



**BARRINGTON PLANNING BOARD MEETING**

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

**Tuesday November 1, 2016**  
**6:30 p.m.**

**DRAFT MINUTES**

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

**Members Present**

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 October 18, 2016 Meeting Minutes.

*Without objection the Board approved the October 18, 2016 meeting minutes with a minor corrections on lines 54, 61 and 72.*

**ACTION ITEMS**

2. [224-71.1-GR-16-Waiver \(Owners: Matthew & Amanda Gallant\)](#) Request by applicants under Article 14.5 (3) waive partial impact fee on a subject property that had been previously assessed with a mobile home for its proportionate share as part of an voluntarily merged lot on a 1.83 acre site at 48 Castle Rock Road (Map 224, Lot 71.1) in the General Residential (GR) Zoning District.

F. Nichols gave a brief description of the waiver.

F. Nichols asked if all information has been accepted in the Land Use office.

M. Gasses stated yes.

*A motion was made by R. Spinale and seconded by J. Brann to accept the application as complete. The motion carried unanimously*

Matthew Gallant from 48 Castle Rock Road explained that he was asking for a partial impact waiver on his lot where he was having a new home built. Matthew explained that his parents unmerged the lots not knowing that there would be a school impact with the lots unmerged in 2015.

M. Gasses explained that this was previously involuntarily merged lots. The Gallants had two tracts of land with the same owner ended up with one tax map and lot number. The Gallants wanted to separate the lots so their son could build a home on one lot. M. Gasses explained that at the time that they came forward there was a mobile home on one of the tracts. She explained that when the Gallants chose to separate the lots Matthew Gallant chose to build his home on the lot without the mobile home on the lot. M. Gasses explained that the mobile home had since been removed according to the tax card as of July 2016. M. Gasses explained that because Matthew Gallant was building on the lot without the mobile home that he was assessed the full school impact fee. M. Gasses explained that if he had built the house prior to the lots being unmerged Matthew would have only had to pay the difference between the \$4281 single home and the mobile home fee. The request was that Matthew only pay the difference between the single home and the mobile home which would be \$1169.00. The applicant is requesting the full impact fee be placed on the other lot which contained the manufactured home and the parents agreed to a notice recorded at the Strafford County Registry of Deeds with the requirement approved by the town attorney. M. Gasses explained that there would be no net loss to the town.

F. Nichols opened public comment.

F. Nichols closed public comment.

F. Nichols asked the Board if they had any questions.

J. Brann questioned whether the agreement was in place.

M. Gasses explained that this would be a condition if the Board agreed. No CO would be issued until the agreement was recorded. M. Gasses explained that the applicant would get conditional approval until this document is recorded.

P. Mausteller wanted the agreement as part of the conditions.

R. Spinale explained that it would be part of the conditions.

M. Gasses explained that the applicant would not get occupancy without having this recorded and paying the difference.

J. Jennison asked if the lots were the same size.  
Matthew Gallant explained that they were similar.

F. Nichols read the waiver:

1. **14.5(3)** The Planning Board may waive an impact fee assessment for a particular capital facility where it finds that the subject property has previously been assessed for its proportional share of public capital facility public improvements equivalent in value to the dollar amount.

J. Brann question that legal reference waiver Article 14.5.4.

M. Gasses read Article 14.5.4:

The Planning Board may waive an impact fee assessment where it finds that, due to conditions specific to development agreement, or other written conditions or lawful restrictions applicable to the subject property, the development will not increase the demand on the capacity of the capital facility or system for which the impact fee is being assessed.

J. Brann explained that this is what legal stated.

J. Brann expressed legal stated that the waiver could be granted under 14.5.4.

M. Gasses explained that either article can be used.

P. Mausteller explained that we are giving a dollar value.

R. Spinale suggested referencing both articles.

M. Gasses explained that they would reference both articles.

*A motion was made by P. Mausteller with the recording the document and adding Article 14.5.3 & 14.5.4 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.*

3. **263-13.1-RC-16-Sub (Owners: Town of Barrington)** Request by applicant for a proposal to subdivide one additional lot and waivers from Article 5.3.1 on Pierce Road and Calef Highway (aka: Rte 125) on a 125+ acre site (Map 263, Lot 13.1) in the Regional Commercial (RC) Zoning District. Also to be considered a hearing under RSA 674:54, II. By: Steven M. Oles, LLS; Norway Plains Associates, Inc.; PO Box 249; Rochester, NH 03866-0249.

F. Nichols explained the proposed subdivision is to create one additional lot. No changes were being proposed to topography, parking, structures drainage, landscaping or access at this time. When owners are ready to develop the lot they would come before the Planning Board for Site Review.

F. Nichols explained that there were 7 waivers that are being requested.

Steve Oles from Norway Plains explained that he was here on behalf of the Town of Barrington. Steve Oles explained that the town was doing a one lot subdivision on Pierce Road and the intersection of Route 125. Steve Oles explained that the town had 125 acres right behind Liberty Truck this was part of the Industrial Park land. Steve explained that the town was looking to take 5.10 acres off of the 125 acre site, this will that would leave 120 acres. Steve Oles explained that wetland delineation and test pits were done

and the lot was a buildable lot. Steve Oles explained that when the Town or developer are ready to develop they would need to come before the Town for approval.

J. Brann asked if this was part of the land swap deal.

R. Spinale explained that this was part of the land swap.

M. Gasses explained that the waivers were for the remaining 120 acres.

P. Mausteller asked why the information for the 120 acres was not in the packet.

D. Ayer explained that the Board was only dealing with the 5.10 acre lot.

R. Spinale questioned whether this was a 125 acre site and all the work was proposed on 5.10 acres that was being subdivided off the 125 acre site leaving 120 acres.

F. Nichols read the waivers:

**1) 5.3.1(6) Existing Grades**

*A motion was made by D. Ayer seconded by J. Brann 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.*

**(2) 5.3.1(7) Existing Drainage**

*A motion was made by J. Brann 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(8) Existing structures, wells, septic system locations on site within 100'**

*A motion was made by J. Jennison seconded by P. Mausteller 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.*

**(4) 5.3.1(9) Natural Features**

*A motion was made by P. Mausteller 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. The motion carried unanimously.*

**(5) 5.3.1(10) Man-made features**

*A motion was made by J. Jennison seconded by J. Brann 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.*

**(6) 5.3.1(11) Existing public & private utilities**

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

**(7) 5.3.1(14) Existing building/man-made structures of historic significance**

*A motion was made by D. Ayer 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.*

*A motion was made by R. Spinale and seconded by J. Jennison to accept the application as complete. The motion carried unanimously.*

F. Nichols opened public comment.

John Wallace asked if the wetland delineation was done on the 5.10 acre lot.

Steve Oles confirmed that this was done.

John Wallace was concerned because wetland delineation expires after 3 to 5 years.

M. Gasses explained that was what the waivers were about.

F. Nichols closed public comment.

J. Brann asked if one of the conditions added would be that this would need to be remerged if unable to obtain a driveway permit.

M. Gasses explained that a Special Exception to take access from a side not its frontage is obtained, or some other means of approved access.

D. Ayer explained that it could be an easement.

John Scruton explained that what the issue was that the town was swapping 7 acres with Liberty Truck because it would give the town better access. John Scruton explained that Liberty Truck doesn't know what they are doing with this site yet. John Scruton explained that it would be hard to get a driveway permit not knowing what is going to be there. John explained that they were seeking a temporary permit for cleaning the lot. John explained that they will come before the Board once they know what they are going to do with the 120 and 7 acre sites. John also explained that Liberty Truck would be in once they knew what they are going to do. John explained that there were several ways that they could get access or they could go to the Zoning Board for a Special Exception.

J. Brann asked if the town still owned the property.

John Scruton explained that the town still owned the property. John explained that the town had a purchase and agreement.

M. Gasses explained that whether the Town or Liberty Truck owns the land the lots could be merged.

J. Brann was concerned with the merging of map 263 Lot 18.

John Scruton explained that this should read with the adjacent lot.

J. Brann asked if this would be on the plan.

M. Gasses explained that this will be on the notice of decision.

F. Nichols asked M. Gasses to read the Conditions Precedent.



## Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0195

[barrplan@metrocast.net](mailto:barrplan@metrocast.net)

[barrplan@gmail.com](mailto:barrplan@gmail.com)

# DRAFT NOTICE OF DECISION

[Office use only]	Date certified:	As built received: n/a	Surety returned n/a
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"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.

**Proposal Identification: 263-13.1-RC-Sub (Owners: Town of Barrington)** Request by applicant for a proposal to subdivide one additional lot and waivers from Article 5.3.1 on Pierce Road and Calef Highway (aka: Rte 125) on a 125+ acre site (Map 263, Lot 13.1) in the Regional Commercial (RC) Zoning District. Also to be considered a hearing under RSA 674:54, II. By Steven Oles, LLS; Norway Plains Associates.,

<p>Owner: John Scruton, Town Administrator Town of Barrington PO Box 660 Barrington, NH 03825</p> <p>Professional: Steven Oles, LLS Norway Plains Associates, Inc. PO Box 249 Rochester, NH 03866</p>	<p>Dated: XXXXX/2016</p>
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**Dear applicant:**

This is to inform you that the Barrington Planning Board at its XXXXX, 2016 meeting **CONDITIONALLY APPROVED** your application referenced above.

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 6 calendar months to the day, by XXXXX, 2016, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board. *Reference 8.2.3 of the Town of Barrington Subdivision Regulations*

### **Conditions Precedent**

- 1)
  - a) Add the owners signature to the final plan
  - b) Add the wetland scientist stamp & signature to the final plan
- 2) Revise the following plan notes
  - a)
- 3) Add the following plan revisions to the plans
  - a) Proposed Lot 1 will be Map 263 Lot 13-2
  - b) Add a Revision Block to the plan (5.3.1(4))
  - c) List contiguous uplands
  - d) Show a proposed well location
- 4) Add the following plan notes:
  - a) Waivers granted
    - (1) 5.3.1(6) Existing Grades
    - (2) 5.3.1(7) Existing Drainage
    - (3) 5.3.1(8) Existing structures, wells, septic system locations on site within 100'
    - (4) 5.3.1(9) Natural Features
    - (5) 5.3.1(10) Man-made features
    - (6) 5.3.1(11) Existing public & private utilities
    - (7) 5.3.1(14) Existing building/man-made structures of historic significance
  - b) If the owner of proposed Lot 1 is unable to obtain a driveway permit from NHDOT, a Special Exception to take access from a side not its frontage is obtained, or some other means of approved access, the lot is to be merged with an adjacent lot.
- 5)# 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*)

- 6) Any outstanding fees shall be paid to the Town
- 7) Final Drawings (a) five sets of 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)

(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 grant the subdivision approval with conditions read by M. Gasses. The motion carried unanimously.*

4. [235-82-TC-16-SR/Sign \(Owners: Federal Savings Bank\)](#) Request by applicant for a proposal for a site review for removal of existing two-story office and replace with one-story bank lobby/office area and waivers from Section 5.5.1 (1) regarding internally lit signs and Section 5.7.1 Table 8 regarding sign area located at 6 Eastern Avenue on a 2.385 acre site in the Town Center (TC) Zoning District. By: Dana C. Lynch, P.E.; Civilworks New England; PO Box 1166; Dover, NH 03821-1166.

F. Nichols read the proposal:

- Removal of existing two-story office wing and replacement with a one-story bank lobby/office area
- Remodel of existing 1-story office wing and replacement with a one-story bank lobby/office area
- Construct drive-up ATM window on southerly end of new portion of building
- Remove existing drive-up/ATM window and associated pavement on northerly end of remodeled portion of building
- New lighting
- New landscaping around building
- Updated signs

F. Nichols asked if the Land Use Office received everything as complete.

M. Gasses confirmed that everything was received.

*A motion was made by J. Jennison and seconded by R. Spinale to accept the application as complete. The motion carried unanimously.*

Dana Lynch from Civilworks spoke on behalf of Federal Savings Bank. Dana explained that after reviewing the cost to have a temporary building and septic they decided to make partial demolition and renovations to the existing building. Dana Lynch explained that this was about a 2.4 acre site and they have a shared driveway with the condos and a DOT permit. Dana Lynch explained that this parcel was in the Town Center District. Dana Lynch explained that they would be using the same well and septic. Dana Lynch explained that they were going to demolish the south side of the building first which was where the second story was, this would be replaced with one story and the drive thru would be on this south side also. Dana explained that they renovations would be phased so that the bank would always be open. Dana Lynch explained that they would be decreasing the impervious surface and pavement on the site. Dana Lynch explained that there would be 15 parking spaces, adding a dumpster which would be a lite area. Dana Lynch explained that they would be removing the 13 light post and replace with seven new poles with LED lights. Dana Lynch also stated the drainage would be unchanged soils, there were are well drained soils. Dana Lynch stated that they were leaving the pine trees, the landscaper had stated they were healthy trees and they would plant low bushes. Dana Lynch showed what the architectural plans of the building would look like. Dana Lynch explained the setup of the building while under construction.

F. Nichols asked about the setup they were going to use while still open.

Dana Lynch explained that they would be using the lobby area while under construction.

R. Spinale asked if the drive thru was going to be on the right hand side.

Dana Lynch confirmed that the drive thru would be on the right side.

R. Spinale asked to explain where all the parking spaces would be.

Dana Lynch explained where the parking would be. Dana Lynch explained that there were little change in the parking spaces.

R. Spinale questioned the traffic pattern with the church where the drive thru would be.

Dana Lynch explained that they were not concerned about the traffic pattern because the church is closed when the bank is open and the bank is closed when the church was in session. Dana Lynch also explained that they shared parking with the church when needed and the church used there spaces too.

J. Brann stated that he sees no impact on the church.

M. Gasses explained that the pastor came in and he was all set with the plan.

P. Mausteller asked about the after hours night deposit and ATM.

Dana Lynch explained the placement of night deposit and the ATM.

J. Brann questioned the LED lighting and wanted to know if this would have any impact on the highway.

Dana Lynch explained that the lights meet the specifications and they are programmable so you don't get any glow upward.

R. Spinale asked if there would be a flag pole.

Dana Lynch explained that there would be a flag pole with a LED light.

F. Nichols asked about the signage.

Dana Lynch explained that the existing sign is 32 s.f.. Dana Lynch explained that they were asking for two waivers one was for illuminated internally and sign size. Dana Lynch explained that they are asking for a 3 ½ x 8 foot sign which would be 44.2 s.f. overall. Dana Lynch stated that the area businesses around the bank all had larger signs.

F. Nichols asked which part of the sign was illuminated.

Dana Lynch explained that it would be the top part. Dana Lynch supplied a picture of what the sign would look like when lit.

D. Ayer asked about the base of the sign.

Dana Lynch explained that they were not doing anything with the base.

P. Mausteller asked about placement of the sign.

Dana Lynch explained that the new sign would be in the same placement as old sign.

M. Gasses explained that the applicant was asking for less of a waiver because they are not lighting the lower half of the sign.

R. Spinale asked if the sign was the same size as the other Federal Savings Banks.

Dana Lynch explained that the sign would be smaller than the other Federal Savings Banks.

F. Nichols opened public comment.

John Wallace asked what was going to happen with the impervious surface that is being dug up.

Dana Lynch explained that the area would be lawn.

F. Nichols closed public comment.

F. Nichols stated that he believed that the applicant addressed all the Architectural Standards.

F. Nichols asked the Board if they were all set with the Architectural Standards or was the Board satisfied.

D. Ayer asked who reviews the standards.

M. Gasses explained that she reviewed them and the Board would review.

D. Ayer asked about third party review.

M. Gasses explained that the Board was the reviewing party. Third party review was not required.

F. Nichols reviewed all the standards and asked if anything was missing.

F. Nichols asked for a motion on the waivers.

Section 5.5.1 (1) Signs shall not be illuminated internally

*A motion was made by P. Mausteller and seconded by J. Brann 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.*

Section 5.7.1, Table 8 Sign Area 12 sq. ft.

*A motion was made by J. Brann 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.*

M. Gasses read the draft notice of decision.



## Planning & Land Use Department

Town of Barrington

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Barrington, NH 03825

603.664.0195

[barrplan@metrocast.net](mailto:barrplan@metrocast.net)

[barrplan@gmail.com](mailto:barrplan@gmail.com)

### DRAFT NOTICE OF DECISION

[Office use only]	Date certified:	As built received:	Surety returned
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*"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.*

**Proposal Identification:** [235-82-TC-16-SR/Sign \(Owners: Federal Savings Bank\)](#) Request by applicant for a proposal for a site review for removal of existing two-story office wing and replace with one-story bank lobby/office area and waivers from Section 5.5.1 (1) regarding internally lit signs and Section 5.7.1 Table 8 regarding sign area located at 6 Eastern Avenue on a 2.385 acre site in the Town Center (TC) Zoning District.\* By: Dana C. Lynch, P.E.,; Civilworks New England; PO Box 1166; Dover, NH 03821-1166.

Federal Savings Bank 633 Central Avenue Dover, NH 03820	Dated: xxxxxx, 2016
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Dana C. Lynch, P.E. Civilworks New England PO Box 1166 Dover, NH 03821-1166	
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**Dear applicant:**

This is to inform you that the Barrington Planning Board at its XXXXX, 2016 meeting **CONDITIONALLY APPROVED** your application referenced above.

List Waivers Granted For Sign

- 5.5.1(1) Signs shall not be illuminated internally
- 5.7.1, Table 8 Sign Area 12 sq. ft.

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 6 calendar months to the day, by XXXXX, 2017, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

**Conditions Precedent**

- 1) Add the following plan notes
  - a) A sign was approved as part of this application
- 2) Add the owners signature to the final plan
- 3) Any outstanding fees shall be paid to the Town
- 4) Prior to obtaining Board signature, the Applicant shall submit three(3) complete paper print plan sets and supporting documents as required in Article 3 with a letter explaining how the Applicant addressed the conditions of approval. This shall include final and complete reports for all items submitted during review for the Town of Barrington's file. The Chairman shall endorse three copies of the approved plan(s) meeting the conditions of approval upon receipt of an executed bond for all improvements, excluding buildings. The Town shall retain a signed and approved reproducible 11"X17", and PDF format with supporting documents for Town records.

**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

(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 J. Jennison and seconded by R. Spinale grant the Site Plan Approval with conditions read by M. Gasses. The motion passed unanimously.*

### **COMMUNICATIONS RECEIVED**

M. Gasses explained that the Board had received a revised check list for site review to review. Revisions would be made to checklist.

### **DISCUSSION OF ZONING AMENDMENTS**

#### **A. Sign Ordinance-DRAFT** *Second Workshop*

J. Brann had questions about the Sign Ordinance.

M. Gasses asked that the Board review Best Practices in Regulating Temporary Signs before asking questions. M. Gasses explained that the committee use the document in making the changes to the Sign Ordinance.

#### **B. ADU Ordinance-DRAFT** *Second Workshop*

R. Spinale asked if he could rent an ADU to a college student.

M. Gasses confirmed yes.

R. Spinale read from F. Nichols email:

Purpose:

To preserve low density rural nature and appearances of Barrington's neighborhoods while complying with State Law that requires local governments to allow Accessory Dwelling Units that provide independent living facilities for the elderly, disabled, adult children who wish to give care and support to parents, and to a lesser extent ~~because Barrington has sufficient affordable housing,~~ to increase the supply of affordable housing.

F. Nichols explained to a "lesser extent" because there was already affordable housing.

J. Brann agreed to a lesser extent."

J. Jennison explained that this would be intent of the law. J. Jennison explained that the law allows you to do other things as well to provide this type of living arrangements.

M. Gasses read with the line though what will be deleted above.  
~~because Barrington has sufficient affordable housing,~~

J. Jennison suggested getting rid of the affordable housing completely.

Below changes made by Board that was emailed to Board:

## **Zoning Amendment Proposal Accessory Dwelling Units**

Purpose: To preserve low density rural nature and appearances of Barrington's neighborhoods while complying with State Law that requires local governments to allow Accessory Dwelling Units that provide independent living facilities for the elderly, disabled, adult children who wish to give care and support to parents and to a lesser extent, expand the diversity and supply of housing. This keeps Town of Barrington's Zoning Ordinance in compliance with RSA 674:71 to :73 which was modified by Senate Bill 146 and signed into law by Governor Hassan and effective June 1, 2017.

XXX-xx. Accessory Dwelling Units.

Definition: An Accessory Dwelling Unit (ADU) is a residential living unit that is within, attached to, **or detached from** a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

Where permitted, an ADU shall comply with the following:

- A. A maximum of one (1) ADU per property is permitted and shall not exceed two bedrooms. An ADU shall not be permitted on property where more than one dwelling currently exists.
- B. Exterior alterations, enlargements, or extensions of the single family dwelling or detached Accessory Structure (AS) are permitted in order to accommodate the ADU.
- C. Modifications to the original single family dwelling or detached AS shall fit aesthetically with the principal residence and neighborhood (e.g., the house should not look like it was designed to be occupied by more than one family).
- D. The construction of any access ways into the house or detached AS that are required for access to the ADU shall be located to the side or rear of the building whenever possible.

- E. An interior door shall be provided between the principal dwelling unit and the ADU (if located within or attached to the primary dwelling unit) that can be locked or unlocked at the discretion of the owner.
- F. A minimum of one dedicated off-street parking space shall be provided for the ADU.
- G. New construction of a detached AS that incorporates an ADU shall ~~be~~ meet the minimum dimensional standards set forth in Article 4 of the Zoning Ordinance for a single family dwelling.
- H. If located within or attached to a single family dwelling, an ADU shall not exceed 1000 square feet. ~~be less than 50% of the finished floor space of the modified structure (i.e., includes the ADU).~~ If the ADU is located in a detached AS, the ADU finished floor space shall not exceed 750 square feet.
- I. A single-family dwelling or a detached AS, and lot, shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the single-family dwelling. In order to assure compliance with this requirement, the property owners at the time the ADU is established shall be required to execute a restrictive covenant running in favor of the Town, which shall be recorded in the Strafford County Registry of Deeds and a copy provided to the Planning and Land Use ~~Community Development~~ Department and the Assessor prior to the issuance of a Certificate Of Occupancy.
- J. The property owner shall occupy one of the two dwelling units. Electric, water, and sewer utilities shall be metered on a single bill.

K. Where municipal sewer is not provided, the septic system shall meet NH Water Supply and Pollution Control Division requirements for the combined system demand for the total occupancy of the premises.

L. ~~Any impact fees in place shall be assessed at the time of the building permit and paid prior to the Certificate of Occupancy.~~ No Impact Fee shall be assessed for ADU's.

M. A Certificate of Use for an ADU issued by the Zoning Administrator is required to verify conformance with the preceding standards. Said certificate shall be valid until there is a transfer of ownership of the property. If use of the ADU is to continue, the new owners of the property shall obtain an ADU Certificate of Use. Fees shall be levied as set forth in the Town of Barrington Adopted Schedule of Fees, as amended annually, for ADU Certificates of Use and renewals.

C. Recommendations from John Huckins Code Enforcement Officer, on Agriculture Use/Domestic Farm Animal/Contractor's Storage & Equipment Yard Definitions.

M. Gasses will get more information from John Huckins, Code Enforcement Officer before reviewing.

#### **REPORTS FROM OTHER COMMITTEES**

#### **UNFINISHED BUSINESS**

#### **OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD**

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

November 15, 2016 6:30 p.m., Early Childhood Learning Center 77 Ramsdell Lane

Without objection the meeting was adjourned at 9:59 pm

Respectfully Submitted,

Barbara Irvine