



**TOWN OF BARRINGTON
BOARD OF SELECTMEN
AND
PLANNING BOARD
JOINT MEETING
EARLY CHILDHOOD LEARNING CENTER
77 RAMSDALL LANE
BARRINGTON, NH**

**THURSDAY JULY 28, 2011
6:30 p.m.**

MEETING MINUTES

PRESENT:

John Huckins, Planning Board Chair
Alan Kelley, Planning Board Vice-Chair
Michael Clark, Planning Board Ex-officio
George Calef, Planning Board Member
Anthony Gaudiello, Planning Board Member
David Vincent ó Planning Board Member
Edward Lemos, DVM
Stephan Jeffery ó Planning Board Alternate
Jacqueline Kessler ó Planning Board Alternate

Keith Pratt, Board of Selectmen Chair
Michael Clark, Planning Board Ex-officio
David Frase, Board of Selectmen Member
Dawn Hatch, Board of Selectmen Member
Susan Gaudiello, Board of Selectmen Member

ABSENT:

Steve Oles ó Planning Board Alternate

STAFF:

John Scruton, Town Administrator
Constance Brawders, Town Planner
Gregory Jones, Transcriptionist

GUESTS: Barbara Irvine; 1022 Franklin Pierce Highway; Barrington
Cheryl Huckins; 70 Huckins Lane; Barrington
Jason Pohopek; 265 Parker Mountain Road; Barrington
Fred Bussiere; 105 Sherborne Road; Barrington
Leslie P. Craigen 38 Corbett Rd; Barrington (Advocates for a Better Barrington)
Brian Lenzi; 155 young Road; Barrington
Peter Cook; Road Agent; Town of Barrington
Scot Calitri; 125 Longmarsh Road; Barrington
Sara Pollock; 367 Packers Falls Road; Durham NH 03824

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

ROLL CALL

Board of Selectmen Chair Keith Pratt called the joint meeting of the Barrington Board of Selectmen and Planning Board to order at 6:30pm.

INTRODUCTIONS

Planning Board and Board of Selectmen members were introduced by the Board of Selectmen Chair Keith Pratt confirming members and guests present as stated above.

ITEMS FOR DISCUSSION

Board of Selectmen Chair K. Pratt stated that the purpose of this meeting is to address a number of issues related to the policy and procedures of the approval, construction and administrative processes.

• Approval Process Phase

Selectmen Chair K. Pratt highlighted the discussion points for the approval process phase portion of the meeting. These discussion points are as follows:

1. What are going to be the duties and functions of Dubois & King as consulting/review engineer? As with any consultant or attorney, the question and scope of what is asked will determine the extent of the issues that are addressed. How can be sure that the Planning Board and the Selectmen both have their questions answered for this and the construction process?
2. Since the Selectmen are advisory only in the approval process, how can the input of the Board of Selectmen best be solicited on matters that impact them, such as waiver of off-site improvement fees or impact upon right of way and drainage structures?
3. How is consistency going to be maintained in the application of waivers?
4. Should Barrington have a policy regarding technical review and what will the roles be of those involved? Should the formulation of a Technical Advisory Committee (TAC) comprised of appropriate Department Heads that meet monthly to review all upcoming projects be pursued?
5. Who establishes road standards and are they followed on all projects?
6. Are there issues with the Village District Zoning that allows development that is not in keeping with the intention of the district?

7. What is an appropriate fee structure?
8. With the increase in number of roads, without additional revenue to pay for their maintenance, should the Board of Selectmen be accepting additional roads?

Board of Selectmen Chair K. Pratt requested comment from the members of the respective Boards on each discussion point as listed above. Following the comments from the Board members, Chair K. Pratt opened up the meeting to public comment. Cheryl Huckins informed the Boards of the existence of a spreadsheet which compares the fee schedules of surrounding municipalities. Mr. Jason Pohopek expressed concerns with potential delays in the approval process which may be caused by the formulation of a Technical Advisory Committee (TAC).

Town Administrator J. Scruton summarized the discussion. He stated that based on the approval process phase discussion, it is clear that there is consensus among the Board members that:

- Communication between the Planning Board and Board of Selectmen is necessary and should be continued into the future.
- The formulation of a Technical Advisory Committee (TAC) would be beneficial to the approval process and should be pursued.
- A Master Plan update is needed for which the Planning Board should discuss the pursuit of a Warrant Article.
- The fee schedule should be reviewed by the Planning Board so as to be in concert with the fee schedules of surrounding municipalities.
- The acceptance of Town roadways is the responsibility of the Board of Selectmen. The Planning Board offers comment only.
- Boards should pursue the reasonable use of the town engineering consultant.
- A Minor Site Plan process should be considered to expedite projects with minimal impact.
- Better Documentation and improvement of the land use filing system is needed.

- **Construction Phase**

Selectmen Chair K. Pratt highlighted the discussion points for the construction phase portion of the meeting. These discussion points are as follows:

1. Who is going to manage and oversee the construction, including the role of Dubois and King? Who is paying for Dubois and King? Who manages the escrow/bond? Who determines the escrow/bond? What will be roles of the Planning Board, Selectmen, Planner and Highway Agent in the construction process?
2. How are we going to guarantee that the project is built to Town Standards before acceptance?
3. Who will be responsible for overseeing implementation of site plans and construction oversight of subdivisions? At what point does this move to the Highway Department and away from the Planning Board? This would also include who manages the developer's bond. How can we sure the development is completed even if the developer runs into problems?
4. Should the Town establish a policy for road/right-of-way excavation permits including as appropriate a bond for work in right of way? This relates to any work that is adjacent to or within an existing Town ROW including when roads/driveways/cisterns/etc. are constructed as part of a project. This would apply to site plans and subdivision.

5. There is a requirement that driveways be paved back 15 feet to protect the road surface. The issue arises that sometimes this occurs in the winter. How can we best guarantee future performance of this requirement?

Board of Selectmen Chair K. Pratt requested comment from the members of the respective Boards on each discussion point as listed above. Following the comments made by the Boards, Town Administrator J. Scruton summarized the discussion. He stated that based on the construction process phase discussion, it is clear that there is consensus among the Board members that:

- The Planning Board should consider authorizing the Board of Selectmen to oversee the construction and escrow bonds.
- An update to the application checklist should be pursued
- A tracking system for third party review be pursued
- A road construction manual be generated using existing examples from surrounding municipalities
- The Board of Selectmen should consider generating an excavation permit and bond procedure for work occurring within the right of way
- Consideration should be given to the idea(s) of attaching the requirement that driveways be paved back 15 feet to protect the road into the project's road bond or to require the applicant to put a deposit down as part of the driveway permit application which will be returned upon verified completion of work.

Following the discussion from the Board Members, Chair K. Pratt opened up the meeting for public comment. Scot Calitri stated that the Boards should be aware of undue hardship on applicants with regard to requests for multiple reports. He suggested that the Boards review the need for delineation between private roads and driveways as this issue has significant costs for the town as well as applicant.

- **Administrative**

Selectmen Chair K. Pratt highlighted the discussion points for the administrative process portion of the meeting. These discussion points are as follows:

1. Since the Board of Selectmen, through the Town Administrator, oversees the Planner and her staff, how can we best coordinate with the Planning Board on utilization of their time?
2. Is the current staffing level appropriate?
3. Where is the Town at regarding impact fees and Zoning Article 14? What steps should be taken next and by whom?
4. The Planning Department usage of legal services was in excess of \$5,000 in June alone. Should all requests go through the Town Administrator to better manage costs?
5. Do the Boards wish to have a general discussion of conflict of interest and how each board will deal with it appropriately?

Board of Selectmen Chair K. Pratt requested comment from the members of the respective Boards on each discussion point as listed above. Following the comments made by the Boards, Town Administrator J. Scruton summarized the discussion. He stated that based on the Administrative phase discussion, it is clear that there is consensus among Board members that:

- The lines of communication between the respective Town Boards and staff must be kept

- open.
- Staffing levels are currently satisfactory but the Item may need to be revisited as changes occur in the future.
 - The Town would need to hire additional staff or a consultant in order to update the Town's 2004 Master Plan.
 - The Boards agree that further discussion with Bruce Mayberry (BCM Planning, LLC; 49 Pineland Drive; Suite 202B; New Gloucester, ME 04260) is needed with regard to the implementation of impact fees.
 - Legal expenses should be curbed wherever possible.
 - Conflicts of interest claims occurring during Board meetings should be addressed with the Chair of either Board.
 - The Town Administrator will research ways to allow the Boards to update regulations more easily.
 - The Board should hold a bi-annual joint meeting scheduled for the months of February and August.

Following the discussion from the Board Members, Chair K. Pratt opened up the meeting for public comment. J. Pohopek stated that he is concerned over the cost and use of legal services as he understands these services have been used to interpret the Town's own regulations. He suggested that the Boards be specific with regard to what is being requested of the legal services so as to avoid un-needed costs. L. Craigen requested that the Boards provide for a public comment period before the start of the meeting for non-agenda items.

ADJOURNMENT

D. Vincent motioned to adjourn the joint meeting of the Barrington Board of Selectmen and Planning Board at 9:00pm. A. Gaudiello seconded the motion which passed with a vote of seven (7) to zero (0).

Respectfully submitted,

Gregory M. Jones
Transcriptionist