

\$440.00



# 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 10/26/22 Case No. 224-65-6B-22-ZBA Appeal/Vari.  
Owner D.E. Pyep Industrial Service + Supply Inc  
Mailing Address P.O. 1629 Dover NH 03821-1629  
Phone 603 534-1682 Email depyep@msc1.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'	Rec'
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- 1. Zoning Board of Adjustment Application Checklist (*this form*)
- 2. ZBA General Information (Article(s) and Section(s) of Ordinance)
- 3. Appeal and Decision
- 4. Fees - \$150.00 Application   
\$250.00 Legal Notice   
\$87.00 per US Post Office Certified Letter
- 5. Completed Project Application Form  
 Variance  Special Exception  Appeal
- 6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form)
- 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: \_\_\_\_\_

*Nancy Hine*  
\_\_\_\_\_  
Staff Signature

10/31/2022  
\_\_\_\_\_  
Date

**Land Use Department**  
**Town of Barrington; 333 Calef Highway; Barrington, NH 03825**  
Phone: 603.664.5798

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## ARTICLE 15.....ZONING ADMINISTRATION

### 15.1... Zoning Board of Adjustment

There shall be a Zoning Board of Adjustment (ZBA) consisting of five (5) members who are residents of the town and appointed by the Board of Selectmen. The Selectmen may also appoint up to three (3) alternate members of the ZBA. Members and alternates in office on the effective date of this section shall continue in office. If for any reason a member of the ZBA vacates his/her position such vacancy shall be filled for the remainder of the unexpired term by appointment of the Selectmen. Members and alternates shall be removable, after a public hearing, for inefficiency, neglect of duty or malfeasance in office upon vote of the Board of Selectmen, which shall make written findings of fact and cause the same to be filed with the Town Clerk.

#### 15.1.1.....Meetings

Meetings of the Board shall be held at least once a month and at such other times as the Board may determine, or upon call of the chairman. All meetings shall be open to the public. The board shall adopt its own rules of procedure after a public hearing duly advertised in a local news source, and shall keep a record of its proceedings, showing the vote of each member on each question or if absent or failing to vote, and shall keep records of its examinations and other official actions. Every rule or regulation, every amendment or repeal thereof and every order, requirement, decision or determination of the board shall immediately be filed in the office of the Zoning Administrator and become a public record. The Board shall file with the Town Clerk, for distribution as necessary, a complete record of the minutes of their meetings and public hearings. Included in the minutes shall be the reasons for the granting or denying of a request for a variance or special exception, together with the vote of each member on each item on the agenda.

#### 15.1.2.....Powers and Duties

The ZBA shall have the following powers and duties:

- 15.1.2(1).....To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by an Administrative Officer in the enforcement of this Ordinance except for sections that provide for the appeal, administration, or enforcement by another person or board as designated within that section.**
- 15.1.2(2).....To hear and decide special exceptions to the terms of this Ordinance upon which the Board is required to pass under this article. In granting a special exception the Board shall apply the standards set forth in Section 15.2 of this Ordinance, unless otherwise provided herein.**
- 15.1.2(3).....To authorize, upon appeal in specific cases, such variances from the terms of this article as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this article will result in unnecessary hardship, and so that the spirit of this article shall be observed and substantial justice done.**

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 224-65-GR-22-ZBA Appeal/Van

Project Name Castle Rock Road Buffer

Location Address Castle Rock Road

Map and Lot 224-65

Zoning District (Include Overlay District if Applicable) General Residential

Property Details:

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

Use: \_\_\_\_\_

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

Setbacks: Front \_\_\_\_\_ 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:

\_\_\_\_\_

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

\_\_\_\_\_

See Attached

\_\_\_\_\_

\_\_\_\_\_

Barrington Zoning Ordinance Requirements:

~~15.1.1~~

9.5 (3) - Wetland Buffer Area Required

15.1.2 (1) - Powers + Duties Appeal

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**9.5..... Wetland Buffer Areas Required**

9.5(1).....A buffer area of fifty (50) feet is required from the edge of any wetland. If a vernal pool is determined to be located on a site a greater buffer may be required by the Planning Board. **This provision of the Ordinance was adopted on March 13, 2001 and is effective from that date.**

9.5(2).....In the case of a Prime Wetland a minimum buffer of one hundred (100) feet shall be required from the edge of the wetland. The Planning Board may require a larger buffer around a Prime Wetland if an assessment of its functions indicates that such an increase is warranted to protect the roles the wetland serves that are of value to the public or the environment including, but not limited to, flood water storage, flood water conveyance, groundwater recharge and discharge, erosion control, wave attenuation, water quality protection, scenic and aesthetic use, food chain support, fisheries, wetland plant habitat, aquatic habitat and wildlife habitat.

9.5(3).....**Within any required wetland buffer, including by way of example and not by way of limitation, no structures, impermeable surfaces, parking spaces, or construction-related activities, including dredging, filling, and re-grading, shall be permitted, except as noted in Section 9.4 and Subsection 9.5.1 below.**

9.5(4).....The following features shall not be construed as wetlands with regard to designating buffer areas under the provisions of this Ordinance:

9.5(4)(a) .....Manmade ditches and swales

9.5(4)(b) .....Sedimentation/detention basins or ponds

9.5(4)(c) .....Manmade agricultural/irrigation ponds and swales

9.5(4)(d) .....Fire ponds and cisterns

9.5(4)(e) .....A septage or manure lagoon

9.5(4)(f) .....Silage pits

9.5(4)(g) .....An isolated wetland or surface water of 3,000 square feet or less that does not meet the definition of a swamp, marsh, bog or vernal pool

**9.5.1.....Exceptions for Construction in Wetland Buffers**

9.5.1(1).....On all lots created after March 11, 1997 and before March 13, 2001, no structure shall be built or located closer than thirty-five (35) feet to a wetland area.

9.5.1(2).....An existing building within a buffer area may be repaired and/or replaced provided that the new or repaired structure, including any impermeable surfaces, shall not extend further into the buffer area than the footprint of the original foundation.

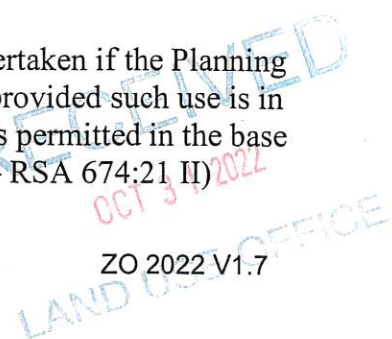
9.5.1(3).....Wetland crossings that would fall under the New Hampshire Department of Environmental Services Administrative Rules.

9.5.1(4).....Wells / Well Lines are permitted.

9.5.1(5).....~~This ordinance shall not prohibit the construction of principal and accessory structures within the buffer zone on unimproved lots that were approved for subdivision by the Planning Board or which otherwise legally existed on or before March 13, 2001. (Deleted in its entirety March 8, 2022.)~~

**9.6..... Special Permit for Construction in a Wetland Buffer**

A use not otherwise permitted in the wetlands buffer may be undertaken if the Planning Board approves an applicant’s request for a Special Use Permit, provided such use is in keeping with the intent and purposes set forth in this Ordinance as permitted in the base zoning district and meets the standards listed below. (Reference – RSA 674:21 II)



**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.

~~Denial~~ of my rights build on property  
DENIAL

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

granted at time

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

Add value houses built same stand

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

Yes, financial return for road repairs

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

Do same as neighbors on safe road

**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.

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

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

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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.


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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.

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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

Date 10/31/22

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

president 10/31/22  
Date

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## SITE / CONTEXT PHOTOS

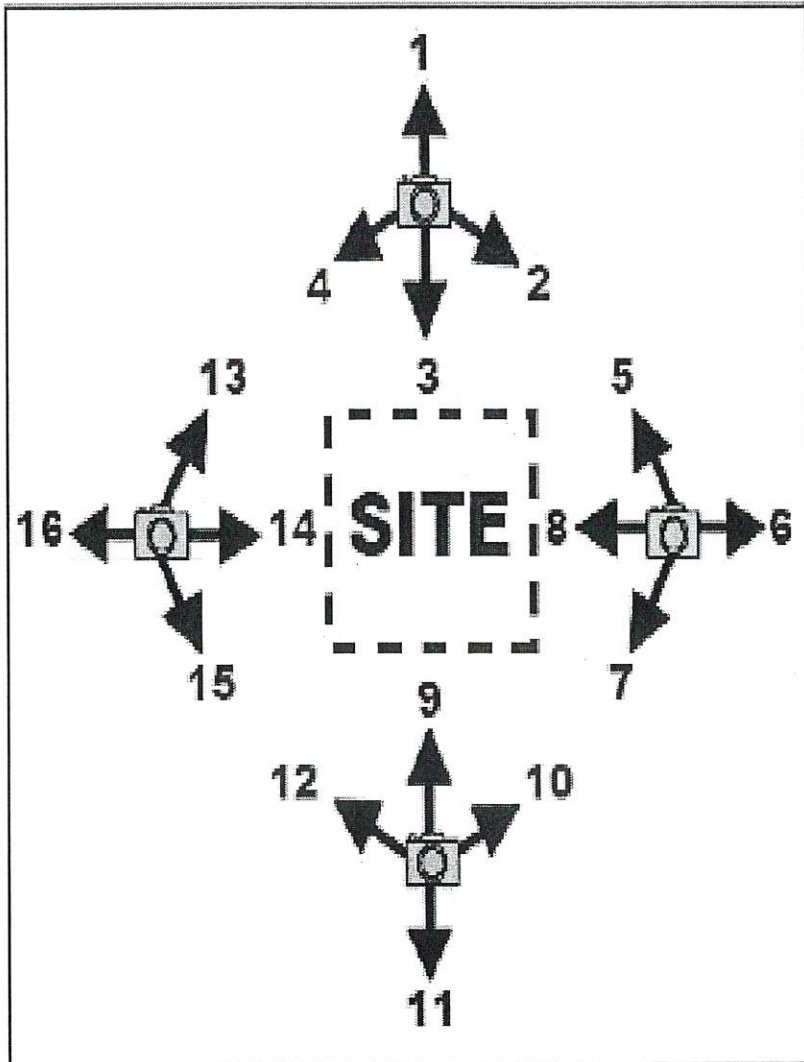
Using Guidelines Below

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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**ABUTTER LIST**

Town of Barrington, NH

Please Print or Type

Applicant: DE Ayer Industrial Service Supply Inc. Phone 603-531-1682

Project Address: Castle Rock Road

List the names and addresses of all parties below. For abutting lot owners, list each owner whose lot adjoins or is directly across the street or a body of water from the subject property. This form may not be completed more than five (5) days prior to the application deadline.

**LEGAL OWNER OF SUBJECT LOT**

Map	Lot	Zone	Owner Name	Mailing Address
224	105		DE Ayer Ind Svct Supply Inc	334 Old Concord Tpk Unit 5

**ABUTTING LOT OWNERS**

Map	Lot	Owner Name	Owner Mailing Address (NOT property location)
224	64	same	
224	66	same	
224	64	same	
224	55	Enslin Robert Craig	POB 181, Barrington
224	56	same	

**PROFESSIONALS AND EASEMENT HOLDERS.** Engineers, Surveyors, Soil Scientists, and Architects whose seal appears or will appear on the plans (other than any agent submitting this application); holders of conservation, preservation, or agricultural easements; and upstream dam owners/NHDES.

Name of Professional or Easement Holder	Mailing Address
<u>Norway Plans</u>	

I, the undersigned, acknowledge that it is the responsibility of the applicant or his/her agent to fill out this form. I understand that any error or omission could affect the validity of any approval. The names and address listed on this form were obtained from the Town of Barrington Assessing Office

on this date: \_\_\_\_\_, This is page \_\_\_\_ of \_\_\_\_ pages.

Applicant or Agent: \_\_\_\_\_

Planning Staff Verification: \_\_\_\_\_ Date: \_\_\_\_\_

My project is to construct an building, barn.

My nonconforming unimproved lot(s) are part of an approved subdivision 1976 and prior to the zoning ordinance adopting wetland buffers.

The subdivision is substantially completed and is thus vested. Changes to the zoning ordinance shall not apply to these lots. In practical terms these unimproved lots have no wetland buffers. *See 674:39 II.*

My submitted plan demonstrates that I have met the set back requirements as required by Zoning Ordinance Article 5. Front 40 feet, side 30 feet, back 30 feet. *as shown on plans .*

The Select Board agreed to grant building permits conditioned on completing road improvements. The road has been improved including moving one utility pole. I have met all the select boards conditions.

I have spent a significant sum on site improvements. I now have an investment backed expectation to obtain building permits and continue my project.

Tax map 224 lots 56-65-64-63 i bought Town at sealed bids with conditions. No building permit will be issued without substantial work to private road, Castle Rock Road. A plan Castle Rock Farm, Barrington NH. Dated May 1975 revised April 1976 Plan No. 19a 77 Page 8

Page 2-3 package provided Board. Shows Purchase & Sale Agreement signed by Chairman of Select Board.

Page 1 package #4. Condition of sale Castle Rock Road is private road in need of repair. The Seller conveys the PROPERTIES Subject to the condition that prior to the issuance of any building permits,etc.

Page 4 of package shows conditions of Castle Rock Road by surveyor for recording for permitting. TOWN OF BARRINGTON issued three building permits for houses on unsafe GOAT path which was not in the ROW, telephone pole in the middle of ROW. I payed to be moved lessing impact on wetlands and public safety and give 20' clear passage for fire trucks etc. in the ROW

Page 5 of package shows full support from the HOA of Castle Rock Association.

Pages 6 & 7 shows STATE OF NEW HAMPSHIRE wetlands permits, looked into any others needed no conforming lots of recorded,

Page 8 of package shows dates recorded in STRAFFORD COUNTY REGISTRY OF DEEDS.

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I have up held to my part of PURCHASE & SALE AGREEMENT. I feel that makes me VESTED, 12/20/2020 I sat down with Building Inspector went over the barn permit, copied plans for my setbacks for building envelope , was informed certified from surveyor under 1 acre, not problem everything was surveyed, holidays covid 19 taxes due. etc. Then came down with sickness, None of this is bearing on fact i never finished permit, took every other step pulled driveway, went to SELECT BOARD for private roads agreement. There was no problem at time of permit for this project and no time limit was stated,

So i ask the ZONING BOARD OF ADJUSTMENTS to GRANT my APPEAL and VARINANCE on this project, in whole benefits compilation of Castle Rock Road upgrades on frontage of lots listed. The roads is in the ROW improved the access for emergy veliches response, delivery of heat oil UPS AMAZON etc. which never had in the past.Feel i have meet all five conditions



Daniel E, Ayer  
President of D.E.AYER INDUSTRIAL SERVICE & SUPPLY INC.  
10/27/22

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3. **Deed.** The SELLER receiving such payments at the time and manner above-mentioned, shall execute, acknowledge and deliver unto the BUYER or his nominee, his heirs or assigns, a quit claim deed without warranty covenants.

4. **Conditions of Sale.** Castle Rock Road is a private road in need of repair. The SELLER conveys the PROPERTIES subject to the condition that prior to the issuance of any building permits, Castle Rock Road shall be brought up to the requirements contained in the Town of Barrington's "Class VI and Private Road Agreement", as may be amended, or up to the NH Fire Code requirements as outlined in NFPA 1 2009 edition chapter 18, as may be amended, whichever is more stringent. The SELLER's deeds of the PROPERTIES to the BUYER shall contain this restriction, as shall future deeds of the PROPERTIES until Castle Rock Road is upgraded as provided herein, and this restriction shall survive closing and run with the land for each PROPERTY.

5. **Matters of Title.** If BUYER desires an examination of title or survey of the PROPERTIES it is solely the responsibility of the BUYER and the BUYER shall pay the costs thereof.

6. **Closing Date.** The anticipated Closing Date is June 27, 2018; notwithstanding, the parties agree that the SELLER shall transfer title on or before thirty (30) days following the execution of this purchase and sale agreement by both parties.

7. **Possession.** Possession free of all tenants is to be given to the BUYER on or before the Closing Date.

8. **Risk of Loss.** The risk of loss or damage by fire or any act of God prior to execution and delivery of a deed is hereby assumed by the SELLER as to the real estate and any buildings thereon. SELLER shall maintain an insurance policy on the PROPERTIES in an amount not less than the current amount until the closing date. In the event of any loss or damage by fire or any act of God prior to the delivery of a deed, the BUYER shall have the option of revoking this Agreement and having the deposit returned to the BUYER with the BUYER incurring no further obligations.

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## PURCHASE AND SALE AGREEMENT

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between the Town of Barrington, New Hampshire, a municipal corporation with an address of 333 Calef Highway (Route 125), Barrington, NH 03825 (“SELLER” or “TOWN”) and D.E. Ayer Industrial Services and Supply, Inc., a corporation with a business address of 334 Old Concord Turnpike, Unit 5, Barrington, NH, 03825 (“BUYER”);

**WHEREAS**, the SELLER is the owner of five (5) parcels of land, including any buildings located thereon, located on Castle Road Road in Barrington, New Hampshire which were acquired by tax deed, each of which is recorded as stated below in the Strafford County Registry of Deeds, and more particularly described as follows (collectively the “PROPERTIES”):

Map 224 Lot 0056, .71 acres, acquired by tax deed on 11/03/1995 at Book 1834 Page 213

Map 224 Lot 0070, .16 acres, acquired by tax deed on 10/15/2013 at Book 4174 Page 496

Map 224 Lot 0063, 1.7 acres, acquired by tax deed on 3/12/2012 at Book 4001 Page 969

Map 224 Lot 0064, 1.3 acres, acquired by tax deed on 3/20/2012 at Book 4001 Page 975

Map 224 Lot 0065, .59 acres, acquired by tax deed on 3/12/2012 at Book 4001 Page 967;

**WHEREAS**, for the mutual promises and covenants contained herein, the SELLER agrees to sell and convey and the BUYER agrees to buy the PROPERTIES upon the terms and conditions hereinafter set forth:

1. As Is Condition. Except as expressly set forth in this Agreement, it is understood and agreed that SELLER is not making and has not at any time made any warranties or representations of any kind or character, express or implied, with respect to the PROPERTIES, including, but not limited to, any warranties or representations as to habitability, merchantability

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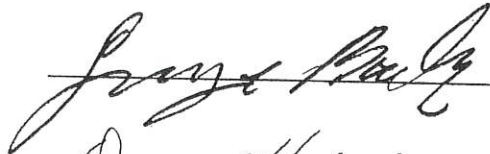
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**SELLER:**


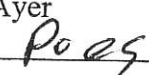
Town of Barrington

By its Board of Selectmen

  
\_\_\_\_\_  
Dawn Hatch  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

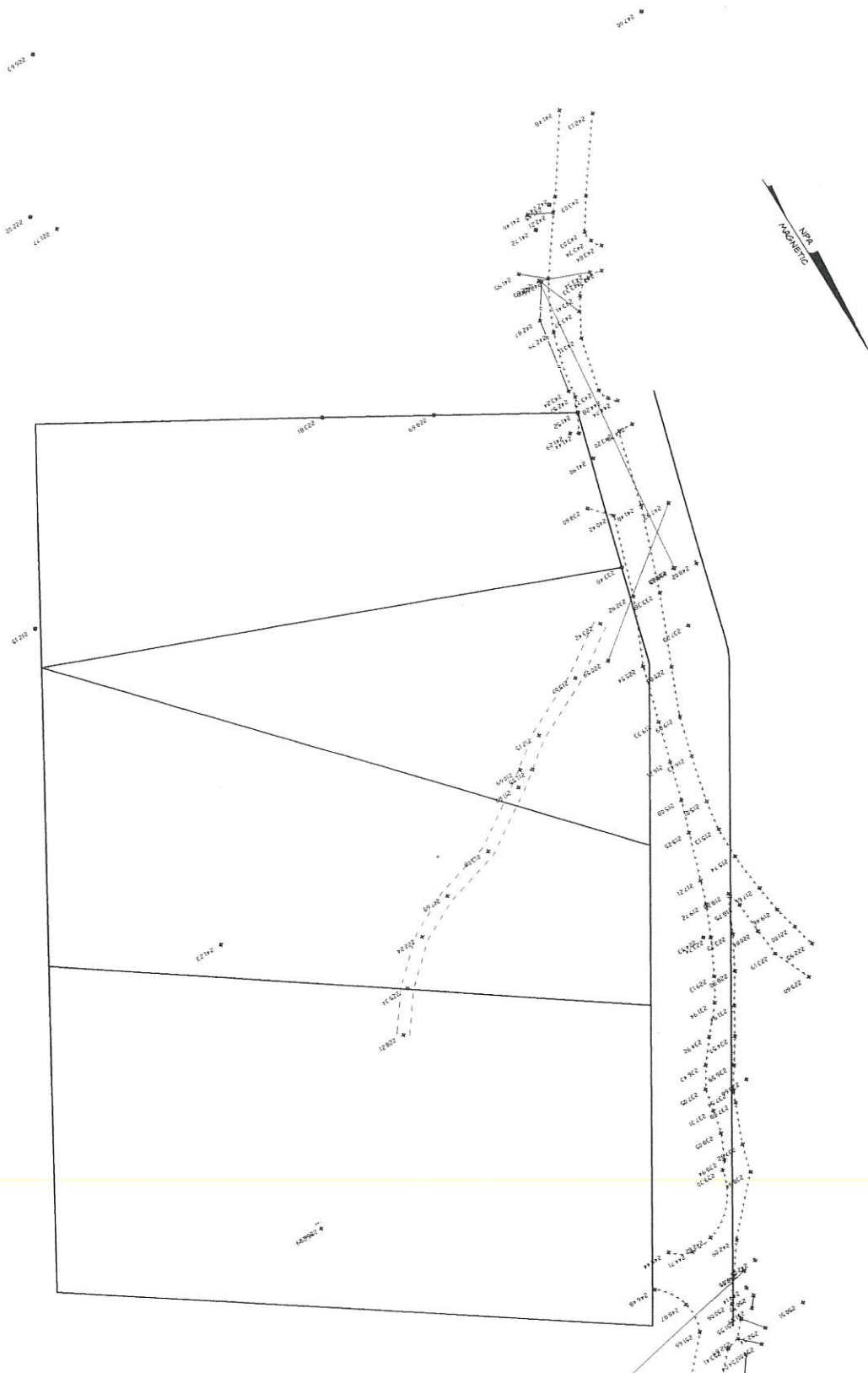
**BUYER:**

D.E. Ayer Industrial Services and Supply, Inc.

By:   
\_\_\_\_\_  
Daniel Ayer  
Title:   
\_\_\_\_\_

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DAN AYER  
 CASTLE ROCK ROAD,  
 BARRINGTON, NH



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**Castlerock Road Association**

71 Castlerock Road  
Barrington, NH 03825

**Barrington Planning Board**

4 Signature Drive  
Barrington, NH 03825

To the members of the Planning Board,

The residents of Castle Rock Road and the Castle Rock Road Association have approved this letter to express our wholehearted support of Dan Ayer's projects in our neighborhood.

Dan has worked tirelessly to improve Castle Rock Road. He has adhered to all requests and guidelines placed on him by the road association. He has gone above and beyond expectations to maintain and improve the road—sometimes at his own expense—while at all times making sure to inconvenience the residents as little as possible in the process.

He has dramatically improved a dangerous hill that has been a liability on Castle Rock for decades. This was done very professionally, without impacting the local wetlands. The road association had informed him that we have a small number of endangered Blandings turtles, and not only did he do the work in such a way as to not disrupt their habitat, he has continued to carefully mark and monitor their nests so that they can continue to breed safely. The work was also done with tremendous consideration for the neighbors who needed to get in and out while work was in progress, and not once was the road blocked long enough to cause inconvenience.

Dan grades the road, improves drainage, assists with snow removal, and advises the association on necessary work needed to upgrade and improve our private road. He has our full support and appreciation.

Please afford him every consideration, as he has done for us. We support his continuing to build and develop as planned.

Respectfully,

Rae Bradbury-Enslin, Treasurer

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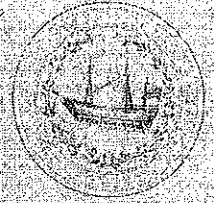
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The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner



**NOTICE TO RECIPIENTS OF  
MINIMUM IMPACT NH WETLANDS PERMITS**

Your permit was approved by the New Hampshire Wetlands Bureau as a minimum impact project, and your project is automatically approved under the Army Corp's New Hampshire Programmatic General Permit.

For the purpose of the NH PGP, Minimum Impact Projects do not include new construction of:

- Dams;
- Dikes;
- Water withdrawal or diversion projects which require fill in wetlands or surface waters;
- Wetlands restoration projects, or any projects which involve work in other than low flow conditions (July 1 – September 30);
- Any projects involving more than 3,000 square feet of a water body or wetland fill and secondary impacts.

Also, not included under Minimum Impact Projects are those projects that include the reconstruction or replacement of currently unserviceable structures/fills. The projects must be reviewed through the screening procedures of minor impact projects. The activities in section 10 waters not regulated by the Wetlands Bureau formerly authorized under the Nationwide Permit Program and listed in Appendix A of this document are designated non-reporting activities.

These approvals do not relieve you from obtaining any necessary local permits that may be required by your town.

If you have any questions, feel free to give us a call at 603-271-2147.

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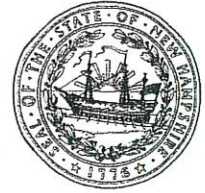
This notice was sent with minimum impact permit.

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The State of New Hampshire  
**Department of Environmental Services**



**Robert R. Scott, Commissioner**

December 08, 2020

CASTLE ROCK ROAD ASSOCIATION  
71 CASTLE ROCK RD  
BARRINGTON NH 03825

Re: **Notice of Expedited Minimum Impact (EXP) Wetlands Permit Application Acceptance and Standard Processing (RSA 482-A); NHDES File Number: 2020-02991**  
**Subject Property: Castle Rock Rd., Barrington, Tax Map #224, Lot #56,57,64,65 ROW**

Dear Applicant:

This letter is to acknowledge that on November 20, 2020 the New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau received your Minimum Impact Expedited application and materials to request a permit for impacts related to a proposed project on the lot(s) mentioned above. Your name, mailing address and site location are shown above as they have been entered into our database. Please check this information and notify us of any errors.

The application has been accepted as administratively complete on December 8, 2020. This means that the application has been found to contain the basic items necessary and has been assigned to a member of the permitting staff. However, the application is incomplete, lacking the required signature of the Conservation Commission and/or designated river Local Advisory Committee, if applicable, and therefore does not meet the requirements for 30-day expedited review under Rule Env-Wt 310.02(b). In accordance with Rule Env-Wt 310.02(h), your application will be reviewed under the application processing times established in RSA 482-A:3, XIV.

Permitting staff will conduct a detailed technical evaluation of the application within 50 days of this letter if the project proposes less than one acre of jurisdictional impact. In the event that the assigned permitting staff requires more information to complete the review of your application, you and your agent will receive a written request outlining the specific items required. If a response to that request is not received **within 20 days** of the request, NHDES is required by law to deny the application. Therefore, it is important that you submit these items as soon as practicable.

Under RSA 482-A, the local Conservation Commission may request that the Bureau not take action on your application for 40 days from the date of the municipal clerk's signature to allow the Conservation Commission sufficient time to review your application. (You may wish to contact your local Conservation Commission by calling your municipal office).

Please note this is not a permit or authorization to begin work.

We appreciate your commitment to comply with state wetlands rules and law, and the time you have dedicated to this process. Your continued cooperation will assist us in providing timely attention to your application. Thank you.

If you have any questions, please contact the NHDES Wetlands Bureau at (603) 271-2147.

Sincerely,



Linda S. Lester  
Application Receipt Center, Wetlands Bureau  
Land Resources Management, Water Division

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588  
TDD Access: Relay NH 1 (800) 735-2964

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**EXHIBIT A**

A certain tract or parcel of land situate on Castle Rock Road in Barrington, Strafford County, New Hampshire more particularly bounded and described as follows:

Beginning at the easterly corner of land now or formerly of William Lamothe; thence northwesterly 340' by said Lamothe land to a stake; thence northeasterly 100' by land now or formerly of John P. Guenette and Sandra Guenette to a stake; thence southeasterly 370' by said Guenette land to a stake; thence southwesterly 150' to the first mentioned bounds.

The above-described parcel is a portion of property described on plan entitled, J. P. Guenette Development, Barrington, New Hampshire, - Scale 1" = 100', recorded at Plan 2, Pocket 13, Folder 1, Strafford County Registry of Deeds.

Together with a right of way, in common with others, set forth in instrument dated 9/18/2014 and recorded at Book 4254, Page 977 in the Strafford County Registry of Deeds, described as follows:

An easement and right of way is a portion of the road now known as Castle Rock Road in Barrington, County of Strafford, State of New Hampshire, being 50 feet wide and running in a generally southeasterly directions from the southerly side of Brewster Road to land now or formerly of Manford Griesemer, more particularly described on a plan entitled "A Plan of the Castle Rock Farm, Barrington, N.H." dated May 1975, revised April 1976, and recorded Strafford County Registry of Deeds as Plan No. 19A-77.

Said easement and right of way is a portion of the road now known as Castle Rock Road and is granted to use for the general purposes of a street or road.

Said easement and right of way is for the benefit of and appurtenant to those tracts of land of the Grantees as described in deed of William John Lamothe to said Grantees dated May 31, 1988 recorded said Deeds, Book 1387, Page 505, as well as any additional land which the Grantees might acquire within the Subdivision shown as the Guenette development on plan entitled "J.P. Guenette Development, Barrington, N.H." said plan recorded said Deeds, Plan 2, Pocket 13, Folder 1. Said easement shall run with said land for the benefit and use of the Grantees herein, their heirs, executors, administrators, and assigns.

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ENGINEERING • PLANNING • MANAGEMENT • DEVELOPMENT

Project: Castle Rock Rd (Gravel)

Calculated By: TMG

Date: 5/25/2018

Checked By: SMB

Date: 6/13/2018

Printed: 6/13/2018

**NOTE:** In providing opinions of probable construction costs, the Client understands that DuBois & King, Inc. has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's methods of pricing, and that our Opinion of Probable Construction Costs are made on the basis of our professional judgment and experience. DuBois & King, Inc. makes no warranty, expressed or implied, that the bids or the negotiated costs of the Work will not vary from the Opinion of Probable Construction Cost provided herein.

**ENGINEER'S OPINION OF CONSTRUCTION COST**

UNIT NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT
201.1	Clearing and Grubbing (F)	A	0.5	\$ 12,000.00	\$ 6,000.00
203.55553	Guardrail EAGRT Offset Platform, TL-2	LF	400	\$ 20.00	\$ 8,000.00
209.1	Granular Backfill	CY	7,400	\$ 38.00	\$ 281,200.00
304.301	Crushed Gravel	CY	150	\$ 50.00	\$ 7,500.00
304.33	Crushed Aggregate for Shoulders	CY	50	\$ 26.00	\$ 1,300.00
304.2	Gravel	CY	450	\$ 30.00	\$ 13,500.00
592.31	Precast Concrete Modular Retaining Wall	SF	8,865	\$ 84.00	\$ 744,660.00
641	Loam	CY	280	\$ 50.00	\$ 14,000.00

Sub-Total \$ 1,076,160.00  
 25% Contingency \$ 269,040.00  
**Sub-Total \$ 1,345,200.00**

<b>ESTIMATE</b>	<b>\$ 1,346,000.00</b>
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