



MEETING MINUTES
BARRINGTON PLANNING BOARD MEETING
Early Childhood Learning Center
77 Ramsdell Lane, Barrington, NH
Tuesday May 28, 2013
6:30 p.m.

ROLL CALL

Members Present

John Huckins, Chair
Alan Kelley, Vice-Chair
Anthony Gaudiello
Dawn Hatch, Ex-officio
George Calef

Members Absent

Steven Oles
Jackie Kessler

Alternate Members Present

Stephen Jeffery

Town Planner:

Marcia Gasses

J. Huckins started the meeting at 6:30 pm.

MINUTES REVIEW AND APPROVAL

1. Approval of May 21, 2013 Meeting Minutes.

A. Kelley motioned to defer review of the minutes to June 4th. T. Gaudiello seconded. The motion carried unanimously.

REPORT FROM THE PLANNING DEPARTMENT

M. Gasses passed out the zoning ordinance to the members and also stated that everywhere the ordinance

is supposed to be online should be in the correct place now. She then stated that a few people came in with questions regarding a site on 125 where there is currently auto sales.. One man came in with a request to do motor cycle repairs and a limited amount of sales. She then asked what level of plans the board would like to see because of the change of use.

J. Huckins stated that the site used to be sales and cleaning of cars before.

D. Hatch agreed and said that they then came in to sell cars.

J. Huckins said the issue is that there should be secondary containment if they are going to do mechanic work and all other typical work.

M. Gasses said that she also asked the man to consult with an electrician.

D. Hatch said to make sure that there should be enough parking.

M. Gasses said that there is a certain amount of parking, and she informed both people who requested that they need to take into consideration the parking requirements.

J. Huckins said it might be worth asking the owner to get a list of uses that we can then look over and approve so he doesn't have to keep coming before the planning board.

COMMUNICATIONS RECEIVED **REPORTS FROM OTHER COMMITTEES**

2. Discussion of Site Review and Subdivision Regulations.

T. Gaudiello said that because we are talking about signs we will begin there. He stated that when we first went through the ordinance we did reindexing and editing at the same time. He would like to propose that the board bring all the works we have, including site review, subdivision and rules of procedure and get them all indexed the same. This would be easier for us to make sure that we are all on the same page. He then asked if the board could just go ahead and do this.

J. Huckins thought that we would need to post a public hearing.

T. Gaudiello did not think so. Based on what he was told indexing of the regulations could be done without public hearing. He thought that they could go put them on the computer and edit it all on there instead of doing it in big chunks.

J. Huckins agreed with this.

T. Gaudiello said that they are going to remove the bulleted items wherever they appear and replace them with numeric indexing. There will be no text changes that will be made in these replacements, any and all text changes will be individually detailed later. Also there was a thing that they did as a policy move last year to reference the edit date on some of the edits. He didn't think that it helped him to find what got changed. In order to find information he went back to the certification letters to the town clerk which had all the changes.

J. Huckins thought that they should vote on the first part first before moving on to other items.

A. Kelley thought that editor's note was correct as it stands.

T. Gaudiello said that this editor's note was not a very useful one.

A. Kelley disagreed and thought it was useful.

T. Gaudiello saw that there was a difference between the editor's note that A. Kelley was describing and his editor's note. He preferred the one he was looking at.

J. Huckins stated that this was the newer one.

T. Gaudiello thought that all the editor's notes should be identical because all of the formatting and all the presentation in the ordinance, regulations and rules of procedure should be the same.

J. Huckins said this was correct but wanted to get back to doing one thing at a time.

A. Kelley said he brought it up to be a part of the formatting.

A. Kelley motioned and D. Hatch seconded to do the change in formatting as T. Gaudiello suggested in terms of bulleting and editors notes. The motion carried unanimously.

T. Gaudiello said that one of the general actions was to remove the entries that indicate a revision date. There is certification on file with the town clerk that provides a history of revisions as noted, this serves no purpose. If we put a copy of certification letter at the beginning for each year, this would make more sense.

J. Huckins said that this would be useful because it would explain what was changed.

T. Gaudiello said that 1 or 2 pages would be tops for this.

A. Kelley thought that this would change the page numbering.

S. Jeffery stated that this could be put at the end or before the table of contents.

T. Gaudiello motioned and D. Hatch seconded to add a list of each individual change and then have a change sheet for every year. The motion carried unanimously.

T. Gaudiello said that now he was going to go through the list of edits that he had made starting with site review. He then said that he will read them and the board can follow along.

J. Huckins said that we would have to have a public notice for voting on the changes but we can go through these so when we go to public notice we have something to vote on.

T. Gaudiello is going to start in site review at 1.5 paragraph 1 in general guidance on page 6 of 9.4. He is suggesting that they insert language at 1.5.1 that reads as follows: "In order to process all applications in a timely manner it is the responsibility of the applicant to properly prepare. This includes reading all

applicable regulations and addressing all items of the checklist.” He then said that this language is being moved from somewhere else. In 1.5.2 he read a section about getting help from professionals. He then said he moved item 3 under this. It was simply to make each number to address 1 and only 1 thing.

M. Gasses asked if the first thing he read was flip flopped.

T. Gaudiello said that most of this is not actually editing it is more just making more simple sentences. At 1.5.3 he inserted the fees language. What was 1.5.3 is stricken because it was covered earlier. 1.5.4 becomes incomplete submittals or failure to properly address issues will result in unnecessary delays in obtaining a final decision from the board.

G. Calef was confused and asked a question about how it was broken up.

J. Huckins said that this was the same text but split into 4 bits. He then explained where 1,2,3,4 each started.

G. Calef questioned the necessity but understood why he was doing it.

J. Huckins stated that it made it easier when you are talking with an applicant.

A. Kelley agreed with this.

T. Gaudiello said that a lot of what they would be doing will be similar to this.

J. Huckins said that he thinks that this could be voted on tonight.

T. Gaudiello disagreed and said that there are three things that he sees in this. There are changes that make no difference, changes that could make a difference like a reorganization of words, and the last thing is something that really does make a difference intentionally.

J. Huckins agreed and thought that it is better to be safe than sorry kind of thing.

T. Gaudiello then brought up 2.4 for pre application submission. He asked the board to look at 2.3 to see how it presented focusing on how it says optional. He then told the board to look at 2.4 which had optional in parenthesis at the end. He did not understand why it was presented in two different ways and thought the board should choose one way.

The board agreed to make them both read as a full sentence explaining that this was an optional part of the application. They liked this because it reads better.

T. Gaudiello then brought up 2.4.2 paragraph 1. He said that this was a question of inserting words and settling on what it is they want to say for town’s land use office.

M. Gasses said it should read “Land Use” or “Planning and Land Use”.

J. Huckins said that Planning and Land Use should be consistent with all of them.

The board agreed to change it to planning and land use.

M. Gasses had a suggestion but she was not sure where it should go. She brought up the deadlines to submit for applications that vary with 15 days. Although it is not required, it should be encouraged for large projects so they can go to technical review before coming to the planning board.

T. Gaudiello asked where it talked about time framing for submission of materials.

J. Huckins said that what they should do is deal with what they had for tonight and keep this on the back burner. He said that other towns meet twice a month and make it a 30 day requirement to get it in. This would give the land use office 30 days for any application because you would be doing it twice a month.

A. Kelley said that if you were going to do this, you can make meetings both public hearings.

J. Huckins said that to be clear you can give the Land Use Office 30 days no matter what.

M. Gasses said she liked the idea of getting it in earlier if you want to get it to technical review first. She also was concerned about burdening Barbara with sending out public notices twice a month and also for ZBA.

A. Kelley asked when the ZBA notices get sent out.

M. Gasses said that the requirement is 5 days.

A. Kelley said that in order to do this they would have to post 2 public hearings instead of work sessions.

M. Gasses said that this is just something to think about. She just did not want people to expect to make technical review if they give their application to you 16 days before.

T. Gaudiello asked what the required action is at a public hearing other than to hear the application.

J. Huckins said it sets up a deadline for applicants. Most people extend if they are not ready and if they come to the planning board before technical review there might be issue that an engineer would see that the planning board would not.

T. Gaudiello said that the comment might be to the applicant that if they get there application in earlier they can get technical review in first, but if it comes in too late the planning board will hear them but they would have to send it out for technical review anyway.

J. Huckins said that if they put this kind of language in there it could encourage them to move quicker.

D. Hatch said that this could be included in the acceptance process and formal acceptance date that addresses the 15 and 30 days in 2.5.3. and 2.5.4.

T. Gaudiello moved on to 2.4.5 paragraph 2 it reads that “the applicant shall contact department heads.” He wanted to add “or commissions”, struck i.e. and added e.g. then he struck highway supervisor and added road agent, Conservation Commission.

T. Gaudiello asked the board to go to 2.5.1 submission items. The last sentence in the two sentence sequence states complete applications shall include the following items. Then all the items below it start with include. He wanted to strike all the places where it starts with include because it is repetitive.

M. Gasses said that they needed to look at number 7 under 2.5.1 submission items.

T. Gaudiello said he looked at 7 and he needed some clarity of reasoning and uses for the 6 plan sets.

M. Gasses said she didn't think she needed 6 full plan sets. She puts one in the drawer, one in the folder, we give one to the chair. She uses them, but she doesn't need 6.

J. Huckins said for some of them the department heads might want to look at a full set. It depends on the application and what the issues are.

M. Gasses said that she only needed 5 and if she needs more then she can ask for them.

T. Gaudiello stated the problem with stating a number in a regulatory structure is that they would only have to give that specific number.

M. Gasses said that applicants have been willing to supply extras when necessary.

A. Kelley asked about the turnaround for when you ask them for more copies.

M. Gasses said that copies are provided within couple of days.

T. Gaudiello wanted to read what he had and asked for input on what he should strike out. He said he had 5 sets of complete plans as required by article 3 of these regulations site plans specifications and documents. In addition to these plans as conformed to article 4 of these regulations design and construction standards, then parenthetically, 3 full sets and 3 sets of only sheets the planning board would sign.

M. Gasses said to cross out the 3 full sets and 3 sets of only sheets the planning board would sign.

T. Gaudiello said they are taking out all reference to 3 full sets.

M. Gasses said she wants 5 22" X 34" sets.

D. Hatch suggested making it read recordable size.

J. Huckins said that they don't need to put this because it is already referenced in article 3.

M. Gasses said that she also wanted 15 11" X 17" sets and a PDF.

G. Calef said that this came up before and asked the board to go to 2.4.5.2 which reads the applicant needs to provide written verification to the board that comments are addressed to the satisfaction of the department heads. He then asked if they had ever quantified the powers of the department heads of decision making process. According to this it gives them power to make decisions.

J. Huckins agreed with this and said that it was giving them authority to make decisions when they shouldn't have this power.

M. Gasses said to cross this all out.

A. Kelley said that he thinks they should cut it off after addressed.

M. Gasses said that she would do this anyway as a part of the process.

J. Huckins said that he thinks A. Kelley was right because it is still requiring them to give written comments to us.

T. Gaudiello clarified that they are working on the notion of having applicants meet directly with department heads and commissions to discuss anywhere possible to work out issues and return to the board to review their meeting and conclusions.

G. Calef said that this worked for him.

T. Gaudiello said that after this discussion they are striking "to the satisfaction of the department head."

T. Gaudiello brought it back to number 8 and stated that they would be striking "include" as mentioned before and then he asked if article 4 in that sentence actually meant to say article 3.

The board discussed what 2.5.17 and 2.5.18 actually required and came to figure out that it actually worked the way it was written in terms of articles.

M. Gasses said that in number 9 we don't need the actual application to include this information to be accepted as complete, we don't usually get that bond estimate and the cost of the road until after. The estimates for any bonding usually come after and is part of the requirements for final approval.

J. Huckins asked if they should take 9 out because a lot of times it changes.

T. Gaudiello suggested that 9 and 10 be put together

M. Gasses said that they would need both of these but not at the time of application.

A. Kelley asked if it needed to be there as finding the application as complete.

M. Gasses said that most of the time these are needed before the final application is signed.

T. Gaudiello said that if you take these out from the spot they are in they will need to go in somewhere. He asked where is the place they should go.

D. Hatch said that 10 is only talking about escrow. If they don't agree then you won't have a complete application.

The board continued to discuss what was written in 9 and 10 and whether they needed these before accepting the application as complete. They discussed how these were being dealt with in the past and how they were being done now.

T. Gaudiello asked if it would serve to get a letter of agreement with respect to costs rather than what is there now.

M. Gasses asked for the board to give time to think about what should be done with this.

S. Jeffery suggested that they move them to 2.5.4 or 2.5.9

J. Huckins agreed to let Marcia straighten this issue out.

A. Kelley agreed with this.

T. Gaudiello then moved on to an issue of what they were referring to with respect to the office. He read “the date of delivery of a formal application to the planning board shall be stamped on the plan by the land use office staff.” He stated that he inserted shall be stamped and struck the language “an issue of a date stamp on the application.” He wasn’t sure what that even meant.

M. Gasses said that everything that comes in gets a date stamp.

T. Gaudiello said that he suggested removing the last 9 words of that sentence.

A. Kelley liked the change.

T. Gaudiello said that they have an inconsistent use of a symbol that represents sections. We as a board discussed getting rid of it.

T. Gaudiello brought up 2.5.12.

M. Gasses said that we have to change this to bring up to state RSA.

T. Gaudiello said that it is 2 years instead of 1.

M. Gasses agreed and said that an applicant has five years for active and substantial work to take place, after the plans are signed.

J. Huckins said instead of defining the time they should just put the RSA number so that way if the law ever changes they don’t have to change this.

M. Gasses said the next one in 2.5.13 is the plans for the board’s signature. This is involved with complete plan sets. She said that she would like 3 instead of 2. She wanted one for the file, one for the folder and one signed copy for Tom Abbot.

T. Gaudiello said they are back to submittal items again 2.6.3 paragraph 7 states include documents listed in article 3.

J. Huckins said this is listed the same as the full one. On number 6 you have articles 3 and 4 and then the applicable documents is article 3. That number 7 should be article 4.

T. Gaudiello said that 2.5.1 paragraph 8 is getting changed to 4.

T. Gaudiello said they were now at 2.6.4. paragraph 2 schedule of public hearing. It was simply a matter of adding words but it is a formatting issue. When there is a leading word like schedule or action he has bolded and isolated the word to stand out. In the issue of schedule he made schedule a public hearing the lead words.

T. Gaudiello 2.6.4 paragraph 5 the paragraph reference in the RSA it doesn't put the 1 in parenthesis and he added parenthesis.

T. Gaudiello said in 3.1.1.3 scale he has altered the structure of the table. He just rearranged the columns.

T. Gaudiello said in 3.2.2 sometimes it is signature block and sometimes it is approval block. He stated that he is changing it to approval block.

T. Gaudiello said in 3.3.10 where it says north arrow and locus map. He broke it up into 2 parts.

T. Gaudiello said 3.3.12 VD goes to V.

M. Gasses referenced 3.5.2 based on the 50 year storm event. She suggested they also add the 100 year storm event.

J. Huckins agreed with this change.

T. Gaudiello in 3.5.6 where it says "is existing and proposed gas lines", it says reserved. He didn't know what was being reserved.

D. Hatch explained what was being reserved with the gas lines.

T. Gaudiello said 3.5.11 paragraph 1 parking plan. It reads now showing all designated parking areas including and just made it say show all designated parking areas.

T. Gaudiello said 3.5.11 paragraph 2 circulation plan it reads for the interior of the lot showing provisions, he strikes this and made it read circulation plan show provisions within the interior lot for both auto and pedestrian circulation.

T. Gaudiello said 3.9.8 there is a reference error it should reference article 9 and not 8.

T. Gaudiello brought up 4.3.3 lay out. It reads the lay out of the existing and proposed streets lots wetlands including square foot impact areas and drainage facilities he had a note that said make a grammatical sentence out of this. This needed a verb.

J. Huckins suggested adding the verb show.

T. Gaudiello changed it to say show the layout.

T. Gaudiello 4.7.5 with the 50 and 100 year storm.

J. Huckins suggested they change them all to 100 years.

The board discussed whether the manning's formula would effect this change and they decided that Marcia would inquire the engineer about this.

T. Gaudiello said that this sentence whether it changes or not replaces the paragraphing of 4.7.5 sentences 1,2,3, and 4. They all read 50 years which is redundant.

A. Kelley suggested that they should put 100 years as follows in the beginning.

M. Gasses stated that she was okay with how it read as long as they change all the 50 years to 100.

T. Gaudiello said that 4.7.5 has a set of sub paragraphs are unnecessary, he took what was presented in this table and turned it into a sentence which read "the rain fall event frequency to be used with manning's formula shall be a 1 in 50 year for 1) commercial area 2) industrial area 3) flood protection works 4) multi-family residential projects."

D. Hatch asked if they had someone who came in and asked if they had anything that addresses what manning's formula is would they be able to address it.

M. Gasses stated that she was getting concerned that the board was getting too focused on manning's formula when Jeff made it sound like it was part of a computerized mathematical equation as a part of modeling they do.

J. Huckins said that 4.74 references manning's formula.

T. Gaudiello suggested that M. Gasses asked Jeff to relate paragraph 1 of 4.7.4 to 4.7.5.

T. Gaudiello said that the next set in 4.8.6 making it change from site to sight

T. Gaudiello 4.9.1.3 or 4 which says reduce congestion should be 4.9.1.4 not a replication of 3 it is just a numeric error.

T. Gaudiello said the next set had to do with the figures of the cars and parking. He didn't know if they could make out what this was trying to say.

G. Calef asked what happened to the chart on page 33.

T. Gaudiello said he had a chart on 34 but he didn't know what happened to it he didn't do anything to it.

G. Calef explained where it was.

T. Gaudiello measured the picture and put dimensions on it and the chart did not make any sense to him by his calculations.

M. Gasses said that it is just trying to illustrate that they would prefer to not have access off the main right of way but to have an access road. Putting dimensions is reading too much into it.

T. Gaudiello said to look on page 37 table 3 dimensional standards for parking. Parallel has no “pa” it should say parallel.

T. Gaudiello brought it back to the picture on page 39. He stated that aside from the fact that one of the cars is going the wrong direction, he asked if anybody could make sense of this picture. He then asked what all the numbers meant. He suggested putting a legend to explain what these things are. He also said that he never uses the picture for anything.

J. Huckins said that it is nice to have the picture, but he didn’t need the picture for his own use. At the bottom you should insert “see reference table 3.”

T. Gaudiello asked if anyone could decipher what the overhang was from looking at the picture. He then asked if it was important enough to explain what overhang is to someone reading it. He then presented what his chart would be instead.

M. Gasses wasn’t sure if his chart was any more beneficial than the one that was there already.

J. Huckins agreed that the existing picture was clear enough and just to add “see table 3”

G. Calef asked someone to explain to him the reason for 4.9.3 paragraph 3 non complying commercial structures where the computed parking requirement for a nonresidential use in a commercial district is less than 5 spaces. He then asked why would the board want to waive this and where are they supposed to park. The formula they use already doesn’t provide enough parking.

The board discussed this issue talking about the necessity of it.

M. Gasses thought that shared parking was a good thing.

G. Calef made his point that the town did not require enough parking as it is and he wanted to avoid what other towns have done with parking.

The board suggested that Marcia acquires information on parking from other towns and bring it back before the board for further discussion.

T. Gaudiello brought up 4.9.6.1 minimum off street loading requirements. He asked if they should they have a specific date in there rather than after the effective date of the ordinance. He then asked if they had a specific date in mind or if they even need a date.

J. Huckins said that you can probably take out every structure constructed after the effective date of this ordinance.

T. Gaudiello said that he had something similar which read every new or expanded business trade o industry shall provide space as provided in table 5.....

T. Gaudiello said at 4.9.3 paragraph 2 it references 8 and should be 9.

The board discusses here the access of trucks to stores and some parking for stores. They agreed that what they were looking for is trying to make more access for pulling in and out instead of having trucks back in from the streets.

G. Calef said that the towns parking requirement is too little.

M. Gasses suggested he think of some suggestions or any comments to have.

J. Huckins said that Marcia will be putting some inquiry into parking from other towns to see how they handle their parking.

G. Calef said he was also concerned with parking for home businesses and home occupations.

The board discussed this and decided to have further discussion on this after gaining more information on how other towns do it.

T. Gaudiello said that table 8 is now updated with the sign article. He put this in tabular form and wanted input as to whether his numbers were correct.

M. Gasses stated that his numbers were correct.

T. Gaudiello said you will find changes in highlighted and where it is appropriate IL is designated for internal lighting.

T. Gaudiello said that there are some words that need to be clarified: establishment, premises, and the business about devoted to. He asked who does the devoting and how do they know it's been devoted. This language needs to be discussed. He did not have a problem with having 2 signs for the amount of frontage such as in the case of the Generator Connection. He wanted to have discussion having more depth.

G. Calef stated that he wanted to discuss the issue of what would happen if a mall came in.

T. Gaudiello said that they could look to Lee to see how they did their signage for this type of situation.

G. Calef said he thought Lee traffic circle did a good job with signing.

J. Huckins mentioned that they should also look at Dante's that they have two businesses with a lot of frontage in depth. They have to figure out how to designate frontage to the number of signs.

T. Gaudiello asked what the difference is between 1 sign frontage and 2 sign frontage.

D. Hatch thought that two issues are aesthetics and line of sight.

G. Calef said that if Barrington were to have a Shopping Center similar to Lee Market Place here, and they did not have in the sign ordinance that allowed them is incompetent to address it.

J. Huckins said that what they need to do here is deal with street signs first.

G. Calef said he thinks they should allow 1 free standing sign for the center and allow the business a sign on the building for their own identification.

T. Gaudiello said that it seems to him that the substance of the sign should be related to the frontage and if you have double the frontage then why can you not have two signs as in Generator Connection.

M. Gasses said that his building was different because of the glass front and very small top.

G. Calef said that he should think we should do some research on what other towns have done when malls come in.

J. Huckins asked if the thought was that the more businesses present the bigger the allowable sign instead of having additional signs.

G. Calef said that this might create a Las Vegas type signage feel.

M. Gasses cited a chart that related the size and distance of sight to the speed limit of the road.

T. Gaudiello said that if the board started thinking about numbers instead of general statements then we can start making progress.

M. Gasses suggested they think about breaking it down by districts.

The board continued to discuss the sizes of signs, the potential for malls to come in and number of signs based on frontage.

The board came to awareness of what information would be required for creating a sufficient sign ordinance.

The board then went through the “shall nots” of a sign in and discusses what it states in regards to taking signs down.

J. Huckins saw the entire 5.2.7 as completely irrelevant and it makes no sense.

S. Jeffery saw this as attempting to get rid of non-conforming signs.

UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

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

Next meeting is set for June 4th at 6:30

A. Kelley made a motion to adjourn and D. Hatch seconded it. The motion carried unanimously.

Submitted Respectfully by Gabriel J. Budds