



**MEETING MINUTES
BARRINGTON PLANNING BOARD MEETING
Barrington Annex (next to the Elementary School)
572 Calef Highway
Barrington, NH 03825
Tuesday March 18, 2014
6:30 p.m.**

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

ROLL CALL

Members Present

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

Members Absent

Jackie Kessler

Alternate Members Present

Daniel Ayer
Stephen Jeffery

Member Absent

Joshua Bouchard

Town Planner: Marcia Gasses

Town Legal Counsel: Jae Whitelaw

Seating of Alternates

D. Ayer for J. Kessler

S. Jeffery for vacancy

MINUTES REVIEW AND APPROVAL

1. Approval of the February 25, 2014 Meeting Minutes

Without objection, the minutes of February 25 2014 were approved as presented.

ACTION ITEMS

2. [233-29 & 30-NR-13-Sub \(Gary & George Ramsdell\)](#) Request by applicant for a 14 Lot Conservation Subdivision located on Ramsdell Lane (Map 233, Lots 29 & 30) in the Neighborhood Residential Zoning District. By: Michael Garrepy, Tuck Realty Corp; 34 Raeder Drive; Stratham, NH 03885

The applicant will appear before the Board seeking conditional approval. Dubois & King had finished their third review. Following the public hearing, the applicant was looking for conditional approval.

- *The applicant appeared for Design Review on November 12, 2013*
- *The Planning Board reviewed the application at Plan review on December 17, 2013*
- *The Applicant appeared before the Board on January 7, 2014*
- *Plans were submitted to Dubois & King for Review following the January , meeting*
- *The application was accepted as complete on February 4, 2014*
- *Legal Document have been through initial review by legal*
- *Dubois & King had reviewed revisions to the plans*
- *The applicant has responded to the comments of Dubois and King*
- *The applicant last appeared before the Board on March 4, 2014*
- *Review comments were received 3-18-14 from Dubois & King and were included in draft NOD language below.*

M. Gasses suggested allowing the applicant to address the engineer's comments and if the Board was comfortable grant conditional approval. The applicant had provided draft easement language, homeowners documents, & Deed language which had been forwarded to the Town's Counsel in January.

J. Pohopek asked if the revised grade change would affect the wetland crossing.

Scott Frankiewicz stated no.

Public comment was opened and closed.

A motion was made by A. Kelley and seconded by J. Pohopek to conditionally approve the application as presented in the Staff Recommendations. The motion carried unanimously

A motion was made by A. Kelley and seconded by D. Ayer to allow certification of the plan without further public hearing provided all the conditions of approval were met. The motion carried unanimously

Draft Notice of Decision

"Applicant," herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.

Precedent Conditions [Office use only. Date certified: _____ ROD received _____

As built received _____ Surety returned _____ Street accepted _____]

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Board. Certification of the plans is required prior to commencement of any site work or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please note* If all of the precedent conditions are not met within 6 calendar months to the day by September 16, 2014 the board's approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board. Extensions shall be granted only if there have been no amendments to the Zoning Ordinance, Subdivision Regulations, Non-residential Site Plan Review Regulations, or any other ordinances and regulations which render the subdivision plan non-conforming, and if all other required permits are still required. It is the sole responsibility of the applicant (or his/her agent) to ensure that these conditions are met by this deadline. We urge the applicant to carefully track his/her progress in meeting the individual conditions. See RSA 674:39 on vesting.

- 1) The plans are to be modified as follows:
 - a) Add the NHDES Subdivision Approval # to the plan
 - b) Add the NHDES Dredge & Fill Permit # to the plan
 - c) Increase access berm width to a minimum of 10'
 - d) Correct road grade to 2% for 100' (currently 90' on plans)
 - e)

Revise Under Drain note on Sheet 19 of 22 (upper left corner) to read, "underdrain shall be installed in all cut areas."

- 2) Draft maintenance easement deeds are to be reviewed and approved by the Town Attorney prior to recording.
- 3) Proper and complete survey monumentation shall be installed on the properties as a condition of final approval of the application. Granite bounds shall be set at the intersection of existing or proposed lot sidelines with existing proposed streets. Iron pins (pipe or rod) are to be placed at all property line corners and angles, and at all points of tangency. Monuments for the lot being developed shall be placed not more than 300 feet apart in any straight line. The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the submitted plan. (*Bounds along the proposed roadway may be installed after installation of the roadway*)
- 4) The applicant shall submit proposed *revised* Homeowner's Association Documents, addressing cul-de-sac maintenance, open space, 100 foot buffers remaining in their natural state, including preservation of perimeter landscaping. These documents shall be reviewed by the Land Use Office, with consultation by the Town Attorney on the proper form of the documents. See 10.6.1 of the Town of Barrington Subdivision Regulations.
- 5) A plan and narrative for the use, maintenance, and insurance of all common facilities, including provisions for funding, shall be provided to and approved by, the Board. See 10.6.2 of the Town of Barrington Subdivision Regulations.
- 6) The amount and type of the performance guarantee must be set prior to the final approval of the plans. See 11.3.1 of the Town of Barrington Subdivision Regulations
- 7) The applicant shall submit three (3) complete paper print plan sets, one 11" X 17" paper copy, a PDF and supporting documents explaining how the Applicant addressed the conditions of approval. This shall include final and complete reports for all items submitted during review for the Town of Barrington's file.

Conditions Subsequent

- 1) The applicant is to post appropriate surety with the Town of Barrington required to cover all required site improvements, plus any other funds necessary for the completion of ancillary work as conditioned by the Board's approval. The proposed cost shall be submitted by the applicant; however, the amount shall be reviewed and approved by the Town's designated agent. Performance Guarantees must be presented in a written agreement with, and acceptable to the Planning Board's Agent. The developer shall post such guarantee with the town prior to the issuance of any building permits for the site. *See 8.3.1(1) of the Town of Barrington Subdivision Regulations*

- 2) For roads proposed to be accepted by the town, The Planning Boards Agent will not release the performance guarantee until a maintenance bond is in place. The Town will require a maintenance guarantee, covering the maintenance of public roads and other public improvements for a period of two (2) years from the date of completion, in the amount of 20% of the improvement costs. If repair or unusual maintenance is needed or additional improvements are required, then such costs as are necessary shall be drawn against the guarantee.
 - 3) Those lots, which contain wetlands and or buffers, will have such referenced in their deed; including a statement regarding the limitations placed on such areas.
 - 4) Current Use subject property or a portion of it is presently in Current Use. The applicant must provide the Town of Barrington Assessing Department a revised current use map and /or any other items needed to assure that the requirements of RSA 79-A and the New Hampshire Department of Revenue's Administrative Rules are satisfied
3. [SR12/410 \(Gas Station and Convenience Store\)](#) Request by applicant to construct 5,000 s.f. convenience store and gas station on a 1.84 acre site located at 491 Calef Highway (Map 238, Lot 4) in the Town Center (TC) and Stratified Drift Overlay (SDA) Zoning Districts. By: Jones & Beach Engineers, Inc., Barry W. Gier, P.E; 85 Portsmouth Ave, PO Box 219; Stratham, NH 03885

Applicant requested a continuance to April 1, 2014

A motion was made by D. Malloy seconded by J. Pohopek to continue to April 1, 2014. The motion carried unanimous.

REVIEW OF PLANS

4. [263-06-RC-14-SIGN Pet Connection \(property owner Wayne Noyes\)](#) Request by Pet Connection to add a reader board sign and waiver request for a 45 ½ s.f sign where 32 s.f. is allow to a previously approved sign on a 10.6 acre site located at 1057 Calef Highway (Map 263, Lot 6) in the Regional Commercial (RC) Zoning District. By: Jesse Senter, Pet Connection; PO Box 856; Barrington, NH 03825

Comments from the Board

- Need justification for asking for waiver. Including narrative on why they feel they should get more under the regulations.

- Request police drive-by and a finding that the sign does not pose a hazard
5. [257-3 & 5-GR-14-LL \(McMaster/Fried\)](#) Request by applicant to adjust the lot line between lots 3 & 5 to transfer .58 acre to Lot 5 located on Merry Hill Road (Map 257, Lots 3 & 5) in the General Residential (GR) Zoning District. By: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825

Planners Comments:

M. Gasses reviewed the application for completeness and had the following comments. Concerning the waiver request from submission information:

- #18. *Boundary of entire parcel - Lot 3 has previously been surveyed Lot 5 has not*
- #24b *Contiguous upland – both lots are greater than 35 acres – appropriate to waive*
- #25 *Map 257 Lot 5 would require wetland delineation 25a-c wetland buffers would apply to this lot*
- #27 *All required setbacks – appropriate to waive*
- #31 *Two-foot contour intervals over all subject parcels – appropriate to wave given size of lots, would be required at subdivision*

The Board expressed that:

- More of lot needs to be shown.
- More detail needed to be supplied

REPORT FROM THE PLANNING DEPARTMENT

COMMUNICATIONS RECEIVED

REPORTS FROM OTHER COMMITTEES

UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

General discussion about signs

D. Ayer felt the signs in RC should be larger.

G. Calef explained the Board could not regulate quality. That distance and size should have a relationship.

Public comment

Fred Bussiere explained that he had divided space out among tenants on his sign

A. Gaudiello we discussed 48' signs and allowing internally lit.

The Board discussed researching the rules prior to early 2000.

G. Calef discussed the need to create regulations, which fit with large businesses. In addition he discussed economic development.

Bob Williams introduced himself.

G. Calef thanked him for stepping up

Discussion ensued regarding Planning Boards making recommendations to the Selectmen regarding appointments.

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

April 1, 2014 6:30 p.m.

Respectfully submitted,

Marcia J. Gasses
Town Planner & Land Use Administrator