

Barrington Planning Board Meeting
March 12, 2009 - 7:00 PM
Land Use Office, Town Administration Building
Work Session

Members present: Chairman John Huckins
Selectwoman Jackie Kessler
Edward Lemos
David Mott
Dawn Hatch (Alt)

Chairman Huckins opened the work session to a discussion on future possible zoning changes. Members said they felt that the Conservation Commission and the Board worked well together. Huckins said we should set a work session with the Commission and Ted Buczek to discuss ideas that they would like to see changed.

Huckins said he would like to discuss types of mitigation including money given and land swaps, one for development for one preserved. He said Cynthia Copeland, Strafford Regional Planning Commission had brought forth information on the coastal area concerning land swaps. He said at the time the Board was busy with zoning that needed to be done.

Huckins said the Board had been approached to save areas in the coastal areas. He said the total price of the proposed lot would be set and the price of the area to be saved determined. The development could buy density which would add money to be invested in other parcels. Mott said we must be careful not to require the minimum requirements above the State which could hold a developer hostage. Copies of the information from SRPC would be made and given to the members.

Meeting with Chris Albert, Jones & Beach, Cynthia Copeland and Myranda Copeland, Strafford Regional Planning Commission, Road Agent Peter Cook, John Huckins, Edward Lemos, and Dawn Hatch, Planning Board met to discuss the State 10 year road plan and the stimulus package.

Huckins said Copeland said SRPC would be willing to work with the Town on grant writing as long as they had the engineering material to work with. Albert said he would be willing to work with Cook on road edges, drainage and pavement conditions.

Off-site improvements were discussed. Huckins said caution lights at dangerous intersections were discussed as a use for off-site funds collected on these roads. He said the match was 1/3 funding by the Town and 2/3 by the State. Huckins said a project on Route 9 could be the straightening of the curve and removal of the banking along the Clark - Goodwill property owned by the Town.

Huckins said that money comes into the State it needed to be used immediately. He said that we would work with Strafford Regional Planning Commission to write grants. These would be involved anything that would relate to SRPC.

Off-site fees

Huckins said he, Lemos, and Hatch plan to work on putting together a spread sheet that would show the funding, who had paid, amount of time since the fee was paid,

6 year limit, and town's contribution. He said that we need to know that the funding was kept up to date and current. Hatch will make a copy of the off site regulations for Lemos, Huckins, and Hatch. Huckins said that the improvements done and money set aside for the project by the Town need to be shown. He said that we could use consultant money to work with Bruce Mayberry. Mott explained the procedure used for off-site fees.

Hatch explained how Ron Landry had established how the off site was set up. She said she did not know Peter's procedure. Hatch will asked Cook for his information on his formula that he used to set amounts. Huckins said that after we put the information together we would contact Bruce Mayberry for his input.

Huckins said we should look at impact fees instead of off-site fees. Mott said that we needed to get "a handle" on the costs. Huckins said we should check into dividing the town into quadrants which would allow for fees to be used on more roads.

Huckins said that we needed to look at all other legal precedents to see just what was best. He said we should set an amount that we could spend to bring this up to date. Lemos made a motion to spend up to \$5000.00 working with Mayberry on improved road fees, seconded by Kessler, all in favor.

Bonds vs. Letters of Credit

Lemos said we needed to get bonds instead of letters of credits for subdivisions. He said a letter of credit could become valueless where a bond could be called in. Hatch said that she had talked with a person from the Gerrior subdivision who wanted to know if their approval could be extended. She said she told them that they would need to update their bond including a maintenance bond, correct all DES problems, and make sure that all portions of the subdivision was current and met all regulations.

Letter to Fenton Groen concerning complaint from Steve Jeffrey

Code Enforcement Officer Ted Buczek sent a letter to Fenton Groen concerning putting a well in the wetland buffer. Buczek said Groen must either cease and desist remove the drilled well from the buffer and refurbish the area of encroachment.

Hatch said Jeffrey has requested all of the minutes from when the petitioned article was given to the Board and to the public hearing. Huckins said that he was contesting the passage of the zoning articles as what existed before ether change was not available at the voting place. He said that Attorney Whitelaw was looking into this issue.

Design standards energy task force

Huckins said that the information concerning the document from the Energy Task Force could become part of the Master Plan as well as in the Subdivision and Site review Regulations.

Natural Resources Inventory – Public meeting

The Conservation Commission will hold a public meeting on the draft of the Natural Resources Inventory on March 17 at 7:00 PM. The Planning Board members felt that the document was well written.

TAC Representative

Lemos said he had just found out that he had been asked to represent the Town on the Transportation Action Committee. Huckins said that the Board was very lucky to have Dr. Lemos who was willing to represent the Board on the various committees.

Election of Officers

Huckins said we should elect the officers for 2009 as soon as possible. It should take place when all members were present.

Petitioned Article

Huckins said that the petitioned article was probably written by David Allain as he was a soil scientist and the expert in this field. He said we should check the laws to see how they apply. All members agreed with the email that was sent by David Mott concerning zoning and how it should be written. All said that the warrant stated that Petitioned Article # 7 was not supported by the Board. Huckins thanked Mott for taking his time to stand at the polls for the Board.

Members thought that the Board and the petitioners could get together and write what would be good for all. Members thought that this was implied at the public hearing when the zoning changes presented by the Board. All agreed that working together we should be able to write a good document.

Huckins said there were no perfect words. He said in his opinion what was in the present Zoning Ordinance worked fine for him. Lemos asked if what was in place worked why make changes. Mott said we should not make rules that did not conform with State rules and requirements as it could be called snob zoning. He too agreed that what now existed worked. Mott said ledge had to be 4 feet below the surface.

Huckins said that the 40,000 square feet of contiguous upland without the 60,000 square feet of Hydric A was closer that what was proposed by the petitioners. He suggested that the Board work with Craig Wood from Berger Group on this issue. Huckins said that Wood was the Manager of Environmental Services at Berger Group.

Mott said Wood could give us the background. David Allain could submit his material at the same time. He said the more public we make the discussions the better it was for everyone. Huckins said the land owners rights needed to be respected as each had his rights. Lemos said it was not his intent to take a person's rights to use of his land away.

Huckins said all lots were not the same size as the upland soil amounts would differs on each one. Easements were discussed as to the benefit and costs of monitoring. Mott said he felt that it was wrong to mandate easements and then mandate the costs. He said there were costs that dealt with monitoring easements. He said a person should know all costs up front and should be handled in a straight forward approach. Huckins said that the Town had the right to keep land in its natural state.

Meeting – Ted Buczek – Zoning Board of Adjustment – Conservation Commission – Planning Board

Huckins said we should schedule a meeting with the Commission, Buczek and Zoning Board to discuss possible zoning changes. Hatch said Ted Buczek had ideas he would like to discuss. She said the John Wallace, BCC would like to work with the Board on changes to the conservation subdivisions requirements. Hatch said that the

BCC meetings for April were 14 and 28 and Planning Board meetings 9, 16, 23, and 30. Hatch will set up the meeting.

The meeting adjourned at 10:00 PM, motion by Lemos, seconded by Mott, all in favor. The next meeting will be to review plans scheduled for hearings on April 2.

Dawn Hatch, Clerk