

Planning Board Meeting  
October 22, 2009 - 7:00 PM  
Meeting Room, Town Administration Building  
Informational Public Hearing – Possible zoning changes

Members present: Chairman John Huckins  
Selectwoman Jackie Kessler  
Steve Oles  
Michael Clark  
David Mott  
Ed Lemos  
Alan Kelley (Alt)  
Dawn Hatch (Alt)

Guests present: John Wallace & Michael Hastings – Conservation Commission

Chairman Huckins opened the meeting to the informational public hearing. Two members of the Conservation Commission attended the hearing.

### **Work Force Housing**

Chairman Huckins said the Board was trying to represent what Work Force housing was and why the Board was presenting an ordinance that would meet the State Law and still protect the commercial district and Town Center. He said the way the State requirement were set up work force housing could be located anywhere in the Town.

Huckins said that we needed to keep the commercial district to help with the tax base. He said that 51% of developable land within the Town must be available for this type of housing. Huckins said work force housing would be available in the General Residential, Neighborhood Residential, and Village Districts. These areas make up 81% of the Town which would make the 51% available.

Huckins said Barrington was a rural area whereas Rochester and Dover were urban communities with higher densities of work force housing. Members said that we must make it clear what work force housing was. Hatch will contact Cynthia Copeland, Strafford Regional Planning Commission to check whether she has more information on this subject. The Board will ask Attorney Whitelaw about the best way to represent work force housing so people would understand what it was.

### **40,000 square feet of upland soils free of jurisdictional soils and 50 foot wetland buffers**

Huckins said that at the first meeting the petitioners and the Board discussed the 40,000 square feet of upland soils and all thought that this requirement along with the 50 foot wetland buffer created more protection for the wetlands. Wallace asked if anyone had done an analysis on how many more lots could be created by this change.

Huckins said that there would be fewer lots as the 40,000 square feet along with a 50 foot buffer could create a 100 square foot by 100 square foot area for a building

envelope. He said when Joel Runnals did the Jonathan Brown subdivision he could only get 1 more lot. He said with the contiguous upland soils fewer lots could be made. Huckins said that the requirements would be strictly jurisdictional soils. He said these requirements would protect the water quality. The 60,000 square feet of land free of hydric A would be eliminated and these pockets hold no value.

Wallace asked the prime wetland would still be hydric A soils. He said that prime wetlands requirements have changed so that it does not have to be all hydric A soil. Mott said we needed to use the same requirements that were in effect when the Prime Wetlands were established.

Huckins said we require 100 feet from the prime wetlands. Wallace said he had no problem with this requirement. He said we need to make it clear whether it was jurisdictional soil or jurisdictional wetlands. Huckins said that the reason we had used the words jurisdictional soils was because that was what the State referred to. Jurisdictional wetlands consisted of soils, hydrology, and vegetation.

Wallace said we should make it clear so anyone could understand. We will ask Attorney Whiteland about the definition. Huckins said that the articles that have been discussed passed in March were passed by the voters. He said the work force housing failed. Huckins said as there seemed to be some controversy over how the changes were represented the Board withdrew the proposed changes.

Kessler said she would talk with our State Representative concerning work force housing to learn more about it. Wallace asked how we would get the message out. He said maybe we could piggyback our proposed changes and the warrant article the Commission was proposing concerning allow in easement holders out of town without the Town holding an interest in the land or easement. Huckins said that someone could go to the recycle center to pass out leaflets and talk with people. Wallace said that he was comfortable with what the Board was presenting.

### **Transfers of development rights from one parcel to another**

Hastings asked if the Board had considered transferring density from one lot to another. Huckins said that we thought that this should be a joint project with both the Board and the Commission. He said we should look into doing this project next year.

Huckins said that about a year and one half ago Cynthia Copeland came to a meeting and discussed this concept. He said at the time we did not have the time to work on this and do it right. He said that we had asked the Commission for feedback.

Huckins said between the Commission and the Planning Board we could swap ideas and come up with a draft. This would help make the decision of whether we wanted this or not. Huckins said the transfer has to go to a specific parcel and the funds could not be kept for something different. The funds cannot go into the Conservation Fund for future projects.

### **Bruce Mayberry – CIP**

Hatch said that she had sent Bruce Mayberry the information from Jones and Beach and the Road Agent to start the process for creating road impacts instead of off-site improvement fees. She said he will get back to the Board when he has had time to review the material.

### **Master Plan Update**

Huckins said we could start the update of the Master Plan where we are slow. Hatch said we would not have any hearings on November 5 as the only one scheduled representatives had asked for continuance to December 3 as they have not completed the hearing with the Zoning Board.

Lemos said we had been advised not to do the technical update on the Master Plan until after the 2010 census was completed. He said a complete overhaul would need to be done by professionals. Huckins said that we could work on the chapters that need to be updated first. He said that some would only need to be tweaked. Huckins said much of what was required by the Plan we have already done.

### **Bond – Letter of Credit**

Huckins said they had talked about bonds and letters of credit at the Law Lecture Series meeting last night. He said letters of credit were better than bonds. Vested rights were discussed. Huckins said the whole Gerrior subdivision might be vested as it was approved as a whole project. It was not until later in the process that they wanted to complete the through road and then do the loop at a later date.

Huckins said abutters should have been notified if the change was made. He said that vesting went along with the work that was done. Huckins said a developer could build the road at his own risk. Mott said there would have been specific conditions on the work done. Kelley said conditions should be put on a time line. He said in some cases the work was done before the bond was put in place. Mott said that we could look at different processes.

### **Mike Clark – Selectman**

Mike Clark said the Selectmen had asked him to fill the Selectman position that was left vacant by Mike Morrison leaving. Huckins said that either Kessler or Clark would have to leave the Board as there can be only one Selectman member. Kessler stated she would like to stay on the Board. Huckins said as she had been the Selectman chosen to be the Selectmen's representative she should be the one to stay. Huckins said we should tell the Selectmen that we would like to have Alan Kelley become a full member.

The next meeting will be held on October 29 with Attorney Jae Whitelaw. The proposed zoning changes will be discussed. The Board will hold a public hearing to adopt the Town of Barrington Natural Resources Inventory as an addendum to the Master Plan on November 5 at 7:00 PM. The meeting adjourned at 9:00 PM, motion by Oles, seconded by Kessler, all in favor.

Dawn Hatch, Clerk