

Minutes

Planning Board Meeting

September 23, 2010 – 7:00 PM

Work Session – Review of plans scheduled for hearings – 10/7/2010

Members present: Chairman John Huckins

Steve Oles

Alan Kelley

George Calef

Town Planner Constance Brawders

Resident Newell Whitford – Deacon - Restoration Church

Chairman Huckins opened the meeting at 7:00 PM to the review of plans. Newell Whitford, deacon of the Restoration Church was present to discuss what was necessary for replacement of the sign at the Church on Route 125.

Whitford said they had cut off 5 feet of the existing sign and reworded it to read the change in the name of the Church. He said they were having a sign done by a professional sign company, Robson Corporation that would be 4 feet by 8 feet. The existing sign was 96 square feet. Whitford said the present sign was just a vinyl banner.

Whitford said the new sign would be a dark background with light letters if it could be internally lit, if not, the background would be light with dark letters so it would show up better. The sign would be in the same location with electricity.

Huckins said if the sign remained 96-square feet site review would not be needed and just the lettering would be changed. If the sign was smaller it would need site review as it would not be in-kind, in-place. Oles said they were making the new sign more conforming. He said if the lighting remained the same he could not see a need for site review. Huckins said the existing sign was not internally lit.

Whitford said there were several internally lit signs along Route 125. Huckins said these signs were legal as in the past we had allowed internally lit signs with dark backgrounds. Huckins said 10 years ago one could have an internally lit sign, why was this changed.

Huckins said the former chairman did not like internally lit signs and did not support them in Barrington. He said the majority of the Board supported him and the Regulations were changed. Most thought the change kept Barrington more rural on their sign requirements. Oles said he did not support internally lit signs as in his opinion they could be gaudy. Huckins said the reason for a sign was to make people aware of the business.

Calef said unlit signs were not noticeable. He said externally lit signs do not work. Huckins said the condition of lighting could be waived for a good specific reason as the requirements were in the Site Review Regulations. Kelley said he had no strong feelings either way but if the sign was changed it needed site review. Calef said unlit signs were good for walking public but along Route 125 which was a high speed road they would not be seen.

Oles said he agreed but the Church was creating a better design to make the sign smaller. Kelley agreed, but said the Regulations read that a site review was needed if the sign changed. Huckins said the new sign would have 32 1/3 square feet with the changeable reader board under the sign.

Brawders read Article 5, Sections 5.5.1 and 5.5.2 which allowed internally lit signs with dark backgrounds. Whitford said the Church sign sets back from the road 33 feet, a greater distance than the other ones in the area. Calef said the Church was doing the Town a favor making these improvements. The existing sign would be removed.

Oles said he had no problems with a site review even though he did not like internally lit signs. Kelley said this could correct the problem of the sign change. Brawders said the Board could voice support for or against but according to the Site Review Regulations a new site review was needed, due to the change in the size of the sign.

Huckins said the Board could grant a waiver request stating why the waiver was requested. He said we needed justification to grant any waiver. He said this sign change would be somewhat the same as the Village Barn sign which was allowed because the signs around him were larger. Kelley made a motion to recommend that the Resurrection Church come before the Board for site review, seconded by Calef, all in favor.

Several signs in the area were discussed, which were not considered offensive. The Board said with the dark background an internally lit sign would not be glaring off the site. Whitford said they could present the sign showing a light background with exterior lighting. Huckins said Whitford should go in the office to pick up a sign checklist for the sign. The hearing could be scheduled for the November 4<sup>th</sup> meeting. Huckins said we could consider adding internally illuminated signs to the Site Review Regulations.

### **Campground Regulations**

Attorney Whitelaw sent the Board an email with changes she suggested to the Campground Requirements. Huckins said we could add these changes to the ones on the list that were under consideration. There would be a new posting to show the changes and a public hearing held.

Huckins said the communication from Attorney Whitelaw implied we would make the suggested changes and go through the hearing process. Brawders said all changes could be made at the same hearing. She said this action would show we were working on them.

### **Zoning, Subdivision and Site Review Regulations proposed changes**

A list of possible changes to the Regulations and Zoning Ordinance was given each member. The list consisted of items that had been brought up throughout the year. Brawders said she would like to have each member take a section of the Subdivision, Site Review Regulations and Zoning Ordinance to review and make any suggestions for changes.

Brawders said we should do housekeeping on the Regulations and Ordinance this year so everything was consistent. Huckins said we had looked at these regulations for years and they read what we want them to. He said maybe we need fresh eyes to review them.

Brawders said she had worked on checklists for the Zoning Board of Adjustment and was looking at changes for the Planning Board checklists. She said there were things that were not addressed in the checklists, for example a final road review and As-built paid for by the applicant. She said a developer should know up front what was required. Ways of paying these expenses was discussed. Oles said an applicant could make a deposit to cover these and when it was used up add more funds.

Brawders suggested not creating any new Zoning Ordinance this year but correct inconsistencies and address issues in Site Review, such as campground regulations, Subdivision Review, and the Zoning Ordinance. All agreed that the Transfer of Development (TOD) rights was a big project and would require a great deal of research and work to create a good workable document.

Brawders said December 24 was the last day to post and publish the first hearing, the last day to hold the first public hearing – January 4, 2011, last day to post and publish the second hearing – January 7, 2011, and the last day to hold the second public hearing would be January 18, 2011.

Brawders gave Oles - Article 1 to 11, Huckins - Article 12 to end of the Subdivision Regulations, Kelley – Article 1 through 3 of the Site Review Regulations, Calef – Article 4 to end, Dr Lemos first half of Zoning Ordinance and Kessler – second half. Each will make suggestions on their Articles at the work sessions.

Brawders said we could cut back on the meetings in October as all plan to attend the Law Lecture Series which would be three Wednesdays. Huckins said we would be working on changes and would need the work sessions. Hatch said we could state no guests for the month of October. The schedules for October and November will be discussed on the beginning of October.

### **The Board moved to the review of plans scheduled for hearings on October 7.**

File 10/610 – Fisheye Properties LLC

14 lots – Young Road – Map 240, Lot 15

Brawders said the applicants had met with the Selectmen on September 13. They asked if the Town would remove the house. The Selectmen stated that there was no money for this project and any discussion on the removal had been done with a different Board of Selectmen. Brawders said the demolition of the house was off the table.

All agreed that the house was partly located in the Town's right-of-way and would need to be removed. The driveways in this location were not favored by the Road Agent due to poor sight distance. Members said driveways could be eliminated if four came off the driveway for the back lots and if the other lots shared common driveways.

Brawders said on the site walk she talked with one of the owners, Paul Thibodeau concerning an access to the open land for all of the lot owners.

Calef said that developers in general do not want a cluster subdivision. Huckins said if one was represented there would be a 10% density and an additional 10% if it could be used by the public. Calef said the Town was taking more land everyday. He said with the setback from prime wetlands, 50-foot wetland buffer, shore land setback etc. the amount of land preserved was growing. Calef said some of the policies were against the best interest of the Town.

An environmental impact report and storm water report was needed. Oles said there was water existing on the site and there could not be any greater flow off site.

Huckins said a person had the right to position his home where he wanted to on his lot. Oles said the rate of flow could change.

**File SR 10/383 – Aroma Joe’s Coffee**

**Driveway through – Kut N Kurl - Rte. 125 – Map 238, Lot 49.1**

Revised plans were presented along with a Storm water Management Report, one for the Town and one to send Berger. Items of concern were the aisle and flow of traffic was bad. Oles said he had issues with the parking and traffic. He said there was only 24-feet from the end of the aisle with 12 feet for parking. Oles said anyone backing out of a parking space would be in the flow of traffic. Huckins said this issue would be addressed at the hearing on October 7.

**File 10/528A – Homestead Subdivision – Peter Daigle**

**Gerrior Drive – Map 268, Lot 1.6 & 1.7**

Amended plan to relocate detention pond, construction and cost estimates for the Bond for Phase 2 and amended Grading Plan which calls for 2 of the 5 culverts to be plugged. Brawdors said there had been a new engineering design and a drainage report done. The cistern would be relocated up Gerrior Drive near the cistern. The second cistern was reviewed.

Oles said there were deep cuts for the road. There was rip rap in the right-of-way. Any easements on private property needed to be addressed. The cost estimates for the bond needed to be presented and reserved.

**Tony Gaudiello – possible Planning Board member**

Brawdors said Selectman Charter Weeks had brought Tony Gaudiello to the office to consider becoming a Board member. He will meet with the Planning Board on October and go before the Selectmen in October.

**Law Lecture Series**

Brawdors said the Law Lecture Series are coming up at the McConnell Center in Dover. She said we were all logged in. There is a workshop in Manchester on October Designing for Pedestrian Safety October 21 and 22. On October 25 there is an Overview of the DES Storm Crossing Rules meeting and a NH Broad Band Mapping Program meeting.

**Landry Extension of Conservation subdivision – Rtes 202 & 9  
50 lots – Rtes. 202 & 9 – Map 231, Lot 37**

Hatch said she would need to contact James and Joan Landry concerning their conservation subdivision extension. The extension would need to be requested by the end of November.

**Minutes – Sept 2 – 9 – 16 - 23 – All need to be accepted**

The next meeting of the Board will be held on September 30 in the Rochester Community Center