

Approved on December 20, 2011 - GMJ



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

**THURSDAY DECEMBER 8, 2011
7:00 p.m.**

DRAFT MEETING MINUTES

Items #1, #2 & #3 to be heard following all other Items

- PRESENT:** John Huckins, Chair
Alan Kelley, Vice-Chair
Anthony Gaudiello
Edward Lemos, VMD
Michael Clark, Ex-officio
George Calef
Stephen Jeffery-Alternate
Jacqueline Kessler, Alternate
- ABSENT:** Dave Vincent – Resigned 11/17/2011
Steven Oles, Alternate
- STAFF** Constance Brawders, Town Planner
Gregory Jones, Transcriptionist
- GUESTS:** Anne Melvin; Barrington
Chery Wyman, Barrington
Arturo Cortina; Barrington
Gary Homiak; Barrington
Janet Homiak; Barrington
Louise Fournier; Barrington
Wallace Fournier; Barrington
Robert Casella; Barrington

Andria Casella; Barrington
Bob Arsenault; Barrington
Kyle Pimental; Strafford Regional Planning Commission
William Levesque; Barrington
Janine Parsons; 14 Huckins Road; Madbury
Jane Calef; Barrington
Jere Calef; Barrington
Peter Royce; Barrington
Mike Hashem; Barrington
Elaine Hashem; Barrington
Krista Sanders; Barrington
Paul Sanders; Barrington
James Calef; Barrington
Rebecca Calef; Barrington
Maxine Smirles; Barrington
Liz Evans; P.O. Box 224; Strafford, NH
Pam Skettington; Barrington

NOTE: THESE ARE SUMMARY ACTION MINUTES ONLY. A COMPLETE COPY OF THE MEETING AUDIO IS AVAILABLE THROUGH THE LAND USE DEPARTMENT.

ROLL CALL

Chair John Huckins called the December 8, 2011 meeting of the Barrington Planning Board to order at 7:00pm.

Chair J. Huckins delegated alternate member S. Jeffery for D. Vincent.

MINUTES REVIEW AND APPROVAL

1. Approval of November 17, 2011 Public Hearing Minutes.

Vice-Chair A. Kelley moved that the Board review the November 17, 2011 Public Hearing minutes after all other Items. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

The following motion was made upon return to agenda item.

A. Gaudiello moved that the Board table the November 17, 2011 Public Hearing minutes until the December 15, 2011 meeting. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

2. Approval of November 17, 2011 Legal Counsel Minutes.

Vice-Chair A. Kelley moved that the Board review the November 17, 2011 Legal Counsel minutes after all other Items. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

The following motion was made upon return to agenda item.

A. Gaudiello moved that the Board table the November 17, 2011 Legal Counsel minutes until the December 15, 2011 meeting. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

3. Approval of December 1, 2011 Meeting Minutes

Vice-Chair A. Kelley moved that the Board table the review and approval of the December 1, 2011 Public Hearing minutes until the next meeting of the Board. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

PRELIMINARY CONCEPTUAL REVIEW

4. SR11/404 (Casella Sales) Request by applicant for a Preliminary Review to present a proposal for a change of use on a 3.01 acre site located at 246 Calef Highway (Map 223, Lot 7) in the Regional Commercial (RC) & stratified Drift Aquifer Overlay (SDA) zoning districts. Applicant: Bob Casella, Casella Sales; 246 Calef Highway; Barrington, NH 03825

Christopher Berry (Berry Surveying and Engineering; 335 Second Crown Point Rd, Barrington, NH 03825) approached the Board on behalf of the applicant for a change of use at 246 Calef Highway. Berry informed the Board that a full minor site plan application will be forthcoming to bring a stainless steel component manufacturing company to the site currently used as the company's wholesale distribution center.

Berry informed the Board that there is roughly 3,500 sf. of office/warehouse space proposed for update to accommodate the new facility. Barry stated that the plan will require an additional 20 parking spaces and the applicant will likely be completing minor interior facility updates and outdoor lighting installation.

Chair J. Huckins advised the applicant that any increase in on-site impervious surface will require a full drainage plan to be submitted with the formal application and that all lighting information relative to proposed updates must be supplied. Huckins advised the applicant to contact New Hampshire Department of Transportation regarding traffic impact. The Board had no issue with the applicant utilizing the existing on-site, above-ground utilities.

ACTION ITEMS

E. Lemos motioned to address agenda item #5 after item #6. A. Gaudiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

5. Formal Introduction of Tom Abbott - Town of Barrington Building Inspector/Code Enforcement Officer. Discussion of Administration of the Building Code and Sign Removal Ordinance

Building Inspector/Code Enforcement Officer Tom Abbot was officially introduced to members of the Board and a discussion ensued relative to the proper implementation of procedures and policies as they relate to the two respective regulative bodies.

Abbott informed the Board that he has submitted a draft sign ordinance to Town Legal Counsel for review in preparation for the future warrant article as stated in the "Legal Notice of Public Hearing"

document (Attachment #1). Discussions with Town Legal Counsel are ongoing. Abbott urged the Board to support the creation of a signage Zoning Ordinance regulation.

Abbott informed the Board of the apparent need for updating of the municipal Building Code, a separate document from all other regulations. Abbott presented the Board with a proposed stand-alone Building/Construction regulation. Abbott stated that the current document is antiquated and in need of immediate attention. As the process for adopting said building code update is the same as that for the Zoning Ordinance updates, a review of said building code by the Board is required in a timely manner in order to include under the future warrant article.

A. Gaudiello motioned to accept the proposed Building/Construction Code document and post the document for public hearing on January 3, 2012. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

6. Fluvial Hazard Overlay District warrant article - First public outreach meeting

Chair J. Huckins introduced Barrington Conservation Commission member Anne Melvin to formally introduce the proposed Fluvial Erosion Hazard (FEH) Overlay District to the public in preparation for a future Warrant Article. The purpose of the outreach session is to gain insight from the members of the public who live along the Isinglass River. Huckins directed members of the public to the New Hampshire Geological Survey document entitled “Benefits of Fluvial Erosion Hazard Zones” (Attachment #2) and to the Barrington Planning Board “Legal Notice of Public Hearing” document (Attachment #1) which also sets forth the proposed FEH Overlay District language.

Anne Melvin stated that there are two stretches of the Isinglass River (Identified as Reaches 2A and 5 on the attached Strafford Regional Planning Commission river corridor map – Attachment #3) located in Barrington which are shown to be susceptible to erosion and which have exhibited further natural watercourse sinuosity. She informed the Board and members of the public that these two specific areas of interest alone are proposed to be covered by the overlay district. Melvin stated that the proposed overlay district is designed and intended to protect life and property, plans for *potential* changes in watercourse, and is to be utilized in concert with other applicable state, federal and local regulations.

Shane Csiki, a Fluvial Geomorphology Specialist with the New Hampshire Geological Survey, presented to the audience and Planning Board a summary of a river corridor survey which was completed on the Barrington section of the Isinglass River in 2009. The purpose of the survey was to identify areas of riverbank which have the potential for bank erosion. A river condition assessment was completed to collect data in order to categorize and identify different river reaches with similar conditions as well as determine reach-breaks. Using information from the condition assessment, a sensitivity rating system was created which categorizes the different river reaches from extreme to low based on its potential likelihood to erode and carve an alternate path. Csiki stated that the survey identified two areas in Barrington which display characteristics of reaches with extreme sensitivity to erosion (Reaches 2A & 5 - Attachment #3).

Chair J. Huckins opened up the meeting to public comment.

After some discussion among several members of the public and members of the Board, the following list of comments and concerns were compiled.

- Property values may be reduced as a result of the proposed regulation.

- Potential for inclusion of additional Isinglass River reaches under FEH Overlay District in the future.
- The river has not changed a great deal in a number of years and further regulations are unneeded.
- The regulation will represent a taking.

Elizabeth Evans, Chair of the Isinglass River Local Advisory Committee addressed the Board and members of the public in support of the proposed Overlay District. Evans opined that the proposed regulation is intended to prevent future building in an area which has been scientifically proven to be susceptible to erosion is the sole purpose of this regulation. Evans stated that the proposed regulation will prevent situations which are unhealthy for the environment, municipality and an invaluable natural resource. Evans opined that the regulation will supplement a well-intended but in-effective 100 ft. buffer to the Isinglass from which existing lots of record prior to adoption of said buffer are exempt.

Cynthia Copeland, Executive Director of the Strafford Regional Planning Commission (150 Wakefield St., Ste 12, Rochester, NH 03867) addressed the Board and members of the public relative to alternatives which may exist to slowly formulate and implement a “checklist” for subdivision and site-plan review regulations using the science and information contained in the proposed regulation as a viable alternative. The checklist could then be used to guide future applicants before the Board who may be within an area prone to flooding. Copeland reminded the Board and members of the public that flood disasters are a cost for the community as well as its citizens.

The second public hearing where this Item will be discussed is scheduled for December 15, 2011 at 7:00 in the Early Childhood Learning Center.

NON-ACTION ITEMS

A. COMMUNICATIONS RECEIVED

Planner Brawdgers urged the Board to review the supplied Final Legislative Bulletin – 2011 Edition.

B. REPORTS OF OFFICERS OR OTHER COMMITTEES

C. REPORT FROM PLANNER

- 04/536 (Coachmen Estates) Final update of materials

Planner Brawdgers stated that the engineer is awaiting information which is to be submitted to the Board of Selectmen for a future decision on road acceptance.

UNFINISHED BUSINESS

. Gaudiello stated that a member signature authorization page must be submitted to the Town Clerk and inserted into the newly updated Site Plan Review and Subdivision regulations to certify the documents and make them enforceable pursuant to Revised Statutes Annotated 675:6, paragraph 3. Gaudiello opined that time should be allowed for review of the final document as presented before publication. Chair J. Huckins delegated Ex-officio M. Clark to communicate with the Town Clerk pertaining to the proper procedure for processing regulative updates.

Planner Brawders stated that a Letter of Certification will be circulated and urged the Board to utilize the upcoming week for review of the submitted final updated Subdivision/Site Plan Review regulations in preparation for vote on formal acceptance.

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

Planner Brawders requested that members compile and send desired Zoning Ordinance language updates to the land use department to ensure correct transcription within the future warrant article document.

SETTING OF DATE, TIME AND PLACE OF NEXT MEETING AND ADJOURNMENT

Chair J. Huckins reminded members that the next scheduled meeting of the Board is December 15, 2011 at 7:00 in the Early Childhood Learning Center.

Vice-Chair A. Kelley motioned to adjourn the December 8, 2011 Planning Board meeting at 10:16 p.m. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Respectfully submitted,

Gregory M. Jones
Transcriptionist

Legal Notice of Public Hearing

Town of Barrington Planning Board

December 20, 2011 and January 3, 2012

Pursuant to NH RSA 674:16; 675:3 and 675:7 notice is hereby given of a public hearing to be held by the Town of Barrington Planning Board for the purpose of discussing proposed amendments to the Zoning Ordinance.

Item #1-Proposed Warrant Article X

ARTICLE X – FLUVIAL EROSION HAZARD OVERLAY DISTRICT

X Title and Authority

The title of this district shall be the Town of Barrington Fluvial Erosion Hazard Overlay District. This ordinance is adopted under the authority granted pursuant to RSA 674:56-II Flood Hazards and RSA 674:21 Innovative Land Use Controls.

X Purpose

In the interest of protecting public and private property, and public safety and welfare, this ordinance will serve to limit development in FEH areas, and minimize and prevent future erosion and damage from fluvial erosion.

X Applicability

The Fluvial Erosion Hazard (FEH) Overlay District (hereafter FEH Overlay District) shall be superimposed over other zoning districts. It includes Reaches 2A and 5 of the Isinglass River as depicted on the map prepared by the Strafford Regional Planning Commission based on data prepared by the New Hampshire Geological Survey in February 2010. Reach 2A is from the Barrington-Rochester town line to a point 4550 feet upstream. Reach 5 is from 4190 feet upstream of Green Hill Road crossing to 1090 feet downstream of crossing. All lands to which the FEH District applies shall meet the requirements of the underlying zoning districts and the FEH district. Where there is a conflict, the more restrictive regulation shall apply.

X Permitted Uses

The following uses are allowed in the FEH district as long as they are in compliance with all applicable local, state and federal requirements:

1. The removal of a structure in whole or in part.
2. Improvements to existing single family or two family residential structures and accessory structures that do not result in a decrease of the existing structure setback from any stream; and do not expand the footprint of the existing structure more than 500 sq ft.

3. New residential accessory structures provided that the setback from such accessory structures is the same or greater than the existing primary structure setback from any stream.
4. Construction of driveways and/or access roads.
5. Buried utilities, included power, telephone, cable, sewer, and water.
6. Excavation, filling and/or grading of land.

X Exempt Uses

The following uses are exempt from the specified provisions from this ordinance as long as they are in compliance with all applicable local, state and federal requirements:

1. State and municipal owned roads and infrastructure, including improvements, replacements and new construction.
2. Silviculture and forestry activities not involving the use of structures and conducted in accordance with NH Department of Resources and Economic Development Best Management Practices for Erosion Control for Harvest Operations.
3. Agricultural activities conducted in accordance with New Hampshire Department of Agriculture, Markets and Food Best Management Practices for Agriculture.

X Prohibited Uses

The following activities are prohibited in the FEH district:

1. Storage areas or facilities for floatable materials, chemicals, explosives, flammable liquids, or other hazardous or toxic materials.
2. All development not specifically allowed by the above permitted and exempt uses.

X Appeals

1. If a landowner disputes his land being in the FEH Zone, the Planning Board, acting as the agent for the Town of Barrington, can obtain the services of the NH Geological Survey (NHGS) for verification at no cost .

-Proposed by the Planning Board

Amendments to Article 18-Definitions

Item #2-To *amend* the following to Article 18-Definitions; Fluvial Erosion: The wearing away of river beds and banks by action of the water, which can be accelerated to rates harmful to life, property, and infrastructure during high flow conditions. For the purpose of introducing a new definition to the zoning ordinance.

-Proposed by the Planning Board

Item #3-To *amend* the following to Article 18-Definitions; Fluvial Erosion Hazard: Fluvial erosion hazard (FEH) refers to major stream-bed and stream-bank erosion associated with the often catastrophic physical adjustment of stream channel dimension and location that can occur during flooding.

For the purpose of introducing a new definition to the zoning ordinance.

-Proposed by the Planning Board

Item #4-To *amend* the Zoning Ordinance Article 3-Permitted Uses; Subsection 3.1.8 Signage, by inserting:

The Code Administrator, or other town personnel designated by the Town Administrator, shall cause to be removed any sign placed on or over any public right-of-way or public property that is not in compliance with the standards and provisions of this ordinance, the Town of Barrington Site Plan Regulations, the Town of Barrington Subdivision Regulations and/or any other regulation lawfully adopted by the Town of Barrington.

Where such sign is removed, it shall be deemed to be abandoned and may be disposed of by the town as abandoned property.

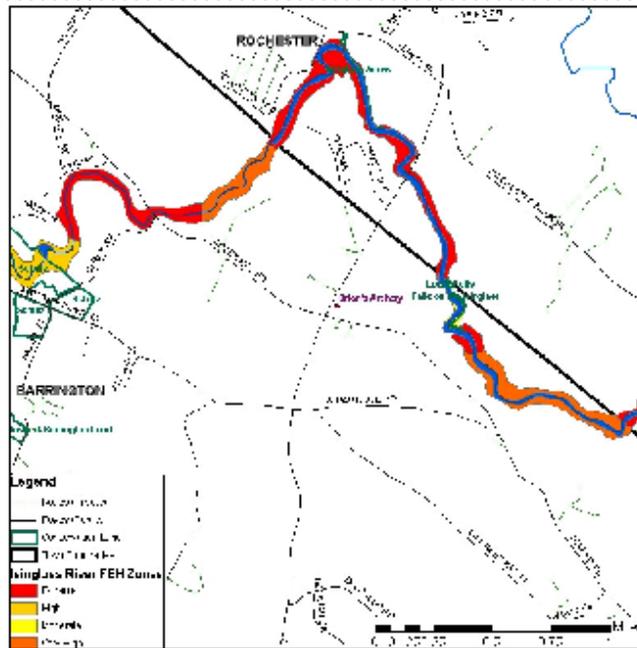
For the purpose of clarifying Article 3-Permitted Uses.

-Proposed by the Town Code Enforcement Officer.

Attachment # 1

The Benefits of Fluvial Erosion Hazard Zones

Fluvial erosion hazard zones reduce the risks to people and property in areas vulnerable to changing river flow conditions. The zones take into consideration the movement of water and soil, or fluvial erosion.



The fluvial erosion hazard zone is the river channel and the land area alongside it that the river can move into during heavy storms. The red areas around the Isinglass River show the areas at extreme risk to erosion from changing river flow conditions.

Giving the river room to move into the zone reduces the risk of riverbank collapse happening near people and development, as well as protects against water going into unwanted areas, like bridges and roads.

Why are fluvial erosion zones important?

Flood damages are often the result of changing river flow conditions. The existing town of Barrington buffer ordinance and floodplain mapping provided by the National Flood Insurance Program do not protect against river movement because they are based on the river at its most stable condition.

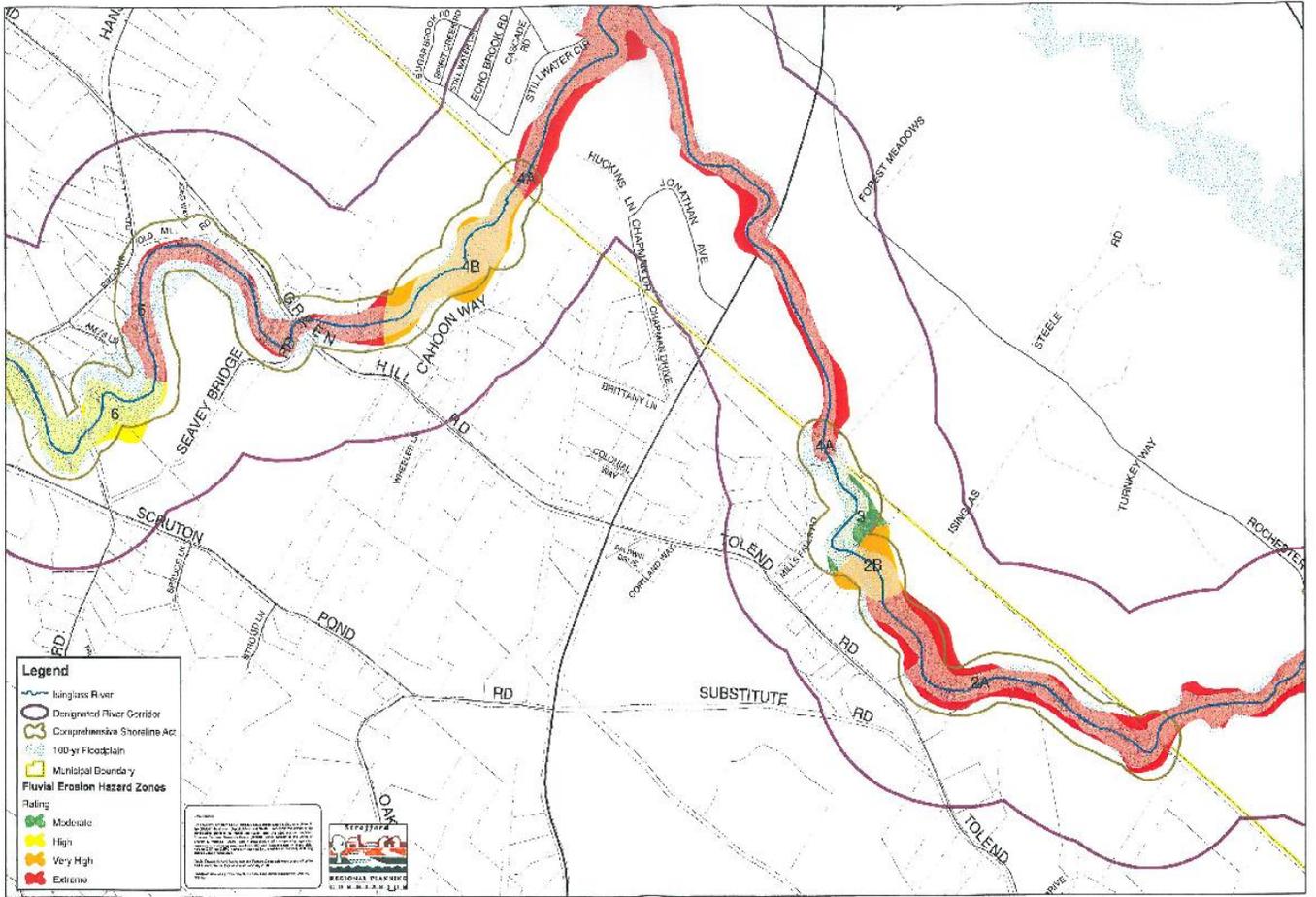
Though the river is safe at its low flow condition, heavy storms can change it from a meandering stream to a raging rapid overshooting its banks, flooding and moving soil and rocks in its way.

How are fluvial erosion zones developed?

Using field assessment data, DES scientists have predicted where the Isinglass River can move during heavy storms in the town of Barrington. This data forms the basis for the fluvial erosion hazard zone. Each assessment area, or reach, in the Isinglass River was assigned a sensitivity rating that ranges from low to extreme.

The width of the fluvial erosion zone is based on this sensitivity rating, combined with physical evidence of where the river has flowed in the past and where it may flow in the future.

Attachment #2



Attachment #3