



# Barrington Zoning Board of Adjustment Zoning Ordinance Variance and Special Exception Application Checklist

Please schedule a meeting with staff before submitting your application.

This checklist has been prepared to assist you in submitting a complete application to the Town of Barrington. At the Pre-Application meeting, staff will check off the items on this list that are required with your submission.

***This document constitutes a public disclosure under RSA Chapter 91 – A, Access to Governmental Records and Meetings.***

Date 8/31/2020 Case No. 223-26-RC-20-SpecExp  
 Owner Route 125 Development, LLC Mailing Address 7B Emery Lane, Stratham, NH 03885  
 Phone 603-772-9400 Email ifalzone@weinvestinland.com

### PART I – GENERAL REQUIREMENTS

***All Graphics shall be to Scale and Dimensioned***

Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.

Req'd	Rec'd
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- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Zoning Board of Adjustment Application Checklist ( <i>this form</i> )   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. ZBA General Information (Article(s) and Section(s) of Ordinance)  |
| <input type="checkbox"/>            | <input type="checkbox"/> | 3. Appeal and Decision   |
| <input type="checkbox"/>            | <input type="checkbox"/> | 4. Fees - \$150.00 Application <input checked="" type="checkbox"/><br>\$ 75.00 Legal Notice <input checked="" type="checkbox"/><br>\$ 7.00 per US Post Office Certified Letter <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Completed Project Application Form<br><input checked="" type="checkbox"/> Variance <input checked="" type="checkbox"/> Special Exception <input type="checkbox"/> Appeal  |
| <input type="checkbox"/>            | <input type="checkbox"/> | 6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 7. Project Narrative   |

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- 8. HOA Approval *(if applicable)*
- 9. Context or Locus Map (Show Surrounding Zoning Districts)
- 10. Existing Conditions Site Plan or Recorded Subdivision Plan to include well and septic location (may be found at Strafford County Registry of Deeds).
- 11. Existing Conditions Photo Exhibit *(See instruction page for submitting photos)*  
Up to four photos may be shown per 8 1/2" X 11" page size
  - a. Show all existing structures on site
- 12. List of Certified Abutters (Include Applicant and all licensed professionals, i.e., engineer, architect, land surveyor, or soil scientist, whose seals are affixed to the plan, as well as any holder of a conservation or agricultural easement)
- 13. Mailing Labels (4 sets)

**PART II – REQUIRED PLANS AND RELATED DATA**  
*All Graphics and Plans Shall be to Scale and Dimensioned*

- 1. Site Plan - ***Drawn and Stamped by Registered Land Surveyor***
  - a. 24" X 36" – 2 Copies
  - b. 11' X 17" – 6 Copy
  - c. 8 1/2 " X 11" – 1 Copy
- 2. Elevations: Show all sides of building and indicate building heights
  - a. 24" X 36" – 2 Copies
  - b. 11' X 17" – 6 Copy
  - c. 8 1/2 " X 11" – 1 Copy
- 3. Floor Plans
  - a. 24" X 36" – 2 Copies
  - b. 11' X 17" – 6 Copy
  - c. 8 1/2 " X 11" – 1 Copy
- 4. All drawings and any revised drawings must be submitted in PDF format
- 5. OTHER: \_\_\_\_\_
- 6. Your Appointment Date and Time for Submitting the Complete Application is: \_\_\_\_\_

Barbara Arnie  
Staff Signature

9/2/2020  
Date

**Land Use Department**  
**Town of Barrington; 137 Ramsdell Lane; Barrington, NH 03825**  
**barrplan@metrocast.net Phone: 603.664.5798**

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 223-26-RC-20-Spec Exp  
223-26-RC-20-Val

Project Name The Ridge at Greenhill

Location Address Route 125

Map and Lot Map 223, Lot 26

Zoning District (Include Overlay District if Applicable) Regional Commercial

Property Details:

- Single Family Residential
- Multifamily Residential
- Manufactured Housing
- Commercial
- Mixed Use
- Agricultural
- Other

Use: Residential

Number of Buildings: \_\_\_\_\_ Height: \_\_\_\_\_

Setbacks: Front >500' Back \_\_\_\_\_ Side \_\_\_\_\_ Side \_\_\_\_\_

Description of Request

Cite the Section of the Zoning Ordinance you are requesting a Variance or Special Exception for.

If this is an Appeal from an Administrative Enforcement Order, Planning Board Decision, or Zoning Board of Adjustment Decision, please attach pertinent documentation: § 3.5(3)(a) and Article 19 - Note # 8

The Applicant seeks 1) a variance from the use requirements of Section 2 and Table 1 of the Zoning Ordinance to permit three residential lots in the Regional Commercial district and 2) a Special Exception pursuant to Section 4.1.2 to permit access across a different side of the property from the frontage. Residential uses excluded

Project Narrative: (Please type and attach a separate sheet of paper)  
Please see attached.

Barrington Zoning Ordinance Requirements:

The Zoning Ordinance does not permit single family homes in the Regional Commercial district and requires that access to lots be across their frontage.

Request: (You may type and attach a separate sheet of paper)

The Applicant seeks a variance to permit the use of three lots designated for commercial use on a previously conditionally-approved open space residential subdivision. Though the lots front on Route 125, the proposed access is from the rear via an internal subdivision road.

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**PART IV – If this is a JUSTIFICATION FOR VARIANCE**

**The Zoning Board of Adjustment may not authorize a zoning ordinance variation unless ALL of the following criteria are met. Please provide evidence that the requested Variance complies by addressing the issues below.**

1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.  
Please see attached.

2. Granting the variance would be consistent with the spirit of the Ordinance.  
Please see attached.

3. Granting the variance will not result in diminution of surrounding property values.  
Please see attached.

4. Granting of the variance would do substantial justice.  
Please see attached.

5. Granting of the variance would not be contrary to the public interest.  
Please see attached.

**PART V – If this is a JUSTIFICATION FOR SPECIAL EXCEPTION**

**Please provide evidence that the requested Special Exception complies by addressing the issues below.**

1. No detriment to property values in the vicinity of the proposed development will result on account of: the location or scale of buildings, structures, parking areas, or other access ways; the emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or unsightly outdoor storage of equipment, vehicles, or other materials.  
Please see attached.

2. No hazard will be caused to the public or adjacent property on account of potential fire, explosion, or release of toxic materials.  
Please see attached.

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3. No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity of the proposed development.

Please see attached.

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4. No excessive demand on municipal services and facilities, including, but not limited to waste disposal, police and fire protection, and schools.

Please see attached.

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5. The proposed use will not result in the degradation of existing surface and groundwater quality standards, nor will it have adverse effects on the natural functions of wetlands on the site that would result in the loss of significant habitat or flood control protection.

Please see attached.

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**In addition to the guiding principles specified above, the ZBA may condition the granting of a special exception upon more stringent standards if the Board determines that such conditions are necessary to protect the health and welfare of the town and its residents. Such conditions may include the following and should be addressed in the Narrative:**

- 1. Front, side, or rear yards in excess of the minimum requirements of this Ordinance.
- 2. Screening of the premises from the street or adjacent property by walls, fences, or other devices.
- 3. Limitations on the size of buildings and other structures more stringent than minimum or maximum requirements of this Ordinance.
- 4. Limitations on the number of occupants and methods and times of operation.
- 5. Regulation of the design and location of access drives, sidewalks, and other traffic features.
- 6. Location and amount of parking and loading spaces in excess of existing standards.
- 7. Regulation of the number, size, and lighting of signs in excess of existing standards.

  
\_\_\_\_\_  
Signature of Applicant

8/31/2020  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

8/31/2020  
\_\_\_\_\_  
Date

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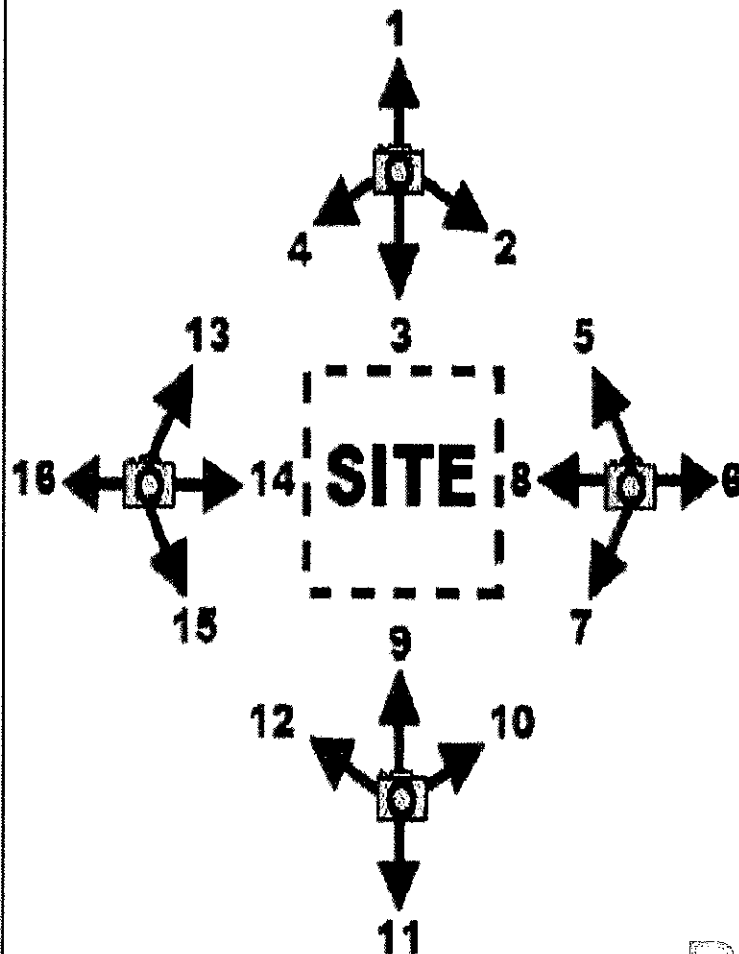
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## SITE / CONTEXT PHOTOS

Using Guidelines Below

Provide color photographs showing the site and surrounding buildings/properties in order to provide staff, boards and commissions with a visual impression of the current site conditions.

1. Photos are to be taken looking toward the site and adjacent to the site.
2. Photos should show adjacent improvements and existing on-site conditions.
3. Number the photographs according to view.



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**ADDENDUM TO APPLICATION OF ROUTE 125 DEVELOPMENT LLC  
FOR A VARIANCE & SPECIAL EXCEPTION  
THE RIDGE AT GREENHILL / ROUTE 125/OLD GREEN HILL ROAD**

Project Narrative:

The Applicant has previously obtained conditional approval from the Barrington Planning Board for a 55-lot open space residential subdivision and 5 commercial lots on Route 125 in the Regional Commercial zoning district. As planning for the development has proceeded, it has become clear that the use of one of the commercial lots (designated as C5 on the approved plan) (See **Exhibit 1**) for commercial uses is not the best use for said lot and will be difficult to both market and develop. The lot has extensive wetlands along Route 125, which, in combination with the required buffers and difficult topography, would require that any building be set back in excess of 150 feet from Route 125, severely limiting the visibility of the building from the roadway and rendering it difficult to use the lot for commercial purposes. Further, since an option for access exists that would not impact the wetlands (if the special exception is granted) it is unlikely that access through the wetlands would be approved.

Attached hereto as **Exhibit 2** is a plan showing the proposed lots with the wetlands and buffers thereon, as well as the topography which limits the development potential, and **Exhibit 3** is a review by Gove Environmental Services.

The Applicant proposes to create three residential lots out of Lot C5, each of which will exceed the dimensional zoning requirements, and slightly alter the current boundary between Lot C5 and Lot C4. The new residential lots (designated R1, R2, and R3 on the proposed plan attached hereto as **Exhibit 4**) will derive their access from an internal subdivision road to avoid crossing through the wetlands and creating another access point from Route 125. The homes on said proposed lots will be sited far back on each lot, well in excess of the required setbacks from Route 125.

If the access to the commercial lots were from Route 125 through the residential subdivision the roadway would be in excess of 2,000 feet-(see **Exhibit 5**).The Applicant requests a use variance to permit the development of the three residential lots in the Regional Commercial zoning district, and a special exception to permit access to the lots over sides which are not the frontage.

If this Board grants the relief the applicant will file for a modification of the open space subdivision with the planning board.

Variance:

1. *Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.*

The commercial lot which is proposed to be subdivided into three residential lots has an extensive wetland system along its frontage on Route 125. The wetlands and associated buffer areas greatly diminish the use of the lot for commercial use. As a result of the

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wetlands and buffers, any commercial structure would necessarily be placed far back from the road, a less than ideal location. Moreover, the topography of the site disfavors a commercial use; there are steep grades on the site that limits the size of any potential structure, rendering the structure less useful for a commercial purpose. No fair and substantial relationship exists between the provision of the ordinance requiring commercial use along Route 125 and the specific application of said provision to the site, where the utility of the site for commercial uses is minimal. The proposed residential use is reasonable because the lots will function as an extension of the conditionally-approved residential subdivision, with the houses set far back from Route 125.

2. *Granting the variance would be consistent with the spirit of the Ordinance.*

Granting the variance is consistent with the spirit of the Ordinance because it permits a use which is already allowed in the zoning district, albeit as part of a mixed-use development, and will protect the wetlands and associated buffer areas. It also keeps residential structures well away from Route 125.

Additionally, there is an historic cemetery on the site that is well preserved with approximately 25 plots. The residential use on the lots will allow for an increase in the required 25 foot buffer as well as provide a better access, rather than through a commercial environment.

3. *Granting the variance will not result in diminution of surrounding property values.*

There will be no impact on the surrounding property values. The proposed residential use may actually increase the value of the other residential properties in the conditionally-approved subdivision.

4. *Granting of the variance would do substantial justice.*

Granting the variance will do substantial justice because the requested relief is consistent with the previously conditionally-approved residential subdivision.

5. *Granting of the variance would not be contrary to the public interest.*

Granting the variance is not contrary to the public interest because it will result in the protection of wetlands and their associated buffer areas and will utilize land abutting a residential subdivision for a harmonious purpose.

Special Exception:

1. *No detriment to property values in the vicinity of the proposed development will result on account of: the location or scale of buildings, structures, parking areas, or other access ways; the emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or unsightly outdoor storage of equipment, vehicles, or other materials.*

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There will be no detriment to the property values in the area as a result of the use of the property for three additional residential lots with their access across a side lot line as opposed to their frontage.

Additionally, residential access to the 3 residential lots is consistent with the traffic in a residential subdivision neighborhood as opposed to the greater number of vehicles traveling over 2000 feet of road to access businesses on the lot. See **Exhibit 5** hereto.

2. *No hazard will be caused to the public or adjacent property on account of potential fire, explosion, or release of toxic materials.*

The request for a special exception is made in conjunction with a request for a variance to permit three additional residential dwellings on three lots that are accessed from an internal subdivision road rather than across their frontages. The access to the homes will not create a hazard to the public or to adjacent property.

3. *No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity of the proposed development*

Access to the three additional residential lots via a side that is not their frontage will not create a traffic safety hazard or substantial traffic congestion.

4. *No excessive demand on municipal services and facilities, including, but not limited to waste disposal, police and fire protection, and schools.*

The access to the three additional residential lots will not substantially increase the demand for municipal services and facilities. The existing facilities are more than adequate to meet any need.

5. *The proposed use will not result in the degradation of existing surface and groundwater quality standards, nor will it have adverse effects on the natural functions of wetlands on the site that would result in the loss of significant habitat or flood control protection.*

The proposed access to the three lots across their rear and/or sides will not degrade existing resources. In fact, granting a special exception for such access will protect the wetland which run along the lots' boundaries with Route 125 by decreasing the need for additional crossings of the wetland for access to said lots.

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Exhibit 1

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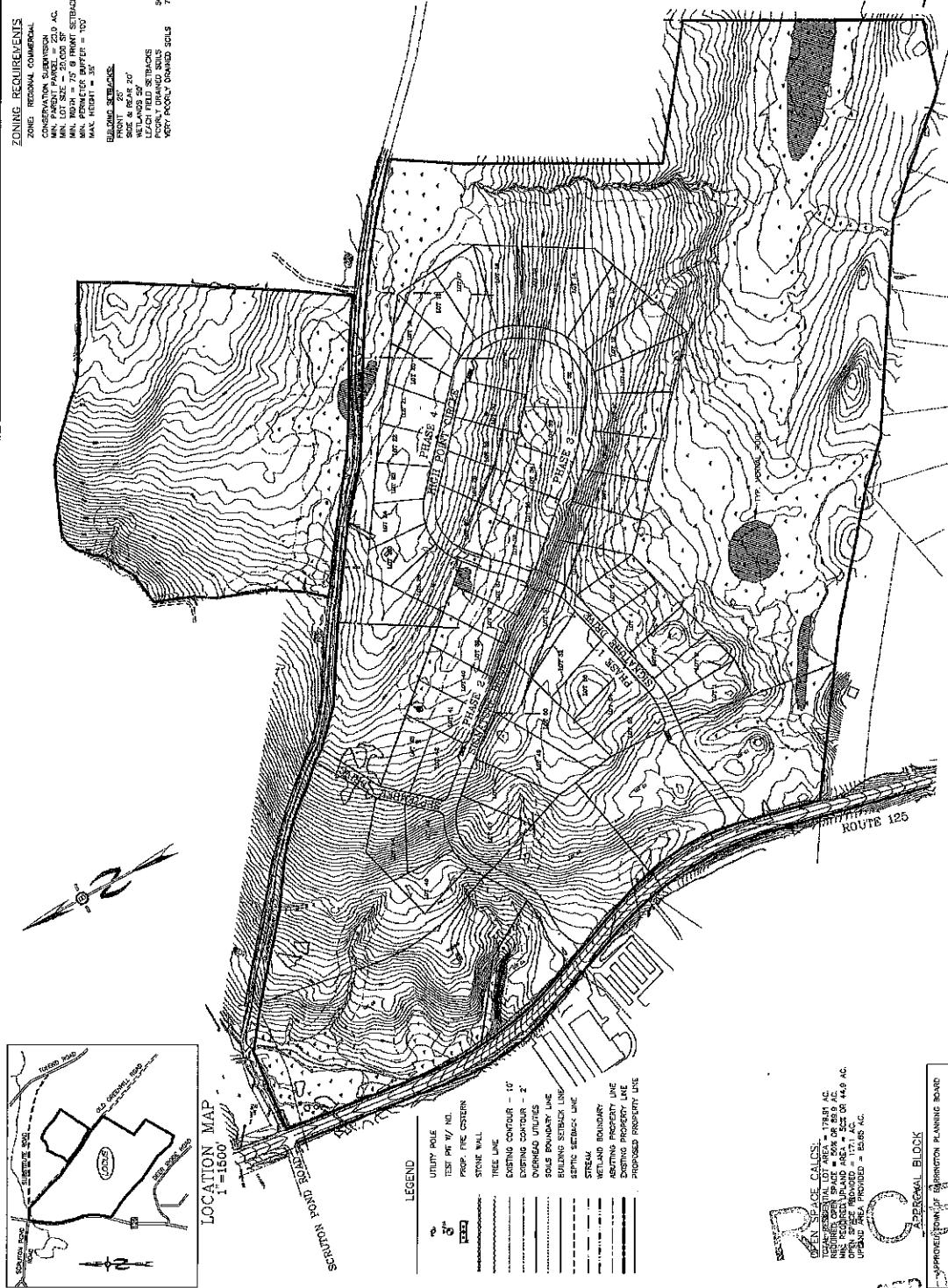
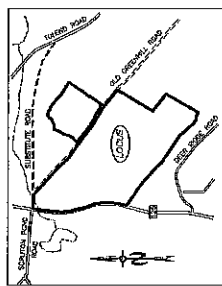
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**ZONING REQUIREMENTS**  
 ZONE: RESIDENTIAL COMMERCIAL  
 CONSERVATION SUBDIVISION  
 MIN. LOT SIZE = 20,000 SQ. FT.  
 MIN. FRONT SETBACK = 75 FT.  
 MIN. SIDE SETBACK = 10 FT.  
 MIN. REAR SETBACK = 10 FT.  
 MAX. HEIGHT = 30 FT.

**BUILDING SETBACKS**  
 FRONT: 25'  
 SIDE & REAR: 20'  
 LEACH FIELD SETBACKS  
 PEOPLE DRAINAGE BASINS  
 VERY POORLY DRAINING SOILS

50'



- LEGEND**
- UTILITY POLE
  - 1/2" DIA. 17' HD.
  - PROP. FIRE CISTERN
  - STONE WALL
  - TREE LINE
  - EXISTING CONTOUR - 10'
  - EXISTING CONTOUR - 2'
  - OVERHEAD UTILITIES
  - SOIL BOUNDARY LINE
  - BOUNDARY SETBACK LINE
  - EXISTING SETBACK LINE
  - WETLAND BOUNDARY
  - EXISTING PROPERTY LINE
  - PROPOSED PROPERTY LINE

**DATE OF CALC.**  
 TOTAL RESIDENTIAL LOT AREA = 128.81 AC.  
 RESIDENTIAL OPEN SPACE = 206.08 AC.  
 TOTAL LOT AREA = 334.89 AC.  
 OPEN SPACE PROVIDED = 177.1 AC.  
 UPGRADE AREA PROVIDED = 25.65 AC.

**APPROVAL BLOCK**  
 APPROVED BY: [Signature]  
 DATE: [Blank]

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PREPARED FOR:  
**ROUTE 125 DEVELOPMENT, LLC**  
**JOSEPH FALZONE**  
**7B EMERY LANE**  
**STRATHAM, N.H. 03885**

**BEALS ASSOCIATES PLLC**  
 70 PORTMANVILLE AVE. STE. 200 STRATHAM, NH, 03885  
 PHONE: 603-883-4669 FAX: 603-883-4663

- NOTES**
1. UNDESIGNED FACILITIES UTILITIES AND STRUCTURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT RULES. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.
  2. THIS PLAN HAS BEEN PREPARED FOR BIDDING AND SHALL BE CONSIDERED AS SUCH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
  3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
  4. ALL ROAD AND DRIVEWAY WIDTHS SHALL CONFORM TO THE TOWN ZONING REGULATIONS.
  5. ALL PROPOSED DRIVEWAYS SHALL CONFORM TO THE TOWN ZONING REGULATIONS.
  6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
  7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
  8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
  9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
  10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



**TOWN NOTES**  
 THE TOWN ENGINEER HAS REVIEWED THE SUBDIVISION MAP AND FOUND IT TO BE IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT RULES. THE TOWN ENGINEER HAS REVIEWED THE SUBDIVISION MAP AND FOUND IT TO BE IN ACCORDANCE WITH THE SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT RULES.

DATE: MAY 2019	SCALE: 1"=50'	SHEET NO.: 1 OF 31
PROJECT: RES113		
<b>OPEN SPACE SUBDIVISION</b>		
PLAN FOR RESIDENTIAL DEVELOPMENT RT. 125 STRATHAM HILL RD. STRATHAM, N.H.		
DESIGNED BY: [Blank]	DATE: [Blank]	
CHECKED BY: [Blank]	DATE: [Blank]	

Exhibit 2

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# THE RIDGE AT GREENHILL

PREPARED FOR:  
**ROUTE 125 DEVELOPMENT, LLC**  
 JOSEPH FAIZONE  
 7B EMERY LANE  
 STRATHAM, N.H. 03886

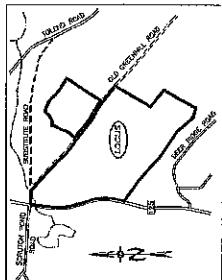
**BEALS ASSOCIATES PLLC**  
 70 PORTSMOUTH AVENUE, STRATHAM, N.H. 03885  
 PHONE: 603-553-5800 FAX: 603-553-5835

### ZONING REQUIREMENTS

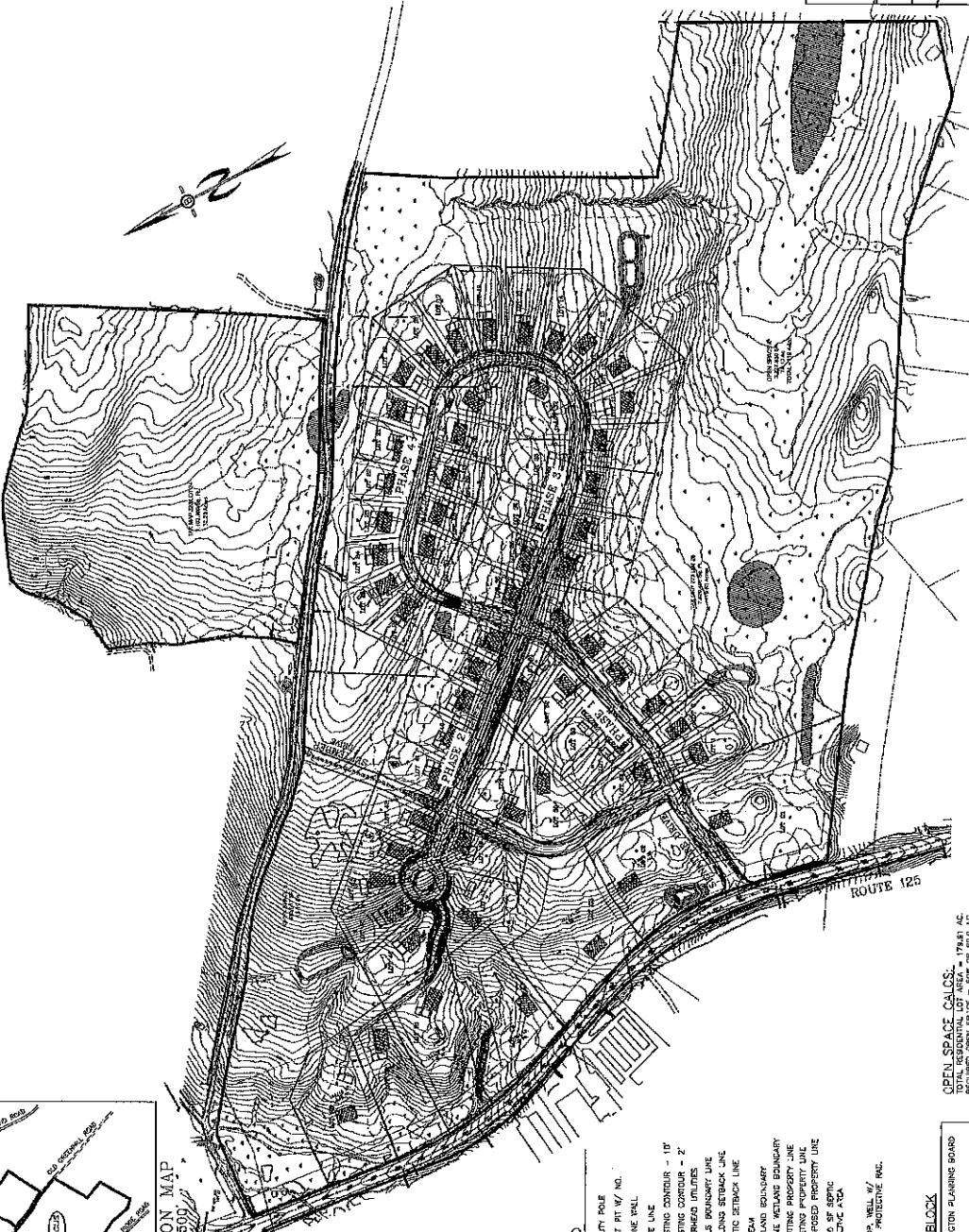
ZONE: REGIONAL COMMERCIAL  
 MIN. LOT AREA = 20,000 SQ. FT.  
 MIN. PAVED AREA = 20,000 SQ. FT.  
 MIN. LOT SIZE = 20,000 SQ. FT.  
 MIN. FRONT SETBACK = 100 FT.  
 MIN. SIDE SETBACK = 100 FT.  
 MIN. REAR SETBACK = 100 FT.  
 MAX. HEIGHT = 35 FT.  
 BUILDING SETBACKS:  
 FRONT = 25 FT.  
 SIDE = 10 FT.  
 REAR = 20 FT.  
 WETLANDS 50 FT.  
 LEACH FIELD SETBACKS:  
 FRONT = 100 FT.  
 SIDE = 100 FT.  
 LEACH FIELD SETBACKS:  
 FRONT = 100 FT.  
 SIDE = 100 FT.  
 LEACH FIELD SETBACKS:  
 FRONT = 100 FT.  
 SIDE = 100 FT.

**TOWN NOTES**  
 1. THE TOWN ENGINEER HAS REVIEWED THIS SUBDIVISION MAP AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING BYLAW. THE TOWN ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE MAP AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE TOWN ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE MAP AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE TOWN ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE MAP AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

PROJ. NO.	NI-114	SHEET NO.	OF 1
DATE	JAN. 2019	SCALE	1"=200'
PLAN FOR: <b>RESIDENTIAL DEVELOPMENT</b> RT. 125 / OLD GREEN HILL RD. BARRINGTON, NH			
OPEN SPACE SUBDIVISION			



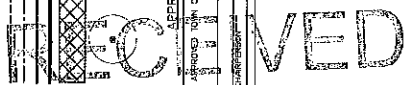
LOCATION MAP  
 1"=1500'



- LEGEND**
- UTILITY POLE
  - 10' TEST PIT (1/2" NO.)
  - STONE WALL
  - FREE LINE
  - EXISTING CENTER - 10'
  - EXISTING CENTER - 2'
  - SOIL BOUNDARY LINE
  - SOIL BOUNDARY LINE
  - BUILDING SETBACK LINE
  - SETBACK SETBACK LINE
  - STREAM
  - WETLAND BOUNDARY
  - PRIME WETLAND BOUNDARY
  - ADJUTING PROPERTY LINE
  - PROPOSED PROPERTY LINE
  - PROPOSED PROPERTY LINE
  - PROPOSED PROPERTY LINE
  - RECEIVE AREA
  - PROPOSED WELL #/7
  - 75 PROTECTIVE RIG.

**OPEN SPACE CALCS.**  
 TOTAL RESIDENTIAL LOT AREA = 17841 AC.  
 MIN. REQUIRED OPEN SPACE AREA = 10000 AC.  
 OPEN SPACE PROVIDED = 1172 AC.  
 100% OPEN SPACE PROVIDED = 10000 AC.

**APPROVAL BLOCK**  
 APPROVED BY: [Signature]  
 DATE: [Blank]



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Exhibit 3

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GOVE ENVIRONMENTAL SERVICES, INC.

August 28, 2020

Joe Falzone  
Route 125 Development, LLC  
7B Emery Lane  
Stratham, NH 03885

**Re: Access Road Revision  
The Ridge at Green Hill Subdivision  
Calef Highway (Rt 125)  
Barrington, NH**

Dear Mr. Falzone:

I understand a change is being contemplated to the roadway approved for this subdivision that may necessitate alternative access for Commercial Lot #5, directly from Route 125. This letter is to provide an opinion on the feasibility of this access from a wetland permitting perspective. The New Hampshire Department of Environmental Services had previously approved a small impact to a low value wetland to access this lot from the lower part of the subdivision road outside the residential area. I believe that proposing direct access from Route 125 would be problematic for several reasons.

Access from Route 125 would require a much larger wetland impact and would likely exceed what is possible by amendment, therefore requiring a new permit. It is not clear that you would be able to demonstrate that such an access is the least impacting alternative considering both the size of the impact and that the wetlands in this location are of considerably higher value than the originally proposed crossing location. The relative function and value of the wetland on the site is now formally taken into consideration in evaluating least impacting alternative under the recently revised wetland rules. Considering these factors, and apparent alternatives which provide access elsewhere with little or no wetland impact, a direct access from Route 125 is not likely to be an approvable option.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Brendan Quigley  
Gove Environmental Services, Inc.

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