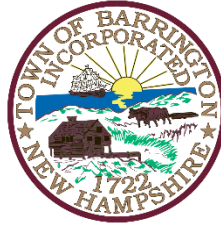


TOWN OF BARRINGTON, NH
LAND USE DEPARTMENT
Vanessa Price, Town Planner
Barbara Irvine, Planning &
Land Use Administrative Assistant



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

Meeting Minutes
Town of Barrington Planning Board
Public Hearing
(Approved November 14, 2023)
November 7, 2023, at 6:30p.m.

1. CALL TO ORDER

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

2. ROLL CALL

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

Members Absent: Ron Allard, Donna Massucci

Staff Present: Town Planner: Town Planner: Vanessa Price and Planning & Land Use
Administrative Assistant: Barbara Irvine

3. REVIEW AND APPROVAL OF MINUTES

A. Review and approve minutes of the October 17, 2023, meeting minutes.

A motion was made by J. Cappiello and seconded by B. Tessier to approve the meeting minutes of October 17, 2023, as written. The motion passed unanimously.

Roll Call:

B. Hackett-Yay

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

4. STAFF UPDATES -TOWN PLANNER

A. Conservation Commission Presentation to the Board for Zoning Amendment to 9.6. On November 14, 2023.

V. Price explained to the Board that the Conservation Commission would be at the November \ 14,2023 Planning Board meeting for the amendment of the 9.6 Permit.

B. Certified Plans:

1. The Planning Board Chair signed off on plans for 6 mixed use units on Rt. 9
2. The Planning Board Chair signed off on plans for lot line adjustment on Old Concord Road.

V. Price let the Board know that John Driscoll signed off on 6 mixed use units on Route 9 and a Lot Line on Old Concord Turnpike.

C. Training Opportunities: OPD 2023 Monthly Webinar Series – Planning Lunches at Noon (PLAN):

Join the OPD Planning Division staff every third Thursday of the month from 12 to 1 pm to learn more about various planning and zoning topics.

- The next topic presented by the New Hampshire Office of Planning and Development's (OPD) Planning Lunches at Noon (PLAN) is Using Census Data for Municipal Planning, from noon-1 pm on November 9. Join Census Bureau Data Dissemination Specialist Nicole McKenzie to: Learn how data from the U.S. Census Bureau can support community planning activities.

V. Price explained that there are some training opportunities that if anyone has time they can always make it a different times.

5. ACTION ITEMS

A. REQUEST FOR EXTENSION

- 1) [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 and was looking for a motion for a 30-day extension.

J. Driscoll opened public comment.

Dan Ayer from 334 Old Concord Turnpike explained that he abuts the property and explained that there was no resolution on this property. Dan explained that its November 1, 2023, and no as built plan was done yet. Dan explained that after they received approval a sign went up on the ADU and he wanted to appeal but was denied by the planning director that they never really addressed the drainage problems, but from the ADU filling the wetlands in and he was still having an ongoing problem with drainage. Dan explained that he approached the State and then no one was doing anything about it. Dan explained that he has maintained this for years and it was working by their actions caused him problems. Dan expressed because of the water going on Route 4 State right of way and his driveway that someone could get killed. Dan asked for a continuance and how long was this going to go on for he has been dealing with this for 17 years.

J. Driscoll closed public comment.

A motion was made by J. Cappiello and seconded by J. Driscoll to grant the extension for 30-days for the conditions of approval to accomplish the installation of the wetland buffer placards and to prepare the final as-built plan for Heather Cooper Stanley of 336 Old Concord Turnpike.

Vote 3/2

Roll Call:

B. Hackett-Yay

A. Knapp-Nay

J. Cappiello-Yay

B. Tessier-Nay

J. Driscoll-Yay

B. CONTINUED CASES: From October 17, 2023

- 1) **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. Waiver granted October 17, 2023.)

J. Driscoll gave a brief description of the application.

A motion was made by B. Hackett and seconded by B. Tessier to grant the application to continue to December 5, 2023, for Young Road, LLC. The motion passed unanimously.

Roll Call:

B. Hackett-Yay

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

- 2) **253-14-GR/SDAO-23-SR (Owner: Hambone, LLC)** Request by applicant for a Major Site Plan Review for Seven Multi-family units with waivers on 49 Winkley Pond Road (Map 253, Lot 14) a 13.47-acre lot, in the Stratified Drift Aquifer Overlay and the General Residential Zoning District. BY: Christopher Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

(Application was accepted as complete and waivers were granted on September 5, 2023.)

J. Driscoll gave a brief description of the application.

A motion was made by B. Hackett and seconded by J. Cappiello to grant the application to continue to December 5, 2023, for Hambone, LLC. The motion passed unanimously.

Roll Call:

B. Hackett-Yay

A. Knapp-Yay

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

- 3) [238-50-TC-23-SR \(Owners: Greg Bolton-606 FPH, LLC\)](#) Request by applicant for a Minor Site Plan Review to install two 48-panel trackers with a waiver on a 3.01-acre site (Map 238, Lot 50). The location is 606 Franklin Pierce Highway in the Town Center Zoning District.

J. Driscoll gave a brief description of the application.

Greg Bolton explained that he was present with Fergus Cullen with Bright Spot Solar. Greg explained that they are looking to put solar trackers out behind the building.

Requested Waiver:

Article 3, Section 3.1 of the requirement for Site Plan specifications

A motion was made by A. Knapp and seconded by B. Tessier to grant the waiver Article 3, Section 3.1 of the requirement for Site Review Specifications 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:

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

A motion was made by A. Knapp and seconded by B. Tessier to accept the application as complete for 606 FPH, LLC. The motion passed unanimously.

Roll Call:

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

J. Driscoll opened public comment.

Dan Ayer 334 Old Concord Turnpike asked if the panels fit into the architectural design in the downtown district.

Greg explained that they were permitted.

J. Driscoll explained that the departments did not have any concerns.

J. Cappiello explained that it doesn't look like you would see these from the road.

Greg explained that there may be a glance at it should you drive by they are behind the building.

J. Driscoll closed public comment.

A. Knapp asked when the solar arrays are completely in the horizontal or vertical position what was the panel height of the ground.

Fergus explained that it's most vertical, typically first thing in the morning last thing in the very top. Fergus explained that about the bottom of the pan bottom at that point was 9 1/2.

A. Knapp asked are these intended to be fenced around or how they are going to be protected because he has seen these panels tip down if somebody parks a van or something close to it. They're fine on the earth when they're in their horizontal state throughout midday but if the sun tilts and it comes down worried, they would get destroyed in the bottom.

Greg suggested putting up some type of barrier and they are fairly setback.

V. Price read Notice of Decision:

Date of Application: September 12, 2023

Date Decision Issued: November 7, 2023

Case File #: 238-50-TC-23-SR

NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built/s 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: 238-50-TC-23-SR: Request by applicant for a Minor Site Plan Review to install two 48-panel trackers with a waiver on a 3.01-acre site (Map 238, Lot 50). The location is 606 Franklin Pierce Highway in the Town Center Zoning District.			
Owner/Applicant: Greg Bolton 606 FPH, LLC PO BOX 57 Barrington, NH 03825			

Dear applicant:

This is to inform you that the Barrington Planning Board at its November 7, 2023, meeting **CONDITIONALLY APPROVED** your application referenced above.

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.

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 the precedent conditions are not met within 12 calendar months to the day, November 7, 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 notes:
 - i) At the October 17, 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.
 - ii) Reference the location of the manmade or natural features to protect the panels from vehicular traffic and/or parking.
2. Add the following to the Plan:
 - a. The location of the manmade or natural features to protect the panels from vehicular traffic and/or parking.
3. Prior to obtaining Board signature, the Applicant shall submit three (3) 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 Article 3 of the Barrington Site Plan Review 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 three (3) 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) Where no active and substantial work, required under this approval has commenced upon the site within two years from the date the plan is signed, this approval shall expire. An extension, not to exceed one year, may be granted, by majority vote of the Board so long as it is applied for at least thirty days prior to the expiration date. The Board may grant only one such extension for any proposed site plan. All other plans must be submitted to the Board for review to ensure compliance with these and other Town ordinances. Active and substantial work is defined in this section as being the expenditure of at least 25% of the infrastructure improvements required under this approval. Infrastructure shall mean in this instance, the construction of roads, storm drains, and improvements indicated on the site plan. RSA 674:39.
- #2) In order to protect both the solar panels, the owner may install man made or natural features to protect the panels from vehicular traffic and/or parking.

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

A motion was made by B. Hackett and seconded by A. Knapp to approve the Site Review for 606 FPH, LLC as read by the Town Planner. The motion passed unanimously.

Roll Call:

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

C. NEW APPLICATIONS

- 1) **220-48-RC-23-SR (Owner: Helen Cicchetto-Rochester)** Request by applicant for a Minor Site Plan Review for a change of use to allow for a mixed-use structure to have residential in an existing commercial building on an 8.44-acre lot (Map 220, Lot 48). The location is 71 Calef Highway in the Regional Commercial Zoning District.

J. Driscoll read a brief description of the application.

Helen Cicchetto, owner of Rochester Sports and her son Carl. Carl explained to the Board that they would like to change the property to mixed use by adding an apartment upstairs.

Requested Waiver:

Article 3, Section 3.1 of the requirement for Site Plan specifications

A motion was made by B. Hackett and seconded by B. Tessier to grant the waiver Article 3, Section 3.1 of the requirement for Site Review Specifications 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:

B. Hackett-Yay

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

A motion was made by B. Tessier and seconded by A. Knapp to accept the application as complete. The motion passed unanimously.

Roll Call:

B. Hackett-Yay

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: September 19, 2023

Date Decision Issued: November 7, 2023

Case File #: 220-48-RC-23-SR

NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built/s 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: 220-48-RC-23-SR: Request by applicant for a Minor Site Plan Review for a change of use to allow for a mixed-use structure to have residential in an existing commercial building on an 8.44-acre lot (Map 220, Lot 48). The location is 71 Calef Highway in the Regional Commercial Zoning District.			
Owner/Applicant: Rochester Sports Center 71 Calef Highway			

Dear applicant:

This is to inform you that the Barrington Planning Board at its November 7, 2023, meeting **APPROVED** your application referenced above for a minor site plan review for a change of use for a mixed-use structure to have residential in an existing commercial building.

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 November 7, 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

A motion was made by A. Knapp and seconded by J. Driscoll to approve the Site Review for mixed Use at Rochester Sports. The motion passed unanimously.

Roll Call:

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

2) **223-26-58&59-RC-23-LL (Owner: St Hilaire Holding, LLC)** Request by applicant for a Lot Line Adjustment on Map 223, Lot 26.58 & 26.59. Map 223, Lot 26.58 is currently 5.09-acres; the proposed lot line and would result in Map 223 Lot 26.58 with 3.95-acres. Map 223, Lot 26.59 is currently 3.68-acres; the proposed lot line and would result in Map 223 Lot 26.59 with 4.82-acres The location is on Calef Hwy (aka Route 125) 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.

A motion was made by B. Hackett and seconded by B. Tessier to grant the application to continue to December 5, 2023, for St. Hilaire, LLC Lot Line. The motion passed unanimously.

Roll Call:

B. Hackett-Yay

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

- 3) [223-26-58&59-RC-23-SR \(Owner: St Hilaire Holding, LLC\)](#) Request by applicant for a Major Site Plan Review for two multi-use buildings with two garage bays for commercial or residential use for a proposed mixed-use site on an 8.7-acre lot (Map 223, Lot 26.58 & 26.59). The location is on Calef Hwy (aka Route 125) 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.

A motion was made by A. Knapp and seconded by B. Hackett to grant the application to continue to December 5, 2023, for St Hilaire Holding, LLC Site Plan. The motion passed unanimously.

Roll Call:

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

***Indicates that if the application is accepted as complete, the public hearing will be held the same evening, at which time any interested party may offer a comment to the Planning Board.**

D. ADOPTION OF CAPITAL IMPROVEMENTS PROGRAM 2024-2034

V. Price explained to the Board that they saw this on September 19, 2023, and went to the Select Board on October 2, 2023. V. Price explained that there were some recommended changes during the select Board process. V. Price explained that many of the comments were to better organize what the Select Board should be looking at in the next few years and how to structure the budget for that. V. Price explained that there were some priority changes that they had recommended that you would find in the packet. V. Price explained that the last two pages of the packets show what the Select Board discussed as far as budgeting for the next few fiscal years. V. Price asked if the Board had any questions, if not, she was looking for their approval.

J. Cappiello explained that on the first page talks about the Board discussed the importance of the including the proposed funding plan for these projects. J. Cappiello explained that the Select Board did not yet authorize any money for the Richardson Dam project. J. Cappiello explained that they agreed to work out a split with the Conservation Commission.

J. Driscoll read item #6 for Bond work for \$10.5 million warrant for 2025 and explained that they are all projects that need to be done.

V. Price explained that this needs to be done.

A. Knapp expressed that there was going to have to have to have more prioritization on this because when you look at the impact over three years talking over \$30 million in impact to the taxpayers. A. Knapp explained that this was not even reasonable.

J. Cappiello explained that the school budget wasn't here.

V. Price explained that this was just a working document approving thus was not holding the Board to the funding.

A. Knapp expressed that the Board was unofficially approving of it.

J. Cappiello asked A. Knapp if he had ideas.

A. Knapp explained that they need to look at creative solutions and plans around it.

B. Hackett explained that he was not against any of this, and the Board needs to find out what the purposes would be and if the Board said yes this would just be rubber stamped to move it forward. B. Hackett suggested looking at each line item and having it back at the next meeting and have done our due diligence. B. Hackett asked if the Board votes on this it was just going to go the Select Board.

J. Driscoll asked if the Select Board has any time restraints that this must go through for.

V. Price explained that not necessarily and looking at the capital improvements it's a long range Planning.

J. Driscoll asked if they were not voting on these warrant articles.

V. Price explained that if they agree with the projects and how they're ranked, and she felt that everyone wasn't on Board with that. V. Price explained that the Planning Board can look at it and continue.

J. Driscoll suggested to the Board to go through it and see if they have some changes.

J. Cappiello explained that it wasn't saying that the Town won't be looking for grants on some of these.

A. Knapp explained that its though bonding the funds and if bonding the funds with the condition that there was grant money allocated to it he wouldn't have an issue. A. Knapp explained that if the condition was that there was that we get grant to move forward. Because he understands that often must approve the project and have set to go beforehand before you can get a grant.

J. Driscoll explained that you must already have approval and a warrant article.

A motion by B. Hackett and seconded by A. Knapp to continue until November 14, 2023.

The motion passed unanimously.

Roll Call:

B. Hackett-Yay

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

E. ADOPTION OF 2024 PLANNING BOARD MEETING DATES

V. Price explained to the Board that the 2024 meeting dates are the first and third Tuesday except in July there was only one meeting date.

A. Knapp suggested changing the January 2, 2024, date to January 9, 2024.

A motion by B. Hackett and seconded by A. Knapp to change the January 2, 2024, public hearing meeting date to January 9, 2024. The motion passed unanimously.

Roll Call:

B. Hackett-Yay

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

6. OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

A. Town of Barrington Driveway Regulations Review.

V. Price explained to the Board that Conner, the Road Agent, and Town Attorney have been working on regulations for driveways because they didn't have one to accompany their permit.

V. Price explained originally that's what they would say to refer to the regulations found in the subdivision.

J. Driscoll explained that the only change in the regulations was the 15-inch culvert no its 30' long on number 8.

A. Knapp explained that he also had a problem with number 8 read "should a driveway culvert require repair, removal or replacement the Town shall perform the work in the right of way at the property owner's expense." A. Knapp asked how that would be billed and enforced are they going to do the work and just bill it.

J. Driscoll opened public comment.

Dan Ayer from 334 Old Concord Turnpike explained that new driveways should be stricken access and then it may be turned into a driveway. Dan explained that when you go on any access anything for logging, he would have to put a construction entrance in at the time of building.

A. Knapp explained that doesn't mean it's the designated location of the driveway.

Dan explained that if you use the new driveway for access then you can change that into a driveway.

A. Knapp suggested changing it to a new access slash driveway that way it could be an access or a driveway.

J. Driscoll closed public comment.

V. Price explained to the Board that she would forward the comments back to the Town Administrator, Road Agent and the Town Attorney.

7. ADJOURN

- A. Adjourn the Planning Board Meeting. The next meeting date is November 14, 2023, at 6:30 PM.

The meeting was adjourned at 7:22 p.m.

A motion was made by B. Hackett and seconded by A. Knapp to adjourn the meeting at 7:22 p.m.

The motion passed unanimously.

Roll Call:

B. Hackett-Yay

A. Knapp-Yay

J. Cappiello-Yay

B. Tessier-Yay

J. Driscoll-Yay

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