

Barrington Planning Board Meeting  
July 9, 2009 - 7:00 PM  
Meeting Room, Town Administration Building  
Public hearings with applicants

Members present: Chairman John Huckins  
Selectwoman Jackie Kessler  
Edward Lemos  
Mike Clark  
David Vincent  
Alan Kelley (Alt)  
Dawn Hatch (Alt)

Chairman Huckins opened the meeting at 7:00 PM. He introduced the members. Hatch said that a representative of Brox Industries, File # SR 09/367 has asked for continuance to August 6 as their engineers and Mouis Berger Group were working on the plans. Hatch said she had talked with Joe Lowry, Berger Group who confirmed that they were moving ahead on the proposal. Lemos made a motion to continue the Broz hearing, seconded by Clark, all in favor. The meeting was taped for future reference. The first hearing was opened.

**SR 09/368 – J & J ‘s Food ‘N Fuel, LLC Restaurant / Ving, LLC  
90 Rte. 125 / Map 220, Lot 47  
Site Review to change and existing convenience store  
& deli to a restaurant to seat 40 to 60 people**

Attorney Gregg Wirth represented the applicants. He said the project was a minor site plan. He said that a formal plan had been submitted showing the well radius, number of employees, lighting, and the hours of operation which would be 6 AM to 12 midnight. Wirth said to start with the restaurant would serve breakfast and lunch. He said that note 11 would be changed to state the hours of operation.

Wirth said that the traffic study for the original site review would be used as there would be a drop in traffic which would fall under the 100 per peak hour category. He said the previous traffic study was for 97 per peak hour. This was note 10 on the plan. Wirth said that the gas station no longer existed.

Wirth said that the change in the sign was within the face of the sign. There would be no other sign change. Wirth said the Department of Environmental Services response was that the project was grandfathered.

**09/601 – Stephen Brown  
2 lots – Colcord Rd / Map 245, Lot 6**

Joel Runnals, Norway Plains Associates represented the plan with the applicant, Stephen Brown.

**LL 09/224 - Stanley & Janet Oliver / Susan & Henry Dombroski  
Lot line revision – Map 121, Lot 11 / Map 122, Lot 2**

Stan Oliver represented himself. He said that the lot line revision would make the lot larger which would make room to set the house back further off the road. He said he

was buying land from Henry Dombroski. It would help square up the lot and meets all setbacks to wetlands. Oliver said that the septic system would be replaced.

Oliver said that he had received the variance from the Zoning Board. The driveway location would need a permit. Huckins said that the lot line adjustment made the lots meet the minimum requirements which would be shown on the new plan that he presented. The area proven out on the Dombroski lot met the buildable requirements.

There were no abutters present and no public comments were made. Kessler made a motion to grant conditional approval with the note concerning the Zoning Board granting of the hearing and state approval, seconded by Clark, all in favor.

**LL 09/221 – Anne Whitney / Michael Moroukian & Denise Hart**

**Lot line revision –France Rd / Map 117, Lot 26 /Map 26, Lot 47**

Vincent stepped down from the hearing as he represented the applicants. He said they had provided all of the information required by the Board. He said the plan had been submitted to the State but have not received the approval. Vincent said the State reviewed the plan on site. He said that the topography had been done on the entire site.

Vincent said that the well and septic system was shown on the plan. He said that the minimum area required for a buildable area was shown on each lot. Vincent said that testpits were done on each lot, the well location, contiguous upland, bench mark, and the loading calculations on the site were shown on the plan.

Vincent said that the frontage remained 35 feet. He said that the lot line was down the center of the driveway as much as possible. Huckins said that the second lot had more frontage than the 25 feet required with the amount shown for the first lot.

There were no abutters present and no public comments. Lemos made a motion to grant conditional approval with the condition of state subdivision approval was received, seconded by Kelley, all in favor. Vincent remained away from the table as he was also representing the next plan.

**LL 09/225 - Kristann Moody / William D. Whitney**

**Lot line revision - Mendums Landing - Map 268 Lots 28 & 30**

Vincent stepped down from the hearing as he represented the applicants. He gave a brief history of the site. Vincent said that Moody owned lot 28 and Whitney, lot 30. He said the Whitney lot abutted the common land of the Mendums Landing subdivision.

Vincent said that the lot line between the common land and the Whitney was taken to Court and Whitney was granted the land by adverse possession. The line on the Moody side was shown to encompass the area where Whitney had structures located. He said that Moody and Whitney had come to an agreement on the relocation of the line. He said the structures would not meet the setbacks or the total lot area. Vincent said that the purpose was to clear up any issues between the lots.

Vincent said that there were septic systems and wells on both sites. He said he would try to find out the approval number on the Moody lot. Lemos said the applicant needed to go before the the Zoning Board first. Huckins said the lot and structures would not meet the zoning. He said the applicant should ask for waivers.

There were no abutters present. Whitney gave a background of his lot and the Mendums Landing subdivision. He said Massiello had tried to buy his lot to give the subdivision lake frontage. He said Massiello had made several agreements with him that

were never done, for example his driveway was never built. He said the subdivision had been a problem for him during the hearing process. He said both he and Mr. Gallant another lot owner had never received what was represented to them.

Huckins said the applicants needed denial to go to the Zoning Board. Huckins said the plan as presented does not meet the zoning. He asked if the applicants wanted to continue the hearing to August 6. Vincent said yes as they were scheduled for a hearing with the Zoning Board on July 15. Lemos made a motion to continue the hearing to August 6, seconded by Kelley, all in favor. Vincent returned to the Board.

**SR 09/606 – Jeffrey Hadden & Ann Marie Cummings – Design phase  
6 to 8 conservation subdivision - Rtes. 202 & 9 – Map 243, Lot 29**

Jeff Hadden represented his conceptual plan. Kessler recused herself from the hearing as she was an abutter to the site. Hadden said the parcel did not meet the 20 acre requirement for a conservation subdivision. He said that he wanted to use some of the slopes in the development of the site. He presented a yield plan of the proposal showing 6 units.

Hadden said that he planned to develop a net zero subdivision. He said he could place 4 units on the site that could be double units. He said the cluster would reduce the road use and meet the 100 foot setback. Hadden said the structures would be built into the slopes. He said the topography was ideal for this type of development as there was good sun for solar and geo-thermo structures. He said the site met everything that he wanted to do.

Hadden said the road had already been established. Huckins said the project would be denied by the Board as it did not contain the necessary 20 acre minimum. It would be up to the Planning Board to decide whether what was proposed would be a better development than a conventional one. Huckins said a conventional subdivision had to have 15% of the total parcel shown as open space.

Huckins said the yield plan needed to show that each lot contained 80,000 square feet, upland soils shown, buildable area. He said Hadden would need to look at the total density for a conventional subdivision. He said the density went with the land.

An approval by the Zoning Board would not require a certain type of house. Hadden said they could make the 15% open space work. He said that the loop road worked. Huckins said we needed to have more information on the conventional subdivision with a calculation sheet that showed that it met the regulations.

Hadden said that he had been before the Zoning Board and was told that he would need to be denied from the Planning Board before asking for relief from the Zoning Board. Vincent said we would deny the proposal as it would not meet the regulations for a conservation subdivision.

Huckins asked if any abutters wanted to speak on the proposal.

**SR 09/369 – Blais & Chabot Auto-Medics – Marc Blais & Todd Chabot  
Rte. 125 - Map 265, Lot 3  
Auto repair shop in rented space of CAF Realty LLC building**

**Conference – Verne Fisher – Harding land on Waterhouse Rd.**

he fact that the Board does not start new hearings after 10:00 PM will be continued to **August 6, 2009**