



BARRINGTON PLANNING BOARD MEETING

**NEW LOCATION: EARLY CHILDHOOD LEARNING CENTER
77 RAMSDELL LANE
Barrington, NH 03825**

(Approved September 20, 2016)
Tuesday September 6, 2016
6:30 p.m.

MEETING MINUTES

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

ROLL CALL

Members

Fred Nichols, Chair
James Jennison, Vice Chair
Richard Spinale
Daniel Ayer-ex-officio
Jeff Brann
Paul Mausteller

Alternate Member Absent:
Andrew Knapp-ex-officio

Town Planner: Marcia Gasses

MINUTES REVIEW AND APPROVAL

1. Approval of the August 16, 2016 Meeting Minutes.

Without objection the minutes were adopted with typographical corrections on lines 39, 203 and 210.

ACTION ITEMS

2. **250-39-NR-16-3.4 & SR (One Stop Trailer Shop-Owners: Loren Valliere & Zachary Tucker)**

Request by applicant for a proposal for a Site Review and 3.4 Conditional Use Permit to allow trailer sales and display along with waivers at 190 Beauty Hill Road on a 12.2 acre site (Map 250, Lot 39) Neighborhood Resident (NR) Zoning District. By: Joel D. Runnals, LLS, Norway Plains Assoc. Inc.; PO Box 249; Rochester, NH 03866-0249

F. Nichols gave a description of the Site Review and 3.4 Conditional Use Permit along with the Waivers.

F. Nichols announced that D. Ayer would also be a voting member of the Board tonight.

Joel Runnals from Norway Plains explained that he was representing the One Stop Trailer Shop. Joel explained that they were not going to be doing any construction at all. Joel explained that they already have trailers on the site. The applicant came to the board in the spring for recommendations on what they would have to do. Joel also stated that he met with Marcia Gasses, John Huckins Code Enforcement and we were going by the recommendations. Joel asked the applicant Loren Valliere to explain the business to the board.

Loren Valliere owner of One Stop Trailer Shop, LLC explained that they own the residence at 190 Beauty Hill Road where they would sell open and enclosed personal use cargo trailers. She explained that they do a lot of the shipping themselves. Loren explained that it would be just the two of them she was part time and Zack is full time. Loren explained that there was a small office space that was used by an accountant before they bought the property that they would be using this space to meet with customers. Loren explained that they do a lot online sale and also store trailers on site sales.

R. Spinale questioned that Loren stated before that this was going to be an internet sales business you order online and then it would be shipped to your location for pick up. R. Spinale questioned that it appeared there were going to be trailers on site that are not sold yet.

Loren explained that was correct. She said that they would be doing a little bit of both online and sales on site.

Loren explained that they try to do just custom orders on line that is what she prefers. Loren stated that they do have trailers on site.

R. Spinale asked how many trailers were on site now.

Loren explained that they had about 20 trailers on site.

R. Spinale asked if they were all sold or are some for sale.

Loren explained that probably half were sold and half were not sold.

R. Spinale asked if he was to order a trailer would they order additional ones at that time to be delivered to the site too.

Loren explained that it depended on where the order was from. Loren explained that they order from many manufacturers.

R. Spinale questioned that it seemed like it was going to be a trailer business at the site.

Loren explained that they would like to keep the site as residential as possible because this is where they live.

F. Nichols explained that they were here to review the 3.4 Conditional Use Permit to operate a business and what we had approved in the past and what the applicant was here for.

M. Gasses explained that when they came before the board it was going to be a small business. After M. Gasses and John Huckins met with them it was clear from observation that they had more trailers than they talked about, so they would need to go from a home business to a Site Plan approval. M. Gasses explained that none of the comments that were made when they came in for conceptual review are binding by law. M. Gasses explained that the board needed to look at where they were now and what they were presenting to the board the first thing would be the 3.4 Conditional Use Permit. M. Gasses explained that she asked that Joel Runnals of Norway Plains a few more questions because she received comments that had come in. M. Gasses explained that she felt there could still accept the 3.4 Conditional Use Permit as complete, but she felt the board should go on a site walk before make a decision and do the same with the Site Plan. M. Gasses concerns were the loading and unloading that had been occurring on Beauty Hill Road which would not be allowed.

Loren explained that they don't usually use tractor trailers as a rule but they have used a few times this summer and they don't unload on Beauty Hill Road. Loren explained that they don't unload on Beauty Hill Road that they back in the driveway which can hold up traffic and this has happened four times this summer.

M. Gasses explained that when she talked to the Road Agent when it was a machine shop it was one way in and one way out. M. Gasses understanding is that this was no longer available to the applicant at this time. M. Gasses explained that this would create a hazard.

F. Nichols reviewed what the applicant was there for a trailer sales operation in a Residential District that requires a 3.4 Conditional Use Permit.

M. Gasses read the following conditions needed to be satisfied by the Planning Board for the 3.4 Conditional Use Permit:

- 1. The building, structure or use is specifically authorized under the terms of this Ordinance.**
- 2. If completed, the development in its proposed location will comply with all requirements of this ordinance, and with specific conditions or standards established in this Section for the particular building, structure or use.**
- 3. The building, structure or use will not materially endanger the public health or safety.**
- 4. The building, structure or use will not substantially de-value abutting property.**
- 5. The building, structure or use will be compatible with the neighborhood and with adjoining or Abutting uses in the area in which it is to be located.**
- 6. The building, structure or use will not have a substantial adverse impact on highway or pedestrian Safety.**
- 7. The building, structure or use will not have a substantial adverse impact on the natural and Environmental resources of the town.**
- 8. Adequate public utilities, community facilities, and roadway capacity are available to the property To ensure that the proposed use will not necessitate excessive public expenditures in providing Public services.**
- 9. Where deemed necessary when considering an application for Conditional Use approval, the Planning Board may require that adequate visual buffers be established.**

J. Brann asked if there was enough information to accept the application as complete.

M. Gasses explained that there is enough information to accept the application as complete to have a discussion. M. Gasses explained that the board could ask for more information after the application is accepted.

A motion was made by D. Ayer and seconded by J. Jennison to accept the 3.4 Conditional Use Permit Application as complete. The motion carried unanimously.

F. Nichols opened public comment.

D. Ayer explained that it's not bad to ask for more than less to avoid problems later on. D. Ayer explained that the applicant said they had 20 trailers on site. In the photo supplied in shows 29 trailers.

Loren explained that it is hard to gage how many on site it depended on the season summer is the busiest time. Loren explained that they do own some of the trailers for personal use that are on site. Loren explained that she talked with M. Gasses and Joel Runnals about having a designated area on the property to store the trailers that they would be restricted too.

Joel Runnals explained that they were asking for a designated area instead of the amount of trailers on site.

J. Brann asked if there was a complaint and John Huckins Code Enforcement went out to count the amount of trailers on site.

Joel Runnals explained that the trailers will have to be in a certain area.

M. Gasses explained that instead of counting trailers there should be a storage area identified whether have vegetation, landscaping or fencing around the storage area. M. Gasses explained that they need to get away from how many trailers on site and go with area for storage.

R. Spinale questioned the elevation concerned that the trailers maybe stacked when they park them.

D. Ayer explained that the board should go with M. Gasses recommendation.

M. Gasses explained to go with the designated area not the count of trailers.

F. Nichols asked if the board had any more questions or comments.

P. Mausteller questioned small scale business in the general residential area when there was 29 trailers on the site and a commercial business across from the public safety building does not have 29 trailers on their site. The applicant is in a residential area and they have 29 trailers on their site. P. Mausteller questioned that the board needed to define small in a residential area. P. Mausteller also asked where the septic was located concerned that they may be driving over the septic.

J. Runnals explained where the septic was located.

P. Mausteller asked if there was a cable box across on Hall Road or a construction box is someone granting an easement and also asked if there was a right away.

J. Runnals explained that the previous owner owned the lot next door on the right where the driveway was they used both and that the problem was that there are 10 acre narrow lots in this area.

P. Mausteller asked about Topography and Wetlands.

J. Runnals explained that they were asking for waivers because there was no proposed development and once you went on the site walk you would see the area. J. Runnals explained because of the age of the lot that they were exempt from wetland buffers.

F. Nichols asked if the board wanted to table this until they went on a site walk and then the board would have the review the conditions in hand.

M. Gasses explained that the waivers are part of the site plan not the conditional use permit. M. Gasses explained that the applicant did address all of the conditions of a conditional use permit by number on the application.

F. Nichols suggested that the conditions will be reviewed at the next meeting after the site walk.

J. Brann suggested that if there were abutters here that they should have a chance to speak.

M. Gasses explained to the board that the hearing could be continued to a certain date then the abutters would not need to be notified again.

F. Nichols opened the public comment.

F. Nichols closed the public comment.

D. Ayer asked applicant if they asked the neighbor if they could use there driveway.

Loren explained that they do not want to use their driveway.

A motion was made by D. Ayer and seconded by R. Spinale to continue the public hearing for the 3.4 Conditional Use Permit until October 4, 2016. The motion carried unanimously.

F. Nichols suggested the site walk to be on September 14, 2016 at 12:00 open to public. The board agreed.

Requested Waivers:

3.3(3) Existing Topography

J. Runnals explained that no additional construction was proposed at this time.

M. Gasses stated that if construction was required the waivers would not apply.

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 passed unanimously.

3.3 (13) Wetland Delineation

A motion was made by D. Ayer and seconded by R. Spinale 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 passed unanimously.

3.2.4 Legend

A motion was made by P. Mausteller and seconded by D. Ayer 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.

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

F. Nichols opened public comment.

F. Nichols closed public comment.

A motion was made by D. Ayer and seconded by R. Spinale to continue the public hearing for the Site Review Application until October 4, 2016. The motion carried unanimously.

4. **123-1,2,3-GR-16-LL(Harold & Lois McCoy)** Request by applicant for a proposal for a lot line and lot consolidation to relocate lot lines of Lots 1 & 3 to eliminate lot 2 and waivers at McDaniel Shore Drive on a .5 +/- acre site (Map 123, Lots 1,2,3) in the General Residential (GR) Zoning District. By: David W. Vincent, Land Surveying Services; PO Box 1622; Dover, NH 03821

F. Nichols read what the proposal was to eliminate Map 123 Lot 2 and relocate the lot line between Map 123 Lot 1 and Map 123 Lot 3. Lot 1 will increase the frontage from 98.85' to 145.9' and increase the area from .29 acre to .33 acre. Lot 3 will increase the frontage from 94.95' to 127.73' and increase the area from .15 acre to .21 acre. Lot 2 will be combined into Lots 1 & 3.

M. Gasses explained to the board needed to address the waivers prior to accepting the application as complete. M. Gasses explained that the applicant was trying to make two lots more conforming by eliminating the middle lot. M. Gasses explained the waivers, and if there was to be any construction on site a Shoreland Permit from NHDES and wetlands delineation would be required at that time.

F. Nichols explained that this lot was in the general residential zoning is this area is 80,000 sf which is a little less than 2 acres. F. Nichols explained that all three lots were below the standard size.

F. Nichols asked David W. Vincent to address the waivers.

David W. Vincent from Land Surveying Services explained that there were 3 lots 1, 2, & 3 the intent was to take the middle lot and give to lots 1 and 3 to make these two lots more conforming and eliminate lot 2. David explained the waivers and that only one lot was developed and the other two lots were vacant. David explained that they were asking for two waivers 5.3.1(6) Existing grades and topographic and 5.3.1(9) natural features where they are making two lots more conforming if they have future development the applicant would need to get current condition applications for shoreland, septic or any development on these lots.

M. Gasses explained that the wetland buffers were no dredge no fill which means no digging up for a garden, was this going to be an issue for the lot with a house on it already. M. Gasses asked if there were wetlands on the site.

David explained that there were some that he observed on the site there was a pocket of wetlands on the edge of lot 3. The applicant may want to put a 200 sf shed on this lot to store boating items and they may get a dock in the future there is no intent at this time. David explained that there was no access from the front there were large boulders on this site and only one flat area big enough for a shed.

D. Ayer questioned that there was no driveway entrance to this lot.

David explained that it is wooded area with no driveway so a driveway permit will be needed to have access.

D. Ayer asked about the shorelands.

David explained that the applicant would need a permit of notification if there was any disturbance.

M. Gasses suggested that they do the wetlands delineation now so they have them.

J. Brann questioned whether the current lots existed before the buffer zones ordinance went into effect and if they were combined would buffers apply.

M. Gasses explained that the buffer zones would apply.

J. Brann explained that the buffer zones would apply even if they were building a shed in the buffer zone.

David Vincent said that they may need a Special Use Permit.

M. Gasses explained that they have an Administrative Zoning Permit Application that requires that it be constructed in a certain way and try to keep it out of the buffer.

David Vincent said if you went out there you would see only was one place that the shed can go.

David Vincent said that they will be withdrawing the second waiver 5.3.1(9) Natural Features.

F. Nichols asked the applicant if they understood that they now would have a buffer on their property.

M. Gasses explained what the wetland buffers were to the applicant.

F. Nichols explained that the town changed the ordinance and before the lot lines adjustment the lots would be exempt from this. F. Nichols explained by changing the lot lines they would now have a 50' buffer.

David Vincent explained to the McCoy's that the lots were grandfathered, but with the lot line changes they would not be exempt from current conditions.

Lois McCoy explained that they were not making any changes to their lot and the wetlands are on Lot 3.

M. Gasses explained that because the lots were changing that the zoning would be changed to the standards of today and apply to all the lots. M. Gasses explained that Lot 1 was changing also because you are adding to the lot.

F. Nichols asked the applicant if the wanted to continue the hearing.

M. Gasses asked about the topography waiver.

David Vincent explained that anything done on the site would apply to permits and Zoning Board of Adjustment.

R. Spinale questioned that the applicant has 3 lots they were taking the middle lot adding a piece to their lot and adding the other piece to the other lot. R. Spinale asked if the cut in half and gave to the piece to their lot and didn't join the other lot.

M. Gasses explained that they could not make one lot more non-conforming.

David Vincent explained that you could merge 2 but you could not make lot 2 less conforming.

Paul McCoy asked if they were making the lots more conforming that they should not have to go under the new zoning.

M. Gasses explained that they would go under the new zoning. M. Gasses explained that they would no longer be lots of record.

David Vincent explained that lots of record were conforming as much as possible.

Paul McCoy asked if they did an easement instead of a lot line.

David explained that is different and they would discuss later.

J. Jennison explained that instead of advising the applicant of their decisions the board has agreed that they do not want to grant the waivers.

Requested Waivers:

5.3.1(6) Existing grades and topographic contours at intervals not exceeding two (2) feet with spot elevations where the grade is less than five percent (5%).

A motion was made by J. Brann and seconded by R. Spinale 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.

3. 5.3.1(9) Natural features such as streams, marshes, lakes, ponds, rock outcrops, wooded areas, significant trees, and other significant environmental features, including wetland areas as defined in the Zoning Ordinance.

A motion was made by J. Brann and seconded by J. Jennison not to grant the waiver due to potential wetlands on site. The motion carried unanimously.

A motion was made by D. Ayer and seconded by J. Jennison to continue the public hearing for the Lot Line Application until October 4, 2016. The motion carried unanimously.

COMMUNICATIONS RECEIVED

REPORTS FROM OTHER COMMITTEES

A. Capital Improvement Plan

Discussion will be on September 20, 2016.

B. Sign Ordinance

M. Gasses is working on will bring to the board on October 4, 2016.

C. Master Plan

M. Gasses is waiting for Strafford Regional Planning. She will check with them.

D. Accessory Dwelling Units

F.Nichols has information for the sub-committee they will after the site walk on September 14, 2016.

UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

5. Review of a request for a building permit on a private road, for Kenneth Bolstridge, 639 River Road, Map 104, Lot 15.

The board recommended the standard memo be sent to the selectmen stating that the Board saw no conflict with the regulations in issuing a building permit provided the recommendations of the Road Agent are followed.

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

Next meeting will be September 20, 2016 6:30 p.m. Early Childhood Learning Center

Meeting was adjourned at 8:09p.m.

Respectfully submitted,

Barbara Irvine
Land Use Secretary

Other information. a) Files on the applications and items, above, including the full text of any proposed ordinances, regulations, or other initiatives are available for inspection in the Planning & Land Use Office, from 8:00 a.m. to 3:00 p.m., Monday through Thursday; b) If you are looking at this agenda on the Town's website, you can click on any underlined projects and other items to access additional information; c) This agenda, these applications, and other items are subject to errors, omissions, and change prior to final action; d) Some agendas are marked as "Preliminary Agenda". These are subject to change. The final agenda will be prepared on the Thursday evening prior to the meeting and will be posted on the Town's website; e) Contact the Planning & Land Use Department if you have questions or comments about these or any related matters or if you have a disability requiring special provision.

Persons with a disability may request a reasonable accommodation by contacting the Land Use Office at 603.664.5798. Requests should be made 5 days in advance.