



Town of Barrington
 PO Box 660/333 Calef Hwy
 Barrington, NH 03825
www.barrington.nh.gov
 (603) 664-5183

APPLICATION FOR CLASS VI/PRIVATE ROAD BUILDING PERMIT

OWNER INFORMATION

Please include a separate e-mail address for each owner to avoid processing delays.

| | |
|-----------------------------|--|
| Name: George and Ellen Rose | Address: 288 Cedar Street, Ashland, MA 01721 |
| Phone: 1-781-258-0159 | E-Mail: georgerose@yahoo.com |
| Name: | Address: |
| Phone: | E-Mail: |

PROPERTY DETAILS

| | |
|--------------------------------------|--|
| Address/Road: 437 Mica Point Road | Map/Lot/Sublot: Tax Map 118, Lot 67 |
| Ownership Deed: Book: 5063 Page: 744 | Road Classification: <input type="checkbox"/> Class VI Rd <i>or</i> <input checked="" type="checkbox"/> Private Rd |

PROJECT NARRATIVE

Describe the details of the building project

George and Ellen Rose are proposing an addition to the north side of the existing residential structure at 437 Mica Point Road which will add 175 Sq.Ft., of living space to the structure. The purpose of the addition is to provide better access into the home.

Please find additional narrative.

Copy of Building Permit Application Attached

PERMIT CATEGORY

Review the Class VI/Private Road Building Policy at www.barrington.nh.gov/classviprivateroadbuildingpolicy to apply the correct requirements to your project. Use the checkboxes to indicate completed/attached information.

| <input type="checkbox"/> Category 1 | <input type="checkbox"/> Category 2 | <input type="checkbox"/> Category 3 |
|---|--|--|
| <input type="checkbox"/> Class VI & Private Road Building Policy Application <ul style="list-style-type: none"> ▪ Municipal Disclaimer of Maintenance and Liability <ul style="list-style-type: none"> • Generated by Town staff upon receipt of completed application • Recording required by applicant after approval and prior to issuance of permit | Category 1 requirements and: <ul style="list-style-type: none"> ▪ Planning Board Review and Comment ▪ Select Board Decision – Consent Agenda | Category 1 requirements and: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Detailed Property Map <input type="checkbox"/> Road Improvements <ul style="list-style-type: none"> <input type="checkbox"/> Option 1 <i>or</i> <input checked="" type="checkbox"/> Option 2 <input type="checkbox"/> Road Maintenance Agreement <ul style="list-style-type: none"> ▪ Permit and Bond for Improvements (if applicable per Select Board decision) ▪ Department Head Recommendations ▪ Planning Board Review and Comment ▪ Select Board Public Hearing and Decision ▪ Application Fee (if approved, plus building permit fee) |

Waiver Requested (see policy requirements, include waiver narrative on a separate sheet)

| | | |
|----------------------|-------------|---------------|
| Applicant Signature: | FEB 28 2023 | Date: 2-28-23 |
|----------------------|-------------|---------------|



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 (603) 664-5183

APPLICATION FOR CLASS VI/PRIVATE ROAD BUILDING PERMIT

FOR ADMINISTRATIVE USE ONLY

| | |
|--------------------------------|---------------------------|
| Received Date: 3/1/2023 | Staff Initials: VP |
|--------------------------------|---------------------------|

| APPLICATION REVIEW | |
|--|--|
| <input checked="" type="checkbox"/> Correct Category | <input checked="" type="checkbox"/> Map Meets Requirements |
| <input checked="" type="checkbox"/> Road Improvement Details | <input checked="" type="checkbox"/> Missing Information – Applicant Notified |

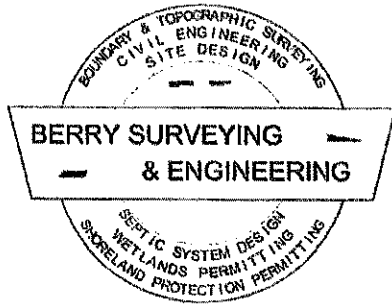
3/14/23: VP

| ANTICIPATED TIMELINE | |
|----------------------|--|
| DATE | If not applicable, please use N/A |
| | Application Reviewed and Sent to Department Heads <i>(as soon as possible upon receipt)</i> |
| | Department Head Recommendations Due <i>(minimum 1 week following email to Department Heads)</i> |
| | Planning Board Review <i>(Department Head recommendations, if applicable, must be provided to Planning Department no less than 1 week prior to next meeting. Schedule for next meeting following 1 full week.)</i> |
| | Select Board Public Hearing or Consent Agenda <i>(minimum 1 week following Planning Board memo receipt)</i> |

| COMPLETION DATES | |
|------------------|--|
| DATE | If not applicable, please use N/A |
| | Abutter's List Created <i>(upon receipt)</i> |
| | Police Recommendations Received |
| | Fire Recommendations Received |
| | Road Agent Recommendations Received |
| | Planning Board Recommendations Received |
| | Public Hearing Notice for Select Board Meeting Sent to Abutters <i>(minimum 1 week prior to meeting)</i> |
| | Permit Signed by Select Board Chair |
| | Recorded Waiver Book: _____ Page: _____ |
| | Recorded Road Maintenance Agreement Book: _____ Page: _____ |
| | Permit Issued |
| | Department Head Sign-Off on Road Improvements |
| | Building Inspector Verification Conditions of Approval are Met |
| | Certificate of Occupancy Issued |

| ATTACHMENTS | |
|--|--|
| <i>Provide a copy of the following to the applicant for their review.</i> | |
| <ul style="list-style-type: none"> • Sample Agreement and Release Regarding Building Permit for Property Abutting a Private/Class VI Road • Class VI/Private Road Policy – updated 2/14/2022 | |

FILED 28 2023



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

December 28, 2022

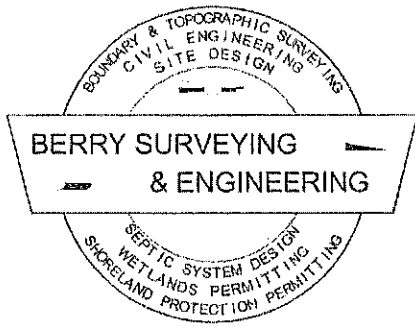
Re: Letter of Authorization
437 Mica Point Road
George and Ellen Rose
Barrington, NH

To whom it may concern:

We the owners, George and Ellen Rose, Tax Map 118, Lot 67 authorize any principal member or project manager, of Berry Surveying & Engineering to represent the us as the agent to a project located in Barrington, NH for the purposes of filing a zoning variance on our behalf, potential planning board permitting and state permitting. This further includes any and all, Local, State and Federal Approval needed to final approval of the project.

George and Ellen Rose

FEB 28 2023



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February 28, 2023

Barrington Select Board
Attention: Chairperson Dannen Mannschreck
4 Signature Drive
Barrington, NH 03825

Re: Building Permit on a Private Road
George & Ellen Rose
Tax Map 118, Lot 67
Update & Additions to Existing Structure
437 Mica Point Road

Chairperson and Members of the Barrington Selectboard,

On behalf of George and Ellen Rose, Berry Surveying and Engineering is submitting an Application for Class VI/Private Road Building Permit, to allow the existing structure located on Tax Map 118, Lot 67, commonly known as 437 Mica Point Road to be updated and modestly expanded upon. This portion of Mica Point Road is privately owned and maintained by the Mica Point Road Association.

Background and Narrative:

The Rose family has owned the structure and parcel located at 437 Mica Point Road since July 13, 1984 which is situated on Swains Lake. The tax records indicate that the existing structure is 4 bedrooms, year-round use and was built in 1960. The lot was created by the subdivision process conducted in 1955 which included all of the lots on the private section of the Mica Point subdivision. The proposed expansion is for the expanded use of living space, though modest, and therefore falls under Category 3 as defined in the Class VI and Private Road Building Policy, latest revision February 14, 2022 (Policy).

Mica Point Road is narrow in both its constructed width and dedicated right of way width. BS&E has conducted a site walk of the roadway and found that though it is mostly narrow and non-compliant with the policy, there are areas where travelers of the road can pull off and make way for a passing vehicle. The road is largely paved, and contains varying shoulder widths. Enclosed is correspondence from the Chairperson of the Association, who states there are no outstanding improvements that are needed to their road other than the proposed culvert replacement, which happens to be at the applicants property.

Proposal and Waiver Request.

The applicant is proposing to employ the Category 3, Option 2, Make Road Improvements of at Least 10% of the Construction Cost, with a proposed waiver included. The applicant's construction cost / value applied for on the building permit is for just shy of \$25,000 meaning

FEB 28 2023

the waiver in this particular instance on this particular road will employ the spirit of the ordinance given the dedicated use and prior conversation.

3. Granting the waiver would do substantial justice.
Granting the waiver would do substantial justice whereby allowing a larger percentage of the capital safety improvement to be funded by the Rose family, as the policy intends while allowing the project to commence at a logical time in an orderly fashion. Typically, this is a test that values personal gain and benefit against public detriment, however in this case the only gain to the applicant is timing and order of operations. There is no detriment to the public as the project would be fully funded and would take place in an orderly format.

4. Granting the waiver will not result in diminution of surrounding property values.
Granting the waiver only permits a payment in lieu of work for a specific capital improvement and therefore has no diminution on surrounding values. The increase in safety and proper drainage function is likely a benefit to surrounding values.

5. Special conditions exist such that literal enforcement of the policy will result in unnecessary hardship to the applicants as defined under applicable law.
Though the policy is intended to standardize the procedure, it should be noted that each private road and each applicants required participation within the policy and procedure will be different. It is the application of underlying purpose of the policy that is important to focus on, allowing each applicant to provide a life safety benefit in an fair and equitable way. In this particular case the site and use of the policy is special for the reasons stated above; the road is narrow and irregular in width, properly surfaced to the width it can be, is serviced by an active and proper road association, and has no overarching improvements needed or planned within the right of way. It does however require a capital improvement is needed on the roadway which affects public safety in a number of ways. In this special case the applicants are looking to make an in-lieu contribution towards this project specifically which is slated to be completed at the completion of the proposed addition. The denial of the waiver allowing the in lieu fee is an unnecessary hardship to the applicant whereas it would then require the applicant to request a waiver to the entire policy. That is not necessary but for this waiver request and approval.

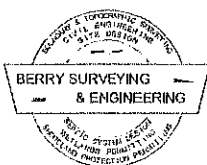
To be clear the applicant wasn't to comply with the policy to the extent possible. Given the circumstances, with the capital improvement being on a slightly different timeline than the addition project it seems that the in-lieu fee is the best approach.

Please let us know if you have further questions.

BERRY SURVEYING & ENGINEERING

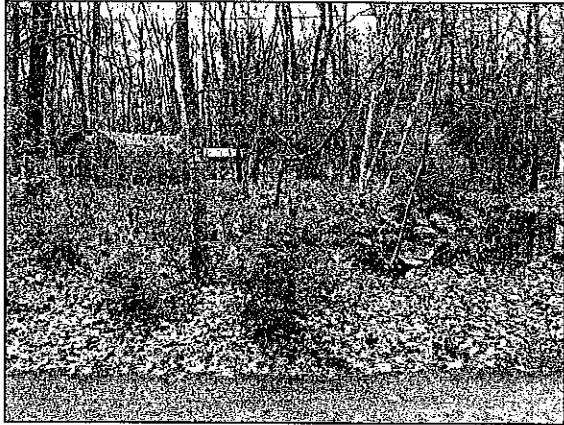
Christopher R. Berry – Project Manager
Principal, President

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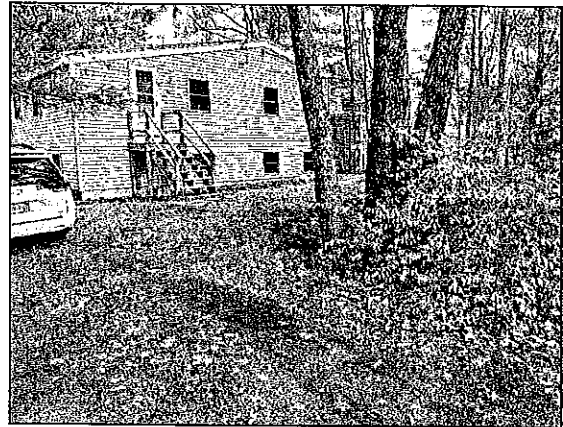


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335 Second Crown Pt. Rd., Barrington, NH 03825
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#1



#4



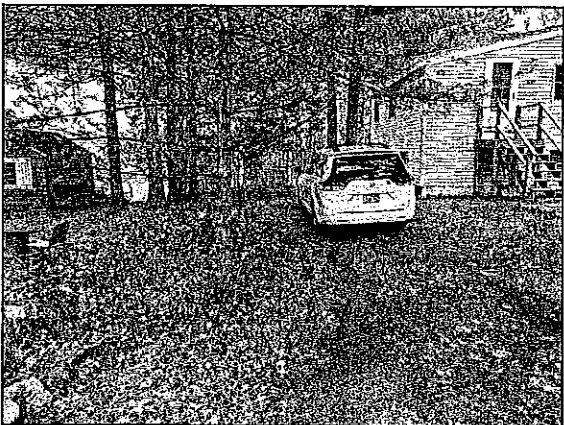
#2



#5



#3



#6



PROJECT PHOTOS
GEORGE & ELLEN ROSE
437 MICA POINT ROAD
BARRINGTON, N.H.
TAX MAP 118, LOT 67

BERRY SURVEYING & ENGINEERING

335 SECOND CROWN POINT RD.
BARRINGTON, N.H. 332-2863

SCALE : NONE

DATE : DECEMBER 28, 2022

FILE NO. : DB 2022-110

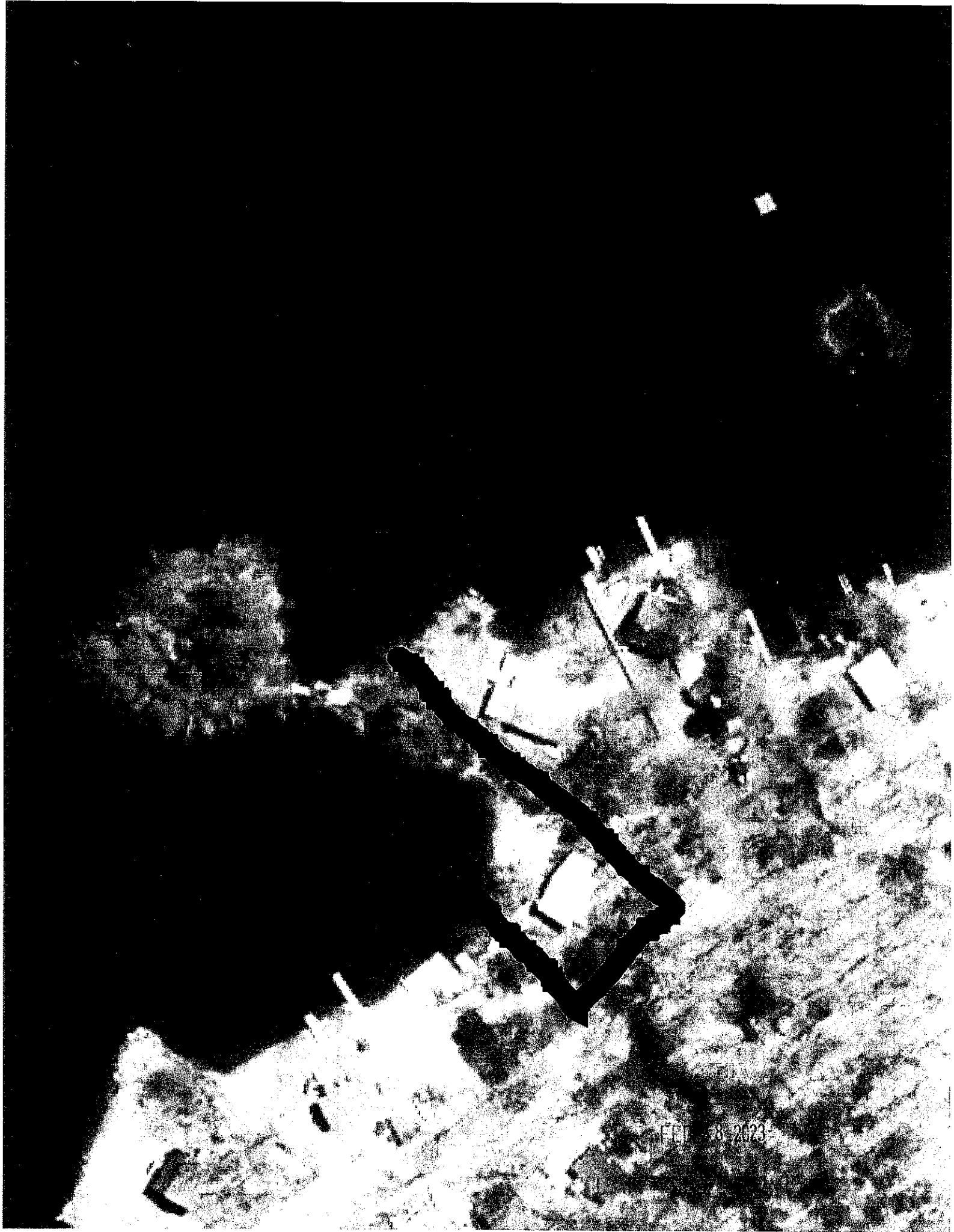


Fig. 28-2623

OWNER INFORMATION

ROSE GEORGE J & ELLEN M
288 CEDAR ST
ASHLAND, MA 01721

SALES HISTORY

| Date | Book | Page | Type | Price | Grantor |
|------------|------|------|-------|---------|-----------------|
| 09/12/2022 | 5063 | 744 | U 121 | 545,000 | ROSE GEORGE R & |

LISTING HISTORY

NOTES

07/21/20 BHCL
07/19/19 CBRR
08/04/15 BHCL
07/17/15 CWCM
07/29/14 MWRR
12/30/10 RERM
12/27/06 SSRM

OLD MAP & LOT # 010-000D-0145/ PVT WTR SUPPLY & SEPTIC/LD = PVT RD, VERY NICE SANDY BEACH AREA/ 2008-ADJ SIDING, HEAT & BSMT FIN AREA (PKA 69 MICA PT RD) 7/15- HAS BRIDGE TO SM ISLAND ON PROP. WINDS/SIDES AVG, MTL RF, OVERALL EXT GD FOR AGE, CHNG BMTU TO RBU MONITOR HEAT, 8/15- WINDS/RF 15YRS, NO CLOSETS, TARP GAR NV, 7/20- ADD DOCK ADJ BMT TO FINISHED

EXTRA FEATURES VALUATION

| Feature Type | Units | Length x Width | Size Adj | Rate | Cond | Market Value | Notes |
|--------------|-------|----------------|----------|-------|------|--------------|-------|
| DOCKS | 112 | 4 x 28 | 203 | 22.00 | 50 | 2,501 | 2,500 |

MUNICIPAL SOFTWARE BY AVITAR

BARRINGTON ASSESSING OFFICE

| Year | Building | Features | Land |
|------|------------|---------------|------------|
| 2020 | \$ 124,600 | \$ 2,300 | \$ 210,000 |
| | | Parcel Total: | \$ 336,900 |
| 2021 | \$ 158,100 | \$ 2,500 | \$ 262,900 |
| | | Parcel Total: | \$ 423,500 |
| 2022 | \$ 158,100 | \$ 2,500 | \$ 262,900 |
| | | Parcel Total: | \$ 423,500 |

LAND VALUATION

LAST REVALUATION: 2021

| Zone: | SWAIN'S LAKE | Minimum Acreage: | 2.00 | Minimum Frontage: | 200 | Site: | Site: | Driveway: | DIRT | Road: | PAVED |
|-----------|----------------|------------------|----------|-------------------|---------|------------|-------|-----------|------|------------|---------|
| Land Type | IF RES WTRFRNT | Units | 0.540 ac | Base Rate | 262,920 | NC | Adj | 100 | 100 | 100 | 100 |
| | | | | | | Site | 100 | Road | 100 | DWay | 100 |
| | | | | | | Topography | 100 | Cond | 100 | Ad Valorem | 262,900 |
| | | | | | | SPI | 0 | R | 0 | N | 262,900 |
| | | | | | | Tax Value | | Notes | | | 262,900 |

BUILDING DETAILS

Model: 1.00 STORY FRAME RAISED RAN
 Roof: GABLE HIP/PREFAB METALS
 Ext: VINYL SIDING
 Int: WOOD PANEL/DRYWALL
 Floor: CARPET
 Heat: GAS/CONVECTION
 Bedrooms: 4 Baths: 0.5 Fixtures: 2
 Extra Kitchens: Fireplaces:
 Generators:
 A/C: No
 Quality: B1 AVG-10
 Com. Wall:
 Size Adj: 1.0896 Base Rate: RSA 132.00
 Bldg. Rate: 0.9607
 Sq. Foot Cost: \$ 126.81

TAXABLE DISTRICTS

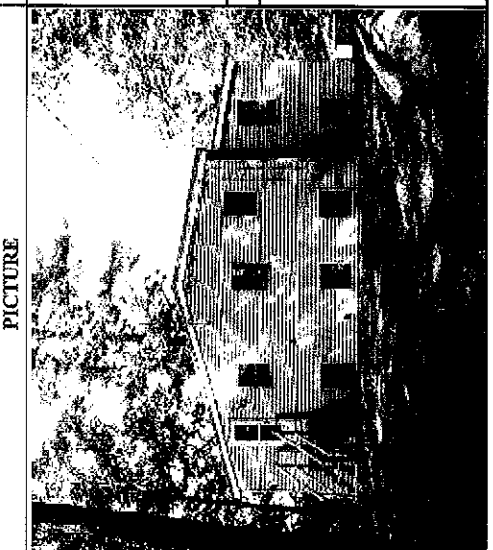
| District | Percentage |
|----------|------------|
| | |

OWNER

ROSE GEORGE J & ELLEN M
 288 CEDAR ST
 ASHLAND, MA 01721

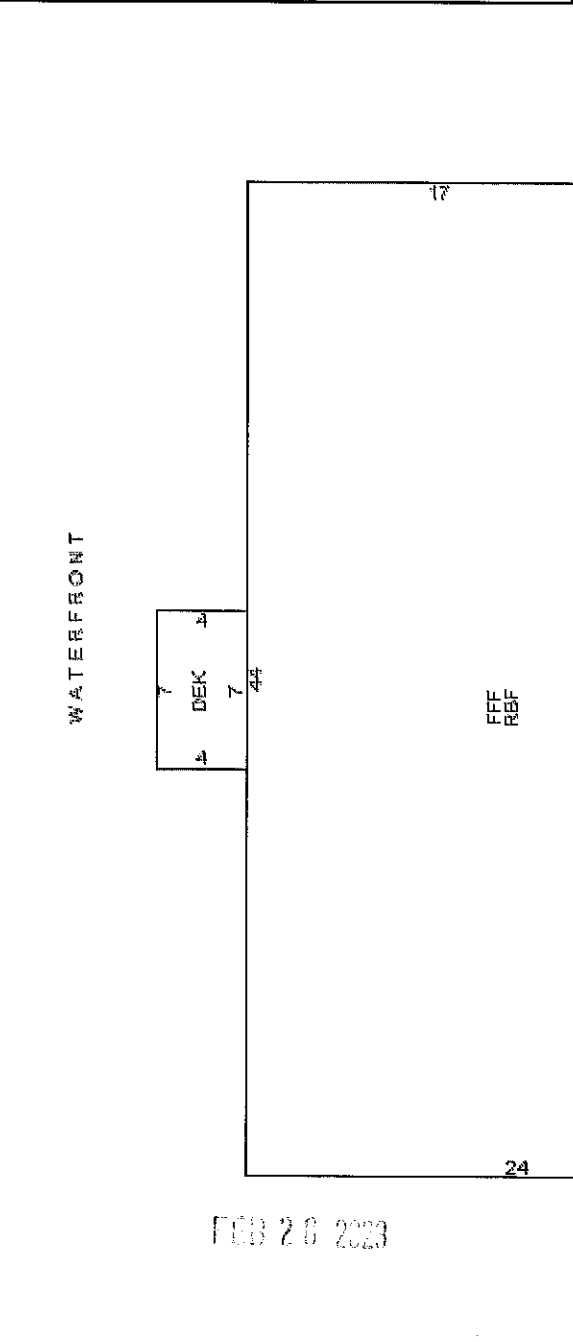
PERMITS

| Date | Project Type | Notes |
|------|--------------|-------|
| | | |



BUILDING SUB AREA DETAILS

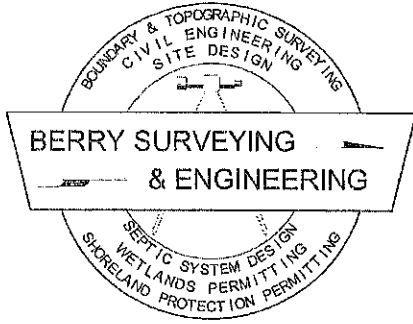
| ID | Description | Area | Adj. | Effect. |
|------|---------------|-------|------|---------|
| FFF | FST FLR FIN | 986 | 1.00 | 986 |
| RBF | RAISED BSMNT | 986 | 0.50 | 493 |
| DEK | DECK/ENTRANCE | 28 | 0.10 | 3 |
| ENT | ENTRANCE | 16 | 0.10 | 2 |
| GLA: | 986 | 2,016 | | 1,484 |



2021 BASE YEAR BUILDING VALUATION

| | |
|---------------------|------------|
| Market Cost New: | \$ 188,186 |
| Year Built: | 1960 |
| Condition For Age: | GOOD |
| Physical: | 16 % |
| Functional: | |
| Economic: | |
| Temporary: | 16 % |
| Total Depreciation: | |
| Building Value: | \$ 158,100 |

FEB 20 2023



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Barrington, NH 03825

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February 28, 2023

Abutters List

Owner of Record

Tax Map 118, Lot 67

George J & Ellen M Rose
288 Cedar St
Ashland, MA 01721
Book 5063, Page 744

Abutters

Tax Map 118, Lot 68

Thomas B. Clarke Rev Tst
6 Amber Way
Durham, NH 03824
Book 2132, Page 543

Tax Map 118, Lot 66

Millerick Family Tst
Henry & Rosemarie Millerick
12 Congress St
Stoneham, MA 02180
Book 3928, Page 850

Tax Map 118, Lot 83

George J & Ellen M Rose
288 Cedar St
Ashland, MA 01721
Book 5063, Page 744

2023/03/03

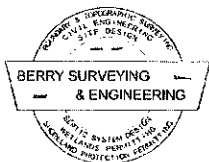
22-110 Rose, George & Ellen
Mica Point Rd, Barrington

Page 2 of 2

Professionals

Brothers Design Build
181 Mica Point Rd
Barrington, NH 03825

Kenneth A. Berry PE LLS
Christopher R. Berry, Project Manager
Berry Surveying & Engineering
335 Second Crown Point Road
Barrington, NH 03825



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FEB 26 2003

George J & Ellen M Rose
288 Cedar St
Ashland, MA 01721

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Ashland, MA 01721

Thomas B. Clarke Rev Tst
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Durham, NH 03824

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Millerick Family Tst
Henry & Rosemarie Millerick
12 Congress St
Stoneham, MA 02180

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BY-LAWS
OF THE
MICA POINT ROAD ASSOCIATION

ARTICLE I. Name, Seal and Office.

Section 1: Name

The name of this Association shall be Mica Point Road Association

Section 2: Seal

The seal of the Association shall be circular in form and shall bear on its outer edge the words "Mica Point Road Association" and in the center, the words "Corporate Seal, New Hampshire".

Section 3: Offices

The principal office of the Association shall be located in Barrington, Strafford County and State of New Hampshire.

ARTICLE II. Membership and Voting Rights in the Mica Point Road Association.

Section 1: Membership

Every person or entity who or which is the owner of record of the fee or any undivided interest in the fee of any of the lots abutting or accrued by Mica Point Road, Bulley Road and Norm's Way shall be a member of the said Association. Any person or entity who or which holds bare legal title merely as the security of any obligation shall not be deemed to be a member.

Section 2: Voting Rights

Said Association shall have one class of voting membership.

Members shall be entitled to one vote per lot with structure and/or usage. When more than one person holds such interest or interests in any lot, all such persons shall be members, and the vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any such lot. In the event two or more owners of a single lot are unable to agree upon how to exercise their vote on a particular issue, the vote shall not be counted. Any member not then in good standing in the payment of dues and assessments shall not be entitled to vote.

FEB 28 2013

Section 3: Member's Easements of Use and Enjoyment

Every member shall have a right and easement of use and enjoyment in and to the roadways shown (or hereafter designated) on the aforementioned Tax Maps, the fee to which is to be conveyed to the Mica Point Road Association, and such easement shall be appurtenant to and pass with the record title to every lot, subject to the provisions of Section 4.

Said easement shall include the right in common with other members of the Association to utilize utilities, to include but not limited to electricity, telephone and cable television, if any, installed within said roadways.

Section 4: Extent of Member's Common Easements

The rights and easements of use and enjoyment created hereby shall be subject to the right of Mica Point Road Owners Association as provided by its Articles and/or By-Laws to place a lien on the property as provided in Article III.

Section 5: Annual Meeting

The annual meeting of the Association shall be held in Barrington, New Hampshire, on the 1st Saturday of July in each year, or at such other time and place as may be designated by the President, for the purpose of electing officers and for the transaction of such other business as may properly come before the meeting.

Section 6: Notice of Annual Meeting

Notice in writing of the time, place and purpose of the annual meeting shall be given either personally, by mail, or attaching notice to Community Bulletin Board, not less than nor more than thirty (30) days before the meeting, to each person whose name appears upon the books of the Association as the owner of a lot; such notice, if mailed, shall be directed to such member at his address as it appears upon the books of the Association.

Section 7. Special Meeting

Special meetings of the members may be called at any time by the President or Treasurer in the same manner as annual meetings.

Section 8: Waiver of Notice

The provision as to notice may be waived by written acknowledgement of the same executed by all members, and provided said waiver is filed with the records of such meeting.

Section 9: Quorum

At any meeting of the members of the Association, the presence, in person or by proxy, of members holding 51% of the total number of votes entitled to be cast will be necessary to

FEB 28 2003

constitute a quorum for all purposes. The approval of the members, present in person or by proxy, representing a majority of those present shall be sufficient for affirmative action on any matter. Any member not then in good standing in the payment of dues and assessment shall not be entitled to vote.

Section 10: Compensation and Expenses

Members shall not receive any compensation for their services, but may be for rendering unusual or special services to the Association or reimbursed for expenses incurred, to be approved by a vote of the Association pursuant to Section 9 above.

Section 11: Proxy and Voting

At each meeting of the members of the Association, each of said lots shall be entitled to one vote, either as represented in person by the holder or holders thereof, or by proxy appointed by an instrument in writing, signed by the holder or holders thereof and delivered to the Clerk of the meeting. Upon demand by any member, the vote on questions before the meeting shall be by ballot. No owner of a lot against whom there are any outstanding and unpaid assessments (as hereinafter provided) shall be entitled to vote at any regular or special meeting. Any member not then in good standing in the payment of dues and assessments shall not be entitled to vote.

ARTICLE III. Covenant for Maintenance Assessments

Section 1: Creating of the Lien and Personal Obligation of Assessments

Each owner of any lot by the acceptance of a deed thereto or the inheritance of the record title thereto, whether or not it shall be expressed in the devise, deed or other conveyance, be deemed to covenant and agree to pay to the Mica Point Road Association:

- (1) Annual Assessment or Charges; and
- (2) Special Assessments for capital improvements;

both of such assessments to be fixed, established and collected from time to time as hereinafter provided. Both the annual and/or the special assessments, together with interest thereon and costs of collection thereof as hereinafter provided, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with such interest thereon and cost of collection thereof, as hereinafter provided, shall also be the personal obligation of the person who was the owner of such property at the time when the assessment fell due.

Section 2: Purpose of Assessment

The assessments levied by the Association shall be used exclusively for the improvements and maintenance of the roadways within the said subdivision and incidental

facilities thereon, including but not limited to, the payment of taxes, if any, and insurance, if any, snow plowing, repairs, replacements and additions thereon.

Section 3: Annual Assessments

The Association shall collect annual assessments from all lot owners, to meet its necessary charges and expenses, on the following basis”

A. The initial annual assessment period shall commence on the date of execution of these By-Laws, and shall be due June 1, 2017. Thereafter, the annual assessment period shall run from January 1 through December 31 of each succeeding year.

B. The initial annual assessment shall be \$200.00 per lot.

C. After said initial assessment, the annual assessment may be increased or decreased by vote of the membership of this Association, in accordance with the By-Laws, and in each case to produce an amount sufficient, in accordance with the best judgment of the membership, to meet the anticipated necessary charges and expenses for the ensuing year.

Section 4: Special Assessments for Capital Improvements

In addition to the annual assessments authorized by Section 3 hereof, the Association may levy in any assessment year a special assessment, applicable to that year only, for the purpose of providing for the payment of (and unexpected repairs or replacement to) a capital improvement relative to the roadway, provided that, regardless of a change in the Articles of Organization and/or By-Laws of the Mica Point Road Association, and special assessment authorized by said Association must receive a two thirds (2/3) majority of the votes of members who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be sent all members at least thirty (30) days in advance and shall set forth the purpose of the meeting.

Section 5: (A) Payment Due Date

Bills for all annual and any special assessments shall be sent out as soon as possible after being voted. Payment shall be due within thirty (30) days after the mailing of such bill, or the owner will be delinquent.

(B) Certification as to the Status of Assessment Payment

Upon the request of any owner, the Association shall furnish a written certificate signed by an Association officer, indicating the status (paid or outstanding) of all annual and special assessments affecting that owner’s lot.

Section 6: Effect of Non-Payment of Assessment: the Lien; Remedies of Association

FEB 28 2023

If the assessments are not paid on the date when due, then such assessment shall become delinquent and shall, together with such interest thereon and cost of preparing and recording a notice of lien and other collection efforts thereof as hereinafter provided, thereupon become a continuing lien on the property, which shall bind such property in the hands of the then owner and his successors in record title.

If the assessment is not paid within thirty (30) days after the delinquency date, the assessment shall bear interest from the date of delinquency at the rate of twelve (12%) percent per annum, and the Association may bring any action at law against the owner personally obligated to pay the same or to foreclose the lien against the property, and there shall be added to the amount of such assessment the costs of preparing and filing the complaint in such action, and in the event a judgment is obtained, such judgment shall include interest on the assessment as above provided and a reasonable attorney's fee to be fixed by the court together with the costs of the action.

The Association may record a Notice of Lien in the Strafford County Registry of Deeds to give notice of the lien. The failure to record such a Notice lien, however, shall in no way impair the validity or enforceability of the lien provided herein. The notice of lien shall be signed by the President of the Association and duly acknowledged, and shall include, at a minimum, the following information:

- a. Name of lot owner;
- b. Identification of lot number;
- c. Beginning date of default period and the amount then due;
- d. The date of issuance of the Notice of Lien.

Section 7: Subordination of the Lien to Mortgagees

The lien of the assessments provided for herein shall be subordinated to the lien of any mortgage or mortgages now or hereafter placed upon the properties subject to assessment.

Section 8: Procedure for Foreclosure of Lien for the Payment of Assessments

The lien provided for hereinabove may be enforced, in case of non-payment for one year from the due date of the assessment, by any legal means under New Hampshire law. As above, the lien sought to be foreclosed shall include the aforesaid interest and legal costs and attorney's fees incurred as a result of the foreclosure proceeding.

ARTICLE IV. Additional Powers of the Association

In addition to the specific powers and obligations of the Association to maintain and improve the roadways of the development, the Association shall have the following additional powers, to be exercised on behalf of the lot owners:

FEB 28 2023

A. As owner of said road, to take any necessary action to prevent the unauthorized use thereof by persons without the right to so use them.

B. To regulate the limit in a reasonable manner consistent with the peaceful use and enjoyment of all lot owners of their properties, any use of the roadway by any motor vehicle which is incapable of registration for general use upon the highways of this state (which term shall include without limitation, snowmobiles, and All Terrain vehicles).

C. To make and enforce any other reasonable rules and regulations for the use of the roadway.

All of the above additional powers shall be exercised only pursuant to votes of the Association at a regular meeting, except in cases of emergency.

ARTICLE V. Directors

Section 1: Qualification, Number and Term of Office

The business and properties of the Association shall be managed by a Board of not less than three (3) nor more than five (5) directors, subject to the By-Laws and votes of the members. The directors shall be elected by ballot by plurality of the members at the annual meeting of the Association, and each director shall be elected to serve for the term of one year and until his successor shall be duly elected, except that the directors elected at the organizational meeting shall hold office until the next annual meeting or until their successors shall be duly elected. The number of directors for each year shall be fixed (without the above limits) by vote at the annual meeting when elected by the members may, at the special meeting held for the purpose during any such year, increase or reduce the number of directors as thus fixed and elect directors to complete the number so fixed.

Section 2: Powers of Directors

The Board of Directors shall have the entire management of the business of the Association. In the management and control of the property, business and affairs of the Association, the Board of Directors is hereby vested with all the powers possessed by the Association itself, so far as this delegation of authority is not inconsistent with the laws of the State of New Hampshire, with the Articles of Agreement and with these By-Laws.

Section 3: Vacancies

In the case of any vacancy in the Board of Directors through death, resignation, disqualification or other cause, the remaining directors, by an affirmative vote of a majority thereof, may elect a successor to hold office for the unexpired portion of the term and until his successor shall be elected.

11.28.2023

Section 4: Meeting of Directors

Meetings of the Board of Directors shall be held at such places and at such times as the Board may vote from time to time determine, and if so determined, no notice thereof need be given. Special meetings of the Board of Directors will be held at any time or place whenever called by the President, Treasurer, two or more Directors, or the Clerk, upon written notice being sent to each director at least five (5) days prior to the date of the meeting, or at any time without notice provided all the directors are present or those not present have waived notice thereof.

Section 5: Quorum

A majority of the Board of Directors shall constitute a quorum for the transaction of business, but a lesser number may adjourn any meeting from time to time, and the same may be held as adjourned without further notice. When a quorum is present at any meeting a majority of the members present shall decide any questions brought before the meeting.

Section 6: Liability of Directors

The Directors of the Association shall not be liable to the member of the Association for any mistake or judgment, negligence or otherwise, except for their on individual willful misconduct or bad faith. The members of the Association shall indemnify and hold harmless each of the Directors against all contractual liability to others arising out of contracts made by the Directors on behalf of the Association unless any such contract shall have been made in bad faith or contrary to the provisions of the Articles of Incorporation or of these By-Laws. It is intended that the Directors shall have no personal liability with respect to any contract made by them on behalf of the Association. It is also intended that any liability of any member of the Association arising out of any contract made by said Directors either individually, pursuant to authority provided hereunder, or acting as a group in the form of a Board of Directors, or out of the aforesaid indemnity in favor of said Directors, shall be limited to such proportion of the total liability hereunder as his membership bears to the entire membership of the Association.

ARTICLE VI. Officers

Section 1: Number

The officers of the Association shall be the President, Treasurer, and Secretary and such other officers with the powers and duties not inconsistent with these By-Laws as may be elected and determined by the members. Any two officers may be held by the same person.

Section 2: Vacancies

In case any office of the Association becomes vacant by death, resignation, retirement, disqualification or any other cause, the Board of Directors may elect a successor to serve until the next meeting, annual or special, of the members.

Section 3: Qualifications

All of the officers of the Association, except the Secretary who may or may not be a member, shall be members of the Association.

Section 4: President

The President shall preside at all meetings of the members and meetings of the Board of Directors and have the general charge and supervision of the affairs of the Association.

Section 5: Treasurer

The Treasurer shall have the custody of all the funds, property and securities of the Association. When necessary or proper, he may endorse on behalf of the Association for collection, checks, notes and other obligations, and shall deposit the same to the credit of the Association at such bank or banks or depository as the members may designate. He shall sign all receipts and vouchers, sign all checks of the Association, as well as promissory notes issued by the Association. He shall enter regularly on those books of the Association to be kept by him for the purpose, full and accurate account of all the moneys and obligations received and paid or incurred by him for or on account of the Association and shall exhibit such books at all reasonable times to any member. He shall, in general, perform all the duties incident of the office.

Section 6: Secretary

The Secretary of the Association shall be present at and record the proceedings of meetings of members and perform all other duties commonly incident to the office. The Secretary shall be present and record the proceedings of the meeting of the Directors and perform such other duties as the Board of Directors may, from time to time, designate. The Secretary shall also serve as the Registered Agent for service of process.

Section 7: Removal

Any officer may be removed from office by the affirmative vote of two thirds (2/3) of the members represented at any regular or special meeting called for that purpose, for any reason deemed sufficient by said members.

ARTICLE VII. Capital Stock

There shall be no capital stock of this Association (which is organized under the New Hampshire Revised Statutes Annotated as a non-profit corporation).

ARTICLE VIII. Amendments

These By-Laws may be altered, amended, or repealed at any meeting of the Association by a vote of two thirds (2/3) of all of the total number of votes entitled to be cast, represented

FEB 28 2003

either in person or by proxy, provided that the proposed action is inserted in the notice of such meeting. Provided, nevertheless, those portions of these By-Laws taken from the Declaration of Restrictions and Covenants as hereinafter identified which are not susceptible of alteration, amendment or repeal by their terms or by implication in the Declaration are not subject to the Article.

ARTICLE IX. Fiscal Year

The fiscal year of the Association shall be from January 1 to December 31 of each year.

MICA POINT ROAD ASSOCIATION

By: _____
President

By: _____
Secretary

FEB 28 2013

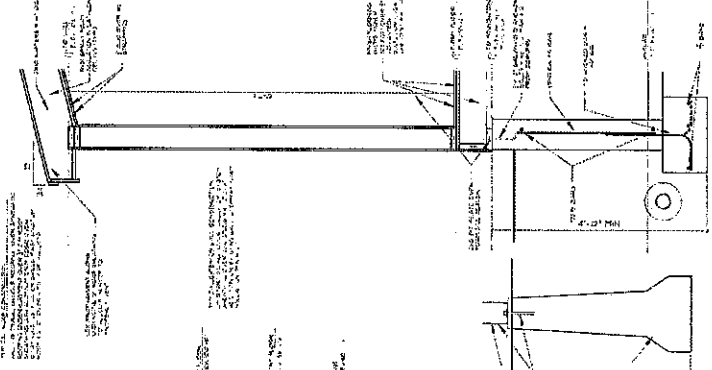
FOUNDATION NOTES
BUILDING SECTION & WALL DETAILS
ELEVATIONS & WINDOW SCHEDULE

MR. ROSE, RESIDENCE
431 MECA POINT RD
BARRINGTON NH

| | |
|------|-----|
| DATE | NO. |
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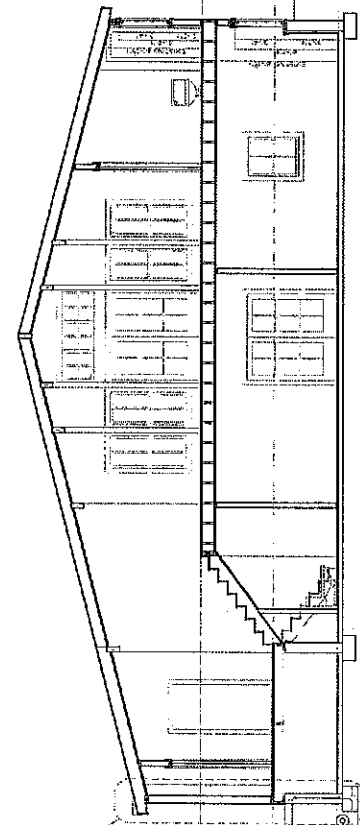
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BROTHERS DESIGN BUILD
10 CAPTAIN BRIDG LANE
BARRINGTON NH
603.253.5132

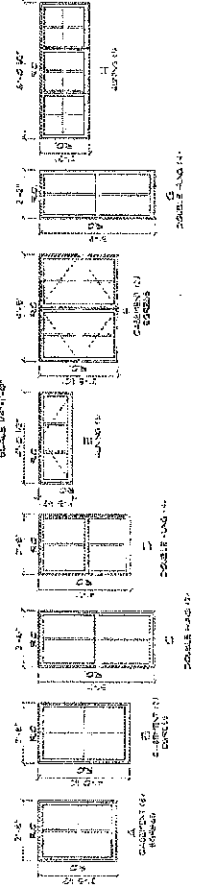


1 WALL DETAIL

2 PRECAST PIER

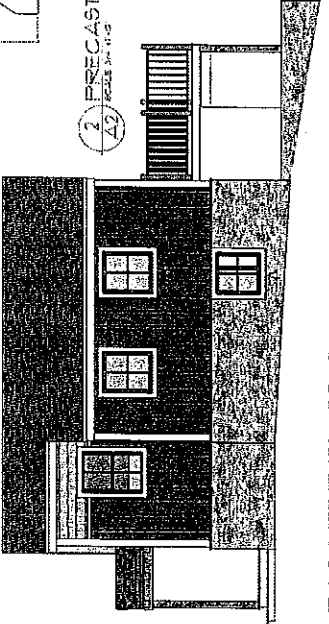


BUILDING SECTION A
SCALE 1/4" = 1'-0"

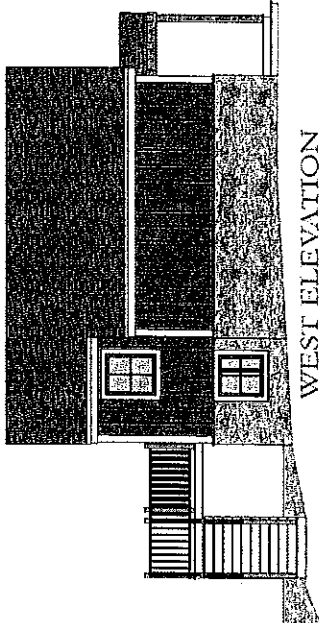


SCALE 1/4" = 1'-0"

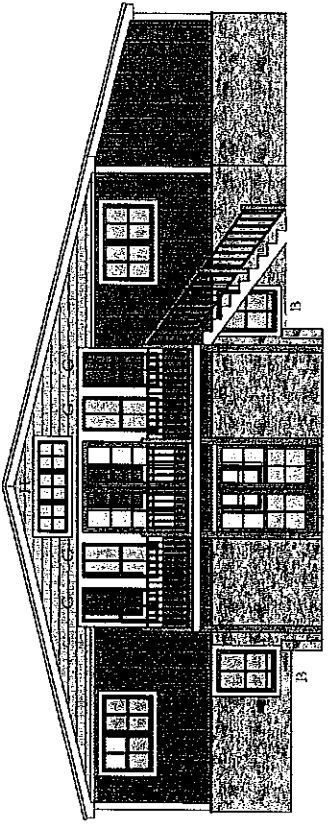
SCALE 1/4" = 1'-0"



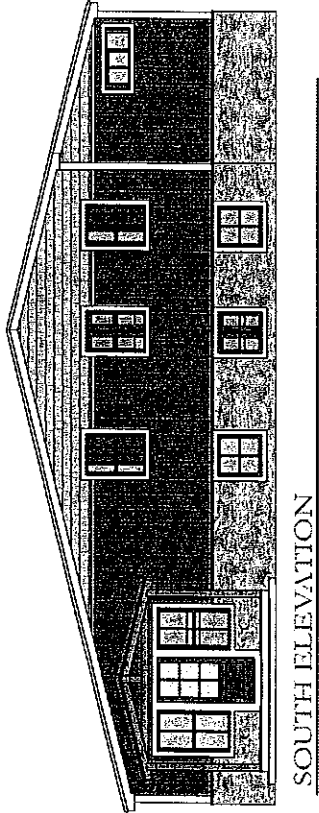
EAST ELEVATION
SCALE 1/4" = 1'-0"



WEST ELEVATION
SCALE 1/4" = 1'-0"



NORTH ELEVATION
SCALE 1/4" = 1'-0"



SOUTH ELEVATION
SCALE 1/4" = 1'-0"

NOTES:
1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES.
2. FINISH GRADE SHALL BE INDICATED BY A DOTTED LINE.
3. ALL FOUNDATION WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC).
4. ALL CONCRETE SHALL BE 3000 PSI STRENGTH WITH NO. 4 REINFORCING BARS.
5. ALL ROOFING SHALL BE 1/2" OSB SHEATHING OVER 2x6 RAFTERS WITH 1/2" GYP BOARD CEILING.
6. ALL EXTERIOR WALLS SHALL BE 8" CMU WITH 1/2" GYP BOARD EXTERIOR FINISH.
7. ALL INTERIOR WALLS SHALL BE 5/8" GYP BOARD WITH 1/2" GYP BOARD FINISH.
8. ALL FLOORS SHALL BE 1/2" OSB SHEATHING OVER 2x6 JOISTS.
9. ALL CEILING SHALL BE 1/2" GYP BOARD.
10. ALL ROOFING SHALL BE 1/2" OSB SHEATHING OVER 2x6 RAFTERS WITH 1/2" GYP BOARD CEILING.
11. ALL EXTERIOR DOORS SHALL BE 1 3/4" SOLID CORE WITH 1 3/4" GLASS INSERT.
12. ALL EXTERIOR WINDOWS SHALL BE 1 3/4" SOLID CORE WITH 1 3/4" GLASS INSERT.
13. ALL INTERIOR DOORS SHALL BE 1 3/4" SOLID CORE.
14. ALL INTERIOR WINDOWS SHALL BE 1 3/4" SOLID CORE WITH 1 3/4" GLASS INSERT.
15. ALL STAIRS SHALL BE 3" SOLID WOOD TREADS AND 1 1/2" SOLID WOOD RISERS.
16. ALL STAIRS SHALL BE 3" SOLID WOOD TREADS AND 1 1/2" SOLID WOOD RISERS.
17. ALL STAIRS SHALL BE 3" SOLID WOOD TREADS AND 1 1/2" SOLID WOOD RISERS.
18. ALL STAIRS SHALL BE 3" SOLID WOOD TREADS AND 1 1/2" SOLID WOOD RISERS.
19. ALL STAIRS SHALL BE 3" SOLID WOOD TREADS AND 1 1/2" SOLID WOOD RISERS.
20. ALL STAIRS SHALL BE 3" SOLID WOOD TREADS AND 1 1/2" SOLID WOOD RISERS.

REBAR LAP SCHEDULE

| | |
|---------|--------|
| BAR NO. | LENGTH |
| 1 | 15'-0" |
| 2 | 15'-0" |
| 3 | 15'-0" |
| 4 | 15'-0" |
| 5 | 15'-0" |
| 6 | 15'-0" |
| 7 | 15'-0" |
| 8 | 15'-0" |
| 9 | 15'-0" |
| 10 | 15'-0" |
| 11 | 15'-0" |
| 12 | 15'-0" |
| 13 | 15'-0" |
| 14 | 15'-0" |
| 15 | 15'-0" |
| 16 | 15'-0" |
| 17 | 15'-0" |
| 18 | 15'-0" |
| 19 | 15'-0" |
| 20 | 15'-0" |

Book: 5085 Page: 235

Catherine A. Berube
Register of Deeds, Strafford County

TOWN OF BARRINGTON, NEW HAMPSHIRE
Agreement and Release Regarding
Building Permit for Property Abutting a Private/Class VI Road

NOW COME George & Ellen Rose
(Hereinafter referred to jointly or severally as "owner") with a residential address of 437 Mica Point Rd, Barrington, NH 03825, and
The Town of Barrington, New Hampshire (hereinafter referred to as "town"), a municipal corporation existing under the laws of the State of New Hampshire with an address of 4 Signature Drive, and agree as follows:

WHEREAS, owner owns certain real property (Tax Map 118, Lot 67, Plot) which abuts Mica Point Road Road, conveyed to said owner by a Deed recorded at Book 5068, Page 744 at the Strafford County Registry of Deeds: and

WHEREAS, the relevant portion of said Mica Point Road Road upon which owner's real property fronts is a private/Class VI road that has not been approved by the Barrington Planning Board, so that the owner's property is therefore subject to the building restrictions imposed under RSA 674:41;

NOW THEREFORE, the town and owner on behalf of themselves, their heirs, legal representatives, successors and assigns, covenant and agree as follows:

1. The town shall allow owner a building permit to construct a single family residence on the property identified above subject to the terms and conditions of a building permit to be issued by the town and the Policy of the Board of Selectmen Regarding Construction on Class VI and Private Roads as amended on July 20, 2015.
2. The parties understand and agree that town assumes no responsibility for maintenance, including but not limited to snowplowing, of said Mica Point Road Road, and no liability for any damages arising from the use of said road.
3. Owner agrees to be responsible for maintaining access to the subject property and does hereby forever release and discharge the town, its officers, agents and employees: (1) from the obligation of maintaining said Mica Point Road Road; and (2) from any loss, damage, claim or expense of any kind or nature whatsoever arising directly or indirectly from the condition of said road, including but not limited to any loss damage, claim or expense arising from failure to provide any municipal services such as police, fire and ambulance services.
4. Owner hereby assumes responsibility for transporting any children who may now or in the future reside on the property to the nearest regular school bus stop.
5. The parties understand and agree that this Agreement and Release shall be recorded at the Strafford County Registry of Deeds before the building permit is issued, as required under RSA 674:41, i (c)(3).
6. The owner(s) agree to stipulate and pass this Agreement at any transfer of this property.

Georgè Rose

Witness Print Name
(not needed if e-signed)

Owner Print Name

DocuSigned by:
George Rose
73A847DC77ED405

12/8/2022

Witness Sign/Date
(not needed if e-signed)

Owner Signature/Date

Ellen Rose

Witness Print Name
(not needed if e-signed)

Owner Print Name

DocuSigned by:
Ellen Rose
97B89BAEAC68409

12/8/2022

Witness Sign/Date
(not needed if e-signed)

Owner Signature/Date

TOWN OF Barrington

Dannen Mannschreck

Witness Print Name
(not needed if e-signed)

By:

Selectperson, Chair or Vice Chair

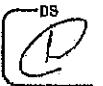
DocuSigned by:
Dannen Mannschreck
1984FFCD61D944D

12/8/2022

Witness Sign/Date
(not needed if e-signed)

Selectperson Signature/Date

12/23/2022





Minor Building Permit Application

Town of Barrington, New Hampshire
 Building Department
 P.O. Box 660, Barrington, NH
 Telephone: (603) 664-5183

Issue Date _____
 Permit # _____
 (This area for office use only)

Map # 118
 Lot # U7
 Block # _____
 Zoning _____

Location of Construction (Address): 437 Mica Point Rd Barrington NH
 Property Owner: George & Ellen Rose Home Phone: _____
 Mailing Address: 288 Cedar St. / Cell Phone: 781-258-0189
 City: Ashland State: MA Zip Code: 01721 Daytime Phone: _____
 Email Address: george.rose@yahoo.com

Contractor: Brothers design build (Shane Silsen) Phone: _____
 Mailing Address: 181 Mica Point Rd Cell #: 603-219-5432
 City: Barrington State: NH Zip Code: 03825
 Email Address: shane@brothersdesignbuildllc.com

Cost of Construction: \$36,565⁰⁰ Building Inspectors Estimated Cost of Construction: _____
 Permit Fee: _____ Permit fee is based on \$8.50 per \$1,000.00 of Construction Cost (\$50.00 Minimum)
 AND \$25 flat application fee, \$50 electric permit fee, \$50 plumbing permit fee, \$50 mechanical permit fee.

Primary Use of Property Is: Residential Commercial Mixed Use (both Res. & Com)
 Proposed Construction is for: Deck Door Garage Exterior Renovations
 (Please Check all that Apply) Enclose Deck/Porch Shed Siding Interior Renovations
 Pool / Hot Tub Roof Windows Residential Addition
 Other _____

Description of work to be performed: 10X17 addition w/ 4' foundation & 12X19 deck & 4x11 covered deck @ Entry
 Proposed Use: _____

| Property & Setback Information | | | |
|---|--------|--|---|
| Setbacks from Lot Line to Construction: | | Subsurface Disposal Information: | Total Square Footage of Proposed Building: |
| Front: | Right: | Septic System Design: More Than 20 Years Old Circle One: <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown | <u>170 sq ft</u> |
| Rear: | Left: | | Site Located In "Special Flood Hazard Area": Yes No |
| Lot Size: | | Shoreland Water Quality Protection Zone: Circle One: Yes No | Site Located In Shoreland Protection Zone: Yes No |
| | | | Subdivision Approval # _____ Subdivision Name: _____ |

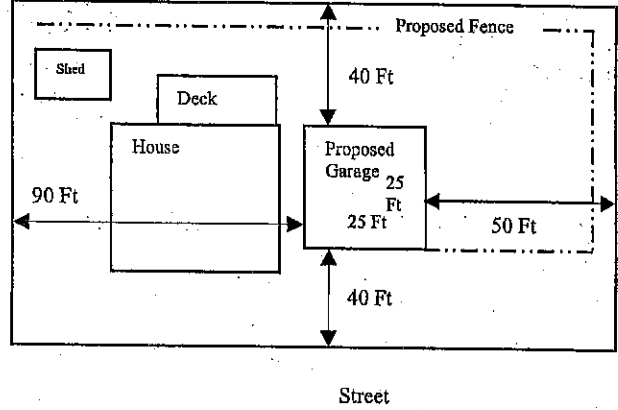
Applicant Signature: [Signature] Date: 1-10-23

Plot Plan

Instructions:

- 1) Show the Property lines and road(s).
- 2) Show the proposed Structure and all existing structures.
- 3) Show the Measurements from the proposed structure to all lot lines, measure straight through existing structures if needed.
- 4) Include the dimensions of the proposed structure.
- 5) Show Location of Septic Tank & Leach Field.
- 6) Show Location of all Wetlands, Rivers, Streams, Lakes and Ponds

Sample Plan:



Applicant Signature: _____

Date: _____

1-10-23

It is the responsibility of the property owner and all contractors to obtain and post the necessary permits in a conspicuous location prior to commencement of any construction related activity.

Electrical, mechanical and plumbing work requires submission of a separate permit applications.

Permits are non-transferable. If this is an "After the Fact" permit, it may be subject to a fee two times the normal permit fee.

It is the responsibility of the contractor / property owner to obtain all required inspections. This signed application constitutes consent of the owner / applicant to provide access for inspections related to this permit at the subject property. Any work that is concealed prior to the inspection may be required to be removed for inspection.

Inspections are required for:

- 1) Reinforcing steel prior to pouring
- 2) Foundation & drainage prior to backfilling
- 3) Rough-In: Framing
- 4) Insulation & penetration firestop
- 5) Drywall Installation (fire rated assemblies only)
- 6) Final Inspection

Required inspections for electrical, plumbing and mechanical installations are provided on the applicable permit application(s).

PLEASE BE ADVISED: Any deviation from the specifications submitted will require an amendment to this permit or additional permits. Permits expire one (1) year from the issue date. The Building Inspector/Code Officer may grant an extension of time if a written request is submitted prior to the expiration date. Permits become invalid if work is not started within 180 days or if work is abandoned/suspended for a period of 180 days.

The STATE OF NEW HAMPSHIRE requires that ENERGY CODE COMPLIANCE CERTIFICATION be obtained for any heated building, structure or addition thereto. Certification may be required prior to altering, renovating or winterizing an existing structure. More information can be found at the web site: www.puc.state.nh.us and follow the link for Energy Codes.

*** I hereby certify that the building site is/is not (choose one) located in a "Special Flood Hazard Area" as designated by the Federal Emergency Management Agency and its flood insurance rate maps.

Applicant signature: _____

*** I hereby certify that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S. C. 1334, Barrington Flood Plain Development Ordinance.

Applicant signature: _____

*** All work must be performed in accordance with International Building Code/2009, International Residential Code for One & Two Family Dwelling/2009, 2011 NEC National Electrical Code, 2009 International Plumbing Code, NFPA 101 Life Safety Code/2009, NH Energy Code, International Mechanical Code/ 2009 and State of NH Subdivision & Individual Sewage Disposal System Design Rules.

*** I certify that the information that I have given is accurate to the best of my knowledge. No change from the above information will be made without the approval of the Code Enforcement Officer. I understand that this is NOT A PERMIT and that work CANNOT COMMENCE until a PERMIT is issued. It is my responsibility to contact the Code Enforcement Officer for the appropriate inspections.

*** I hereby certify that the boundary lines shown on the accompanying plot plan are the property lines of my property and that the acreage and setbacks are correctly shown.

*** I further acknowledge that the proposed structure or improvements shall not be occupied or utilized without a Certificate of Occupancy and only after all necessary inspections have been requested and completed.

Owner Signature: _____ Date: 12/5/2022

Contractor Signature: _____ Date: 12/10/2022

Wendi Tremblay
Secretary - Mica Point Road Association
29 Norm's Way
Barrington, NH 03825

March 7, 2023

Let it be known that all monies raised for the *Mica Point Road Association* will be used solely for the purpose of maintaining the roads in the Association, as well as plowing the road during winter months.

Roads affected by this include Mica Point Road and Bulley Road only. Although Norm's Way is part of the Mica Point Road Association, that is a combination dirt and paved driveway maintained solely by the property owner.

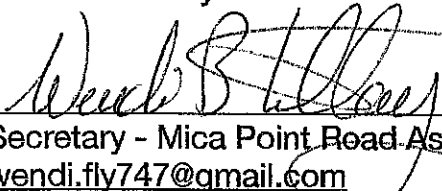
The definition of "Maintenance" shall include:

1. Paving
2. Adjustments made to the road bed itself.
3. Tree work needed to clear the road. (Trees that owners wish to have removed are NOT included in this. That expense is on the owner of the affected property).
4. Culvert work and/or replacement.
5. Winter Plowing
6. Any needed widening
7. Brush removal where roots can affect the pavement.
8. Adding support material to the sides of the road to prevent cracking in winter months.
9. Any other unforeseen circumstances affecting the road itself.

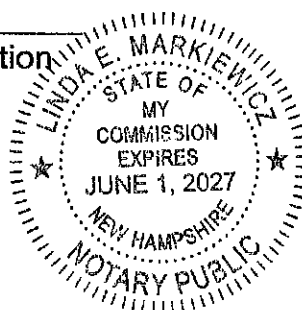
The Mica Point Road Association, established in 2017 is an organization recognized by the State Of New Hampshire and will abide by all By-Laws agreed upon.

George Rose of 437 Mica Point Road is a member of the Mica Point Road Association. He is in good standing and his annual dues are paid up.

Wendi Tremblay


Secretary - Mica Point Road Association
wendi.fly747@gmail.com

FEB 28 2023



Linda Markiewicz
Notary Public
My Comm Exp. 6/1/27

437 MICA Pt. Rd

Similar
for
68 Rocky Pt

c. Category 3

- i. Erection of any new habitable building.
- ii. Conversion of a seasonal dwelling into a year-round dwelling.
- iii. Addition of an accessory dwelling unit.
- iv. Change of use of the property (for example from single family into a multi-family).
- v. Additions that add to the volume of an existing building.
- vi. Any other situations not included in Category 1 and 2.
- vii. Applicable Requirements:

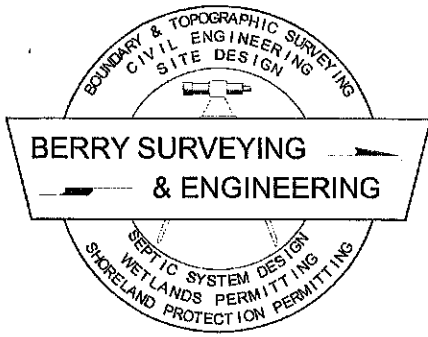
- ✓ 1. Class VI and Private Road Building Policy Application
- ✓ 2. Municipal Disclaimer of Maintenance Responsibility and Liability Release and Indemnification Agreement – Get from Amanda
- ✓ 3. Detailed Property Map
- ✓ 4. Road Improvements
5. Road Maintenance Agreement
6. Permit and Bond for Improvements on Class VI Roads (if applicable)
7. Department Head Recommendations
8. Planning Board Review and Comment
9. Select Board Public Hearing and Decision
10. Application Fee (if approved)

**Doesn't have to variance in place before the Class VI/Private Road goes to Select Board

With Application:

Staff to do Municipal Disclaimer of Maintenance Responsibility and Liability Release and Indemnification Agreement (Amanda) after application acceptance. Get it from Amanda. Not recorded yet.

Detailed Property Map (Category 3) Submit a map drawn to scale showing: i. The location and size of the lot and its relation to the Class VI or private road and the Class V or better road which allows access to



BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

LETTER OF TRANSMITTAL

To: Town of Barrington
Building Department/Code Enforcement
Attention: John Huckins Building Inspector / Code Enforcement Officer
CC: Vanessa Price Town Planner

From: Christopher R Berry, Principal, President

Date: 3-1-23

Subject: Application For Class VI/Private Road Building Permit
George and Ellen Rose
437 Mica Point Road
Tax Map 118, Lot 67

We are forwarding to you the following materials for your use in the process spelled out in the Policy regarding the Application for Class VI/Private Road Building Permit

- 12 – Copies of an application package prepared on behalf of the owner / applicant.
- 1 – PDF of the package submitted by Email dated 2-28-23

Please note that BS&E does not have access to the building permit, whereas it was filled out by hand in the office and submitted directly to your department. If that should be added to these packets, we would be happy to come make copies for addition. If you conduct this effort and there is a fee, please feel free to send the invoice to my attention and I will ensure it is paid promptly.

Additional Instructions:

If you have any questions or comments, please feel free to contact us.

Respectfully submitted,
BERRY SURVEYING & ENGINEERING


Christopher R. Berry
Principal, President

RECEIVED

MAR 10 2023

11:00 AM