show how stormwater as well as back slopes grading would take place in each one of those. Chris explained to show how they would affect each one of the proposed lots and access into them. Chris explained that he pointed out the last part of their memo that they're proposing an open space Conservation Subdivision where it states that the number of units that could organically be achieved on a parcel, they cannot be exceeded in the open space subdivision design. They're chosen as shown to show the Board the layout as it would be in a conventional layout for Subdivision, but they also point out that each one of these lots or a few of these lots would be available for either duplex or multifamily use. Chris explained that this shows how many units could fit on the parcel based on total upland and total area continuing upland areas and that multifamily use. Chris explained that they submit to the Board that intensity use would be much larger than the proposed use and the proposed provided yield plan. Chris explained that for those reasons they think that their yield plan was appropriate for the site and there was well over 60 acres in a zone that requires less than two-acre minimum zoning, they've provided for 200' of frontage and the open space subdivision provides for 23 lots designed under conservation subdivision. Chris explained that the underlined zoning would permit additional units, but they cannot physically fit those lots on the conservation subdivision. Chris explained based on the style in which they're going about that project. Chris explained that he would be happy to answer any questions about the yield plan itself, there not there to discuss the rest of the project they are working on other studies that are underway that need to take place prior coming back to the Board.

V. Price explained that they have asked for a waiver on their application and need to vote.

J. Driscoll asked about the road access from a Class 5 being two separate roads he asked if you total up 1,000'.

Chris stated that was correct. Chris explained that the waiver was not a completeness item that was a design item. Chris explained that it was important that the Board recognize that there was a waiver request for which they don't think they vary from the regulations. Chris explained that they don't think that waiver needs to be

discussed or granted as part of the completeness of their application. Chris explained that it fully needs to be discussed later on in their application.

J. Driscoll opened public comment on the yield plan.

Bob Caverly from 150 Young Road looked at this plan briefly and planning Board member R. Allard was at the last meeting and he was skeptical on the yield plan he pointed out specifically showed on the plan houses in the back as far as getting them with a permit to cross the wetlands there. Bob explained that between this yield plan and previous yield plan, there's not much he saw that was different. Bob explained that he felt that there should still be questions on the yield plan. Bob expressed yield plan tonight asked if they could talk about the conservation subdivision.

J. Driscoll stated that they are staying with what was presented tonight.

J. Driscoll closed public comment.

V. Price asked if they wanted CMA Engineers to do a review the Board would need to vote.

John Huckins suggested waiting to have completed documents with the application because that was what would go to CMA Engineers.

Chris explained that they would prefer to have completed studies and then discuss with the Board what CMA Engineers would review. Chris explained that R. Allard's specific question was what had to do with the first row that they showed the topography getting into that across the wetlands then back into the site whether the topography would allow for those lots to be access built on. Chris explained that they've clearly demonstrated through this modification that they couldn't.

J. Driscoll explained the topography was much more advantageous.

Chris explained that now they have pulled this yield plan out and the Board accepted this yield plan it would be removed from the remainder of the plan set.

A. Knapp explained that the contiguous uplands that must be.

John Huckins stated 35,000 and 60,00 for hydra A.

A motion was made by J. Driscoll and seconded by J. Cappiello to accept the yield plan supplied tonight for Young Road, LLC and removing it from the plan. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

A. Knapp asked why the yield plan would be removed.

Chris explained that he doesn't want to remove from the application he was to remove the yield plan from the plan set. Chris explained that he doesn't want it in the packet because it's never going to be built.

A. Knapp asked if they could reference it as an appendix.

Chris stated they could.

A motion was made by J. Driscoll and seconded by A. Knapp to continue the Young Road, LLC to July 11, 2023. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

C. NEW APPLICATIONS

1. 251-3,3.1,4 & 4.1-GR-23-LL (Owners: S & S Hart Family Revocable Trust, Nicholas & Kristin Fitts, Michael & Susan Newsky Family Trust) Request by applicants for a proposal to relocate lot lines from Map 251, Lots 3,3.1,4 & 4.1. Lot 3 was 1.48 acres will be 6.19 acres, Lot 3.1 was 1.34 acres will be 1.34 acres, Lot 4 was 12.45 acres will be 1.83 acres and Lot 4.1 was 2 acres will be 7.89 acres located on Province Road (Map 252, Lots 3,3.1,4, & 4.1) in the General Residential Zoning District. BY: Joseph Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

J. Driscoll gave a brief description of the application.

Chris Berry from Berry Surveying & Engineering represented the Hart family, Fitts Family, and the Newsky Family. Chris explained that between all these families they own parcels of land along Province Road and showed the locations on the plan. Chris explained that this was part of a subdivision that was done in the early 2000's and purchased the larger parcel with the wetlands on it. Chris explained to ensure that nobody else would build on it and could use as recreation space. Chris explained that the applicants would like to reshuffle the lot line to protect the at interest moving forward and make it a little squarer and more reasonable.

Chris explained that supplied in the packet there was a color plan the demonstrate what they are trying to achieve he explained the colors on the plan with the old and new proposed acreage. Chris explained with the lot line changes they would still meet the regulations. Chris explained that the have delineated wetlands and topography on site along with test pits on the lots that don't have existing septic systems and provided the well locations both existing and proposed to ensure that no utilities are being transferred accidentally as part of the application.

J. Cappiello asked on the yellow were they hoping to development because there was no house on it.

Chris explained that there was no house, but it would still be a developable lot.

Steve Hart one of the applicants explained to the Board that they plan on selling the lot to his brother and build a house on it.

A motion was made by A. Knapp and seconded by B. Tessier to accept the application as complete for the Harts, Fitts and Newsky Families. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

J. Driscoll opened public comment.

J. Driscoll closed public comment.

V. Price read the Notice of Decision:

Date of Application: May 16, 2023

Date Decision Issued: June 6, 2023

Case File #: 251-3,3.1,4 &4.1-GR-23-LL

NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i>	
<i>"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.</i>			
Re: 251-3,3.1,4 &4.1-GR-23-LL (Owners: S & S Hart Family Revocable Trust, Nicholas & Kristin Fitts, Michael & Susan Newsky Family Trust) Request by applicants for a proposal to relocate lot lines from Map 251, Lots 3,3.1,4 & 4.1. Lot 3 was 1.48 acres will be 6.19 acres, Lot 3.1 was 1.34 acres will be 1.34 acres, Lot 4 was 12.45 acres will be 1.83 acres and Lot 4.1 was 2 acres will be 7.89 acres located on Province Road (Map 252, Lots 3,3.1,4, & 4.1) in the General Residential Zoning District.			
Owners:	Nicholas & Kristin Fitts 65 Province Road Barrington, NH 03825	Michael & Susan Newsky Family TR 73 Province Road Barrington, NH 03825	S & S Family Re 55 Province RD Barrington, NH 03825
Applicant:	Joseph Berry Berry Surveying & Engineering 335 Second Crown Point Road Barrington, NH 03825		

Dear applicant:

This is to inform you that the Barrington Planning Board at its June 6, 2023, meeting **CONDITIONALLY APPROVED** your application referenced above.

Reviewed in accordance with the Town of Barrington, New Hampshire Subdivision Review Regulations (BSD 2022 V1) and the Barrington Zoning Ordinance, amended March 28, 2023. The application has met all the Town's Ordinances and Regulations of the Town of Barrington.

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 12 calendar months to the day, June 6, 2024, the Board's approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

Conditions Precedent

- #1) Add the following to the Plan:
 - a) All Owners' Signature.
 - b) Wetland Scientist Signature.
 - c) Professional Surveyor Signature.
 - d) Existing street ROW dimensioned and pavement width dimensioned on plans.
 - e) Label wetland size.
 - f) Title Block Revision: Town of Barrington Planning Board approval.
- #2) The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the submitted plan.
- #3) Any outstanding fees shall be paid to the Town.
- #4) Prior to obtaining Board signature, the Applicant shall submit two (2) full size paper copies of the site plans, one (1) 11' x 17' copy and .pdf/a format file format with supporting documents as required in the Subdivision Regulations, with a letter explaining how the Applicant addressed the conditions of approval to the Land Use Office.

The Planning Board Chair shall sign and date all plans meeting the conditions of approval. The Board shall endorse two (2) full size paper copies of the site plans for their records and one (1) 11' x 17' copy and .pdf/a format file format for the case file folder.

General and Subsequent Conditions

- #1) 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,

Vanessa Price, Town Planner

cc: File

A. Knapp asked why the 1.34 lot stayed the same and was no made into a confirming lot does it need a waiver.

Chris explained that it does not need a waiver because the way the zoning reads it give 2 cases and, in this case, because it's an equal land swap, it conforms to zoning.

John Huckins explains that if it was no longer conforming not knowing if it's allowed to be the same. John explained that was in Section 5.1.4 Lot Line adjustments involving one or more contiguous lots, of which one or more lots are nonconforming in area, are permitted if one of the two following set of circumstance exists:

Chris explained that it goes on to say in the same instance that equal land swaps are also.

A motion was made by A. Knapp and seconded by B. Tessier to approve the Lot Line adjustment for the Harts, Fitts and Newsky. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

2. 269-11.1-RC-23-AmendSR (Owner: Heather Cooper-Cuccia Asphalt) Request by applicant amending the previously approved minor site plan showing the relocation of an existing 300 s.f. shed to location meeting the required setback's location at 336 Old Concord Turnpike (Map 269, Lot 11.1) in the Regional Commercial Zoning District. BY: Stephen Haight, PE: Civil Works New England; PO Box 1166; Dover, NH 03821.

J. Driscoll gave a brief description of the application.

Steve Haight, PE from Civil Works New England represented Heather Cooper-Cuccia Asphalt. Steve explained that this was a Site Plan amendment for a 300' shed that was not on the approved part of the site plan and put to meet the setbacks. Steve explained that they met on site with the Planning Department and Building Department reviewing the work already underway with the previous approval. Steve explained that there was correspondence with the staff about the fencing that's there's a commitment from 125 fence that it would be installed this month. Steve explained that they are before the Board for the shed on site.

A. Knapp explained that the original requirement on that was that was going to be removed.

Steve explained that there was a 200 s.f. shed that was removed and then they brought this one on site.

A. Knapp expressed that took out a smaller shed and brought in a larger one.

Steve stated that was correct.

A. Knapp asked if all the other stuff been done did, they add in detention and drainage?

Steve explained that they were on site with staff, and they confirmed that all that was there met the setback requirements as well as it's been loomed and seeded.

John Huckins explained that there was a slight modification the swales that creating the swale when NHDES had the wetland stored they requested that a little berm the point along there and they wanted to leave that berm that control the water instead of creating swale.

Steve explained that they are leaving the little berm that was there for that exact reason.

John explained that where NHDES asked for that requirement he wanted to make sure that it's clear at this meeting, that still there.

J. Cappiello asked if they could go over where the shed was because the shed was getting relocated.

Steve explained that the shed that was there was relocated the shed there was removed and there was a larger shed there.

J. Cappiello asked if the shed was in the same location.

Steve explained that what they see was where the shed needs to be moved.

J. Cappiello asked where the shed was going to be relocated.

Steve explained the area on the plan where the shed was going to be moved to.

John Huckins explained that under 200 s.f. they could have in the setback but because it was over 200 s.f. they would need approval but because the shed could not be in the setback.

A. Knapp explained that he remembered in the approval that it was going to be removal of the shed.

John Huckins explained that was the reason that they are before the Board to amend their plan to allow the shed there.

Steve explained that the shed would meet all the setbacks.

John Huckins explained that he hopes that this Board requires him to come in for the building permit.

A. Knapp explained that this was just one noncompliance after another and it's a completed repeated process of doing whatever and begging forgiveness.

Steve explained that this would have been no different if they showed the shed 300' and felt personal feelings should be part of your discussion.

A. Knapp explained that it's not a personal feeling it's an insult to the work this Board does.

Steve stated that they are asking for permission for a 300 s.f. shed to be placed on their property as part of their site plan. Steve explained that the Board already granted the site plan the shed happens to be there if you want removed and brought back they are still asking for the shed to be there as part of the amendment.

John Huckins explained that was part of the discussion with the Town Attorney about how you look at approvals going forward you can't go back on looking to punish the Board don't have that authority.

J. Driscoll opened public comment.

Dan Ayer from 334 Old Concord Turnpike and abutter this was a learning experience following building codes in Town. Dan explained that the plans signed by the Vice Chair shows removal of the pool the plan was never supplied at a Planning Board meeting. Dan explained that there has not been an as-built plan available yet to show that it meets all the conditions of approval. Dan explained that yet there was no fence no signage on buffer has more lawn. Dan explained that wetlands and buffers are to be restored to a natural vegetation not more lawn. Dan explained that sign on the ADU that wasn't on the plan. Dan explained that the Town Planning Board suppose to ensure about his no unnecessary hardship or an attempt of Town Ordinances and Regulations.

A. Knapp asked what building sign he was talking about.

Dan explained that Cuccia Paving was on the ADU.

A. Knapp expressed that he felt the Board was flexible the last time letting them make corrections to all of this and then submit the plan afterward with what was agreed upon verbally and then submitted and then signed afterward.

John Huckins explained that they are allowed to put a temporary banner sign on a structure up to 16 s.f. for 30 days. John explained that if they wanted a permanent sign, they would go to him for a permit. John explained that the size of that building they could put a 40' sign on it.

Missy Duyon from 22 Warren Road explained that they have called the police out 4 times in for music tonight and has forwarded the video to the Land Use office. Missy explained that there has been no fence that has been built and parking

there trucks there for months before the wetlands buffer was finalized. Missy explained that the large shed was parked close to there property as it possibly without it being on there property. Missy explained that the shed has been there for months and months. Missy explained that she went out to illustrate the volume of music that was playing coming from the shed literally shakes there home and polite request to turn down the music they had to call the police officer Jamie Young there for the fourth time in several weeks. Mr. Cuccia refused to turn down the music and they are asking for this change that impacts them. Missy stated that a fence was going up they haven't seen it go up or anything about a fence and trees down on there property. Missy expressed that she thought everything had to be completed before they moved all their heavy equipment back there.

A. Knapp pointed out the on-site equipment storage and they were listing everything there was never the intent to have every piece of equipment parked on the lot with a limit on what's parked there.

Missy explained that they have a camper, shed, variety of trucks and heavy loading equipment and trailers. Missy explained that they were moved in the last 2 weeks and sent an email asking about this never got a response. Missy explained that she was confused why they are allowed to have this bigger shed and so close to her property. Missy explained that they can't sit on there porch and she works from home and she can't do it State job that she needs to be on zoom.

Steve explained to the chair that this has nothing to do with the application.

Missy stated she doesn't want the shed there.

J. Driscoll explained that there was a 30' setback to Missy's property line and it would be moved to be beyond that.

John Huckins explained that if the shed was under 200' it could stay but where its over that the shed needs to be moved.

J. Driscoll asked about A. Knapp's question about all the equipment some of that was to be moved to a secondary location.

A. Knapp explained that he has driven by and there has been more than 2 pieces of equipment there.

Steve explained to the Board that at the last meeting they had to identify exactly all the equipment that could be packed on that property. Steve explained that was what they did.

A. Knapp stated not accurate.

Steve stated that was absolutely accurate and that was why its on the plan that was approved.

John Huckins explained that what was approved needed to stay in the defined area.

Steve explained that its not a like or not it the plan has been signed and approved by the Planning Board now they are asking for an amendment to the Site Plan to add the shed to the site.

Missy asked if they were moving the shed.

J. Driscoll explained that was the purpose of them being back before the Board.

D. Ayer stated that he went into the Planning office, and they said no new plan. Dan explained that he doesn't care what they do if they follow the regulations.

J. Driscoll closed public comment.

V. Price explained that they are before the Board to amend the Site Plan and a new Notice of Decision was not needed.

Steve explained to the board that they would receive an as built once the work was completed.

A. Knapp explained that they talk about the equipment that was there was no way all that equipment on the site.

Steve explained that the purpose of this was so that you wouldn't see 18 dump trucks.

A. Knapp explained that there were 3 dump trucks with trailers attached and there are more trailers than trucks.

Steve explained that they have another facility for some of the other equipment. Steve explained that if they can't park in the designated area then they can't park there.

A motion was made by J. Driscoll and seconded by B. Tessier approved amended site plan with a building permit issued for the shed and inspected. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

3. 239-2-TC-23-SREvent (Owners: 1962 Real Estate, LLC) Request by applicant for a minor site plan review for temporary use with waivers, for a summer concert series with a temporary band stand approximately 20' x 16'. The events would be on Thursdays from 6:00-8:00 p.m. located at 625 Franklin Pierce Highway (Map 239, Lot 2) on a 7.17 acres lot using the 2 acres for event and parking at Christmas Dove in the Town Center Zoning District.

J. Driscoll gave a brief description of the application.

Conner MacIver, Town Administrator and Sarah Bailey Assistant Recreation Director. Conner explained that they came before the for a conceptual review and not much has changed. Conner explained that he showed the Board the updated graphic and the added the existing lighting location with the event times and applicable sunset time. Conner explained that parking would be in the Christmas Dove parking lot and important to note that was on the same lot Holy Rosary Credit Union owns the parking lot. Conner explained that they would be a band location and food truck locations in the favorable direction for the sunset. Conner explained that power would be from the utility line out front, through temporary service.

A. Knapp asked with the big-name venues coming was there a concern of overflow parking. A. Knapp explained that the lot would fill up and would end up across the street in other areas.

Conner explained that like other events that happen in this area that they would make sure that they have parking across the street.

A. Knapp asked if a police officer would be present for traffic control and pedestrian control?

Conner explained that they are still working on these details.

Requested Waiver:

Article 3 Section 3.1

The requirement for Site Plan specifications per Section 3.1 of the Site Plan Review Regulations:

A motion was made by A. Knapp and seconded by J. Cappiello to grant the waiver Article 3, Section 3.1 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. The motion passed unanimously.

Roll Call:

A. Knapp-Yay

J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

A motion by A. Knapp and seconded by B. Tessier to accept the application as complete.

The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

Conner explained to the Board that the Select Board decided to waive all municipal project in the Town of Barrington.

J. Driscoll opened public comment.

J. Driscoll closed public comment.

V. Price read Notice of Decision:

Date of Application: May 10, 2023

Date Decision Issued: June 6, 2023

Case File #: 239-2-TC-23-SREvent

NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i>	
<i>"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.</i>			
Re: 239-2-TC-23-SREvent (Owners: 1962 Real Estate, LLC) Request by applicant for a minor site plan review for temporary use with waivers, for a summer concert series with a temporary band stand approximately 20' x 16'. The events would be on Thursdays from 6:00-8:00 p.m. located at 625 Franklin Pierce Highway (Map 239, Lot 2) on a 7.17 acres lot using the 2 acres for event and parking at Christmas Dove in the Town Center Zoning District.			
Owners: 1962 Real Estate, LLC Brian Hughes, President of HRCU 133 Brock Street Rochester, NH 03867			
Applicant: Jessica Tennis Barrington Recreation Department 105 Ramsdell Lane Barrington, NH 03825			

Dear applicant:

This is to inform you that the Barrington Planning Board at its June 6, 2023, meeting **APPROVED** your application referenced above for a minor site plan review for temporary use with waiver, for a summer concert series with a temporary band stand approximately 20' x 16'. The events would be on Thursdays from 6:00p.m - 8:00 p.m.

Reviewed in accordance with the Town of Barrington, Site Plan Review Regulations For Nonresidential Uses and Multi-Family Dwelling Units, amended May 17, 2022, and the Barrington Zoning Ordinance, amended March 28, 2023. The application has met all the Town's Ordinances and Regulations of the Town of Barrington.

At the June 6, 2023, Planning Board Meeting, the Board approved a waiver for:

- i) The requirement for Site Plan specifications per Section 3.1 of the Site Plan Review Regulations.

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

Sincerely,

Vanessa Price
Town Planner
cc: File

A motion was made by A. Knapp and seconded by J. Cappiello to approve the concert events series on Thursday nights. The motion passed unanimously.

Roll Call:

A. Knapp-Yay
J. Cappiello-Yay
B. Tessier-Yay
J. Driscoll-Yay

9. OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

10. ADJOURN

Meeting adjourned at 9:06 p.m.

- A. Adjourn the Planning Board Meeting. The next Planning Board meeting is a Public Hearing & Work Session on June 20, 2023, at 6:30 PM.

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