



MEETING MINUTES

BARRINGTON PLANNING BOARD MEETING

NEW LOCATION: EARLY CHILDHOOD LEARNING CENTER

77 RAMSDELL LANE

Barrington, NH 03825

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

(Approved April 19, 2016)

Tuesday April 5, 2016

6:30 p.m.

Members Present

Fred Nichols

Daniel Ayer – ex- officio

James Jennison

Members Absent

Joshua Bouchard

Alternate Members Present

Richard Spinale

Andy Knapp – Ex-officio

Town Planner: Marcia Gasses

ELECTION OF OFFICERS

1. Election of Chair and Vice Chair

A motion was made by R. Spinale and seconded by D. Ayer to elect F. Nichols as chair.

Roll Call

D. Ayer aye

J. Jennison aye

F. Nichols aye
R. Spinale aye

The motion carried unanimously 4-0

A motion was made by D. Ayer and seconded by R. Spinale to elect J. Jennison as vice chair.

Roll Call

D. Ayer aye
J. Jennison aye
F. Nichols aye
R. Spinale aye

The motion carried unanimously 4-0

MINUTES REVIEW AND APPROVAL

2. Approval of the March 15, 2016 Meeting Minutes.

A motion was made by J. Jennison and seconded by R. Spinale to approve the minutes with one spelling correction at line 379. The motion carried unanimously

ACTION ITEMS

- 3. 216-29&30-GR-16-LL (Owner: Michael O'Connell)** Request by applicant for a proposal for a Lot Line Adjustment between Map 216, Lot 29 & Lot 30 and waivers from Article 13.3 Plan Requirements, 13.3.1(1)(e)Utilities,13.3.1(1)(f) Topographic contours,13.3.3(1)(i) Vegetation and 13.3.1(1)(j) Soils on a 96+ acre site on Church Street (aka: Rte 126) and Parker & 30) in the General Residential (GR) Zoning District. By: Joel D. Runnals, Norway Plains Associates, Inc.; PO Box 249; Rochester, NH 03867.*

F. Nichols gave a brief description of the proposal. The lot line adjustment would result in reducing lot 30 to 5.7 acres and enlarging lot 29 to 96.82 acres. Both lots were land locked with zero frontage on a Town Road. The Town's attorney had reviewed the proposal and determined the nonconformity would not be increased.

Joel Runnals explained the project. The lot line was to reduce the size of the parcel with the house to 5.7 acres. The parcels were all land locked and nonconforming. The access was via old French Mill Road. The driveways were all currently existed.

D. Ayer expressed the Conservation Commission had no concerns.

F. Nichols expressed waiver one requested by the applicant was for notes related to construction and staff had recommended the items be considered nonapplicable; a waiver would not be required.

5.3.1(6) Existing grades and topographic contours

M. Gasses expressed that where the house already existed and lot 29 would be made larger the request was reasonable.

A motion was made by D. Ayer and seconded by J. Jennison to approve the waiver because 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 carried unanimously

5.3.1(8) Existing features

M. Gasses expressed that staff believes the approximate location of the existing well and septic should be added to the plan.

A motion was made by R. Spinale and seconded by D. Ayer to grant the waiver for lot 29 because 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 carried unanimously

5.3.1(9) Natural Features

M. Gasses expressed that wetland delineation of lot 30 should be done as the wetland buffer ordinance would apply with wetland delineation to occur on lot 29 if any construction or disturbance of the surface was to occur.

A motion was made by R. Spinale and seconded by D. Ayer to grant the waiver on lot 29 because 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 carried unanimously

5.3.1(13) Existing easements and rights of way. See plan note 9

M. Gasses expressed that staff believed the request was reasonable.

Joel Runnals explained the easements were floating and could be located anywhere on the lot. Currently there was access via a one lane bridge.

R. Spinale asked if in the future the Board would have the ability to work with the easements.

Joel Runnals stated yes.

A motion was made by J. Jennison and seconded by D. Ayer to grant the waiver because 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 carried unanimously

5.3.2(17) Proposed building envelope

M. Gasses expressed that staff believed the building envelope should be shown on lot 30 and any proposed building on lot 29 would require wetland delineation of and identification of a building area in compliance with at the time of the request.

Joel Runnals expressed it would be difficult to lay out the building envelope because of the scale.

M. Gasses expressed that there were wetlands on the property and the buffers would apply. Wetlands needed to be identified now so that buffers would not be missed if a building permit was requested.

A motion was made by D. Ayer and seconded by J. Jennison to grant the waiver on lot 29 with the requirement wetland delineation be done and a building area shown in compliance with the regulations if

any proposed building was to occur because 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 carried unanimously

A motion was made by R. Spinale and seconded by D. Ayer to accept the application as complete. The motion carried unanimously

F. Nichols opened public comment

No one spoke.

F. Nichols closed public comment.

M. Gasses read the draft Notice of Decision into the record.

Conditions Precedent

- 1) List the following waivers granted:
 - a) 5.3.1(6) Existing grades
 - b) 5.3.1(8) Existing features
 - c) 5.3.1(9) Natural features
 - d) 5.3.1(13) Existing easements and rights of ways
 - e) 5.3.2(17) Proposed building envelope
- 2) Add the following plan revisions:
 - a) Add the approximate location of the existing well and septic to the plan
 - b) Add the wetland delineation to lot 30 and any buffer requirements
 - c) Add the building envelope for Lot 30
- 3) Add the following plan notes
 - a) Wetland delineation must occur on Lot 29 prior to any construction or disturbance of surface occurring
 - b) Building envelope to be identified on lot 29 prior to development or disturbance on the site
- 4)
 - a) Add the owners signature to the final plan
 - b) Add the wetland scientist stamp & signature to the final plan
- #5) Any outstanding fees shall be paid to the Town
- 6) For lot line adjustments the applicant shall submit to the Land Use Office a copy of the signed and notarized deed which will effect the conveyance of the subject property before the plat is certified by the Planning Board. Once the plat is certified the deed must be recorded simultaneously with the plat. For Lot Line Adjustments where the property is in the same ownership corrective deeds incorporating the adjustment must be provided. (Applicant may also use a Quitclaim Deed)

- 7) Proper and complete survey monumentation shall be installed on the properties as a condition to final approval of the application. Granite bounds shall be set at the intersection of existing or proposed lot sidelines with existing proposed streets. Iron pins (pipe or rod) are to be placed at all property line corners and angles, and all points of curvature and points of tangency. Monuments for the lot being developed shall be placed not more than 300 feet apart in any straight line. The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the submitted plan. (*Reference 8.8 of the Town of Barrington Subdivision Regulations*)
- 8) Final drawings. (a) five sets of large black line plus (c) one set of 11"x17" final approved plans plus (d) one electronic version by pdf or CD must be on file with the Town. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans. If there are significant changes to be made to the plans, as specified above, one full size paper check print must be sent to the Planning Department for review prior to producing these final drawings.

A motion was made by D. Ayer and seconded by J. Jennison to approve the application. The motion carried unanimously

4. [219-43-GR-16-Sub \(Owners: Abigail Mathes Pitou\)](#) Request by applicant for a proposal for a Four Lot Subdivision and Waivers from Article 5.3.1 (6) Existing Grades & 5.3.1 (5) Surveyed Property Lines of entire site on a 88.7 acre site on Seavey Bridge Road (Map 219, Lot 43) in the General Residential (GR) Zoning District. By: Daniel O'Lone, Berry Surveying & Engineering; 335 Second Crown Point Road, Barrington, NH 03825.*

Christopher Berry, Berry Surveying and Engineering expressed that comment from Town Staff needed to be addressed and they requested for the Board to continue consideration of the application.

A motion was made by D. Ayer and seconded by R. Spinale to continue consideration of the application to May 3, 2016. The motion carried unanimously

5. [257-23&23.1-GR-16-2Lots/9.6Permit \(Owners: John & Pamela Bingham\)](#) Request by applicant for a proposal for a 2 lot subdivision and a Section 9.6 Special Permit on a 48.27 acre site at 228 Merry Hill Road (Map 257, Lot 23) in the General Residential (GR) Zoning District. By: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.*

Christopher Berry, Berry Surveying and Engineering explained last month they had divided out two lots last month. This application required a Special Exception by the Zoning Board and a 9.6 Permit from the Planning Board so they had separated the applications. The lots were shown with buffers. A pond existed with 75' buffer. A stream connected requiring a 75' buffer. They were not requesting any waivers. A proposed well was located entirely on the lot. The shared driveway had been granted a Special Exception.

The driveway to the rear portion of the property required an impact to either the wetland buffer or buffer to the pond. NFP1 required the driveway be 20' and the Fire Chief had requested it. The additional impact would be on already disturbed areas. The original proposal showed an 18' wide driveway but they would be willing to build as requested by the Fire Chief. Best management practices were shown. They felt they met the intent of the 9.6. The subdivision showed the easement and building envelopes.

D. Ayer expressed that what Christopher Berry's stated information was correct and he had walked to site and observed the conditions.

A motion was made by D. Ayer and seconded by R. Spinale to accept the application for the 9.6 Special Permit as complete. The motion carried unanimously

F. Nichols opened public comment.

F. Nichols closed public comment.

No one spoke.

A motion was made by J. Jennison and seconded by R. Spinale to approve the 9.6 because all underlying criteria had been met. The motion carried unanimously

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

F. Nichols opened and closed public comment.

No one spoke.

Chris Berry expressed the application showed a shared driveway and the rear lot would contain 46.33 acres the existing home would be on a 1.94 acres lot.

D. Ayer expressed the property abutted the Stonehouse Forest project.

M. Gasses read from the draft Notice of Decision

Conditions Precedent

- 1)
 - a) Add the owners' signature to the final plan
 - b) Add the wetland scientist stamp & signature to the final plan
- 2) Add the following plan notes:
 - a) Add the State Subdivision Approval number to the plan
 - b) Driveways must conform to Article 12.3.2 of the Barrington Subdivision Regulations
 - c) Fire Chief must approve of driveway access to rear lot.
 - d) Special Exception was granted on March 16, 2016 to Article 4, Section 1.2 to allow a driveway on a side not its frontage.
- 3) Make the following plan revisions:
 - a) Correct lot 22-1 to 23-1 on sheet one
 - b) Correct lot 22-2 to 23-2 on sheet one
- 4) Provide easement language for review by Town Attorney
- #5) Any outstanding fees shall be paid to the Town

- 6) Proper and complete survey monumentation shall be installed on the properties as a condition to final approval of the application. Granite bounds shall be set at the intersection of existing or proposed lot sidelines with existing proposed streets. Iron pins (pipe or rod) are to be placed at all property line corners and angles, and all points of curvature and points of tangency. Monuments for the lot being developed shall be placed not more than 300 feet apart in any straight line. The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the submitted plan. (*Reference 8.8 of the Town of Barrington Subdivision Regulations*)
- 7) Final Drawings (a) five sets of large black line (b) plus one set of 11"X17" final approved plans (c) one electronic version by pdf or CD must be on file with the Town. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans. Note. If there are significant changes to be made to the plans, as specified above, one full size check print must be sent to the Land Use Office for review prior to producing these final drawings.

General and Subsequent Conditions

- 1) Other permits. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals, which may be required as, part of this project. Contact the Town of Barrington Code Enforcement Department at 664-5183 regarding building permits.

(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).

A motion was made by D. Ayer and seconded by R. Spinale to approve the application with conditions as read by the planner. The motion carried unanimously

6. 250-85-RC-16-Sign(Owner: Shawn Atkinson-Toy Tech) Request by applicant for a proposal for a 6' x 15.5' building mounted externally illuminated sign at 21 Commerce Way (Map 250, Lot 85) in the Regional Commercial Zoning District.*

F. Nichols described the project, explaining the application was for a 6' X 16.5' exterior lit wall sign. The sign appeared to meet all the Town's regulations.

F. Nichols asked Mr. Atkinson if he had anything to add.

Mr. Atkinson expressed F. Nichols had described the request accurately.

M. Gasses expressed the application met all the Town's regulations.

A motion was made by R. Spinale and seconded by D. Ayer to accept the application as compete. The motion carried unanimously.

F. Nichols opened public comment.

F. Nichols closed public comment.

No one spoke

A motion was made by R. Spinale and seconded by D. Ayer to approve the application. The motion carried unanimously

COMMUNICATIONS RECEIVED

A. Gaudiello had resigned.

REPORTS FROM OTHER COMMITTEES

D. Ayer and R. Spinale will meet with M. Gasses at 8:30 Thursday to work on the sign regulations.

UNFINISHED BUSINESS

The Board scheduled the second meeting in May to have a Public Hearing on the existing Land Use and Existing Demographics Chapter of the Master Plan.

The board scheduled discussion of the Impact Fee Ordinance for the April 19th workshop.

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

7. Review of a request for a building permit on Small Road a private road, for Deborah James Map 106, Lot 4.

A motion was made by R. Spinale and seconded by J. Jennison to provide a memo to the Board stating that the Board did not have any issues with the issuance of a building permit provided the recommendations from the highway department are met. The motion carried unanimously

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

April 19, 2016 6:30 p.m. Early Childhood Learning Center

Respectfully submitted,

Marcia J. Gasses
Town Planner and Land Use Administrator