



**BARRINGTON PLANNING BOARD
BARRINGTON ELEMENTARY SCHOOL LIBRARY
570 CALEF HIGHWAY
BARRINGTON, NH**

**THURSDAY, November 18, 2010
7:00 p.m.**

MINUTES

PRESENT: John Huckins, Chair (left at 10:00 p.m.)
Edward Lemos, DVM; Vice Chair
Jacqueline Kessler, Ex-Officio –arrived 7:50 p.m.
Alan Kelley
George Calef
Anthony Gaudiello-Alternate

STAFF: Connie Brawders, Town Planner

SPEAKERS: Scott Frankiewicz
James Powers
Tony Franciosa
John Wallace-Barrington Conservation Commission
Jeff Adler

CALL TO ORDER

Chairman Huckins called the meeting of the Barrington Planning Board to order at 7:10 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

MINUTES REVIEW AND APPROVAL

1. Planning Board Minutes of November 4, 2010 were not included in packets for Planning Board members' review. No motion and vote were taken.

STAFF COMMUNICATIONS

2. Introduction to the Town's new consulting engineer of record, Jeffrey A. Adler, P.E. Project Manager of Dubois & King, Inc. An overview of the engineering scope of services was presented to the Board and dialogue exchanged between Board and Consulting Engineer regarding engineering needs and comprehensiveness of case submittal review.

ACTION ITEMS

3. 05/533 (LAPRADE SUBDIVISION-AKA Hearthside)

Request by Applicant, James W. Powers, President, of Northern Acres, for an opinion of the Planning Board to recommend approval to the Board of Selectmen that a private road known as "Hearthside Drive" become a class V town maintained road, having satisfied the Subdivision Notice of Decision dated March 16, 2005, all town engineering punch lists, site visits, town road agent reviews, and as having an "as built" completed for review by the Town's Consulting Engineer. The Planning Board finds the project to be in compliance with all requirements set forth, pending final written recommendation by Road Agent Peter Cook. Town Planner Connie Brawders to send a memo to the Board of Selectman.

Planning Board Vic- Chair Edward Lemos moved to approve (05/533 (LAPRADE SUBDIVISION-AKA Hearthside)) the project as being in compliance with all the requirements set forth, contingent upon final written approval submitted to the Board of Selectmen for recommendation by Road Agent Peter Cook. Seconded by Planning Board member Alan Kelley. Alternate member Anthony Gaudiello abstained. Selectwoman Jacqueline Kessler not present for vote. The motion carried with a vote of four (4)-zero (0).

4. 03/500 (Lakeview Estates)

Request by Applicant, Anthony W. Franciosa III of Diva Development, LLC., for an opinion of the Planning Board to recommend approval to the Board of Selectmen that a private road known as "Liberty Lane" become a class V town maintained road, having satisfied the Subdivision Notice of Decision dated January 12, 2004, all town engineering punch lists, site visits, town road agent reviews, and as having an "as built" completed for review by the Town's Consulting Engineer. The Planning Board finds the project to be in compliance with all requirements set forth, pending final written recommendation by Road Agent Peter Cook. Town Planner Connie Brawders to send a memo to the Board of Selectmen.

Planning Board member Alan Kelley moved to approve (03/500 (Lakeview Estates) the project as being in compliance with all the requirements set forth, contingent upon final written approval submitted to the Board of Selectmen for recommendation by Road Agent Peter Cook. Seconded by Vice-Chair Edward Lemos. Alternate member Anthony Gaudiello abstained. Selectwoman Jacqueline Kessler not present for vote. The motion carried with a vote of four (4)-zero (0).

5. 03/494 (Oak Hill Road (North))

Request by Applicant, Davlynn Development, LLC, for an opinion of the Planning Board to recommend approval to the Board of Selectmen that a private road known as "Oak Hill Road" become a class V town

maintained road, having satisfied the Subdivision Notice of Decision dated March 11, 2004, all town engineering punch lists, site visits, town road agent reviews, and as having an “as built” completed for review by the Town’s Consulting Engineer.

Selectwoman Jacqueline Kessler arrived at 7:50 p.m. The Planning Board questioned completion of items 8 (placement of additional rock at the cistern site) and 9 (removal of remaining silt fence) in the consulting engineer’s punch list memorandum dated October 28, 2010. Selectwoman Kessler raised for the Board’s consideration unsafe icy road conditions experienced previous winter seasons. The Board opined the project to be in compliance with all requirements set forth, pending final written recommendation to the Board of Selectmen by Road Agent Peter Cook. Town Planner Connie Brawders to send a memo to the Board of Selectmen.

Vice-Chair Edward Lemos moved to approve the project (03/494 (Oak Hill Road (North))) as being in compliance with all the requirements set forth, contingent upon final written approval submitted to the Board of Selectmen for recommendation by Road Agent Peter Cook. Seconded by Alan Kelley. The motion carried unanimously with a vote of six (6)-zero (0).

6. Request for recommendation by resident Stan Oliver for building permit on a class IV road.

Received from the Selectmen’s Clerk Suzanne McNeil a request by Stan Oliver for a building permit for the construction of a single family dwelling unit to be located on a class VI road known as Berry Road (Map 213/Lot 0024). A variance for lot front and side setbacks was granted by the Zoning Board of Adjustment for case ZB/10/676 on March 22, 2010. After review and comment by the Planning Board, it was voted to authorize the issuance of building permits on the class VI road. Town Planner Connie Brawders to send a memo to the Board of Selectmen.

Planning Board member George Calef moved to authorize the issuance of building permit for the erection of the dwelling on the class VI highway. Seconded by Selectwoman Jacqueline Kessler. The motion carried unanimously with a vote of six (6)-zero (0).

7. SR 07/344 (Royalty Automotive, Inc., aka-Royalty Volvo Holdings, LLC)

The Planning Board questioned possible conflicts with site plan approval at Royalty Automotive Services located at 70 Route 125 Calef Highway brought to the attention of the Planning Board by member David Vincent. After review of site plan and minutes, it was voted by the Board to have Town Planner, Connie Brawders, review the Land Use case file folder to clarify application information and follow up with a memo to Code Enforcement Officer Ted Buczek notifying Code Enforcement of site plan outstanding conditions for approval.

Planning Board member Alan Kelley moved to authorize further investigation of site plan approval notes to include notification of encroachment within the 50-foot green belt buffer and zoning violations through written communication with the Code Enforcement Officer. Seconded by Vice-Chair Edward Lemos. The motion carried unanimously with a vote of six (6)-zero (0).

NON-ACTION ITEMS

8. Important Dates for Local Officials

Town Planner Connie Brawders reminded the Planning Board of the timeline for duly Noticing Warrant

Article submittals. Tuesday January 4, 2011 will be the first of two public hearings for Zoning Ordinance amendments; Tuesday January 18, 2011 shall be the second hearing date. In the interest of meeting New Hampshire statutory regulations, discussion of Site Plan and Subdivision Review Regulations will be taken under consideration at a later date during spring 2011. The Planning Board requested a copy of the list of proposed text amendments to be emailed for their review by the Planner. The Planner noted that there were additions to the list that would be added for the Board's consideration.

9. Proposed Petitioned Warrant Article for Wetlands Protection

Constituent Patricia Newhall has presented a citizens petition to the Town Clerk for declaration of validity which is to be placed on the March 2011 Warrant Article for consideration of a Wetlands Protection District. Discussion ensued as to the process and validity of the gathering of citizen petition signatures. The Warrant petition will be emailed to Town Counsel, Jae Whitelaw, of Mitchell Municipal Group, P.A., for legal opinion as the petitioned article may have been improperly presented to members of the constituency for the gathering of signatures, and may conflict with and negligibly impact the current Wetlands Protection District Overlay (WDO) zoning ordinance. The Planner will provide copies of the petition to the Board for thoughtful consideration of the petitioned Warrant Article. John Wallace will personally speak with Patricia Newhall who will be invited to speak at one of the December Planning Board Public Hearings.

10. Submitted Plans for December 2, 2010 Public Hearing

- a. **SR 10/384 (Richard and Catherine Gibb-That's My Daycare)** Request by applicant for a change of use from a single-family residence to an educational institution for no more than 24 children with a maximum of 5 employees located on a 6.45 acre site at 1079 Calef Hwy (a/k/a 74 Route 125) (Map 263/Lot 7) in the Regional Commercial (RC) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts. Applicant: Richard & Catherine Gibb; 71 Old Mill Road; Lee, NH 03861.
- b. **10/528A (Gerrior Lane Trust)** Request by applicant to amend a Site Plan to relocate and construct Detention Pond #2, amend Grading Plan and review of surety for Phrase 2 of the development located at Gerrior Drive from Route 4 to St. Matthews Drive (Map 268/Lots 1.6 & 1.7) in the General Residential (GR) Zoning District. Applicant: Peter Daigle, Esq. 1550 Falmouth Road, Suite 10; Centerville, Ma 02632.
- c. **10/610 (Fisheye Properties LLC)** Request by applicant to develop a 12 lot single-family subdivision on a 46.22 acre site located at Young Road (Map 240/Lot 15) in the Neighborhood Residential (NR) Zoning District. Applicant: Fisheye Properties LLC, Wayne Stocker; P.O. Box 250; Union, NH 03887.

The Planning Board discussed requests for a drainage analysis, roadway analysis and site review from Consulting Engineer Jeffrey Adler of Dubois and King. Verification of incorporation of the Norway Plains Associates, Inc., Road Relocation Plan and Profile dated December 2008 will be necessary. A drainage easement and cistern easement must show on revised plan.

- d. **10/609 (Minor Subdivision for Paul & M. Abigail Aucella)** Request by applicant to subdivide an existing 17.59 acre parcel into Lot 1 containing 12.49 acres with an existing dwelling, and Lot 2 containing 5.10 acres located at Province & Range Roads (Map 228/Lot 34-1A) in the General Residential (GR) Zoning District. Applicant: Paul & M. Abigail Aucella; 8 Range Road; Barrington, NH
- e. **SR10/383 (Aroma Joe's Coffee)** Request by applicant to construct a drive though coffee shop within the northern most building on a 4.29 acre site located at 528 Calef Hwy (a/k/a 371 Route 125) (Map

238/Lot 49.1) in the Town Center (TC) & Stratified Drift Aquifer Overlay (SDA) Zoning Districts.
Applicant: Marty McKenna; 63 Broadway; Dover, NH 03820.

- f. **SR10/385 (Restoration Church (Formerly Christian Worship Center))** Request by applicant to replace an existing 96 SF sign, with a new, internally illuminated 4 ft by 8 ft sign located at 8 Eastern Avenue (Map 235/Lot 83) in the Town Center (TC) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts. Applicant: David Blakney, Senior Pastor; 58 Old Dover Road; Rochester, NH 03867.
- g. **10/611 (Subdivision Plat for Brenton L. & Roxanna M. Merrill)** Request by applicant to subdivide an existing 26.61 acre parcel into Lot 1 containing 24.76 acres and Lot 2 containing approximately 1.85 acres to create a building lot located at 1665 Franklin Pierce Hwy (a/k/a 305 Route 202 & 9) (Map 242/Lot 22) in the General Residential (GR) and Highway Commercial Overlay (HCO) Zoning Districts. Applicant: Brenton L. & Roxanna M. Merrill; 1665 Franklin Pierce Hwy; Barrington, NH 03825.
- h. **07/585 (Landry Conservation Subdivision (a/k/a Nippo Pond Subdivision))** Request by applicant for withdrawal of approval of a subdivision plan. Located at Rtes 202 & 9 (Map 231/Lot 37) in the Neighborhood Residential District (NR) Zoning District. Applicant James & Joan Landry; P.O. Box 550; Barrington, NH 03825.
- i. **SR10/386 (Matthew Jensen Office Building)** Request by applicant to present a conceptual site plan for a proposed commercial office building to be located on 2.95 acre parcel located at Rt 4 & Glass Lane (Map 270/Lot 71) in the Regional Commercial (RC) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts. Applicant: Matthew Jensen; 94 Blake Road; Epping, NH 03042.
- j. **LL10/232 (Boundary Line Adjustment for Harry E. & Jacqueline E. Kessler)** Request by applicant to adjust the boundary line between two existing, abutting lots of record, located at Kessler Way (Map 112/Lot 12.1 & Map 242/ Lot 33) in the General Residential (GR) and Highway Commercial Overlay (HCO) Zoning Districts. Applicant: Harry E. & Jacqueline E. Kessler; 4 Kessler Way; Barrington, NH
Selectwoman Jacqueline Kessler recused herself.
- k. **SR10/387 (Boat Storage-Liggett Realty Trust)** Request by applicant for discussion of conceptual site plan for boat storage on a 36 acre site located at New Town Plains Road(a/k/a Lee Oak Road) (Map 263/Lot 009) in the General Residential (GR) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts. Applicant: Liggett Realty Trust, Steven Slovenski, Trustee; 117 Hayes Road; Lee, NH 03861.

Town Planner has been delegated by Acting Chair Edward Lemos to review applications for technical compliance and communicate with applicants and Planning Board in preparation of the December 2, 2010 Public Hearing.

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Board adjourned at 10:20 p.m. Vice-Chair Edward Lemos moved to adjourn, seconded by Selectwoman Jacqueline Kessler. Chairman John Huckins left at 10:00 p.m. The motion carried unanimously five (5) – zero (0).

Respectfully Submitted,
Constance M. Brawders, Town Planner