



MEETING MINUTES
BARRINGTON PLANNING BOARD MEETING
(NEW LOCATION) 572 Calef Highway (next to Elementary School)
Barrington, NH
Tuesday September 17, 2013
6:30 p.m.

ROLL CALL

Members Present

Anthony Gaudiello-Chair
Alan Kelley, Vice-Chair
George Calef
Dennis Malloy, Ex-officio
Jason Pohopek

Members Absent

J. Kessler

Alternate Members Present

Daniel Ayer
Stephen Jeffery
Joshua Bouchard

Town Planner

Marcia Gasses

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

A motion was made by A. Kelley and seconded by G. Calef to move item four to the top of the agenda. The motion carried unanimously

4. Discussion with Molly Donovan from UNH Cooperative Extension regarding the information of the steering committee and timeline for the Community Profile & Visioning

Molly Donovan from UNH Cooperative Extension was present to talk about the next steps in the Community Profile & Visioning Program.

Molly prefers fourteen to twenty people on the steering committee; a wide variety of representation was desired. Ms. Donovan would like to see the committee meet with the initial members in the next week.

G. Calef expressed that he wanted to make sure that a diverse group was selected.

Molly expressed that people are willing to come onto the committee because it is a seven month process. She would work with the group to see that meeting is conducted in a productive and respectful way. The focus would be on organizing the one and half day event.

Friday Night is opportunities and challenges and everything is written down. The large groups are then broken down into smaller groups to have facilitated discussions. Then on Saturday the most important issues are identified and then further discussed and key issues identified and prioritized.

When the event ends on Saturday action committees are set up. The Cooperative extension will then staff and work with the committees for 6 months after that.

Action committees tend to work toward the built environment and Master Plan topics.

The Steering Committee is really working on putting the event together. Facilitators are trained as part of the planning.

D. Malloy gave thought to how the process may tie into issues currently faced by the Town.

Molly Donovan explained how the information from the Community Profile is used to help update the communities Master Plan.

A. Kelley asked how often the committee would meet.

Molly explained that the initial meetings would be once a month. The group would then brEAKup into subcommittees.

MINUTES REVIEW AND APPROVAL

1. Approval of the August 20, 2013 Meeting Minutes

D. Ayer to sit for J. Kessler

S. Jeffery to sit for the vacancy

2. Approval of the August 6, 2013 Meeting Minutes

A. Kelley expressed concern on whether G. Calef should recuse himself.

Discussion ensued. Many of the members did not have the minutes with them.

3. Approval of the September 10, 2013 Meeting Minutes

A motion was made by A. Kelley and seconded by D. Ayer to table discussion of the minutes to the next meeting. The motion carried unanimously.

REPORT FROM THE PLANNING DEPARTMENT

A motion was made by A. Gaudiello and seconded by D. Ayer to amend the minutes of May 21, 2013 meeting with a clarification of a motion provided made by A. Gaudiello.

Discussion ensued with board members expressing the clarification be captured in the current minutes and a note placed with the May 21, 2103 minutes.

The note provided by T. Gaudiello was to be placed in the May 21, 2013 minutes

The note reads:

T. Gaudiello made a motion that stated “The Planning Board is aware that it has construed and applied ZO Subsection 9.5.1 as follows:

- Lots that were legally existing as of and prior to March 11, 1997 have neither wetland buffer zone requirements nor wetland setback requirements.
- Lots that came into legal existence after March 11, 1997 and before March 13, 2001 have specific setback requirements.
- Lots that came into legal existence (or were approved by the Planning Board as part of a planned subdivision) after March 13, 2001 were subject to the requirements of the 50’ wetland buffer provisions of the ordinance.

In the ZO review recently conducted we have determined that other interpretations can be adduced to the material and have concluded that at least some of the provisions of that subsection are ambiguous. Further the board concluded the above constructions have been applied consistently and believe it is reasonable to assume we have acted in such a way as to be properly covered in our decision making by “administrative gloss”, i.e. interpreting similarly situated cases in similar ways. (One exception to consistent application was called to the Board’s attention but upon review it appears the record indicates that in this case as well the application of the provision was consistent with the other applications.

Therefore it is resolved by the Planning Board that;

We shall continue to apply this understanding until a duly amended Ordinance Provision alters our practice”

A. Kelley repeated the motion by A. Gaudiello, which was seconded by D., Ayer to clarify the motion that he made on May 21, 2013

J. Pohopek Aye
G. Calef Aye
D. Ayer Aye
A. Gaudiello Aye
D. Malloy Aye
S. Jeffery Aye

COMMUNICATIONS RECEIVED
REPORTS FROM OTHER COMMITTEES

UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

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

September 24, 2013 at 6:30 PM

Discussion to place regarding the rule that the content of discussions with the Town attorney cannot be discussed without the attorney present or on speakerphone.

A. Gaudiello explained he would have the proposed indexing of Site Review & Subdivision for the board at the next meeting. The revision will include a change to make the bonding requirements consistent.

A. Kelley talked about amending an application and an opinion from the Attorney at the lecture series last week. He provided a note to the board for their review.

A motion was made by A. Kelley and seconded J. Pohopek to adjourn. The motion carried unanimously.

Respectfully submitted,

Marcia J. Gasses
Town Planner & Land Use Administrator