



Planning & Land Use Department
 Town of Barrington
 PO Box 660
 4 Signature Drive
 Barrington, NH 03825
 603.664.0195
VPrice@barrington.nh.gov

Date of Application: December 14, 2022
 Date Decision Issued: April 4, 2023
 Case File #: 234-25.1-V-22-3Lots

NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received:</i>	<i>Surety returned</i>
<i>"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.</i>			
Re: 234-25.1-V-22-3Lots: Request by applicant are proposing 3 new lots with two lots in the back and one standard lot off Franklin Pierce Highway (aka Route 9) with a private driveway to access two single family lots (Map 234, Lot 25.1) in the Village Zoning District.			
<p>Owners: TSB Construction LLC c/o David Coish 44 Merryfield Lane Hampstead, NH 03826</p> <p>Applicant: Christopher Berry Berry Surveying & Engineering 335 Second Crown Point Road Barrington, NH 03825</p>			

Dear applicant:

This is to inform you that the Barrington Planning Board at its April 4, 2023, meeting **CONDITIONALLY APPROVED** your application referenced above.

The application has met all the Town’s Ordinances and Regulations of the Town of Barrington.

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Board. Certification of the plans is required prior to commencement of any site work or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please Note:

If all of the precedent conditions are not met within 12 calendar months to the day, April 4, 2024, the Board's approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

Conditions Precedent

- #1) Add the following plan notes:
 - a) At the September 21, 2022, Zoning Board of Adjustment Meeting, the Board GRANTED, the variance from from Article 4, Section 4.1.1 Table 2 Dimensional Standards to allow frontage of 150' (+/-) where 200 feet is required for a 3-lot subdivision on Franklin Pierce Highway (aka: Route 9) (Map 234, Lot 25.1).
 - b) At the September 21, 2022, Zoning Board of Adjustment Meeting, the Board GRANTED, the request for a Special Exception from Article 4, Section 4.1.2 to allow a driveway not on the proposed frontage for a 3-lot subdivision on Franklin Pierce Highway (aka: Route 9) (Map 234, Lot 25.1).

- #2) Add the following to the Plan:
 - a) All Owners' Signature.
 - b) Wetland Scientist Signature.
 - c) Professional Surveyor Signature.
 - d) NHDES Permit Number.
 - e) State Subdivision Approval Number.
 - f) Street name sign and location.
 - g) After NHDOT review, a permanent easement for Garrison Rd. to be in place.

- #3) Road Name approved by the Board of Selectmen to be labeled on final plan set.
- #4) Any outstanding fees shall be paid to the Town.
- #5) The Easement Plan will be recorded at the S.C.R.D. along with the Subdivision Plans upon project approval.
- #6) At final submittal, all outstanding comments to applicant from Town Planner for Subdivision regulations shall be addressed.
- #7) Certificate of Monumentation Installation submitted to the Town.
- #8) Ownership and Maintenance of the stormwater system and driveway maintenance of the proposed Homeowner's Association to be approved by Town Attorney. The applicant is responsible for attorney fees.
- #9) The H.O.A will be recorded at the S.C.R.D. by the Land Use Department, prior to the issuance of a certificate of occupancy on the first dwelling on the driveway. The applicant is responsible for recording fees. A copy will be on file at the Town's Land Use Department.
- #10) Prior to obtaining Board signature, the Applicant shall submit three (3) full size paper copies of the subdivision plans, one (1) 11' x 17' copy and .pdf/a format file format with supporting

documents, with a letter explaining how the applicant addressed the conditions of approval to the Town's Land Use Department.

The Planning Board Chair shall sign and date all plans meeting the conditions of approval. The Board shall endorse three (3) full size paper copies of the subdivision plans for their records and one (1) 11' x 17' copy and .pdf/a format file format for the case file folder.

General and Subsequent Conditions

- #1) Where no active and substantial work has commenced upon a site, plans that are approved and signed by the Board shall expire two years from the date the plan is signed. An extension, not to exceed one year, may be granted by majority vote of the Board so long as it is applied for at least thirty days prior to the expiration date. The Board may grant only one such extension for any proposed subdivision. Expired plans must be submitted to the Board for review to ensure compliance with these and all other town ordinances and regulations via the normal application process.
- #2) In accordance with RSA 674:39, active and substantial development shall mean the expenditure of at least twenty-five percent (25%) of the infrastructure costs required for a development proposal, as indicated by a subdivision approved by the Planning Board, within twenty-four (24) months of said approval, where the approved plans have been properly recorded at the Registry of Deeds. Infrastructure shall mean in this instance, the construction of roads, storm drains, water and sewer facilities, or parking lots. Compliance with this definition shall also necessitate that a bond or other security to cover the costs of said infrastructure requirements has been posted with the town prior to the beginning of construction, if required as a condition for subdivision or site plan approval.

For determining whether an approved subdivision is vested under the terms of RSA 674:39 the following conditions must be met. At least fifty percent (50%) of the total cost of all public and private improvements approved by the town must have been expended within four (4) years of the date of approval of said subdivision plan. In addition, a bond or surety for completion of all required public improvements, if required as a condition of approval, shall have been posted with the town.

* Bond is not required the road infrastructure is a driveway.

- #3) The responsible party will conduct the inspections, complete the required maintenance, and will maintain the Inspection & Maintenance Check Lists and Logs, and will provide copies with the Annual Report to the Town of Barrington, Land Use Department by December 15th of each year. The homeowners are required to complete the inspections; submit the report; and perform any recommended maintenance, including keeping the pond infiltrating as designed.
- #4) The applicant's engineer shall certify in writing the improvements have been constructed as approved prior to the issuance of a certificate of occupancy on the first dwelling on the driveway.

#5) The applicant's engineer shall certify the slope of the inside curve for compliance with the regulations requiring a 10% slope and adjust accordingly if non-compliant.

(Note: in both sections above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).

I wish you the best of luck with your project. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Vanessa Price

Vanessa Price

Town Planner

cc: File