

Barrington Planning Board Meeting
April 9, 2009 - 7:00 PM
Land Use Office, Town Administration Building
Work Session – Conference – James Smith, Graystone Builders
Robert Achmakjian, Orchard Management
Fred Bussiere – ReMax Realty

Members present: Chairman John Huckins
Edward Lemos
David Mott
Michael Clark
David Vincent
Alan Kelley (Alt)
Dawn Hatch (Alt)

Chairman Huckins opened the meeting at 7:05 PM. The members and guests introduced themselves. Huckins said the Selectmen had appointed Alan Kelly to the Planning Board as an alternate at their last meeting.

Coachman Estates discussion

The Board moved to a discussion of the Coachman Subdivision. Both Smith and Achmakjian were interested in finding out what would be expected of a purchaser of the subdivision which was now owned by a bank.

Smith said it appeared that was not enough time for the roots and land to take hold before the 100 year flood. He said as a result of this there were areas that he knew would have to be redone and brought up to subdivision standards.

Achmakjian said the road would need to have an engineer look at it to get an estimate of what would need to be done and the cost. Huckins said Berger Group engineers would inspect the site and list the issues that would need to be corrected. He said whoever bought the subdivision would accept the costs of fixing the road, drainage, monumentation, etc to meet the subdivision standards along with the fees from The Berger Group.

Hatch said some of the items that would need to be done would be revised bonding including a maintenance bond, monumentation of the lots if not completed on the back and along the road, reassessment of road specifications, how installed, and as-built plan if changes were made, this should include an engineering report reviewed by Berger Group and Peter Cook, Road Agent, and corrections of any areas on lots that might have added to the failure of the road construction.

Huckins said that a new maintenance bond would need to be in place for 2 years to be sure the work held up. The Board would need to talk with the Town's Attorney to know whether the bond in place would be released when a new one was presented.

Achmakjian asked if there would be a need for a bond if a purchaser completed the work before he sold lots. Hatch said a maintenance bond representing of the total costs plus 20% would be needed even if the road was inspected and found to be built to town specifications. This amount would be figured on the total costs plus 20%.

Mott said the work would need to be proven that the road, drainage, etc was built to subdivision specifications. Lemos said the Town would want a guarantee that the work was done to Town specifications. Achmakjian said he had talked with Cook and was told that he was doing test borings in the road bed below Dominic Drive where the road had been destroyed. He said this area would need to be ripped up, the material stored, gravel compacted and re-laid. He said there should be matting in the ditch line. Lemos said the underground electrical hookups would need to be inspected and repaired if necessary.

Achmakjian said that there were skidder tracks in the woods on some of the lots that acted as streams that helped detour the water toward the road. He said these areas would need to be corrected.

Huckins said the inspections by Berger Group for the Town would be part of the bond. He said the new developer would pay for these inspections. Smith said there was more work that needed to be done on the site and some of it was common sense, not all engineering. Mott said someone that built roads would have knowledge on the road work and what needed to be done. Achmakjian said there were 5 lawsuits on the development. He said he would get estimates from large road builders. Smith said the road should be done first with bonding in place to cover what needed to be done.

Achmakjian said the tax lawsuit was scheduled for Court today but had been delayed. Huckins asked where the suit would be heard. Achmakjian said he did not know and he could not find out from the Selectmen's office as Susan said she did not know where it would be held.

Achmakjian said one of the issues was current use penalty. He said anyone interested in the site would need to know what the final figure would be. Huckins said the developer wanted to take the whole parcel out of current use at one time. He said the Town wanted lots taken out as they were set for development. Achmakjian said some of the lot penalties were \$9300.00 and some were \$5300.00. Huckins said according to the Town the use had not been changed except on the 3 house lots.

Achmakjian said Fred Bussiere was listing the houses on Scruton Pond Road. He said that the open space was taxed separately and the total amount due was \$300,000.00. Smith said that the current use assessment at the time was \$200,000.00 which now has increased as the back taxes were under the 18% interest charge.

Achmakjian said he had talked with the Bank concerning the subdivision. Hatch said she was sending the Bank a copy of the minutes. Smith asked Hatch what her opinion was on this. She said that she thought that if a new developer and his engineers worked with the Town and kept the Board informed of the progress along with doing what the Board required for example new bonding, we would all be happy to see the subdivision completed correctly and successfully.

Smith and Achmakjian thanked the Board for meeting with them to let them know what was needed to move this subdivision forward correctly. The conference was closed.

Draft letter from Carol Reilly concerning zoning changes withdrawn

The Board reviewed and discussed the draft letter that would be from the Board of Selectmen and the Planning Board concerning stating that the zoning changes voted on at the March town meeting were invaled. The members said that they support the draft as written as long as it was determined to be legal. Lemos made a motion to support the

letter written By Carol Reilly from the Selectmen and Planning Board as long as it meets all legal requirements. The motion was seconded by Mott, all in favor.

Joint meeting with Conservation Commission – April 23, 2009

Huckins said the Board and the Conservation Commission would hold a joint meeting on April 23 to discuss transfer rights, mitigation, etc. He asked Hatch to make copies of the Section; Multi-Density Zoning from Innovative Land Use Planning Techniques for the Commission members. Huckins said this appeared to be a good way to pick up open space and save dollars.

Huckins said the Master Plan directed the Board to look at mitigation. He said he had reviewed the goals of the Master Plan and found out that the Board had accomplished $\frac{3}{4}$ of the ones listed. Huckins said that the establishment of the Town Center, Commercial Zones, the Village District, and the addendum of the Route 125 Corridor Study were items completed.

Huckins said the new Natural Resources Inventory should also become an addendum of the Master Plan. Huckins asked to review the Strafford Regional Planning Commission's Technical Review. This would help give the Board an idea of what it would cost to do an update. Huckins said where development was slow we could update chapters of the Master Plan one at a time.

Road Off-Site Fees

Hatch gave Huckins what Peter Cook had given to her concerning the off-site improvement fees. He said he would talk with Peter as what we wanted was the total amount of what a road improvement would cost per road included and how the total amount was arrived at and how a figure set for each lot. The reasons for the improvement have to relate to a proposed new subdivision and the impact it would cause on the road.

Stimulus money

Huckins said the stimulus money was based on 5 quarters so even though we might not get any funds on the first round we might qualify for some later on. We will check with Jones and Beach to see what the status was for the work that they have contracted to the Town for. There could be something from them that would fall under stimulus funds. Huckins said the bus system in the State was getting a large amount of funding from the stimulus money. He said that we should also look for grants that we could use toward projects.

Kelley – new member

Huckins asked what Kelley thought of his first meeting. He said the terminology was not what was used in every day conversations. Huckins said the most important meetings for an alternate were the meetings with subdivision and site review applicants on the first Thursday and the third Thursday which was plan review sessions. Vincent said we were a very liberal Board. Mott said it was important to attend as many meetings as possible as it was a learning process.

Possible changes in Zoning

Hatch stated that she had noticed that the amount of time that a conditional approval was good was 6 months in Subdivision Regulations and 45 days in the Site Review Regulations. This should be changed to match.

The next meeting will be held on April 16 to review plans scheduled for hearings on May 7. The meeting adjourned at 9:30 PM, motion by Lemos, seconded by Mott, all in favor.

Dawn Hatch, Clerk