



**BARRINGTON PLANNING BOARD MEETING
BARRINGTON ELEMENTARY SCHOOL
570 CALEF HIGHWAY
BARRINGTON, NH**

**THURSDAY NOVEMBER 3, 2011
7:00 p.m.**

MEETING MINUTES

PRESENT:

John Huckins, Chair
Alan Kelley, Vice-Chair
Anthony Gaudiello
Edward Lemos, VMD
Michael Clark, Ex-officio
Stephen Jeffery-Alternate
Steven Oles, Alternate

ABSENT:

David Vincent
Jacqueline Kessler, Alternate
George Calef

STAFF

Gregory Jones, Transcriptionist

GUESTS:

Diane Talen; Louis Berger Group Inc.; 72 Mirona Road; Suite 17;
Portsmouth, NH 03801
Kevin McEaney; 8 Gold Post Road; Dover, NH 03820
Stephanie Dimke; Barrington
George Ramsdell; Barrington

**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 October 13, 2011 meeting of the Barrington Planning Board to order at 7:00pm.

Chair J. Huckins delegated alternate members S. Oles for D. Vincent and S. Jeffery for G. Calef.

MINUTES REVIEW AND APPROVAL

Vice-Chair A. Kelley motioned to table the review of meeting minutes until the end of the meeting. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

1. **Approval of October 27, 2011 Meeting Minutes.**

E. Lemos motioned to table the review and approval of the October 27, 2011 meeting minutes. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

CASES FOR CONTINUANCE

2. **SR11/399 (Glass Lane Biznis Store) Request by applicant to construct a three tenant office building on a 2.9 acre site located at 6 Glass Lane (Map 270, lot 34) in the Regional (RC) and Stratified Drift Aquifer (SDA) Zoning Districts. Applicant: Mathew Jensen; 94 Blake Road; Epping, NH 03042.**

Request by Planning Board to continue to December 1, 2011

E. Lemos motioned to continue the Item to the December 1, 2011 meeting of the Board. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

ACTION ITEMS

3. **SR11/398 (Barrington Family Practice & Urgent Care) Request by applicant to replace an existing sign with a 5.5x10x7feet internally illuminated at the site entrance located at 426 Calef Highway (Map 235, Lot 7) in the Town Center (TC) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts. Applicant: Norway Plains Associates, Inc., Joel Runnals, LLC; P.O. Box 249; Rochester , NH 03866-0249.**

Joel Runnals approached the Board on behalf of Barrington Family Practice & Urgent Care located at 426 Calef Highway. Runnals stated that the project is proposing to replace and relocate an existing sign to provide for a safer line-of-sight while traveling south past the site. The project proposes to relocate the sign 4.5 feet closer to the roadway in order to enhance visibility while maintaining the existing height, illumination, and conformance to set-backs and applicable regulations. Runnals explained the intent for aesthetic alterations to the current sign and supplied pictures of proposed signage for reference. The Board agreed that the project will be beneficial to the community by enhancing public safety and conforms to applicable regulations.

Vice-Chair A. Kelley motioned to approve the application for the purpose of improving public safety. This approval allows for minor contextual alterations to the sign which Barrington Family Practice & Urgent Care may necessitate in the future. All future contextual alterations will require conformance with all applicable town regulations. A. Gaudiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

4. **11/618 (Minor Subdivision Plan – Gary Ramsdell & George Ramsdell) Request by applicants to subdivide an existing 37+/- acre parcel into 2 lots, lot 1-34 +/- and lot 2-3+ acres located 24 Ramsdell Lane (Map 233, Lot 30) in the Neighborhood Residential (NR) and Highway Commercial (HCO) Zoning Districts. Applicant: McEneaney Survey Associates, Inc., Kevin McEneaney; 24 Chestnut Street; Dover, NH 03820.**

Kevin McEneaney approached the Board on behalf of Gary & George Ramsdell. McEneaney stated that the outstanding issues which were brought to light within the Planners Technical Review as presented at the October 20, 2011. McEneaney presented the information and steps taken to address any outstanding issues as noted in the DATE Technical Review. The Board agreed that the outstanding issues have been adequately addressed and proceeded to vote.

E. Lemos motioned to accept the application as reasonably complete. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0), in favor.

S. Oles motioned to grant the applicants request for waiver of Subdivision Regulation Section 8.3, paragraph 5. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0), in favor.

S. Oles motioned to grant the applicants request for waiver of Subdivision Regulation Section 8.3, paragraph 6. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7) to zero (0), in favor.

S. Oles motioned to grant the applicants request for waiver of Subdivision Regulation Section 3.3, paragraph 9. A. Gaudiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0), in favor.

E. Lemos motioned to approve the application subject to the applicant's adherence to the following conditions: 1) a note containing the projects waiver information shall be added to the final plan set; 2) a note containing the projects state subdivision numbers shall be added to the final plan set. The applicant will not be required to come before the Board further upon receipt of the Chairs signature on final plan set. * seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

5. **Text Amendments and Revisions to Subdivision and Site Review Regulations – please see *Master Document* dated 11/2/2011**

Chair J. Huckins directed the Board to the Subdivision & Site Plan Review Regulations Text Amendments *Master Document* dated **November 2, 2011** (attachment #1). The following motions correspond to the **11/2/2011 *Master Document*** and associated Subdivision and Site Plan Regulations amendments #1-33.

E. Lemos motioned to approve the language set-forth in #1 of the *Master Document*. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

A. Gaudiello motioned to review #2 and #27 of the *Master Document* together. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Vice-Chair A. Kelley motioned to table review of #2 and #27 to a later meeting of the Board. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

A. Gaudiello motioned to expedite the Board's approval of the following amendments as listed in the *Master Document*: #1, #5, #6, #7, #8, #9, #10, #12, #13, #15, #16, #17, #19, #20 and #31. The expedited vote was called for as the Board is in agreement on all stated amendments. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

A. Gaudiello motioned to table review of #18 of the *Master Document* to a later meeting of the Board. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Vice-Chair A. Kelley motioned to approve the language set-forth in #3 of the *Master Document*. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

S. Oles motioned to approve the language set-forth in #4 of the *Master Document*. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Vice-Chair A. Kelley motioned to approve the language set-forth in #11 of the *Master Document*. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

A. Gaudiello motioned to table review of #14 of the *Master Document* to a later meeting of the Board. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

E. Lemos motioned to approve the language set-forth in #26 of the *Master Document*. A. Gaudiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

S. Oles motioned to approve the language set-forth in #28 of the *Master Document*. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Vice-Chair A. Kelley motioned to approve the language set-forth in #29 of the *Master Document*. A. Gaudiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

A. Gaudiello motioned to amend #30 of the *Master Document* by removing the word "please". S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Vice-Chair A. Kelley motioned to approve the amended language as noted in the previous motion regarding #30 of the *Master Document*. E. Lemos seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

A. Gaudiello motioned to amend #32 of the *Master Document* by removing the word “amended” after all dates following the date of first amendment. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Vice-Chair A. Kelley motioned to approve the amended language as noted in the previous motion for regarding #32 of the *Master Document*. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

E. Lemos motioned to approve the language set-forth in # 33 of the *Master Document*. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

- 6. Planning Board Appointment of the Board of Selectmen** as its agent under Town of Barrington Subdivision Regulations, Section 11.3.4, solely for the purpose of acting on the Board’s behalf under Sections 11.3.2 and 11.3.3. As the Board’s agent, the Board of Selectmen shall have all authority granted to the Board under these Regulations.

E. Lemos motioned to approve the Selectmen appointment to act as the Planning Board’s agent under Town of Barrington Subdivision Regulations, Section 11.3.4, solely for the purpose of acting on the Board’s behalf under Sections 11.3.2 and 11.3.3. As the Board’s agent, the Board of Selectmen shall have all authority granted to the Board under these Regulations. A. Guadiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

PRLIMINARY CONCEPTUAL REVIEW

NON-ACTION ITEMS

7. Communications received

There were none.

8. Reports of officers or other Committees

Vice-Chair A. Kelley informed the Board of the Sub-Committee meeting minutes submitted for the Board’s review. The Board agreed that a review is in order.

Ex-officio M. Clark motioned to review the Sub-Committee meeting minutes and make recommendations together at the next meeting of the Board. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

9. Report from planner

- **Update on items of concern for Hearthside Drive road acceptance.**
Planner Brawdars informed the Board that information is currently being gathered relative to this Item.

UNFINISHED BUSINESS

Nothing to report

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

Planner Brawders informed the Board of a request by the Town's engineering consultant Dubois & King for a letter of support.

Vice-Chair A. Kelley motioned to empower the Town Planner to generate a letter of support for Dubois & King. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0), in favor.

Ex-officio M. Clark informed the Board of an issue pertaining to an un-safe driveway located at one of the lots located at the "Fishe-eye" subdivision. Clark suggested that the issue to reviewed by the Board in preparation of a formal action by the Town.

SETTING OF DATE, TIME AND PLACE OF NEXT MEETING AND ADJOURNMENT

Vice-Chair A. Kelley motioned to adjourn the Planning Board meeting of November 3, 2011 at 9:37 p.m. The next meeting of the Board shall be held at 7:00 p.m on November 10, 2011 to be held at the ECLC building. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Respectfully submitted,

Gregory M. Jones
Transcriptionist

Master Document

Subdivision & Site Plan Review Regulations

Text Amendments

Original Document posted October 17, 2011

Final Document for Public Hearing Revised November 2, 2011 with complete changes

TOWN OF BARRINGTON, NEW HAMPSHIRE
Loose-leaf Supplement

This Guide for Insertion should be retained as a permanent record of pages supplemented and should be inserted in the front of the code.

Amended Articles

- Subdivision Regulations: Article 5 Section 5 Paragraph 2
- Subdivision Regulations: Article 6 Section 1.1
- Subdivision Regulations: Article 6 Section 1.1
- Subdivision Regulations: Article 7 Section 3 Paragraph 1
- Subdivision Regulations: Article 9 Section 1
- Subdivision Regulations: Article 11 Section 2 Paragraph 2
- Subdivision Regulations: Article 11 Section 2 Paragraph 4
- Subdivision Regulations: Article 11 Section 8
- Subdivision Regulations: Article 12 Section 4
- Subdivision Regulations: Article 12 Section 5 Paragraph 1
- Subdivision Regulations: Article 12 Section 5 Paragraph 3
- Subdivision Regulations: Article 14 Section 2 Paragraph 4
- Subdivision Regulations: Article 14 Section 11
- Subdivision Regulations: Article 15 Section 1 Paragraph 3
- Subdivision Regulations: Article 15 Section 2.1
- Subdivision Regulations: Article 15 Section 3.1
- Subdivision Regulations: Article 9.4
- Subdivision Regulations: Figure 4A-Road Design Standards and Guidelines
- Subdivision Regulations: Article 13.1
- Subdivision Regulations: Article 15 Section 3.2 Paragraph 6

TOWN OF BARRINGTON, NEW HAMPSHIRE

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Amended Articles

Site Plan Regulations: Article 6

Site Plan Regulations: Article 2.3.1

Site Plan Regulations: Article 1.4.2

Site Plan Regulations: Article 2.5.10 Paragraph 1

Site Plan Regulations: Article 2.5.13

Site Plan Regulations: Article 2.6.4

Final public hearing for text amendments is November 3rd, 2011.

Legal Notice of Public Hearing

Pursuant to NH RSA **675:7** notice is hereby given of a public hearing to be held by the Town of Barrington Planning Board for the purpose of discussing proposed amendments to the Subdivision & Site Plan Regulations.

Amendments to the texts will be presented as follows;

Normal Text = to remain unchanged

~~Strikeout Text~~ = to be removed

Bold Underlined Italicized = to be added

1. To amend Article 5 – General Application Process; 5.5.2 Application Completeness Review

By **inserting**:

Following filing at Town Hall the application will be reviewed for completeness by the Board at a regularly scheduled meeting. The Board cannot formally vote to accept the application at this time or have any formal discussions with the applicant regarding the proposed development. In accordance with **RSA** 676:4(I)(c)(1) the Board must make a determination within 30 days as to the completeness of the application.

For the purpose of promoting language consistency between the Subdivision Regulations and New Hampshire Revised Statutes Annotated.

2. To amend Article 6 – Preliminary Application Review of the Subdivisions Regulations;

6.1 Preliminary Conceptual Review

The applicant may request a meeting with the Board to discuss a proposal in conceptual form and in general terms as described below.

1) 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 under the Master Plan, as well as the development objectives of the community. Sketches may be provided to assist in the review.

By **replacing** with:

6.1 Preliminary Conceptual Review

An Applicant may submit a written application for preliminary conceptual review, to be held during a public meeting with members of the Planning Board, for discussion of the conceptual design, to include two (2) copies of the plan illustrating the overall concept using simple drawings rather than engineered plans or specifications, in accordance with RSA 676:4 II.

For the purpose of language consistency between the Subdivision & Site Plan Review

Regulations.

3. To **amend** Article 6.1.1 Preliminary Conceptual Review;
By **inserting**: 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 under the Master Plan, as well as the development objectives of the community. Sketches may be provided to assist in the review. **No engineered plans may be considered without prior abutter notification.**

For the purpose of promoting language consistency within the Subdivision Regulations and New Hampshire Revised Statutes Annotated.

4. To **amend** Article 7.3 Paragraph 1;
By **replacing** with: **Pursuant to RSA 676:4, I(b)**, a completed application sufficient to invoke jurisdiction of the Board shall be filed with the Board's designee at the Town Offices ~~by the Wednesday before the third Thursday of the month, which is also a~~ minimum of 15 days prior to the public meeting of the Board at which the complete application is to be submitted formally. Determination of completeness is more fully covered in Section 8.2.

For the purpose of promoting language consistency within the Subdivision Regulations.

5. To **amend** Article 9.1 Timeframe for Decision;
By **inserting**: **Pursuant to RSA 676:4, I(c)(i)** 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.

For the purpose of referencing the source of the New Hampshire Revised Statutes Annotated.

6. To **amend** Article 11.2 Decisions of the Board, Paragraph 2- Satisfaction to the Condition for Approval;
By **inserting**: **Pursuant to RSA 676:4, I(i)** conditions will become Final Approval without a public hearing upon certification to the Board that the conditions have been satisfied and when the nature of the conditions involve one or more of the following. (No changes follow)

For the purpose of referencing the source of the New Hampshire Revised Statutes Annotated.

7. To **amend** 11.2 Decisions of the Board, paragraph 4-Satisfaction of the Conditions for Approval;

By **replacing** with:

4) **Final Approval or Approval Subject to Conditions Subsequent** - Upon determination that the requirements of these and any other town regulations or ordinances have been met, the Board may approve the application. Where any of these regulations have not been met or are not applicable, the Board may grant a waiver in accordance with the procedures in Section 43.4 **11.1** General Waiver Provision. (No changes follow)

For the purpose of correcting a typographical error.

8. To **amend** Article - 11.8 Monumentation;

By **inserting**: Proper and complete survey monumentation shall be installed on the properties as a condition 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 for the lot being developed shall be placed not more than 300 feet apart in any straight line.** The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the submitted plan.

(Cross referenced to SiteR 4.2 et seq.)

For the purpose of promoting language consistency between the Subdivision & Site Plan Regulations.

9. To **amend** Article 12.4 Filing and Submission of Concurrent Application, paragraph 1;

By **replacing** with: **Pursuant to RSA 676:4, I (b)** the completed concurrent application shall be filed with the Board or its agent at least ~~twenty one (21)~~ **fifteen (15)** days prior to a ~~the~~ **scheduled** public meeting of the Board **at which the application will be heard.**

For the purpose of conforming to the RSA.

10. To **amend** Article 12.5 Action on Completed Concurrent Application, paragraph 1;

By **replacing** it with: **Pursuant to 676:4, I (c)(1)** the Board shall, **at the next regular meeting or within 30 days following delivery of the application, for which notice can be given** consider the completed concurrent application ~~within thirty (30) days of its submission.~~ 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 of the subdivision layout and request the applicant to prepare a final plat as provided for in Article 8. The Board may grant a conditional approval or a final approval of the 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-I(f).

For the purpose of conforming to the RSA.

11. To **amend** Article 12.5 Action on Completed Concurrent Application Paragraph 3; By **replacing**: If the Planning Board has not obtained an extension as provided in Article 9, and has not taken action to approve or disapprove the completed concurrent application within sixty-five (65) days of its acceptance, the applicant may obtain from the Selectmen an order directing the Board to act within ~~fifteen (15)~~ ***thirty (30)*** days. 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.

For the purpose of conforming to RSA 676:4, I (c)(1).

12. To **amend** Article 14.2.4 Back lots Permitted as follows; By **removing** Article 14.2.4 Back lots Permitted as follows; As provided for in the town's Zoning Ordinance a lot of record ~~in existence before January 1, 1991~~ shall be permitted to be subdivided as backlots as part of a convention subdivision, subject to the following provisions. (There follows without change.)

For the purpose of promoting language consistency between the Subdivision Regulations and Zoning Ordinance.

13. To **amend** Article 14.11 of the Subdivision Regulations-Topsoil as follows; By **removing** Article 14.11 Topsoil as follows; Topsoil moved during the course of construction shall be redistributed so as to provide at least four (4) inches of cover to all disturbed areas of the subdivision. ~~At no time shall topsoil be removed from the site without written permission from the Planning Board.~~

For the purpose of promoting language consistency within the Subdivision Regulations and New Hampshire Revised Statutes Annotated.

14. To **amend** Article 15.1, paragraph 3 of the Subdivision Regulations-Arrangement; By **inserting**: 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 turnaround shall be removed in its entirety ***by the applicant upon road acceptance by the Board of Selectmen.***

For the purpose of promoting public safety and road maintenance.

15. To **amend** 15.2.1 Road Design Standards Table 1-Road Design Standards: Type

of Curb v. 15.8.8 Curbing;

Driveways	See Section 15.4 <u>15.3</u> and Figure 4A
Type of Curb	See Subsection 15.9.10 <u>15.8.8</u>

For the purpose of correcting typographical errors.

To **amend** 4A-Road Design Standards and Guidelines:

In the graphic representation under the heading Driveways; the description below the last graphic in the column titled COMMON DRIVEWAYS is to be deleted.

For the purpose of correcting a typographical error.

17. To amend Article 15.3.1 paragraph 4 Number of Access Points to a Road;

By **deleting**:

4) Where a common driveway serves four (4) houses the roadway shall be built to town specifications, except that the Planning Board may consider a minor reduction in width requirements. Where four (4) lots are served by a common driveway, two (2) of the lots must be located on a public road and meet the frontage requirements in the district. All lots must access directly onto the shared driveway and no curb cuts shall be permitted for the frontage lots to an existing public roadway. (No changes follow)

For the purpose of deleting a typographical error.

18. To amend Article 9.4 Submitted Materials Paragraph 1 of the Subdivision Regulations;

By **deleting**:

1) New Materials - New materials shall be submitted to the Board ~~by the Wednesday before the third Thursday of the month, which is also at least a minimum of 15 days prior to a meeting when a new public notice is required.~~

19. To add to Article 13 – Conservation Subdivisions 13.1 Authority and Purpose

(At the conclusion of the phrase...)

..given the specific characteristics of the site under consideration.

(Add the following...)

Since the primary purpose of a Conservation Subdivision is the protection and preservation of the town's natural resources (as itemized below), the initial and most important step in determining the feasibility of a site for a Conservation Subdivision is to identify the natural features and resources of the property that most merit protection. The housing lots that are proposed for the subdivision should be situated with the aim of protecting these features as best possible.

1) To maintain and protect...

For the purpose of emphasizing the intent of Conservation Subdivisions.

20. To amend Article 15.3.2 Driveway Design item #6 on Aprons of the Subdivision Regulations.

By **replacing** with:

6) Aprons - Unpaved driveways will require paved aprons with a minimum ~~dept~~ **distance** of 16 feet from the edge of roadway pavement.

For the purpose of correcting a typographical error.

To be reviewed at a later date.

21. To amend Article 15.8.10, Paragraph 2 -Surety of Work

By **replacing it with:**

2. A utilized cost estimate shall be submitted for approval **to the Planning Board, Board of Selectmen and Town Counsel** prior to the surety being accepted. The cost estimate shall include the costs of inspection and testing. Surety may be drawn down no more often than monthly. In no case shall the surety be drawn below ten percent until the completed road has successfully stood for one (1) year.

For the purpose of clarifying who the estimate is submitted to.

To be reviewed at a later date.

22. To amend Article 11.3.1-Posting of Performance Guarantee

By **replacing** with:

3) Performance Guarantees must be presented in a written agreement with, and acceptable to, the **Planning** Board, **Board of Selectmen** and Town Counsel. This provision insures proper and legally binding agreements and appropriate economic assurance for the protection of the Town of Barrington and its citizens. ~~The Board may accept the following methods of posting a performance guarantee~~ **may be accepted:**

(a) Cash or a savings passbook held in the name of the town and deposited with the Town Treasurer.

(b) A bond issued by a guarantee company authorized to do business within the State of New Hampshire, in an amount and manner acceptable to the **Planning** Board and **Board of Selectmen**, after consultation and approval by Town Counsel.

(c) A letter of credit in an amount and manner acceptable to the **Planning** Board **and Board of Selectmen** after consultation and approval by Town Counsel.

For the purpose of clarifying which Board is being referred to.

To be reviewed at a later date.

23. To amend 11.3.2 Release of Performance Guarantee

By **replacing** with:

1) Upon inspection of a partial completion of required improvements, the Board **of Selectmen** may authorize in writing a reduction in the performance guarantee up to an amount equal to the work completed. The town shall retain sufficient funds for the current cost to complete the remaining improvements as indicated by a qualified contractor's bid estimate approved by the Board **of Selectmen**, plus a retainage of 20%

(twenty) of the original performance guarantee amount, which shall be kept until all required improvements have been inspected and accepted by the town. If the costs for completing the required improvements exceed the amount of performance guarantee held by the town, additional funds shall be required by the Board of Selectmen in order to ensure completion before the development proceeds any further. The retainage shall be held until the completion of all required improvements have been inspected and approved by the Planning Board and Board of Selectmen.

2) Should progress toward the completion of all required improvements fall substantially behind the mutually agreed upon timetable, the Board of Selectmen may obtain a completion cost estimate, at the applicant's expense, from the developer's contractor or a qualified contractor of the Board of Selectmen's choice.

3) No change.

4) The performance guarantee (or balance thereof) shall not be released until the Board of Selectmen (or its agent) has certified completion of the required site improvements in accordance with the approved final plat, and Town Counsel has reviewed and approved all deeds governing land to be used for public purposes, as well as all easement agreements for the site.

5) Installation of all required improvements shall be completed within two (2) years of the date of the final plan's approval, unless the time frame is extended by mutual consent of the applicant and the Planning Board. If the required improvements are not satisfactorily installed within the mutually agreed upon timetable, the posted performance guarantee shall be forfeited by the applicant.

6) No change.

To be reviewed at a later date.

24. To amend 11.3.3 Maintenance Bond

By **replacing** with:

For roads proposed to be accepted by the town, the Board of Selectmen will not release the performance guarantee until a maintenance bond is in place. The town will require a maintenance guarantee, covering the maintenance of public roads and other public improvements for a period of two (2) years from the date of completion, in an amount no less than 10% and no more than 20% of the improvement costs. If repair or unusual maintenance is needed or additional improvements are required, then such costs as are necessary shall be drawn against said guarantee.

25. To amend Planning Board Rules of Procedure Section 4 Paragraph 1;

To **replace** with:

1. **Effective January 2012**, regular meetings shall be held at least monthly at the Town Offices at ~~(7:00 PM)~~ **(6:30 PM)** on the First ~~Thursday~~ **Tuesday** of each month, or with proper notice of date and time at a place designated by the Chair.

For the purpose of conforming to current procedure

26. To amend Article 1.4.2 Town's Representative of the Site Plan Review Regulations;

By **replacing** with:

All communications to the board shall be directed to the ~~Planning Board Secretary~~ Town Planner unless otherwise directed by the Chairman of the Board.

For the purpose of conforming to current procedure.

27. To amend Article 2.3.1 of the Site Plan Review Regulations;

To **replace** with:

An Applicant may ~~make~~ submit a written letter request application for discussion of preliminary conceptual review, design information, with two (2) copies of the conceptual plan information (no surveying or engineering required) to be scheduled for discussion of the proposal in conceptual form, in accordance with RSA 676:4 II, only with members of the Planning Board at a public meeting. to be held during a public meeting with members of the Planning Board, for discussion of the conceptual design, to include two (2) copies of the plan illustrating the overall concept using simple drawings rather than engineered plans or specifications, in accordance with RSA 676:4 II.

For the purpose of language consistency between the Site Plan Review Regulations and Subdivision Regulations.

28. To amend Article 2.5.10 Board Action Paragraph 1 of the Site Plan Review Regulations;

By **deleting**:

1) If the Board grants approval of an application as submitted, the plan shall be signed by the Chairman ~~and Secretary~~; and the plan is made available for filing with the Planning Board and Building Inspector may issue permits as appropriate;
(No changes follow)

29. To amend Article 2.5.13 Board Signature of the Site Plan Review Regulations;

By **replacing** with:

Prior to obtaining Board signature, the Applicant shall submit two (2) complete paper print plan sets and supporting documents as required in Article 3 with a letter explaining how the Applicant addressed the conditions of approval. This shall include final and complete reports for all items submitted during review for the Town of Barrington's file. The Chairman ~~and Secretary of the Board~~ shall endorse a reproducible Mylar, and three (3) two (2) paper copies of the approved plan(s) meeting the conditions of approval upon receipt of an executed bond for all improvements, excluding buildings. The Planning Department shall retain a signed and approved reproducible 11"x17", and PDF format on CD and three (3) paper copies with supporting documents for Town records.

30. To amend Article 2.6.4 Hearing Process Paragraph 7 of the Site Plan Review Regulations;

By **inserting**:

The Planning Board Chair shall sign and date all plans. The Board shall endorse a reproducible Mylar and three (3) two (2) paper copies of the site plans for their records. Please provide an 11"x17" copy and PDF format on CD for the case file folder.

For the purpose of promoting consistency between the Subdivision & Site Plan Review Regulations.

31. To amend: Article 6 – Recreational Campgrounds and Camping Parks;

ARTICLE 6 - RECREATIONAL CAMPGROUNDS AND CAMPING PARKS.

PURPOSE and INTENT

This article is enacted to provide standards for the development and use of recreational campgrounds so that they are safe and attractive, do not unduly impact nearby residential uses or the environment, and promote growth of the Barrington economic base.

All recreational campgrounds shall be subject to the Barrington Site Plan Review

DEFINITIONS

Campsite

A parcel of land in a recreational campground or camping park rented for the placement of a tent, recreational vehicle, or a recreational camping cabin for the overnight use of its occupants as defined in **Chapter 216, Section 216-1:1. II**

Recreational Camping Cabins

A structure on a campsite that is four hundred (400 sq. ft.) square feet or less as measured by the exterior of the cabin, including all siding, corner trim, molding, and area enclosed by windows, but not including the overhang of the roof or porch or the log overhang at the corners

Recreational Campground

A parcel of land on which people stay temporarily in tents, recreational vehicles, or recreational camping cabins. This definition excluded manufactured housing parks, as defined in **RSA 205-A.**

Temporary

A maximum number of days per calendar year anywhere in the Town of Barrington, as provided by **Article 3.3.1 of the Barrington Zoning Ordinance.**

This provision is enacted to allow the placement of seasonal Recreational Campgrounds and/ or Camping Parks within specific areas of the community, to provide standards for their use, and to promote growth of the Barrington economic base.

GENERAL

1. Compliance with all Laws

All recreational campgrounds must comply with all applicable federal, state, and local laws, including **RSA 216 -I.** Whenever a conflict exists between these regulations and another law, the stricter provision shall apply.

2. Applications

The Planning Board shall have authority to accept applications, impose application fees, review site plans, and approve or deny applications for any new or proposed recreational campground or camping park and/ or the expansion thereof.

3. General Conditions

A recreational campground or camping park shall adhere

to the following requirements:

- a. Campsite Size.** The minimum campsite for a tent shall be six hundred square feet (600 sq. ft.) and one thousand square feet (1000 sq. ft.) for a recreational vehicle or a recreational camping cabin.
- b. Placement.** No site within the recreational camping park shall be located within one hundred feet (100 ft.) of any boundary line. All campsites must be screened from adjacent properties by a naturally vegetated buffer, or other screening approved by the Planning Board.
- c. Internal Setbacks.** All setbacks within the campground or park shall be as follows:
 - 1. Campsite perimeters shall be setback 75 feet from surface water and 50 feet from jurisdictional wetlands.
 - 2. Cabins or cottages shall be setback 20 feet from other cabins or cottages.
 - 3. Minimum campsite a frontage of fifteen feet (15 ft).
- d. Marking.** Each site shall be clearly marked in accordance with the Town of Barrington's current numbering system.
- e. Permanent Residence and/ or Office:** One residential home/office occupied by the recreational campground or camping park owner or manager and his or her immediate family will be permitted. This building will be required to meet the full lot requirements for a residence based on the Zoning District in which the recreational campground or camping park is located, as well as to comply with local building and other codes and regulations.

PERFORMANCE STANDARDS (GENERAL)

These standards must comply with **Article 7 – Supplemental Regulations of the Barrington Zoning Ordinance** which includes: **Noise, Vibration, Odors, Air Quality, Heat, and Waste Disposal**

PERFORMANCE STANDARDS UNDER THE JURISDICTION OF THE SHORELAND PROTECTION ACT FOR AREAS WITHIN 250 FEET OF A LAKE OR POND

In addition to the requirements of RSA Chapter 483-B - Comprehensive Shore Land Protection Act, the following shall apply Construction of steps, and associated rest areas, shall be permitted as required to negotiate steep slopes to the shoreline. Rest areas shall not occur more often than once every 30 steps, or 20 feet in vertical drop, whichever is less, and shall not exceed 50 square feet each. Wherever there is a conflict between RSA Chapter 483-B and these requirements, the more restrictive standard shall apply.

By **replacing** with:

ARTICLE 6 - COMMERCIAL RECREATIONAL CAMPGROUNDS AND CAMPING PARKS.

6.1 PURPOSE and INTENT

This article is enacted to provide standards for the development and use of commercial recreational campgrounds and camping parks so that they are safe and attractive, do not unduly impact nearby residential uses or the environment, and promote growth of the Barrington economic base.

All commercial recreational campgrounds or camping parks shall be subject to the Barrington Site Plan Review.

6.2 (Definitions moved to Article 13: Definitions and section 6.2 is reserved.)

Campground

A campground or camping park means a parcel of land on which 2 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year-round residency.

Campsite

A parcel of land in a commercial recreational campground or camping park rented for the placement of a tent, recreational vehicle, or a recreational camping cabin for the overnight use of its occupants as defined in RSA 216-I

Commercial Recreational Campground and Camping Parks

A parcel of land on which people stay temporarily in tents, recreational vehicles, or recreational camping cabins containing two (2) or more campsites as described under RSA 216-I:1. This definition excluded manufactured housing parks, as defined in **RSA 205-A**.

Commercial Recreation Facility

A privately owned and/or operated land use, provided for gain or profit, either indoors or outdoors, where the main purpose is to provide the public with recreation. Examples of such facilities include skating rinks, water slides, gymnasiums, sports fields, miniature golf, driving ranges, swimming pools, race tracks, and stadiums.

Recreational Vehicles

A recreational vehicle, as defined in Article 18, shall not be construed as a dwelling unit under the provisions of this Ordinance. Occupancy of a recreational vehicle by any individual, group, or household, for more than 180 days in any calendar year shall not be permitted in Barrington.

Recreational Camping Cabins

A structure on a campsite that is four hundred (400 sq. ft.) square feet or less as measured by the exterior of the cabin, including all siding, corner trim, molding, and area enclosed by windows, but not including the overhang of the roof or porch or the

log overhang at the corners.

Temporary

A maximum number of days per calendar year anywhere in the Town of Barrington, as provided by **Article 3.3.1 of the Barrington Zoning Ordinance.**

6.3 GENERAL

6.3.1 Compliance with all Laws

All ***commercial*** recreational campgrounds must comply with all applicable federal, state, and local laws, including **RSA 216-I**. Whenever a conflict exists between these regulations and another law, the stricter provision shall apply.

6.3.2 Applications

The Planning Board shall have authority to accept applications, impose application fees, review site plans, and approve or deny applications for any new or proposed ***commercial*** recreational campground or camping park and/ or the expansion **of an existing commercial recreational camping park.**

6.3.3 General Conditions

A ***commercial*** recreational campground or camping park shall adhere to the following requirements:

6.3.3(1) Campsite Size. The minimum campsite for a tent shall be six hundred square feet (600 sq. ft.) and one thousand square feet (1000 sq. ft.) for a recreational vehicle or a recreational camping cabin.

6.3.3(2) Placement. No site within the ***commercial*** recreational **campground or camping park** shall be located within one hundred feet (100 ft.) of any boundary line. All campsites must be screened from adjacent properties by a naturally vegetated buffer, or other screening approved by the Planning Board.

6.3.3(3) Internal Setbacks. All setbacks within the ***commercial recreational*** campground or **camping park** shall be as follows:

- a. Campsite perimeters shall be setback 75 feet from surface water and 50 feet from jurisdictional wetlands.
- b. Cabins or cottages shall be setback 20 feet from other cabins or cottages.
- c. Minimum campsite a frontage of fifteen feet (15 ft).

6.3.3(4) Marking. Each site shall be clearly marked in accordance with the Town of Barrington's current numbering system.

6.3.3(5) Permanent Residence and/ or Office: One residential home/office

occupied by the commercial recreational campground or camping park owner or manager and his or her immediate family will be permitted. This building will be required to meet the full lot requirements for a residence based on the Zoning District in which the commercial recreational campground or camping park is located, as well as to comply with local building and other codes and regulations.

6.4 PERFORMANCE STANDARDS (GENERAL)

6.4.1 These standards must comply with **Article 7 – Supplemental Regulations of the Barrington Zoning Ordinance** which includes: **Noise, Vibration, Odors, Air Quality, Heat, and Waste Disposal**

6.4.2 PERFORMANCE STANDARDS UNDER THE JURISDICTION OF THE SHORELAND PROTECTION ACT FOR AREAS WITHIN 250 FEET OF A LAKE OR POND

In addition to the requirements of RSA Chapter 483-B - Comprehensive Shore Land Protection Act, the following shall apply:

6.4.2(1) Construction of steps, and associated rest areas, shall be permitted as required

to negotiate steep slopes to the shoreline.

6.4.2(2) Rest areas shall not occur more often than once every 30 steps, or 20 feet in vertical drop, whichever is less, and shall not exceed 50 square feet each.

6.5 CONFLICTING PROVISIONS

Wherever there is a conflict between RSA Chapter 483-B and these requirements, the more restrictive standard shall apply.

For the purpose of updating and clarifying Commercial Camps, Recreational Campgrounds, and Camping Parks.

32. To amend the Subdivision Regulations

By **adding** above the Editor's Note the following text;

TOWN OF BARRINGTON SUBDIVISION REGULATIONS

Adopted July 17, 1974, Amended March 9, 1983, Amended March 13, 1984, Amended February 5, 1987, Amended November 1988, Amended May 1991, Amended January 30, 2000, Amended July 2, 2002.

Existing Subdivision Regulations repealed June 23, 2005 when the new Subdivision Regulation was adopted.

Adopted June 23, 2005, Amended February 21, 2008, Amended November 3, 2011.

For the purpose of clarifying a timeline of Adoption and Amendments to the Subdivision Regulations.

33. To **amend** Planning Board Rules of Procedure Section 10 Records.

By **adding** paragraph 4, stating; **All revisions and amendments to the Subdivision Regulations, Zoning Ordinance, and Site Plan Review Regulations are to be noted with date of amendment or revision next to the appropriate numbered hierarchical format.**

For the purpose of dating amended and revised Articles, Section, and Paragraphs in the Subdivision Regulations, Zoning Ordinance, and Site Plan Review Regulations.

Attachment # 1