

# Project Application

## Land Use Department

P.O. Box 660; 333 Calef Hwy, Barrington, NH 03825 ♦ Phone: 603-664-5798 ♦ Fax: 603-664-0188

Case Number: 260-13 & 14-GR-22-210t/LL Project Name: 5 Partridge Drive Date 10/12/2022

Staff Signature required PRIOR to submittal

PRELIMINARY APPLICATION: Preliminary Conceptual Review \_\_\_ Design Review \_\_\_ Development of Regional Impact \_\_\_

### FORMAL APPLICATION:

Subdivision Type: Major \_\_\_ Minor X Conventional \_\_\_ Conservation \_\_\_

Site Plan Review: Major \_\_\_ Minor \_\_\_

Conditional Use Permit \_\_\_ Sign Permit \_\_\_ Boundary Line Adjustment X Special Permit \_\_\_

Change of Use \_\_\_ Extension for Site Plan or Subdivision Completion \_\_\_

Amendment to Subdivision/Site Plan Approval \_\_\_ Other \_\_\_

Project Name: Subdivision for Richard Family Trust Area (acres or S.F.) 40.8 +/- acres

Project Address: 5 Partridge Drive, Barrington, NH

Current Zoning District(s): General Residential & WDO Map(s) 260 Lot(s) 13 & 14

Request: Lot Line Adjustment and create 1 new lot.

The property owner shall designate an agent for the project. This person (the applicant) shall attend pre-application conferences and public hearings, will receive the agenda, recommendations, and case reports, and will communicate all case information to other parties as required.

All contacts for this project will be made through the Applicant listed below.

Owner: Christine and Wayne Richard, Trustees of the Richard Family Trust

Company: \_\_\_\_\_

Phone: 603-617-9286

Fax: \_\_\_\_\_

E-mail: waynechris0612@gmail.com

Address: 5 Partridge Drive, Barrington, NH 03825-3018

Applicant (Contact): Joel D. Runnals

Company: Norway Plains Associates, Inc.

Phone: 603-335-3948

Fax: 603-332-0098

E-mail: jrunnals@norwayplains.com

Address: PO Box 249, Rochester, NH 03866

Architect: \_\_\_\_\_

Company: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

Land Surveyor: Joel D. Runnals, LLS

Company: Norway Plains Associates, Inc.

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_


E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

  
Owner Signature

  
Applicant Signature

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Staff Signature

10/12/2022  
Date

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TOWN OF BARRINGTON - LAND USE DEPARTMENT

Project Narrative:

Project Name: Lot Line Adjustment & Subdivision for Richard Family Trust Case

File # 260-13 & 14-GR-22-210+14

Project Location: Hemlock Lane and Partridge Drive

Tax Map 250, Lots 13 & 14

Date of Application: October 09, 2022

Property Details:

Lot 13 is developed, and Lot 14 is undeveloped land

Current Zoning: General Residential      Lot Area Size: 10.1 +/- acres.

Setbacks;      Front= 40'      Side= 30'      Rear= 30'

Description of the project, it's purpose and intent:

This proposal is for a Lot Line Adjustment between Lots 13 & 14 and a Subdivision to create a new lot 13-1. See attached Narrative.

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July 18, 2022

Re: Al Wood Drive Road Association

On June 18, 2022, the Al Wood Drive Road Association had their annual meeting as set forth in the association by-laws to discuss and vote on actions to maintain the right of way now known as Hemlock Lane a private road in Barrington, NH.

At the meeting the membership discussed the proposed construction of two properties on Hemlock Lane. One property has been a member in good standing in the Association for many decades and per our by-laws any new lot requiring access via Hemlock Lane would automatically become members of the Association.

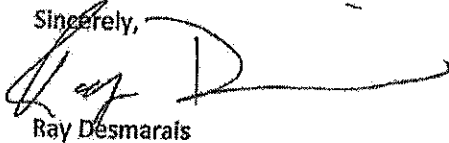
Part of the discussion was the town requirement that any new construction on private roads requires the new construction contribute to the maintenance of or upgrade to the road. Hemlock Lane is a well-maintained private road with two truck turnarounds which all emergency vehicles can utilize. Both turnarounds are cleared in winter for use. The roadbed is a combination of gravel, stone and some pavement and is in excellent condition for a gravel road.

The membership enjoys the rural nature of the road and do not wish to have any upgrades to the road other than grating and drainage issues which were discussed at the meeting.

We do have drainage issues on the upper portion of the road in the same general area where the two properties will be constructed. The two proposed property owners that will be constructing have proposed to the membership and was agreed to at the annual meeting that as part of their construction they will each install a culvert at their cost to address drainage issues.

We believe the agreement to install the two culverts addresses the needs of the road and is consistent with the spirit of the private road ordinance.

Sincerely,



Ray Desmarais

Al Wood Drive Road Association Chairman

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# NORWAY PLAINS ASSOCIATES, INC.

LAND SURVEYORS • SEPTIC SYSTEM DESIGNERS • CIVIL ENGINEERS

P.O. Box 2492  
Continental Blvd. (03867)  
Rochester, NH 03866-0249  
Phone: (603) 335-3948 / (800) 479-3948



P. O. Box 268  
31 Mooney St.  
Alton, NH 03809  
Phone & Fax: (603) 875-3948  
[www.norwayplains.com](http://www.norwayplains.com)

October 09, 2022

Ms. Venessa Price, Planner  
Barrington Land Use Department  
4 Signature Drive  
PO Box 660  
Barrington, New Hampshire 03825

**RE: NARRATIVE:**  
**Lot Line Adjustment and Subdivision Plan**  
**Hemlock Land and Partridge Drive, Barrington, NH**  
**Prepared for Richard Family Trust**

Dear Ms. Price,

This application is for a proposed Lot Line Adjustment (LLA) and Subdivision of Tax Map 260, Lots 13 and 14 located at Hemlock Lane and 5 Partridge Drive. We are performing lot line adjustments of Lots 13 and 14 and to create a proposed Lot 13-1 on Hemlock Lane.

Lots 13 and 14 are owned by the Richard Family Trust. Lot 14 is currently an undeveloped parcel with an area of 5.04 acres. The proposed LLA will reduce Lot 14 to an area of 5.04 acres. The new area of Lot 14 will be 102,609 square feet (sf) / 2.36 acres, consisting of all up-lands soils. These lots were created in 1981 as part of a 10-lot subdivision. Because they were created to be larger than five acres, they did not require NHWS&PCC (NH Water Supply and Pollution Control Commission now known as NHDES, NH Department of Environmental Services). As part of this project we will be applying to NHDES for subdivision approval of all three lots.

Lot 13 is the residence of Wayne and Christine Richard, trustees of the Richard Family Trust. They developed this parcel in 1983 and have a NHWS&PCC / NHDES approved septic system and well. The area was 5.06 acres and will become 128,523 sf / 2.95 acres, also with all up-land soils.

Proposed Lot 13-1 area will be 208,455 sf / 4.79 acres with 195,680 +/- sf being contiguous uplands. On Lot 13-1, there are two small jurisdictional wetlands that were delineated by Joseph W. Noel, CWS. Within the wetlands in the easterly corner of Lot 13-1 is a vernal pool. The applicant/owner is aware of Barrington's Wetlands Protection District Overlay (WDO) wetland buffers and that the Planning Board may require a greater buffer for the vernal pool. The Richards have been working with the future owner of Lot 13-1 who is also aware of the necessary protection of this vernal pool.

Barrington's Subdivision Regulations requires two test pits per lot, which will also be used for the NHDES submittal showing 4,000 sf potential effluent disposal areas and 75' protective well radii.

The future owner of Lot 13-1 has contracted with Norway Plains Associates, Inc. (NPA) for a NHDES approved septic system and to design the driveway entrance on Hemlock Lane.

Hemlock Lane is a private road and the applicant/owner is aware of the Town's policy of building permits on private roads. Earlier this year they came before the Planning Board at a public hearing to discuss subdividing and what will be required of them. We have met on-site with DPW's Road Agent, Marc Moreau to discuss and get his recommendations.

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We understand the reasoning behind the Private Road Policy. I personally have been involved with the Town's concern with the conditions of private roads. For over 30 years I have been working with this problem as a planning board member and chairman as well as an applicant and abutter. Hemlock Lane has a very active homeowners' association with officers that regularly inspect and maintain the condition of the roadway. For 36 years I have lived in Barrington on a class V gravel road. The Town DPW does a good job maintaining our road, but it can have a pothole or two that will be taken care of with their maintenance schedule. The gravel width is about sixteen feet wide and seems to be adequate for fire and safety use. A three-lot subdivision was allowed in 2006 with no safety concerns or problems. Hemlock Lane has the advantage of being the only road that this HMO maintains and is inspected daily by its members/residents. The condition of Hemlock Lane is always excellent and under the watchful eye of a designated resident.

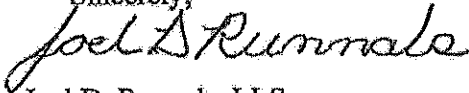
During our site visit, the Road Agent's recommendations were to do some grading along a few places to clean up some leaf debris to keep the existing twenty-foot travel way open. Other recommendations by Marc Moreau would be during construction of the proposed driveway for Lot 13-1 to remove some vegetation for site distance along with a culvert under the driveway. This will be done as part of the driveway plans that NPA has been contracted to design. The future owner of Lot 13-1 has met with the Hemlock Lane's HOA and has agreed to join them as a member and contribute to a future culvert that they will be installing just beyond his proposed driveway.

As part of this application we have been advised by the Town's Attorney to ask the Board to rescind conditions and covenants that were placed by the then planning board on the 1981 subdivision plan and recorded at the Stafford County Registry of Deeds as plan 21A-38. As I stated earlier, I have been involved with Barrington's Planning for many years. These conditions that the board used to demand of the applicants were determined by previous legal counsel to be illegal and if the lots met current zoning and subdivision requirements these conditions could be ignored. It was common practice by earlier boards to require proposed lots to be five acres or greater when two builder acres (40,000 sf verses 43,460 sf) were required by zoning and that no further subdivision be allowed. Recent legal advice has changed and now requires the current planning board approval to rescind these conditions/covenants.

Even though these restrictions were always on the approved 1981 plan, only four of the ten lots had them written into their deeds. The Richard's have retained Attorney Jerome Grossman to prepare documents to remove the restrictions for these four lot. We are including copies of these executed documents for your review.

Thank you for your consideration in this matter.

Sincerely,



Joel D. Runnals, LLS


[jrunnals@norwayplains.com](mailto:jrunnals@norwayplains.com)

NORWAY PLAINS ASSOCIATES, INC.

APPOINTMENT OF REPRESENTATION

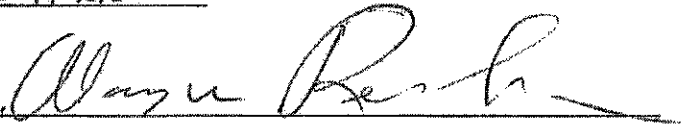
I, Christine Richard, Trustee and Wayne Richard, Trustee of the Richard Family Trust, authorize representatives of Norway Plains Associates, inc., to represent us before such Boards, Departments, Commissions and Agencies in the Town of Barrington, NH as they may pertain to the applications, public hearings, and plans by Norway Plains Associates, Inc., (Subdivision of Land prepared for Wayne and Christine Richard and dated 2022).

Date: 10-11-22

By: 

Christine Richard, Trustee

Date: 10-11-22

By: 

Wayne Richard, Trustee

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Applicant: Christine & Wayne Richards Case # 260-1344-GR-20-2104/4

LOT LINE ADJUSTMENT - SUBDIVISION  
RICHARDS FAMILY TRUST

Subdivision, Site Review, and Lot Line Adjustment Application Checklist  
Barrington Planning Board  
Adopted January 20, 2009

This checklist is intended to assist applicants in preparing a complete application for subdivision as required by the Barrington Subdivision Regulations and must be submitted along with all subdivision applications. An applicant seeking subdivision approval shall be responsible for all requirements specified in the Barrington Subdivision Regulations even if said requirements are omitted from this checklist.

An applicant seeking subdivision approval shall be responsible for providing all the information listed in the column below entitled "Subdivision" and should place an "X" in each box to indicate that this information has been provided. If an item is considered unnecessary for certain applications the "NA" box should be marked instead indicating "Not Applicable". Only certain checklist items are required for lot line adjustments, as noted by the applicable check boxes below.

Check The Appropriate Box or Boxes Below:			
<input checked="" type="checkbox"/> Lot Line Relocation See Section I & II	<input type="checkbox"/> Site Plan See Sections I & II	<input checked="" type="checkbox"/> Subdivision Plan See Sections I, II, III, IV & V	
			Provided NA
<b>Section I:</b>			
<b>General Requirements</b>			
1. Completed Application Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Complete abutters list	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
3. Payment of all required fees	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Five (5) full size sets of plans and six (2) sets of plans 11" by 17" submitted with all required information in accordance with the subdivision regulations and this checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Copies of any proposed easement deeds, protective covenants or other legal documents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Any waiver request(s) submitted with justification in writing	<input type="checkbox"/>	<input type="checkbox"/>	
7. Technical reports and supporting documents (see Sections IX & X of this checklist)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. Completed Application Checklist	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Section II:</b>			
<b>General Plan Information</b>			
1. Size and presentation of sheet(s) per registry requirements and the subdivision regulations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Title block information:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Drawing title	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Name of subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Location of subdivision	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d. Tax map & lot numbers of subject parcel(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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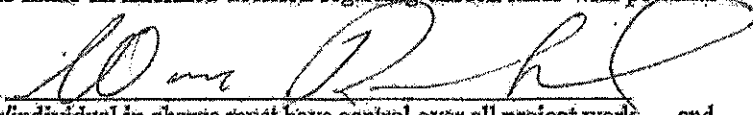
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Application Checklist

Barrington Subdivision Regulations

(Refusal to sign this permission form does not invalidate an application, but the Planning Board may not be able to make an informed decision regarding unseen lands with potential areas of concerns).

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



Note: The developer/individual in charge must have control over all project work and be available to the Road Agent and Code Enforcement Officer during the construction phase of the project. The Road Agent and Code Enforcement Officer must be notified within two (2) working days of any change by the individual in charge of the project.

ADMINISTRATIVE AND REVIEW FEES

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# TEST PIT LOG

JN 22148

October 11, 2022

THE RICHARD FAMILY TRUST

MAP 260, LOTS 13, 13-1, & 14  
HEMLOCK LANE,  
BARRINGTON, NH

TEST PITS CONDUCTED BY ASHLEY F. ROWE & TIM NOONAN

## TEST PIT 1

0" - 10" 10YR3/2 LOAM TOPSOIL, COMMON ROOTS (TYP.)  
10" - 28" 10YR4/6 SANDY LOAM, GRANULAR, FRIABLE.  
28" - 82" 10YR6/3 LOAMY SAND, SINGLE GRAIN, SOMEWHAT FIRM IN PLACE.  
82" NO REFUSAL, NO OBSERVED WATER, NO APPARENT SEASONAL HIGH WATER TABLE.  
PERC. 6 MPI @ 30"

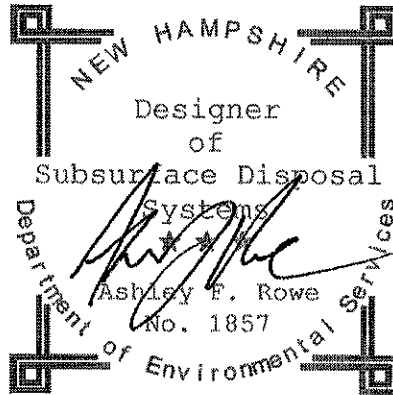
## TEST PIT 2

0" - 16" 10YR3/2 LOAM TOPSOIL, COMMON ROOTS (TYP.)  
16" - 33" 10YR4/6 SANDY LOAM, GRANULAR, FRIABLE.  
33" - 78" 10YR6/3 LOAMY SAND, SINGLE GRAIN, SOMEWHAT FIRM IN PLACE.  
78" NO REFUSAL, NO OBSERVED WATER, NO APPARENT SEASONAL HIGH WATER TABLE.  
PERC. 6 MPI @ 36"

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**TEST PIT 6**

- 0" - 5" 10YR3/2 LOAM TOPSOIL, COMMON ROOTS (TYP.)
  - 5" - 68" 10YR6/3 LOAMY SAND, GRANULAR, FRIABLE.
  - 68" NO REFUSAL, NO OBSERVED WATER, NO APPARENT SEASONAL HIGH WATER TABLE.
- PERC. 6 MPI @ 30"



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## ABUTTER LIST

**Applicant:** Christine & Wayne Richard **Phone:** 603-617-9286  
**Project Address:** Partridge Drive

**LEGAL OWNER OF SUBJECT LOT**

Map Lot		Owner Name	Mailing Address
260	13	Christine & Wayne Richard	5 Partridge Drive, Barrington, NH 03825
260	14	Same as 260-13	

**ABUTTING LOT OWNERS**

Map Lot		Owner Name	Owner Mailing Address
124	50	Jacqueline & John Kremer	15 Goulart Drive, Bozrah, CT 06334
260	7	Susan Johnson & Linda Kohrs	368 Merry Hill Road, Barrington, NH 03825
260	11	David Whitten & Marcy Robinson	95 Hemlock Lane, Barrington, NH 03825
260	15	Charles Post	25 Partridge Drive, Barrington, NH 03825
260	17	Joanne & Todd Miller	24 Partridge Drive, Barrington, NH 03825
260	18	Bryce Paster	8 Partridge Drive, Barrington, NH 03825
260	19	Ann Whitehill	351 Merry Hill Road, Barrington, NH 03825

Name of Professional or Easement Holder	Mailing Address
Norway Plains Associates, Inc.	PO Box 249; Rochester, NH 03866-0249
Joseph Noel, CWS	PO Box 174, South Berwick, ME 03908

Applicant or Agent: Norway Plains Associates, Inc. Staff Verification: \_\_\_\_\_

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