

BERRY SURVEYING & ENGINEERING

335 Second Crown Point Road

Barrington, NH 03825

Phone: (603) 332-2863

Fax: (603) 335-4623

www.BerrySurveying.Com

May 30, 2023

Barrington Planning Board
Attention: Vanessa Price Town Planner
4 Signature Drive
PO Box 660
Barrington, NH 03825

Re: Yield Plan
Owner: Norma Bearden
Applicant: Paul Thibodeau
Young Road
Tax Map 240, Lot 8

Chairperson, Members of the Barrington Planning Board,

On behalf of the land owner and applicant Paul Thibodeau, Berry Surveying & Engineering (BS&E) filed a subdivision application on February 15, 2023 for a 23-lot conservation subdivision along the Young Road pursuant to the Barrington Zoning Ordinance Article 6 and the Barrington Subdivision Regulations Article 10. The intent of this letter is to provide supplemental background information regarding the project yield plan. At the last public hearing on this project, the board found that next rational step was to review the yield plan and determine if it met the underlying zoning and subdivision requirements. Based on additional questions the board had, the yield plan has been modified from the original submission to include only one access point. This was done to provide a better topographic advantage and thus a more cost effective approach to the roads within the yield plan.

Underlying Zoning and Yield Plan:

The project site is in the Neighborhood Residential Zone (NR), and the Wetlands Protection District Overlay. Article 4, Dimensional Requirements, Table 2, Table of Dimensional Standards requires the minimum lot size in a conventional subdivision to be 80,000 Square Feet with 200 feet of frontage. Each lot shall contain a 40' front setback, a 30' side and rear setback, and requires the maximum height of a structure to be 35'. The maximum coverage allowed on each individual lot is 40%. The zoning regulations describe lot coverage as the area covered by impervious surfaces. The submission provides for a separated 14 page set of plans which shows each lot meets or exceeds these requirements.

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As the remainder of Article 4 is reviewed, the following standards are also required to be applied to the provided yield plan:

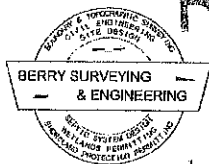
4.2.1 Standards for the GR and NR District, paragraph 1, requires each lot contain 60,000 Sq.Ft., of total land that is free of Hydric A soils (very poorly drained soils), open water, bogs, marshes, rivers, streams and exposed ledge. We submit that this is shown on sheets 9 through 12 and each lot is free of the described non-buildable areas. This section further states that each lot contains at least 35,000 Sq.Ft., of contiguous upland areas, the purpose of which is to provided a suitable building area for construction and not create lots that are segmented to the point they are not constructable. Each lot meets this standard, with each buildable upland area shown being larger than 35,000 Sq.Ft., in size.

4.1.2 Lot Frontage, requires the frontage to be compliant with Table 2, in this case requiring 200' of frontage. In addition, 4.1.2 requires that the dedicated frontage be used for the access to the property. The yield plan demonstrates that each standard lot provides for 200' of contiguous frontage on either an existing Class V road or on a road that would otherwise be built to the required subdivision standard. Each lot on the yield plan provides for driveway access across this calculated frontage, therefore satisfying 4.1.2.

4.1.3 Back Lots, allows for a residential subdivision to contain up to two back lots, where 50' of frontage is provided, and if two lots are proposed each portion of the neck will be shared as equally as possible. The neck is not permitted to be used in the minimum lot size and this provision is not permitted on a cul-de-sac. The driveway is to be placed in the neck and centered to the extent possible. The provided yield plan has two back lots, Lot 20-4 & 20-5 which meet these requirements. Each of the lots provides the minimum 35,000 Sq.Ft., of area outside of the neck of the lot, with Lot 20-4 being the smallest at approximately 42,000 Sq.Ft. The Barrington Subdivision Regulations Article 11, General Design Standards, 11.2.4 (1 through 6) permit the same.

In addition to the Barrington Zoning Ordinance, the yield plan is to comply with the Barrington Subdivision Ordinance. When discussing lots in a subdivision, Article 11, General Design Standards is applied. A general-purpose statement is provided along with guidance in 11.2 Lot Shape and Site Layout with further description in 11.2.1. The detailed requirements of the lot layout and design is provided in 11.2.2. The lots on the provided yield plan comply with paragraph one through three in that the clarity of ownership is met whereas the lots are rectilinear and each lot is greater than 75' in width, with the back lots being the exception as provided for in 11.2.4. Stone walls were held as boundary lines where appropriate. There are no excessively deep lots compared to frontage widths and those that are over the 3:1 general ratio are drawn to be rectilinear with the abutting lot. Each lot is generally at right angles to the street, or matches abutting boundary lines and each corner lot provides for a sufficient setback on each street while maintaining the building area. Each lot is provided with a schematic home and ample room for a well, required radius on the lot and a suitable sewage disposal area per the standards of New Hampshire Department of Environmental Services (NHDES).

11.3 Building placement further describes considered criteria for the building envelopes. Notably, the lots in the yield plan do not include wetlands and do not include slopes that are in excess of 35% (There are no floodplains on the parcel.) Though there are slopes of 35% and



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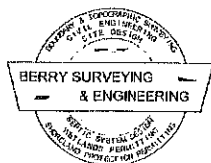
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greater on the parcel, the lots are of sufficient size and shape as are the building envelopes to permit construction without their use. It is important to note that neither the Zoning Ordinance nor the Subdivision Regulations restrict the use and manipulation of any slope, only that they may not be used in the building areas.

As noted above the site is in the Wetlands Protection District Overlay, as defined in Article 9 which regulates wetlands and defines buffers to the same. John P. Hayes, a certified wetlands scientist (CWS) as well as a certified soils scientist (CSS), delineated the project site pursuant to section 9.2.2 of the Barrington Zoning Ordinance as well as the standard practices of NHDES. Prime Wetlands are defined in section 9.3 as being the boundary where the soils become 100% Hydric A, or very poorly drained soils. This boundary was delineated and shown on the project plans. Section 9.5 then requires that a 100' buffer be held to this boundary. The provided yield plan shows this buffer and complies with its limitations. Section 9.5 defines a 50' wetlands buffer to wetlands that are over 3,000 Sq.Ft. in size. The yield plan provides for these buffers and complies with the limitations found in the Zoning Ordinance.

The provided yield plan does not require a special permit as provided for under 9.6. There are no shown buffer encroachments where construction or impervious surfaces encroach within either the 100' prime wetland buffer or the 50' jurisdictional wetland buffer. Each lot can be accessed without the need for grading within the same buffers. The yield plan does propose a wetland crossing on Proposed Road #2. This crossing would be approximately 1,081 Sq.Ft in impact and is exempt from local jurisdiction under 9.5.1(3). NHDES could consider the impact as a Minimum Impact or a Minor Standard Impact based on varying circumstances. In either case, the test for receiving a permit is largely the same. The applicant must demonstrate the need for crossing and prove that they have minimized and avoided to the extent possible. Additionally, the applicant would need to prove the construction practices and standards employed are fitting with Best Management Practices (BMP). In this case, the applicant is proposing by yield plan to gain access to large areas of productive uplands, which can not otherwise be accessed without the proposed wetlands crossing. These areas have value and productive use which meets the requirement for demonstration of need. The proposed crossing is specifically designed at one of the narrowest points in the wetland and proposes a crossing that is perpendicular in nature. The crossing is specifically positioned over 315' from the prime wetland and is well outside of its required buffer. These characteristics speak to minimization and avoidance of the crossing, where the crossing is designed in the most advantageous manner for the wetland and not the lots or overall subdivision design. The crossing would require a natural bottom culvert design or natural bottom box design. Headwalls and guard rails would be required to assure the minimal impact is proposed. These are all things commonly done in crossings as standard BMP's and are consistent with designs proposed in past approvals from NHDES for similar projects.

As noted above the Board asked for additional detail be provided with regards to the roads which were used to provide access to the lots at the rear of the parcel. The Proposed Road #1, is designed at 22' wide, 2% slope for the first 100' and a maximum road grade of 7%. This road complies with all other requirements found in the design table for the number of units.



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Proposed Road #2 is a minor access way and only provides access to 4 total units. The road is designed at 20' wide, 2% slope for the first 100' of the intersection and a maximum grade of 9%. This road complies with all other requirements found in the design table for the number of units.

The board questioned access into the lots within the subdivision off the proposed roadways. Driveway locations and house placements shown consider the conceptual road grading provided and would meet the required 10% driveway slope requirements.

Lastly with regard to a projects total yield, the conservation subdivision ordinance requires that there be no additional units beyond the underlying unit count of the primary parcel. We note that if section 4.2.1(3) were employed for the underlying parcel, there would a larger density recognized from the underlying parcel.

We submit to the board that the provided yield plan is appropriate and meets the Barrington Zoning Ordinance as well as the Barrington Subdivision Regulations.

Please let us know if there is further information needed for this application.

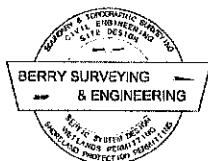
Berry Surveying & Engineering


Christopher R. Berry
Principal, President

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