

**Legal Notice of Public Hearing
Town of Barrington Planning Board
TOWN HALL MEETING ROOM
4 Signature Dr., Barrington, NH 03825
January 25, 2024, at 6:30 pm
Second Public Hearing**

(In the case of inclement weather, the hearing will be held January 26, 2024, at 6:30 p.m.)

Pursuant to NH RSA 674:16; 675:3 and 675:7 notice is hereby given of a public hearing to be held by the Town of Barrington Planning Board for the purpose of discussing proposed amendments to the Zoning Ordinance.

PROPOSED AMENDMENT #1: Amend definitions and table of uses to allow elderly assisted home care home facilities to house an unlimited number of residents in the Village, Town Center, Regional Commercial and Highway Commercial Overlay District, rather than restricting those facilities to 15 residents or the maximum density permitted by NHDES. Elderly assisted home care facilities will still be limited to 15 residents and have a maximum density limitation in the General Residential and Neighborhood Residential districts and will require a conditional use permit in all districts, including the Regional Commercial District.

PROPOSED AMENDMENT #9: Remove the definition of frontage from Article 18—Definitions. Removal of frontage from definitions and have the same definition for lot frontage.

PROPOSED AMENDMENT # X: Increase the frontage on backlots from 50 feet to 75 feet on an existing Class V or better road.

PROPOSED AMENDMENT # X: In the General Residential and Neighborhood Residential districts increase the minimum lot size for single-family dwelling from 80,000 sq. feet to 150,000 sq. feet, also changing the type of soil from Hydric A soils to poorly or very poorly drained soils.

PROPOSED AMENDMENT # X: In the General Residential and Neighborhood Residential districts for each one (1) bedroom dwelling unit the minimum lot size to increase from 40,000 sq. feet to 60,000 sq. feet also changing the type of soil from Hydric A soils to poorly or very poorly drained soils.

PROPOSED AMENDMENT # X: In Article 4 -Table 2, Table of Dimensional Standards (a), for the General Residential district increasing the Min. Lot Frontage (ft.) (b) from 200 to 300.

PROPOSED AMENDMENT # X: In Article 4 -Table 2, Table of Dimensional Standards (a), for the Neighborhood Residential district increasing the Min. Lot Frontage (ft.) (b) from 200 to 300.

PROPOSED AMENDMENT # X: In Article 4 -Table 2, Table of Dimensional Standards (a), for the General Residential district Min. Lot Size (sq.ft.) (b) from 80,000 (c) to 150,000 (c).

PROPOSED AMENDMENT # X: In Article 4 -Table 2, Table of Dimensional Standards (a), for the Neighborhood Residential district Min. Lot Size (sq.ft.) (b) from 80,000 (c) to 150,000 (c).

PROPOSED AMENDMENT # X: Yield plans in a Conservation Subdivision to have a study to confirm the financial and technical feasibility of a yield Plan.

PROPOSED AMENDMENT # X: In Conservation Subdivisions, the common open space may not be used for individual or community water and sewerage systems required to service the proposed development.

PROPOSED AMENDMENT # X: For residential subdivisions, up to two (2) back lots may be allowed, notwithstanding the frontage requirements specified in the Table of dimensional Standards up to ten (10) lots or larger. Lots created after March 12, 2024, cannot be subdivided into backlots.

Copies of the full text are available to review in the Land Use Office and the Town Clerk Office located at 4 Signature Dr. in the Town of Barrington or online at <https://www.barrington.nh.gov/landuse> . The public is invited to attend and participate in the Public Hearing. Please contact the Land Use Office at (603) 664-0195 with questions.



TOWN OF BARRINGTON
NEW HAMPSHIRE

Office of the Planning Board

Second Hearing
2024 Proposed Zoning Amendments
Warrant Articles with Explanations

Zoning

Are you in favor of Amendment #1 to the Barrington Zoning Ordinance as recommended by the planning board, as follows: Amend definitions and table of uses to allow elderly assisted home care facilities to house an unlimited number of residents in the Village, Town Center, Regional Commercial and Highway Commercial Overlay District, rather than restricting those facilities to 15 residents or the maximum density permitted by NHDES. Elderly assisted home care facilities will still be limited to 15 residents and have a maximum density limitation in the General Residential and Neighborhood Residential districts and will require a conditional use permit in all districts, including the Regional Commercial District.

This amendment was recommended for approval by the Planning Board

Explanation: In an elderly assisted Care Home use, this change would allow for additional elderly residents in the Village, Town Center, Regional Commercial and Highway Commercial Overlay District, rather than restricting those facilities to 15 residents or the maximum density permitted by NHDES.

Zoning

Are you in favor of Amendment #9 to the Barrington Zoning Ordinance as recommended by the planning board, as follows: Remove the definition of frontage from Article 18—Definitions; and amend the definition of Lot Frontage in Article 18 to be consistent with the definition in Article 4.1—Dimensional Regulations.

This amendment was recommended for approval by the Planning Board

Explanation: The definition of frontage in Article 18—Definitions differs from the definition of lot frontage in Article 4—Dimensional Requirements. This amendment resolves the conflicting definitions. Removal of Frontage from definitions and have the same definition for Lot Frontage.

Zoning

Are you in favor of Amendment # 18 to the Barrington Zoning Ordinance as recommended by the planning board, as follows: Increase the required frontage for lots in the Neighborhood Residential and General Residential districts from 200 to 300 feet; increase the minimum lot size for lots in those districts from 80,000 SF to 150,000 SF, which must include 60,000 SF of land free of poorly or very poorly drained soils; and increase the additional square footage required



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for each additional one bedroom dwelling unit under a common roof that is not an ADU from 40,000 square feet to 60,000 SF.

***Explanation:** In the Neighborhood Residential and General Residential Zoning Districts the lot size is increasing from from 80,000 SF to 150,000 SF, which must include 60,000 SF of land free of poorly or very poorly drained soils; and increase the additional square footage required for each additional one-bedroom dwelling unit under a common roof that is not an ADU from 40,000 square feet to 60,000 SF. The lot frontage will increase for these districts from 200 to 300 feet.*

Zoning

Are you in favor of Amendment # 19 Are you in favor of Amendment #19 to the Barrington Zoning Ordinance as recommended by the planning board as follows: increase the required frontage for back lots from 50 to 75 feet; to prohibit the creation of backlots in subdivisions consisting of 10 or more lots; and to prohibit the creation of backlots from lots created after March 12, 2024.

***Explanation:** Backlot frontage to increase from 50 to 75 feet. Additionally, the prohibition of creating backlots in subdivisions consisting of 10 or more lots.*

Zoning

Are you in favor of Amendment # 20 Are you in favor of Amendment #20 to the Barrington Zoning Ordinance as recommended by the planning board as follows: Amend Article VI regarding Conservation Subdivisions to allow the planning board to require financial and technical feasibility studies of yield plans; and to prohibit lot areas, street right of way, and parking areas in common open space.

***Explanation:** For Conservation Subdivisions, the planning board to require financial and technical feasibility studies of yield plans.*

- 1. Edited definition of the elderly assisted care home to remove permanently housing up to (15) elderly residents. In the table of uses for elderly housing, footnote 3 and 15 to be removed for TC, V, HCO; add CP to Regional Commercial Zoning.**

Elderly Assisted Care Home means a residential facility permanently housing up to (15) elderly residents with common dining facilities and accessory Uses typically needed for elderly persons. The Planning Board may increase the number of residents through the granting of a conditional use permit. ~~Removing footnote #3 from V, TC, RC, HCO.~~

- 9. Lot Frontage to be consistent in the Zoning Ordinance.**

Section 4.1.2 to match definitions in the Zoning ordinance. Removal of Frontage from definitions and have the same definition for Lot Frontage.

Frontage. ~~The length of a lot line abutting a Class V highway or other road upon which buildings may be built lawfully.~~ ~~Remove definition in its entirety.~~

Lot Frontage ~~The horizontal distance measured along a front lot line between the points of intersection of the side lot lines with the front lot line.~~ ~~The side of a parcel used to satisfy the frontage requirement specified in the Table of Dimensional Standards, or other alternative standards, must be the side of the parcel used to provide vehicular access to the property. The Zoning Board of Adjustment may permit, by grant of a Special Exception, that a different side of the property be used for access because site constraints make using the otherwise required frontage inconsistent with protecting the safety, health and welfare of the public.~~

4.1.3(1).....The parcel must have at least ~~Seventy-Five (75) fifty (50)~~ feet of frontage on an existing Class V or better road.

4.2.1(1).....In the GR and NR districts the minimum lot size for Dwelling, Single-Family is ~~150,000 80,000~~ sq.ft. which must include at least 60,000 sq. ft. free of ~~Hydric A~~ ~~poorly or very poorly drained~~ soils, open water, bogs, marshes, rivers, streams, or exposed ledge. Additionally, the 60,000 sq. ft. must contain at least 35,000 sq. ft. of contiguous uplands ~~soils.~~

4.2.1(2).....For each additional one (1) bedroom dwelling unit under a common roof, which does not qualify as an Accessory Dwelling Unit under this Ordinance, the minimum standards cited in Paragraph 1) above shall be increased in the following proportions. Minimum lot size shall be increased by ~~60,000 40,000~~ sq. ft., the area free of poorly or very poorly drained ~~Hydric A~~ soils, open water, bogs, marshes, rivers, streams, or exposed ledge shall be increased by 30,000 sq. ft. and the area of upland soils shall be increased by 15,000 sq. ft. Any dwelling unit created under this provision may contain a total of no more than two additional habitable rooms (such as a kitchen and living room), in addition to a bedroom. No additional habitable rooms may be created in said dwelling units at any time in the future.

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Article 4 -Table 2 Table of Dimensional Standards (a)
General Residential – Min. Lot Frontage (ft.) (b) from 200 to 300

.....Article 4 -Table 2 Table of Dimensional Standards (a)
Neighborhood Residential – Min. Lot Frontage (ft.) (b) from 200 to 300

Article 4 -Table 2 Table of Dimensional Standards (a)
 General Residential – Min. Lot Size (sq.ft.) (b) 80,000 (c) to 150,000 (c)

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Article 4 -Table 2 Table of Dimensional Standards (a)
 Neighborhood Residential – Min. Lot Size (sq.ft.) (b) 80,000 (c) to 150,000 (c)

| Table 2.....Table of Dimensional Standards (a) | | | | | | | | |
|---|-------------------------------------|------------------------------------|------------------------------------|-------------|-------------|--------------------------|----------------|------------------------------|
| Zoning District | Min. Lot Size (sq.ft.) (b) | Min. Lot Frontage (ft.) (b) | Min. Yard Setbacks (ft.)(i) | | | Max. Bldg. Height | | Max. Lot Coverage (f) |
| | | | Front | Side | Rear | Feet | Stories | |
| General Residential | 150,000 (c) 80,000(e) | 300 200 | 40 | 30 | 30 | 35 | 2.5 | 40% |
| Neighborhood Residential | 150,000 (c) 80,000(e) | 300 200 | 40 | 30 | 30 | 35 | 2.5 | 40% |
| Village District (Residential) | 80,000(c) | 200 | 40 | 30 | 30 | 35 | 2.5 | 40% |
| Village District (Non-Residential) | 30,000(g) | 75 | 20 | 15 | 15 | 40(j) | 3 | 60% |
| Town Center | 20,000(h) | 40 | 20(k) | 15 | 15 | 40(j) | 3 | 80% |
| Regional Commercial | 40,000(d) | 200 | 75(e)(l) | 30 | 30 | 40(j) | 3 | 50% |

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Footnotes:

- (a) All development is subject to the additional and supplemental dimensional standards prescribed in Article 4 of this Ordinance.
- (b) Refer to Article 4.2 for calculating the minimum lot size per dwelling unit within each district.
- (c) Minimum lot sizes and frontage may be reduced as part of a Conservation Subdivision in accordance with Article 6 of this Ordinance.
- (d) Minimum lot sizes for residential dwelling units in the RC district shall be in accordance with Section 4.2 of this Ordinance.
- (e) A greenbelt shall be maintained along the frontage of parcels on Route 125 in accordance with Subsection 4.2.3, Paragraph 4), of this Ordinance.
- (f) Maximum lot coverage means the area of the lot covered by an impervious surface. Calculation of maximum lot coverage in a Planned Unit Development (PUD) shall be in accordance with Subsection 16.3.3. All development is subject to the provisions of Article 12, Groundwater Protection, with regard to the creation of impermeable surfaces.
- (g) The minimum lot size for single-family dwelling units must comply with the provisions of Subsection 4.2.1 of this Ordinance, which are the same requirements for constructing a single-family dwelling in the GR and NR districts, as well as all other applicable provisions. Refer to section 4.2.2 for further specifications regarding minimum lot size and building size requirements in the VD district.
- (h) Refer to Section 4.2.4 for additional provisions regarding minimum lot size and building size in the TC district.
- (i) "Setbacks apply to ground mounted Solar Collection Systems. Increases in the Minimum Yard Setbacks may be required as part of the Site Plan Review or building permit process in order to comply with Life Safety Code requirements. Additional buffers may also be required between residential and nonresidential uses in the VD, RC, and TC districts as specified in Article 4, as well as other sections of this Ordinance.
- (j) No structure may contain occupied residential building space above 35 ft. unless said structure contains a sprinkler system.
- (k) The setback for all new structures shall be fifty (50) feet from the edge of the right-of-way along Route 125 and Route 9. No new structures (except signs) may be placed within this setback area.
- (l) Properties in the Regional Commercial District which do not front on State Highways (i.e., Routes 4 and 125), the minimum front setback is forty (40) feet.

Purpose is to add study to confirm the financial and technical feasibility of a yield Plan. Adding a new subsection.

6.3.2(5).... The Planning Board, at its discretion, may require a study to confirm the financial and technical feasibility, under current market conditions, of any presented yield plan or section of a yield plan.

Purpose is to move 6.2.2(8) to move to 6.2.9. New subsection 6.2.2(9)(e) would be Common open space may not be used for.

~~6.2.2(8).....Common open space may be used for individual or community water and sewerage systems required to service the proposed development.~~

6.2.2(9).....Common open space may not be used for:

6.2.2(9)(a)Private lot areas

6.2.2(9)(b)Cluster group lot areas

6.2.2(9)(c)Street rights-of-way

6.2.2(9)(d)Parking areas

6.2.2(9)(e) Individual or community water and sewerage systems.

Revising 4.1.3 Back Lots to not allow subdivision of 10 lots or more to be subdivided into backlots.

4.1.3.....Back Lots

For residential subdivisions, up to two (2) back lots may be allowed, notwithstanding the frontage requirements specified in the Table of dimensional Standards up to ten

(10) lots or larger. Lots created after March 12, 2024, cannot be subdivided into backlots.