

**Barrington Planning Board Meeting
Meeting Room, Town Administration Building
January 8, 2009 - 7:00 PM
Public Hearings with applicants**

Members present: Chairman John Huckins
Selectwoman Jackie Kessler
David Vincent
David Mott
Steve Oles
Dawn Hatch (Alt)

Chairman Huckins called the meeting to order at 7:00 PM. He introduced the members. **The representative for Anthy Mouzourakis, File # LL 09/220 asked for continuance to February 5, 2009 as the plan was scheduled for a hearing with the Zoning Board of Adjustment on January 21st.** Motion to continue was made by Mott, seconded by Vincent, all in favor. The first hearing was opened.

**SR 09/602 - John & Linda Svenson – Conceptual
3 lots – Rte 9, Barrington, NH
Map 235, Lot 1 & Map 239, Lot 2**

Garth Svenson and David Vincent, Land Surveying Services represented the conceptual plan. Vincent excused himself from the hearing. Svenson said that the parcel was located off Route 9 with the entrance between the Sumner Hayes and Svenson property including his home and Christmas Dove. The parcel would contain the lot for the library.

Vincent said that the numbers were based on the tax map. He said that there was 3.9 acres set aside for civic use. Vincent said the second sheet showed the potential for the through road. The Board discussed the future through road from Route 9 to Route 125. Huckins said that the plan satisfied the requirements of the Board.

Vincent said that the Hayes lot which Svenson owned was not part of the proposal. Huckins asked what the distance was from Route 9 to the cul-de-sac. Vincent said about 800 feet. Huckins said it would need to be shortened or a waiver requested. There should be a 60 foot road right-of-way to the property line. Huckins said that the road should be built to the cul-de-sac with a paper street after the development. Mott gave an example of the Bussiere property that needed an easement for the computer business.

Vincent said the plan represented that this was the first phase. He said that Christmas Dove and the library would share the parking lot. Huckins said that the build-out of the rest of the project could be commercial, mixed use, and a PUD. The density shown should represent what was applied for this parcel. Vincent said

they did not know what they would do in the future. Huckins said that a traffic study should be done for the short road and the through road. He said that the traffic study should represent the whole project.

Huckins said that both scenarios should be shown and the most restrictive one met. Vincent said that a temporary cul-de-sac would be constructed for the first phase. He said that the applicant wanted to know what would be expected of him. Vincent said that the second phase would require sprucing up the road for example sidewalks. He said that the applicant could ask for waivers.

Svenson said there should be more funding available for the second phase. Vincent said that the lot design, traffic studies, temporary cul-de-sac, and through road would need to be addressed. He said that the cistern or fire pond and protection would be addressed with the Fire Chief.

Marie Harris asked if the library had the go ahead to start having an architectural plan done of the site. Huckins said the plan before the Board was conceptual and would need a full application. Vincent said it would take several months to create a subdivision plan. There would need to be an engineered plan of the road. Huckins said the reconfigured parking lot would also need to be shown. Vincent said traffic and environmental studies would need to be completed.

Huckins said the plan should show the commercial development, civic and PUD uses. Vincent said that the road should be shown as either a paper street or the completed one. Huckins said that the application for a PUD even if it was not built should be included.

Vincent said the calculations should be done then the first phase was designed. Mott said the size of the lot that was represented should be shown. Vincent said it was 16 +/- acres. Vincent pointed out the zbutting lots and the ones owned by Svenson. He said there were several tracts owned by Svenson and others. He said there was just one Svenson lot before the Board.

Mott said there should be enough wetland work done to service the back lot. Vincent said the whole lot would show topography and the wetlands would be done. Mott said paper streets could be shown but not used by this phase. Vincent said that Norway Plains did some work on the site. He said GPS had been done. Vincent said the crossings were shown and the location of the road was in a realistic area. He said that the level of detail could be provided. Vincent said the design was much the same as the one presented by Bob Cruise.

Vincent said that they would need to submit an application and re-notify abutters. He said they would get back to the Board when they were ready. Vincent said waivers would be requested for the first phase. The design phase was closed. Vincent returned to the Board.

SR 09/363 – Town of Barrington

41 Province Lane

Map 234, Lot 0001

Excavation operation on town property – Rte. 9

Marc Vanson, TF Moran and Selectman Charter Weeks represented the proposal. Vanson gave a brief background of the site located on Route 9. He said the parcel known as the Clark–Goodwill property had been purchased for the

location of a school. He said approximately 5 acres had been subdivided off for the American Legion leaving 31 acres.

Vanson said the plan showed excavation of the parcel done in phases. He said the Town would use the material from one section before moving to a second. At that time reclamation of the first section would begin. Vanson said that there would not be more than 2 to 4 acres open at one time. Vanson said that there would be 17 ½ acres of disturbance.

Vanson said that exploration of the site had been done which showed that the material would be 10 to 15 feet deep. He said the areas of excavation would be high and dry leaving 3 feet of material above the high water table. He said this would allow future development of the site.

Vanson said Road Agent, Peter Cook said there would be approximately 15,000 cubic yards of material used each year with the site having a 12 to 15 year life span. There would be between 15000 and 20000 yards made available for use each year. Vanson said that at present the materials were bought. He said at this time a cost analysis had not been done.

Vanson showed the access off Route 9. He said there would be 1 entrance which would service the American Legion lot and the proposed excavation along with any future use. Vanson said the plan was a design phase with notification of abutters done.

Vanson addressed the drainage issue. He said a swale would be installed around the perimeter to catch any sediment run-off. This would protect it from encroaching on land down stream. The barrier would be a fixed ditch. All disturbances would be 150 feet from the brook.

Vanson said that there was bedrock on the site that had the potential for excavation. Products on the site would be sand, gravel, and stone. Huckins said the areas to be excavated were shown as A,B,C,D, E, and F. All other areas could be used for future development. Vincent said the way the sections were set up the excavation would start at the back of the parcel and work toward the front. This would leave the front in a natural state for a longer period of time. Vanson said that the buffer at the front the first and second sections would not be seen and excavation and restoration could be in progress at the same time.

Huckins said swales around each section would help. Huckins asked if all of section A would be reclaimed before opening section B. Vanson said that no more than 4 acres could be open at any time. He said the mandate of the alteration of terrain permit stated not to exceed 4 acres open at 1 time. He said there were special grasses that had to be used for restoration so they would want to reclaim an area at one time.

Huckins asked about whether there would be processing on site. Mott said his concern was the prevailing winds which could carry dust and dirt toward the abutters. Would there be any protection from this. Vanson said as the Town would move more slowly than a commercial pit. He said there could be selected seasons when the work could be done. He said calcium chloride could be used to help control the dust.

Vincent said that as the perimeter of the sections would be buffered and the area outside of the sections would be wooded for 100 feet where there would

be no tree cutting so the abutting lots would have protection. George Bailey said there had been selective cutting done on the site in the past few years. Vincent said it was represented that the entrance would be gravel and crushed rock and probably gated.

Vanson said the entrance would have a 50 foot paved apron included in the driveway permit from DOT. Huckins asked how far above the seasonal high water table the excavating would be. Vanson said a minimum of 3 feet. He went over the contour details and said 18 to 20 testpits had been done. He said the wetlands had been mapped by 2 different licensed soil scientists.

Material would be crushed for a year's amount of material. Vanson said 12,000 cubic yards would be the average supply. It would be for town use only. Hatch asked about the hours for operation of the crusher. She said it should be done during regular day hours. Blasting and crushing should be scheduled so there would be no night operations.

Vanson said the plan showed 7:00 AM to dark. Members said this could be late during some seasons. Vanson said it could be change to 7:00 AM to 5:00 PM for crushing and blasting. The change would eliminate note # 9. Mott said we should get input from Peter Cook and the Selectmen. The modified notes would be submitted.

Vanson said the trees would be cut off one half of the site at a time with the stumps remaining in place until the work was complete. Hatch Jr. asked if the stumps would remain on the site or taken to a stump dump. Vanson said they would remain on site. Huckins said they could be ground for mulch. He said a tub grinder would make fast work of them and there was a market for them.

Abutter Paul Purpora said his concern was Section B which was next to his house. Vanson said this section was .75 acres. He said the dig would be 25 to 26 feet deep. Purpora said he had checked on this area himself and found that the deepest that could be dug would be 10 feet then there was ledge. He said the small amount that would be excavated would have a great deal of effect on his home and lot. He said he would be willing to give more on the boundary line of Section A if Section B could have a greater setback.

Vanson said this would be done and shown on the next plan. He said that the ridge along the property line could not be removed without Purpora's permission. Purpora said to dig close to his line would create a hardship on his part. Vanson said the setback would be changed to 50 feet. Purpora suggested doing testpits to see what the dept could be.

Huckins suggested that Purpora work with the Selectmen. Bailey said the Planning Board could require the 50 feet as a condition of approval. Vanson said that the modification would be made with the abutters.

Bailey said he objected to Kessler acting as a Board member where she was a Selectwoman. Huckins said he did not see any conflict. All members felt the same way. Huckins said that Kessler was the Selectmen's representative to the Board. Vanson said that the modification would be made on Section B for a setback of 50 feet with 150 feet to any dwelling.

Purpora asked if the road servicing the excavation would be permanent. Vanson said that the existing trail would be used as is, with widening to Section

A. He said the existing path – trail would be used for access to the sections. Purpora said that this was logical place as it was in the center of the parcel.

Purpora asked if the intent was to stock pile a year's amount of material. Vanson said yes; there would be no contractors on the site after this work was done each year.

Hatch asked if there would be a condition that the materials would be used by the Town only and not for sale or private use. Crushing and blasting should be done in normal operating hours due to noise and dust. There should be set hours noted on the plan.

Vanson said it had been represented to him that the material would be for town use only. Bailey asked if a bond would be posted. Vincent said we had required others to post a bond. Huckins said the reason for bonding was to protect the Town. It would not need to be protected against itself. All agreed that a bond would not be needed. Bailey said he was not advocating a bond, just asking questions.

Charles Spinale asked about the contractor doing the digging; would this go through the bid process. Weeks said anyone would need to bid on the digging. Bailey asked about the distance to the water table. Vanson said 3 feet would be the limit. Bailey asked about the test pits. Vanson said that both sets of testpits done at different times and year were very consistent.

Bailey said in 2006 TF Moran represented that there was 65,000 cubic yards on the site. He said that this would leave more material on site for future development. Bailey asked what the difference was with the increased amount. Vanson said the dig would be deeper, then reclaimed for future development. He said this was an estimate not actual yardage. He said it was based on the different final grade. He said it was not based on the same plan, but with a different goal and end product.

Bailey said we had spent money to know what was available. Vanson said there would be more excavation with a deeper dig. He said the reason for the change would be a greater savings to the Town. Vanson said there would be a 30 to 40% savings over commercial prices.

Bailey asked if there was an actual dollar figure. He asked if the price of gas was considered. Bailey asked if the Selectmen would hold a hearing to answer questions.

Charles Spinale asked about the driveway. Vanson pointed out where the driveway had been relocated on the site. Spinale asked if the operation would be visible from the road. Vanson said there would be a 100 foot buffer which would limit the distance from Route 9 except for the driveway. He said the trees and the wetlands would be kept.

Vanson said there was no commitment not to blast. The product could be used by the Town. Huckins said blasting today was not like it was years ago. It was a profession that did not create a great deal of noise, dust, etc. Vanson said most of the blasting would be done on Sections D and F.

Spinale said he was in favor of saving money. He asked if the blasting would also go out to bid. Vanson said probably the excavation, crushing, and blasting would all be done under one bid. Rick Walker said he was notified

whenever blasting was done. He said he had stood near a blasting area and there was little noise.

Richard Deneka asked what the starting date would be. Weeks said he assumed it would start 12 months from when all permits were received and approved. Vincent asked if there was a time limit on gravel pits. Vanson said there was no time limit on pits. He said the Alteration of Terrain permit required a report submitted every 6 years. Mott said a NPDES permit would be needed.

Hatch Jr. asked if there was an estimate of costs to operate the excavation, for example additional equipment and trucks. He said he wanted to know before hand how the operation would be done. He said for example years ago recreation was represented that it would take care of itself, this was not the case.

Vanson said the stockpiling of materials, blasting, and crushing would be done by an excavator who had received the bid for this work. When a year's supply of material was ready he would be gone until the next year's supply would be done again through the bidding process. The excavation would be sub-contracted. Hatch Jr. said he would like to hear this from the Selectmen.

Purpora asked what the end use would be. Huckins said with 3 feet above the high water table it could be developed for many uses. Weeks said it could be sold, have a town use, or become recreational. Purpora asked why 3 feet to the water table. Mott said to go below the 3 feet could limit the future use. Huckins said the future use would come before the Board for site review. He said the Town would not have to have hearings but years ago it was decided that the Town would follow the same process that was required of any other applicant.

Vincent said it might be a good idea to require the 6 year report given to the Planning Board for its records. Vanson said the plans would show the construction controls and bench marks for the report.

Carlene Cain asked how far away the noise would carry or was it the just burden of the abutters. Huckins said the threshold would be at the property line. He said the DBA level could not to exceed 75. (7.1.2 – Noise)

Weeks said the excavation could take 4 to 6 weeks to complete. He said it might be done twice a year if the material demand increased. Weeks said that the tree cutting would be done all at once on half of the site and the second half after that. Vincent said all work on the site would work out toward Route 9 and for town purposes only.

Purpora asked if an environmental assessment would be needed. Vincent said only what was required for the State for their permits. Huckins said the Board requires an assessment on protected areas. Vanson said the plan showed that extensive areas were buffers to the brook and other wetlands. Huckins said the Ordinance required wetland buffers. Mott said the wetlands on the site had been buffered. Vincent said a Natural Heritage Inventory would need to be done.

Ken Cain asked if the access had received State approval. He said that there was water in the road created by the new house lot on Route 9. He asked if the access would have any effect on this. Huckins said the disturbance would be 100 to 150 feet off Route 9. Vanson said with A drainage soils there would not be any large runoff. He said it would be neither negative or positive.

Rebecca Litchfield said her concern was traffic. Vanson said they had

been to DOT and there was only one approved location that was suitable for sight distance. He said this was where the proposed driveway was shown. Litchfield said there had been accidents on the section of the road due to the curve. Weeks said there would be improvements to the site. He said in the State's 10 year plan the Town could participate in road improvement to the area with 2/3 of the costs from the State and 1/3 from the Town. He said with state funding what it was at this time this would not happen. Weeks said they were trying to involve the Federal Government.

Weeks said the Police and Fire Chiefs might want additional trees removed from the entrance for better vision and to let more sun in to prevent freezing on the road. Bailey said there was a buffer 75 feet from the road. Huckins said the plan showed that the cutting would be 100 feet back from Route 9.

Bailey asked if the blasting would affect the water supply in the aquifer. Hatch Jr. said it shouldn't. Bailey asked if the work would be monitored and who would do it. He said he would like to ask the Selectmen some questions. Weeks said he did not think that the Selectmen planned to hold a separate forum.

Bailey said the Selectmen would handle the financial part of the project. Weeks said he would ask the Chairman of the Board. Huckins said they could request to be on the Selectmen's agenda. Weeks said that he did not know the actual dollar amount. He expects to save 30 to 40%.

Hatch Jr. said the blasting would be included in the bidding. Bailey said that the abutters had been notified. He said the price of gas should be considered also. Spinale asked about cutting trees along Route 9. Huckins said that the Town could cut trees without Planning Board approval. Huckins said that safety needed to be included.

Bailey said Route 9 was a state road. Huckins said health and safety were issues that needed to be addressed. Spinale said that the entrance was shown 80 feet wide. Huckins said the width was designed for future development. It would probably remain gravel for this type of use. The traveled way would be 24 feet wide.

Mott said that the culvert could be installed in the wetlands with proper permits. Spinale asked if there would be bidding to install the road. Weeks said yes, but bids had not requested as yet. Huckins said that any work projected to cost \$10,000.00 or more must go out to bid.

Vanson said that the driveway permit had to be renewed. Hatch Jr. asked if the entrance was also for the American Legion. Huckins said this had been addressed in the subdivision process. The driveway would provide an easement to the American Legion.

Letters from Richard and Diane Serechal and Scott Dunn were read into the minutes for part of the record. Both wanted to have a 50 foot setback from excavation on the site. Vanson said that the setback would also be changed on the Purpora lot that abuts Section B.

Clayton Bousquin, representing the American Legion asked if the 50 foot easement to service the Legion would remain the same. He asked if it would be in writing. Vanson said there would be no change in the easement and it would

be part of the record.

Bailey said the Planning Board could require a 50 foot setback around the perimeter of the parcel. Huckins said he did not see the need to change the setback to 50 feet unless it was the request of the abutters.

The decibel reading was discussed. Vanson was asked what if the decibel levels were above 75 at the property line. He said a waiver might be needed in some sections. Purpora said he thought that dust not noise would be the problem. Huckins said that sound traveled. Vanson said calcium chloride would help control the dust. This could be a note on the plan.

As there were no further questions or comments Huckins asked for a vote. Vanson said they would like to continue the hearing to March 5. Huckins asked if we wanted to accept the application. Hatch said there had been no application submitted as the hearing was conceptual/design and the only costs had been notification of abutters. Vincent mad a motion to continue the hearing to March 5 seconded by Oles, all in favor. All material would need to be submitted by February 18.

09/603 - Douglas & Dawn Hatch

2 lots Second Crown Point Rd.

Map 203, Lot 15 & Map 206, 15 – 2

David Mott, Mott Survey Company, LLC, represented the plan with the applicants, Douglas Jr. and Marsha Hatch. He excused himself from the hearings. Hatch said she too would excuse herself from the subdivision and site review hearing as she co-owned the land but would take the minutes if the Board wanted her. Huckins said the members would like Hatch to take the minutes.

Mott said that he had reviewed the input from the review session and made revisions to the plans. He said the package contained a 2 lot subdivision and a site review for a professional office.

Mott said the lot was 2½ acres taken from 44 acres. There was an existing house and barn with a well and septic system. He said the lot was wooded and all setbacks met. Mott said that the wetlands had been delineated by David Allain.

Mott said that a narrative had been included in the package, testpits had been done on the remaining land with 80,000 square feet of upland soil shown. Mott said that the prime wetland per the map used were more than 100 feet away. He said the jurisdictional wetlands were shown on the plan. The setbacks were shown on the remaining land

Mott said that the shed was now shown on the lot. He said that State subdivision approval would be submitted. He said a buildable area was shown on the remaining land. Kessler asked if the abutters had been notified around the lot. Mott said that abutters around the perimeter of the entire 44 acres were notified.

Huckins asked if anyone wanted to speak on the plan. No one spoke. Oles made a motion to accept the application, seconded by Vincent, all in favor. Vincent made a motion to grant conditional approval pending state subdivision approval, seconded by Oles, all in favor.

Site Review

SR 09/364 - Douglas & Marsha Hatch Second Crown Point Rd. Map 206, Lot 15-1 Professional office space in existing building

Surveyor David Mott represented the applicants for a site review for a professional office. Mott presented photos of the existing building. He said Marsha Hatch was a graphic designer with an office in Dover. He said she hired 2 employees. The use was allowed with a conditional permit granted.

Mott said the first floor which was 28 feet by 30 feet. He said she would use ½ of the floor space. The rest of the space would be used for residential storage. Mott said that Hatch would use the loft for her primary office space. There would be an area on the first floor for conferences and meetings.

Mott said that the parking calculation was 1 space per 300 square feet of room. This meant that 5 spaces would be needed. There were ample parking spaces on the site both for the residence and office. There would be 2 spaces for employees and 1 handicapped.

There would be a small unlit sign installed for location of site located 5 feet into the lot at the driveway entrance. It would not be for advertising as there were very few clients that came to the site. The operation was low impact. He said at present she hired 2 employees. It was suggested that the number increase to 4 total in case she wanted more.

Vincent asked about chemicals used on site. M. Hatch said that at this time her work consisted on working on the computer and printing. Oles asked about the expansion to the assessor's building. Would this require additional septic loading. Mott said David Allain was drawing a septic system plan that would accommodate the office space. Oles said the system would not need to be installed unless the one in place failed.

The days and hours of operation were discussed. M. Hatch said that she worked 7 days a week sometimes. The normal office hours were 8:00 AM to 8:00 PM. Mott said he would like the Board to look at this plan as a Minor Site Plan Review – page 9 of the Site Review Regulations. He said it addresses the plan. He read the 8 criteria that needed to be addressed.

Mott addressed the 9 points of the conditional permit. Members said the proposal met these requirements. Huckins asked if anyone wanted to speak for or against the plan. No one spoke. Vincent made a motion to accept the application seconded by Oles, all in favor. Vincent made a motion to grant conditional approval pending all notes on the plan, notes changed on the plan as discussed – hours of operation 8:00AM to 8:00 PM, 7 days a week, number of employees – 4, MSDS sheets presented if ever operation was changed in the future that required the use of chemicals, etc., state approved septic system design, not paving the driveway as it was in existence for many years, and subdivision approval. The motion was seconded by Oles, all in favor. Mott and Hatch returned to the Board.

Vote to approve new street lines for recording Town of Barrington / Richard & Michelle Carter Street lines – St. Matthews Drive – Right of way adjustment

Hatch said in order to record the plan for the removal of the cul-de-sac on St Matthews Drive the Board must sign it. She said there were some slight changes in the

street lines. The Town had gone before the Zoning Board of Adjustment to give the excess land from the cul-de-sac to the abutters when it became a through road connecting to Gerrior Drive. The area variance was granted. Kessler made a motion to sign the plan of St. Matthews Drive, seconded by Vincent, all in favor.

City of Rochester - Is a site review needed for the water line changes, upgrades, and improvements.

Hatch said Ted Buczek asked her if Rochester needed to go before the Planning Board for a site review for the work done on at the Rochester Reservoir regarding the water lines. They had received a wetlands permit for some of the work. Members said they did not think so as the work represented and pertained to improvements, repairs, replacement, and maintenance of existing water lines.

Zoning Changes - public hearings

Hatch said the public hearing for the proposed zoning changes would be held on January 15 at 7:00 PM. She said that she had incorporated the suggestions from the Attorney for the work force housing ordinance.

Hatch said the public hearing for the petitioned article will be held on January 20 at 7:00 PM. The Board cannot make any changes to the petition. The members can only support it or not, regardless it would be placed on the ballot. All agreed that they had not thought that it was a petitioned article due to the way it was worded. All thought the petition was given to the Board for its consideration. A public hearing was scheduled for public input. Hatch will call Attorney Jae Whitelaw to see if she could meet with the Board on January 15 to discuss items before the Board..

The meeting adjourned at 10:40, motion by Mott, seconded by Vincent, all in favor.

Dawn Hatch, Clerk