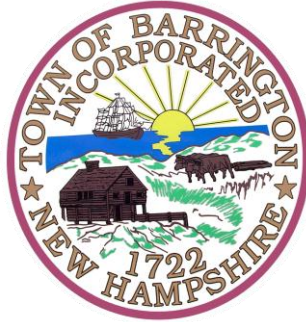


*Approved September 15, 2011-GMJ*



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

**THURSDAY AUGUST 11, 2011  
7:00 p.m.**

**MEETING MINUTES**

**PRESENT:** John Huckins, Chair  
Alan Kelley, Vice-Chair  
Michael Clark, Ex-officio  
George Calef  
Anthony Gaudiello  
David Vincent  
Edward Lemos, VMD  
Stephen Jeffery-Alternate

**ABSENT:** Steve Oles – Alternate  
Jacqueline Kessler – Alternate

**STAFF** Gregory Jones, Transcriptionist

**GUESTS:** Sara Pollock; 367 Packers Falls Road, Durham, NH  
Scott Calitri; 125 Longmarsh Road, Durham, NH  
Jason Pohopek; 269 Parker Mtn Rd, Barrington, NH

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

**ROLL CALL**

Chair John Huckins called the August 11, 2011 meeting of the Barrington Planning Board to order at 7:00pm.

## **MINUTES REVIEW AND APPROVAL**

1. Approval of July 21, 2011 Regular Meeting Minutes.

**E. Lemos motioned to approve the Planning Board Meeting Minutes of July 21, 2011 as amended. A. Kelley seconded the motion which passed with a vote of four (4) in favor, to zero (0) against, to three (3) abstentions.**

2. Approval of July 28, 2011 Planning Board and Board of Selectmen Joint Meeting Minutes

**A. Kelley motioned to approve the Planning Board and Board of Selectmen Joint Meeting Minutes of July 28, 2011 as amended. D. Vincent seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

3. Approval of August 4, 2011 Public Hearing Minutes

**E. Lemos motioned to table the Planning Board Meeting Minutes of August 4, 2011. A. Kelley seconded the motion which passed with a vote of six (6) in favor, to zero (0) against, to one (1) abstention.**

## **STAFF COMMUNICATIONS**

4. Review and consideration of July 29, 2011 letter of request by Todd Calitri

Chair J. Huckins directed the Board to a July 29, 2011 letter from Mr. Todd Calitri requesting the Planning Board reconsider Condition (2) in the Notice of Decision for a Lot Line Adjustment and Subdivision Project. The Condition required the applicant to add an additional note 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 – Private Road Standards* of the Town of Barrington Subdivision Regulations". Chair J. Huckins stated that a public hearing would be required to rescind a condition of approval and that a call to the Town Attorney was made in order to be sure that proper procedural guidelines for such an action were being fulfilled. A. Gaudiello stated that there is no reason for doubt that the action would be acted upon favorably at the next public hearing, as the Board previously determined its enforcement of said Subdivision Regulation was unwarranted. The Board agreed that a Public Hearing would be required to vote on this Item.

5. Review of Subdivision Rules and Regulations, Site Plan Rules and Regulations and Zoning Ordinance

Chair J. Huckins urged the Board to discuss and decide on this item tonight in order to further the process in a timely manner rather than bring the items to the new sub-committee to address the changes. He stated that the Board should be discussing the items pertinent to the Subdivision Regulations only. Chair J. Huckins directed the Board to the Town Planner's August 1, 2011 Memorandum to the Planning Board and the Town Administrator highlighting the prospective duties of the Land Use Department's recently acquired intern. He continued that if the Board acts upon the language updates this evening, the changes can be forwarded to the intern and the process and the Subdivision updates can be completed by the first of September. The Board agreed.

- Subdivision Rules and Regulations Section 6.1 Preliminary Conceptual Review

The Board discussed potential amendments and agreed to update the language of Section 6.1.1 of the Subdivision Regulations to state: *“This meeting shall be directed at a review of the basic concepts of the proposal and to offer suggestions that might resolve problems with addressing regulatory requirements during formal consideration of the application. The Board and applicant may discuss proposals in conceptual form only and in general terms, such as the desirability of types of development in the Master Plan, as well as the development objectives of the community. No engineered plans or reports shall be accepted for review until abutters notices have been mailed out”*. This recommendation was originally made by the Town Legal Counsel.

- Subdivision Rules and Regulations Section 7.3 Application for Subdivision Review and Section 12.4 Filing and Submission of Conceptual Application, Paragraph 1

Chair J. Huckins stated that the issue with this Item lies in the inconsistency of the application submission deadlines as stated in both Sections 12.4 and 7.3 of the Subdivision Regulations. Specifically, Section 7.3.1 states that the application be submitted to the Town offices no more than 15 days prior to the public meeting and Section 12.4.1 requires the completed concurrent application to be filed with the Board or its agent at least 21 days prior to the public meeting. A. Gaudiello suggested that the applicable Revised Statutes Annotated (RSA) section 676:4 be referenced within the regulation to ensure Town compliance with state procedural rules. The Board agreed and decided to amend both Sections 7.3 and 12.4 of the Subdivision Regulations.

The Board discussed potential amendments and agreed to update the language of Section 7.3.1 of the Subdivision Regulations to state: *“A complete application sufficient to invoke jurisdiction of the Board shall be filed with the Board’s designee at the Town Offices pursuant to requirements set forth in the New Hampshire Revised Statutes Annotated (RSA) Section 676:4, Board’s Procedures on Plats. Determination of completeness is more fully covered in Section 8.2.*

The Board discussed potential amendments and agreed to update the language of Section 12.4.1 of the Subdivision Regulations to state: *“The completed concurrent application shall be filed with the Board or its agent pursuant to the requirements set forth in the New Hampshire Revised Statutes Annotated (RSA) Section 676:4, Board’s Procedures on Plats.*

- Subdivision Rules and Regulations 12.5 Action on Completed Concurrent Application, paragraph 1.

The Board discussed potential amendments and agreed to update the language of Section 12.5.1 of the Subdivision Regulations to state: *“The Board shall consider the completed concurrent application pursuant to requirements set forth in the New Hampshire Revised Statutes Annotated (RSA) Section 676:4, Board’s Procedures on Plats. The Board shall evaluate the subdivision and site plan separately, each on its own merits. After review of the completed concurrent application, and after a duly noticed public hearing as provided in Article 9, the Board may grant a conditional approval or a final approval of a site plan. The Board shall act to approve or disapprove the completed concurrent application within sixty-five (65) days of acceptance of the completed concurrent application, subject to extension or waiver as provided in accordance with RSA 676:4, Board’s Procedures on Plats.*

The Board discussed potential amendments and agreed to update the language of Section 12.5.3 of the Subdivision Regulations to state: *“If the Board has not obtained an extension as provided in Article 9, and has not taken action to approve or disapprove the completed concurrent application pursuant to requirements set forth in the New Hampshire Revised Statutes Annotated (RSA) Section 676:4, Board’s Procedures on Plats, the applicant may obtain from the selectmen*

*an order directing the Board to act pursuant to RSA 676:4. Failure of the Board to act upon such order of the selectmen shall constitute grounds for the applicant to petition the Superior Court as provided in RSA 676:4*

- Subdivison Rules and Regulations Section 9.1 Timeframe for Decision

The Board discussed potential amendments and agreed to update the language of Section 9.1 of the Subdivison Regulations to state: *“Pursuant to the New Hampshire Revised Statutes Annotated (RSA) Section 676:4, Board’s Procedures on Plats, within sixty-five (65) days after a completed subdivision approval has been accepted for jurisdiction, the Board shall approve, approve with conditions, or disapprove said application. In cases where a subdivision review application has been disapproved, the grounds for such disapproval shall be clearly stated in the minutes of the Board’s meeting and notice provided to the applicant.*

- Subdivison Rules and Regulations Section 14.2.4 Back lots Permitted

The Board discussed potential amendments and agreed to update the language of Section 14.2.4 of the Subdivison Regulations to state: *As provided for in the town’s Zoning Ordinance, a lot of record shall be permitted to be subdivided as back lots as part of a conventional subdivision, subject to the following provisions.*

- Subdivison Rules and Regulations Section 15.1.3 – Arrangement.

The Board discussed potential amendments and agreed to update the language of Section 15.1.3 of Subdivison Regulations to state: *All streets shall be integrated with the existing and proposed street system. The applicant shall provide for a safe terminus at the end of all proposed roads for all phases and situations where thru streets are not provided in the design. (See Figure 4A – Road Design Standards & Guidelines). Where extension of existing roadways is proposed, the existing turn-around shall be removed in its entirety upon Board of Selectmen acceptance of the road.* The Board discussed and agreed to remove the Common Driveways image located in Figure 4A Road Design Standards and Guidelines. Additionally, the Board discussed the removal of the statement “Where used, frontage may be reduced to 100 feet” as listed under the “Preferred Frontage Roads” image in Figure 4B – Road Design Standards and Guidelines.

- Subdivison Rules and Regulations Section 15.2.1 – Road Design Standards (Table 1).

The Board discussed potential amendments to Table 1 and agreed to update the table with the following: Under the left-hand column, “Driveways” should coincide with Section 15.3 and Figure 4A and “Type of Curb” should coincide with Subsection 15.8.8.

- Subdivison Rules and Regulations Section 11.2 Decisions of the Board, paragraph 2 – Satisfaction of the Conditions of Approval.

Chair J. Huckins stated that this issue would be resolved by the updated Rules of Procedure and did not warrant further discussion by the Board. The Board agreed.

- Subdivison Rules and Regulations Section 11.8 – Monumentation.

The Board discussed potential amendments and agreed to update the language of Section 11.8 of the Subdivison Regulations to state: *“Proper and complete survey monumentation shall be installed on the properties as a condition of to final approval of the application. Granite bounds*

*shall be set at the intersection of existing or proposed lot sidelines with existing or proposed streets. Iron pins (pipe or rod) are to be placed at all property line corners and angles, and at all points of curvature and points of tangency. Monuments on all new lot lines shall be placed no more than 300' in a straight line. The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the submitted plan".*

### **OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD**

A. Village Place – Traffic Impact Analysis and Access Study

G. Calef and A. Gaudiello recused themselves from conversation.

Chair J. Huckins directed the Board to the Planning Board Notes dates August 11, 2011. The Notes informed the Board that the applicant would like a decision rendered on the traffic study by the Town's third party consultant in order to have the information before the September 8, 2011 public hearing. D. Vincent stated that application has not been accepted and the acceptance must occur at a public hearing, not a work session. The Board agreed to discuss the item once the application has been accepted at public hearing.

B. Nottingham Mud Bog Racing proposal

The Board discussed the proposal with regard to whether or not the project could be considered a Development of Regional Impact and whether or not the Board feels it necessary to devote staff time and resources to the issue. M. Clark stated he would bring this issue to the Town Administrator. D. Vincent reminded the Board that, as Nottingham did vote to consider the project a Development a Regional Impact, the Town of Barrington will be notified as an abutter.

C. Sub-Committee Discussion

The Board discussed the purpose and direction for the recently adopted Sub-Committee.

**A.Gaudiello motioned that the Amendment Sub-Committee be given a mission that the Board adopt and assign the following written charge to that sub-committee "The Rules of Procedure, which have been properly adopted by the Planning Board, or will be adopted, are intended to provide a framework for the effective operation of the Planning Board and for the reasonable and fair treatment of individuals with business before the Planning Board. To assist in that activity, the Planning Board hereby establishes a standing committee of the Planning Board on Rules of Procedure and established this charge for that committee. 1) To take under review the actions and processes of the Planning Board for the purpose of effecting where possible a process of continuous improvement of the procedure of the Planning Board. 2) Receive issues and referrals from the Planning Board for review and study. 3) Maintain orderly and complete records of its activities. The results of the efforts of the sub-committee will be reported back to the Planning Board for possible implementation. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

### **ADJOURNMENT**

**With no other business A. Kelley motioned to adjourn the meeting at 9:45pm. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

Respectfully submitted,

Gregory M. Jones  
Transcriptionist