



**BARRINGTON PLANNING BOARD
EARLY CHILDHOOD LEARNING CENTER
77 RAMSDELL LANE
BARRINGTON, NH**

**WEDNESDAY JULY 7, 2011
7:00 p.m.**

MEETING MINUTES

*** Items #1 and #2 to follow Item #7**

PRESENT: John Huckins, Chair
Alan Kelley, Vice Chair
Michael Clark, Ex-officio
George Calef
Anthony Gaudiello
Edward Lemos, DVM
Stephan Jeffery – Alternate

ABSENT: Jacqueline Kessler – Alternate
David Vincent
Steve Oles – Alternate

STAFF: Constance Brawders, Town Planner
Gregory Jones, Transcriptionist

GUESTS: Anne Melvin; 33 Eastern Ave; Barrington
Steve Haight; 181 Watson Rd; P.O. Box 1166; Dover, NH 03820
John Scruton; Town Administrator; 137 Ramsdell Lane;
Brian Lenzi; 347 Young Road; Barrington 03825
Michael Sievert; MJS Engineering; 5 Railroad Street; Newmarket;
NH 03857-1807

Scot Calitri; 125 Longmarsh Rd; Durham; NH 03825
Gregory Wirth; 100 Main Street – Suite 240; Dover, NH 03820

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

CALL TO ORDER

Chair J. Huckins called the meeting of the Barrington Planning Board to order at 7:06pm

ROLL CALL

Members were introduced by the Chair confirming members and guests present as stated above.

MINUTES REVIEW AND APPROVAL

*** Items #1 and #2 to follow Item #7**

1. Approval of June 16, 2011 Regular Meeting Minutes.

Planning Board member G. Calef moved to approve the June 16, 2011 regular meeting minutes. Vice-Chair A. Kelley seconded the motion, which carried with a vote of seven (7) – zero (0) in favor.

2. Approval of June 23, 2011 Regular Meeting Minutes.

Planning Board member G. Calef moved to approve the June 23, 2011 regular meeting minutes as amended with the addition of language stating that on the written advice of the Town Attorney Jae Whitelaw (Mitchell Municipal Group, PA; 25 Beacon St E; #2, Laconia, NH 03246), the final approval of the “Fisheye” subdivision has met all the conditions stipulated and shall be granted final approval. E. Lemos seconded the motion which carried unanimously with a vote of seven (7) – zero (0).

STAFF COMMUNICATIONS

AND

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

Planning Board member A. Gaudiello raised concern over a re-occurring issue of citation confusion within the Town regulations. Specifically, A. Gaudiello inquired if the Board feels clarification must be made to the regulations with regard to the definition of article, heading, section and paragraph. Chairperson J. Huckins suggested the issue be included to the list of future Subdivision Regulation changes scheduled to be discussed by the Board.

G. Calef inquired as to when the Draft Rules of Procedure will be addressed. C. Brawders informed the Board that the Draft Rules of Procedure item will be coming up at the July 21, 2011 meeting where the Board may finalize their discussion in preparation for the August 4th public session. Should there be any substantial changes made at the public session, a second meeting must be held.

Town Planner Brawders distributed materials regarding future projects scheduled to be heard at the July 21, 2011 meeting.

Town Planner Brawders reminded the Board of a joint meeting of the Board of Selectmen and the Planning Board on July 28, 2011 at 6:30pm.

ACTION ITEMS

3. SR11/393 (Stonehill Professional Building/Town Hall Office) Request by applicant for minor site plan approval to amend site plan SR05/291 to modify the parking plan and location of dumpster, located at 33 Calef Hwy (Map 235, Lot 13) in the Regional Commercial (RC) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts. Applicant: Town of Barrington; John Scruton, Town Administrator; 137 Ramsdell Lane; Barrington, NH 03825

Ex-officio member M. Clark recused himself from discussion due to conflict of interest.

Applicant John Scruton, Town of Barrington Administrator, requested a minor site plan revision in order to amend a previous site plan for the property located at 333 Calef Hwy. The project proposed to amend the existing parking plan by adding 8 employee parking spaces as well as relocating an on-site dumpster to accommodate this parking. Mr. Scruton explained that the Fire and Police departments are comfortable with the proposal, and that the project will allow for more customer and public parking.

Mr. Scruton explained that the project would not change the topography or drainage path of the site, would not affect wetlands and would continue to be utilized as office space. Mr. Scruton stated that the Town is seeking waivers for three issues associated with the project. These waivers are for the 2 foot contour requirement, application fees and the requirement for wetland scientist review. Steve Haight explained that the previously approved site plan, which was submitted with this application, contains all the required notes and information from the previous approval. G. Calef inquired whether this building would still be considered a municipal facility or community center as originally presented to the Planning Board. Mr. Haight explained that it was proposed as a professional building and this use is not proposed to be changed.

Mr. Scruton further explained that there would be no elections occurring at the facility, there will be no meeting space, and there would be no change in use, as the space would continue to be utilized as professional office space. G. Calef inquired whether the proposed building will be replacing the facility the Town is now using. Mr. Scruton explained that it will take the place of the existing offices but not the meeting space of for public assembly, as meetings will continue at school facilities. G. Calef inquired if this could be considered an emergency issue due to lack of adequate parking. Mr. Scruton explained that there may be times of heightened traffic. Such times may include vehicle registration times and tax bill season etc. but that the project will be capable of handling the anticipated traffic volume. Mr. Scruton stated that the plan as proposed is the best solution for an emergency situation.

Chairperson J. Huckins asked for any public comment. There were no comments.

Planning Board member E. Lemos motioned to accept the application as complete. A. Kelley seconded the motion which carried with a vote of six (6) – zero (0) in favor.

Mr. Scruton presented a waiver request to the Board in order to waive the application fee stipulated under Article 2.4.2 Submission Items, paragraph 4 as this is for municipal and interdepartmental use.

Planning Board member G. Calef motioned to grant the application fee waiver. E. Lemos seconded the motion which carried with a vote of six (6) – zero (0) in favor.

Mr. Scruton presented a waiver request to the Board in order to waive the stipulation under Article 4-Design & Construction Standards. 4.3.1 Contours as there are no proposed topographical changes associated with this project.

Planning Board member E. Lemos motioned to grant the waiver request for the requirements under Article 4 of the Design and Construction Standards section 4.3.1 as there are no topographical changes as a result of the project. Vice-chair A. Kelley seconded the motion which carried with a vote of six (6) – zero (0) in favor.

Mr. Scruton presented a waiver request to the Board for Article 3-Site Plan Specifications & Documents, Section 3.3-Existing Conditions Plan, paragraph 13) Wetland Delineation.

Planning Board member E. Lemos motioned to grant the waiver request of Article 3-Site Plan Specifications & Documents, Section 3.3 - Existing Conditions, paragraph 13 as there are no changes to the landscape. G. Calef seconded the motion which carried with a vote of six (6) – to zero (0) in favor.

Chairperson J. Huckins expressed concern over the need to make a formal vote on the change of use. John Scruton suggested if the Board feels that a change of use is necessary he would appreciate a vote on that issue and a decision on relocating the dumpster to accommodate parking.

Planning Board member E. Lemos motioned to approve the proposed change of use. A. Kelley seconded the motion which carried with a vote of six (6) –to zero (0) in favor.

- 4. 10/528A (Gerrior Land Trust)** Request by applicant to amend a Site Plan to relocate and construct Detention Pond # 2; amend Grading Plan; and review of surety for Phase 2 of the development located at Gerrior Drive from Route 4 to St. Mathews Drive (Map 268/Lots 1.6 & 1.7) in the General Residential (GR) Zoning District. Applicant: Peter Daigle, Esq. 1550 Falmouth Road, Suite 10; Centerville, Ma 02632

Planning Board member M. Clark returned to the table following recusal.

Applicant's agent Michael Sievert (MJS Engineering, P.C. 5 Railroad Street P. O. Box 359 Newmarket, NH 03857) requested one month extension, as studies were not quite complete. Town Planner Brawdors and Board Member A. Gaudiello advised the applicant to supply with board with materials for review no later than 7 days in advance of the appropriate meeting. C. Brawdors noted that the materials should be submitted the week of July 11, 2011.

Chairperson J. Huckins requested any public comment to which there were none.

Planning Board member E. Lemos motioned to approve the 1 month extension request. A. Kelley seconded the motion which carried with a vote of seven (7) – zero (0) in favor.

- 5. SR11/392 (Millo's Pizza)** Request by applicant for a minor site plan revision to increase the number of available parking spaces from 34 to 49 and removing and paving internal islands,

adding catch basin grates to existing infiltration basins, on a 2.25 acre site located at 575 Franklin Pierce Highway (Map 238, Lot 107) in the Town Center (TC) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts. Applicant; Haight Engineering, PLLC, Stephen J. Haight; 181 Watson Road; Dover, NH 03820

Planning Board member G. Calef recused himself from discussion.

Applicant's agent Steve Haight (Haight Engineering, PLLC; 181 Watson Road; Dover, NH 03820) stated that the project intends to increase the existing parking area by 15 spaces, by removing and paving the gravel areas and interior landscape islands and add catch basin grates to the existing infiltration basins. Mr. Haight stated that the drainage analysis has been completed and was sent to Dubois & King, the Town of Barrington's consulting Engineer (18 Constitution Drive, Suite 8; Bedford, NH 03110) for third party review. He explained that comments received from Dubois & King indicate their confidence in the plan and conclusion of said drainage analysis. He explained that comments made by the Planning Board requesting additional information on engineering points have been addressed and that the Conservation Commission, Police and Fire departments have indicated their support of the project via written memo. He explained that the project is an existing facility, there are no proposed topography alterations and will not be a change of use. All uses with regard to septic and well will remain the same.

Vice-chair A. Kelley inquired as to the projects ability to address Items 2, 3 & 4 raised by the Dubois & King third party review to which Mr. Haight assured the Board had been adequately addressed.

Planning Board member E. Lemos motioned to approve the application as substantially complete. A Kelley seconded the motion which carried with a vote of six (6) – to zero (0) in favor.

Chairperson J. Huckins asked for any public comment on this project to which there were none.

A waiver request was submitted to waive the requirements of Site Plan Regulation 4.9.7 (1) Interior Landscape Islands in order to allow the interior islands to be paved over to allow better traffic flow around the site and to allow an increase of parking spaces. Member G. Calef commented that this plan would be safer for snow plowing and other maintenance.

Planning Board Vice-chair A. Kelley motioned to grant the request for waiver of the requirements of Site Plan Regulation 4.9.7 (1) Interior Landscape Islands. E. Lemos seconded the motion which carried with a vote of six (6) –to zero (0) in favor.

Planning Board Vice-chair A. Kelley motioned to approve the minor site plan revision. M. Clark seconded the motion which carried with a vote of six (6) – to zero (0) in favor.

6. **LL11/236 & 11/614 (Lot Line Adjustment and Subdivision for Todd Calitri & Jason Pohopek)** Request by applicants to adjust the line between Lot 20 (28 acre site) & Lot 20.1 (2.4 acre site), adding 0.99 acres to Lot 20.1 increasing its area to 3.39 acres and to subdivide a 3.15 acre back lot from lot 20 creating a new lot and leaving 23.9+/- acres remaining with Lot 20, located at 267 & 269 Parker Mtn Road (Map 215 & 216/Lot 20 & 20.1) in the General Residential (GR), Highway Commercial Overlay (HCO) & Stratified Drift Overlay (SDA) Zoning Districts. Applicant: Pohopek Land Surveyors & Septic Design, LLC, Jason Pohopek; 42 Flagg Road; Rochester, NH 03867.

Planning Board member G. Calef returned to the table.

Atty. Gregory Wirth (The Law Offices of Gregory D. Wirth, P.L.L.; 100 Main Street, Suite 240, P.O. Box 2209; Dover NH 03820) represented the applicant who requested a boundary line adjustment and approval of a proposed subdivision of two contiguous properties located at 267 & 269 Parker Mtn Road (Map 215 & 216/Lot 20 & 20.1). Atty. Wirth explained that this new application is a reiteration of a past approval with the only difference being a 75' boundary line shift with the sole purpose of moving the building envelope. The project does not address the area setbacks or other historical issues. Mr. Worth explained that based on that minor change he requested the new application for boundary line adjustment and subdivision be approved and allowed to move forward in the same manner as the previous application.

Planning Board member A. Gaudiello motioned to accept the application as substantially complete. A. Kelley seconded the motion which was carried with a vote of seven (7) – to zero (0) in favor.

A request for waiver of the required \$150.00 application fee was submitted due to the circumstances surrounding the application. At the May 5, 2011 Planning Board meeting the board conditionally approved a similar application on the same property. The difference between the previously approved application and the current application is that the new lot line that creates the subdivision of Lot 20.4 from the parent tract of Lot 20 is slid approximately 75' southwest, parallel with the previously approved line resulting in an additional 0.51 acres being added to the proposed lot 20.4, increasing its total area to 3.15 acres and bringing the parent tract Lot 20 to a proposed 13.7 acres. Other than the revision to this line, the application is the same as the previously approved application.

Planning Board A. Gaudiello motioned to accept the applicant's waiver request. G. Calef seconded the motion which carried with a vote of seven (7) – zero (0) in favor.

A request for waiver of the requirements of Article 8.3 Item # 6, two-foot topography of entire lot, of the Site Plan Review Regulations was made as the applicant feels that the addition of any further topographical information would cause an undue burden to the applicant and would supply no additional information that the Board would need to make an informed decision.

Planning Board member E. Lemos motioned to accept the applicant's request for waiver of Article 8.3 Item # 2 of the Site Plan Review Regulations. A. Kelley seconded the motion which carried with a vote of seven (7) – zero (0) in favor.

A request for waiver of the requirements of Article 8.3 item # 5, boundary survey of the entire parcel, of the Subdivision Regulations was made in order not to create an undue burden on the applicant as areas on the parcel along the Isinglass and Mohawk Rivers which were not surveyed are located in low lying areas and are un-buildable.

Planning Board member A. Kelley to accept the applicant's request for waiver of requirements set forth in Article 8.3 item # 5, boundary survey of the entire parcel, of the Subdivision Regulations. G. Calef seconded the motion which carried with a vote of seven (7) – zero (0) in favor.

A request for waiver of the requirements of Article 8.3 item # 9, Wetland delineation of entire lot, of the Subdivision Regulations was submitted in order to avoid undue burden to the applicant. In

addition, wetland delineation was performed in 2003 for the original subdivision and was verified as being in the same location by a 3rd party review and the request is specifically for the additional unbuildable land located along the Isinglass and the Mohawk Rivers, to the north of the areas shown on the plan view submitted.

Planning Board member G. Calef to accept the applicant's request for waiver of requirements set forth in Article 14.2.4 of the Subdivision Regulations. A. Gaudiello seconded the motion which carried with a vote of seven (7) – zero (0) in favor.

A request for waiver of the requirements of Article 14.2.4 item # 6, number of backlot subdivisions permitted, of the Subdivision Regulations in order to allow the subdivision regulations to mirror the intent of the Zoning Ordinance and to allow the applicant fair and reasonable development of his property in a similar manner to how past development has been allowed in the Town of Barrington.

Planning Board member A. Gaudiello to accept the applicant's request for waiver of requirements set forth in Article 14.2.4 of the Subdivision Regulations. A. Kelley seconded the motion which carried with a vote of seven (7) – zero (0) in favor.

Chairperson J. Huckins requested any public comment to which there was none.

Town Planner C. Brawders comment referred to a memo from Peter Cook regarding the adherence to required road standards dated July 7, 2011. Town Planner Brawders advised the board to require the addition of language to the recorded plan which calls for compliance with the standards of Article 15 (15.4) of the subdivision regulations.

Planning Board member A. Kelley motioned to make the addition of language to the plan stating "road construction standards as recommended by the Town road agent must be in compliance with standards set forth in section 15.4 Road Standards" a condition of approval. E. Lemos seconded the motion which carried with a vote of seven (7) – zero (0) in favor.

Planning Board member E. Lemos motioned to accept the Town Attorney, Jae Whitelaw (Mitchell Municipal Group, PA; 25 Beacon St E; #2, Laconia, NH 03246) easement language with regard to the Town of Barrington Private Road Agreement language. G. Calef seconded the motion which carried with a vote of four (4) to three (3) in favor.

Planning Board member A. Kelley motioned to accept the conditional approval. E. Lemos seconded the motion which carried with a Vote of seven (7) – to zero (0) in favor.

NON-ACTION ITEMS

Preliminary Conceptual Review

- 7. Lot Line Consolidation and Boundary Line Adjustment for Evanor Lenzi Estate, Robert Lenzi, Steven Lenzi and the Lenzi Family 2009 Revocable Trust.** Request by applicant to discuss a lot consolidation and boundary line adjustment to allow access from Lenzi Point Road, at 347 Young Road (Map 115, Lots 13, 31, 32, 33, 34 & 35) on a 7.261 acre site in the General Residential Zoning District (GR), Applicant: Brian Lenzi; 155 Young Rd; Barrington

Planning Board member Stephan Jeffery recused himself from discussion.

Applicant Brian Lenzi addressed the Board with a conceptual description of the proposed project. Mr. Lenzi explained that the proposal will adjust the boundary lines of Lots 13, 21, 32, 33 and 34 associated with the property located at 347 Young Road, Barrington. Mr. Lenzi explained that this boundary line adjustment is contingent upon the ZBA approval of a Variance request for Article 4.1.3 and a Special Exception to section 4.1.2 of the Town Zoning Ordinance in order to access the proposed backlots from a common driveway off Lenzi Point Road. He explained that in addition to the parcels included in Approved Plan LL 10/231, the subdivision presented to the Planning Board will include Lot 13 as well as any property line adjustments to the Lenzi Point road right-of-way depicted as lot 13.1 on the current Tax Map. Mr. Lenzi explained that the boundary line adjustment will decrease the land area of Lots 34/35 and Lots 31/32 due to the loss of area in the “clam neck”, making the lots less conforming with regard to area, but will be a much more balanced layout. He explained that the project will seek a Variance to section 5.1.4 of the Town Zoning Ordinance in order to allow Lots 34/35 and Lots 31/33 to decrease in area in order to allow Lot 32 to be increased in area to achieve a practical configuration.

Chairperson J. Huckins explained that the project will be subject to Section 15.4, Geometric Design for Low Volume Roads, of the Town Subdivision Regulations. J. Huckins explained that 15.4 of the Subdivision Regulations will not allow the Planning Board to waive the road standard requirement due to the number of lots being served by the roadway. In response, Mr. Lenzi explained that the intent is to only improve the road up to his lot, not the entire roadway as he is only required to improve the road serving his subdivision. Town Planner C. Brawders directed the Board to Section 15.4 # 1 of the Town Subdivision Regulations which states that paving may be waived by the Planning Board on roads with low traffic volume and low grades for private roads serving 4 or more lots.

Chairperson J. Huckins stated that according to Section 15.4 of the Town Subdivision Regulations, the paving standard may be waived with a written waiver request and a letter from the Town Road Agent speaking to the roadway grades and low volume. J. Huckins explained that the project would still be compliant with the required 30' Right-of-Way and 18" road base and NHDOT roadway standards.

ADJOURNMENT

With no further business, Planning Board member A. Kelley motioned to adjourn the meeting at 8:56pm. The motion was seconded by A.Gaudiello and carried with a vote of seven (7) – to zero (0) in favor.

Respectfully submitted,

Gregory M. Jones