



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

**TUESDAY FEBRUARY 7, 2012  
6:30 p.m.  
MEETING MINUTES**

- PRESENT:** John Huckins, Chair  
Alan Kelley, Vice-Chair  
Michael Clark, Ex-officio  
Anthony Gaudiello  
George Calef  
Stephen Jeffery, Alternate  
Jackie Kessler, Alternate
- ABSENT:** Steven Oles, Alternate  
Dave Vincent – Resigned  
E. Lemos - Resigned
- STAFF** Constance Brawders, Town Planner  
Greg Jones, Transcriptionist
- GUESTS:** Jason Pohopek; Barrington  
John Wallace, Barrington Conservation Commission Chair  
Wayne C. Morrill; Jones & Beach Engineers, Inc.; 85 Portsmouth Avenue,  
Stratham, NH 03885  
Stephen G Pernaw; Pernaw & CO; Concord, NH 03301  
David Roy; 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 February 7, 2012 Public Hearing of the Barrington Planning Board to order at 6:30pm.

Chair J. Huckins delegated alternate member S. Jeffery for D. Vincent and J. Kessler for E. Lemos.

### **MINUTES REVIEW AND APPROVAL**

**Vice-Chair A. Kelley motioned to move Item #1 o the Unfinished Business portion of the agenda. J. Kessler seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

#### **1. Approval of January 24, 2012 Public Hearing Meeting Minutes.**

See unfinished business.

### **ACTION ITEMS**

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 Commercial (RC) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts. Applicant: Mathew Jensen; 94 Blake Road; Epping, NH 03042

*Request by applicant for continuance to the March 6, 2012 meeting of the Board*

**Vice-Chair A. Kelley motioned to grant the applicant's request for continuance to the March 6, 2012 meeting of the Board. J. Kessler seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

3. **SR12/401A (Liberty International Trucking of Barrington)** Request by applicant to install permanent building mounted and free standing signage at Liberty International Trucking of Barrington located at 134 Pierce Road (Map 263, Lot 18) in the Regional Commercial (RC) and Stratified Drift Aquifer (SDA) Overlay Zoning Districts. Applicant: Mark Nichols, 1400 South Willow Street; Manchester, NH 03103

Mark Nichols presented the Board with an application, waiver request to allow for internal illumination, and schematic renderings of the proposed building mounted and free standing signage at the Liberty International Trucking site on Pierce Road.

Planner Brawdors presented the Board with a Memorandum dated February 7, 2012 (available at the Land Use Office) regarding Sign Lighting General Requirements (Site Plan Review Regulations 5.5.1). The Issue is that an errant version of the Barrington Site plan Review Regulations is available to the public online. This errant copy does not include changes made on March 13, 2008 which pertain to internal illumination. Town Counsel has advised that invalidating the amended regulations based on a strict reading of the procedural requirements would frustrate the purpose of the adopted site plan review regulations and the Board's vote in the affirmative to adopt or enact them. The Town has legal basis for considering the regulation valid and in effect.

The Barrington Fire Department, Road Agent, Conservation Commission and Building Inspector indicated that they had no issue with this application.

Chair opened up the meeting to public comment. There was no public comment.

**A. Gaudiello motioned to accept waiver to allow the applicant to utilize internal illumination. J. Kessler seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

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

**A. Gaudiello motioned to approve the application as presented. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

4. **SR12/406 (Midpoint Properties, LLC)** Request by applicant for a Conditional Use Permit and to construct a warehouse and office addition on a 4.77 acre site located at 219 Old Concord Turnpike (Map 270, Lot 49) in the Regional Commercial (RC) Zoning District. Applicant: Michael J. Sievert P.E., MJS Engineering, P.C.; 5 Railroad Street, Newmarket, NH 03857

Michael Sievert (MJS Engineering, P.C.; 5 Railroad Street, Newmarket, NH 03857) approached the Board representing Midpoint Properties, LLC (399 Old Turnpike Road, Barrington, NH 03825). Sievert informed the Board that the project calls for the construction 9,205 square foot warehouse and a 1,200 square foot office addition to the existing 7,200 square foot light manufacturing metal frame building which houses PBS Plastics at 219 Old Concord Turnpike. The redevelopment will increase on-site impervious surface, require drainage alterations, demolition and construction activities within close proximity wetlands. Sievert explained that the plan calls for a rain garden at the rear of the property adjacent to an existing gravel area which will collect both the existing on-site flows as well as additional runoff which may result from the proposed increase of impervious surface. Sievert explained that the anticipated impact to traffic flow is minimal with 2 trucks per week and 5 potential employee vehicles.

Chair J. Huckins reminded Sievert that by submitting documentation pertaining to the subject properties subdivision approval date, the Board may better determine if existing wetland buffer requirements apply. The Board agreed that the applicant should regularly supply the businesses Material Safety Data Sheets as well as elevation drawings for the proposed structures.

Planner Brawders directed the Board to the Department Head comment sheets. The Police Department indicated concerns with potential increased traffic. The Fire Department advised the applicant that a year-round accessible water source with a minimum capacity of 10,000 gallons must be available and also raised questions relative to fire land and sprinkler system requirements. The Conservation Commission expressed concerns with potential impacts to Caldwell Brook & Oyster River and the Town's Road Agent and Building Inspector has no comment.

Planner Brawders directed the Board to the February 3, 2012 Engineering Review from the Town's engineering consultant (Dubois & King; 18 Constitution Drive; Suite 8; Bedford, NH 03110) of the applicant's submitted plan set and drainage analysis. Sievert assured the Board that all issues raised on the engineering review will be addressed.

In response to concerns regarding Item # 23 of the February 3, 2012 Dubois & King engineering review, the Board agreed that J. Sievert's minor traffic analysis required for a NHDOT permit for this property is sufficient.

Sievert asked for guidance relative to regarding Item # 12 of the February 3, 2012 Dubois & King engineering review which expressed concern with the lack of sufficient lighting in accordance with Article 4.5.3 of the Site Plan Regulations. The Board agreed that sufficient lighting is a safety issue and measures must be taken to meet the regulations.

Chair J. Huckins opened up the meeting to public comment.

Conservation Commission Chair J. Wallace addressed the Board with general concern for the increase of impervious surface to the site as it drains to Caldwell brook and water resources downstream. Sievert assured J. Wallace that the proposed rain garden will accommodate the proposed impervious surface and be an improvement due to the lack of existing drainage.

The applicant requested a continuance to March 6, 2012.

**Vice-Chair A. Kelley motioned to grant the applicant's request for continuance to March 6, 2012. A. Gaudiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

5. **SR12/407 (Bingham Solar Electric System)** Request by applicant for a Conditional Use Permit to install a single 8' steel pole on a 33.97 +/- acre site located at 289 Scruton Pond Road (Map 219 Lot 26) in the General Residential (GR) and Stratified Drift Aquifer (SDA) Overlay Zoning Districts. Applicant: Jack & Pam Bingham, Bingham Solar Electric System; 289 Scruton Pond Road; Barrington, NH 03825

Ex-officio M. Clark and Vice-Chair A. Kelley recused from discussion.

Jack Bingham approached the Board to request approval for a Conditional Use Permit to install a single 8' steel pole into the edge of a prime wetland in order to install photovoltaic units for solar power. Bingham explained that the property consists of stands of pine which limit areas for installation as sunlight is limited.

The Board had no comments on this application.

There were no comments from Department Heads to be submitted for this project.

Chair J. Huckins opened up the meeting to public comment.

Conservation Commission Chair J. Wallace reminded the Board that the Commission had no concerns with this Conditional Use Permit Application.

Chair J. Huckins closed the meeting to public comment.

**A. Gaudiello motioned to accept the application as complete. J. Kessler seconded the motion which passed with a vote of five (5), to zero (0) in favor.**

**A. Gaudiello motioned to approve the application for a Conditional Use Permit pursuant to Zoning Ordinance Sections 9.1, 9.4, recommendations from the Office of Energy and Planning, and goals as outlined in the Town of Barrington Master Plan. J. Kessler seconded the motion which passed with a vote of five (5), to zero (0) in favor.**

**G. Calef motioned to empower the chair to sign the Conditional Use Permit upon issuance of New Hampshire Department of Environmental Services permit. A. Gaudiello seconded the motion which passed unanimously with a vote of five (5), to zero (0) in favor.**

6. **12/619 (The Oaks on 4)** Request by applicant to present a proposal for a four lot Subdivision, Three of the lots will be residential and the fourth lot will be mixed use on a 16 acre site located At 172 Old Concord Turnpike (Map 270, Lot 66) in the Regional Commercial (RC) Zoning

District. Applicant: Jason B. Pohopek, Pohopek Land Surveying & Septic System Design, LLC; 42 Flagg Road, Rochester, NH 03839.

Ex-officio M. Clark and Vice-Chair A. Kelley returned to discussion

J. Pohopek approached the Board representing the Route 4 Oaks LLC for a four lot subdivision with one lot being mixed use at 172 Old Concord Turnpike. Pohopek stated that the plan calls for three residential lots and one mixed use lot subdivision on the 16 acre subject property. All four lots are proposed to utilize on-site well and septic. Two lots are proposed to be backlots.

Pohopek informed the Board that the New Hampshire Department of Transportation (NHDOT) has indicated a maximum of three curb cuts are allowed at the site. However, the NHDOT recommends a reduction in curb cuts if possible for safety reasons.

The Fire Department submitted comments pertaining to the need for a road name, turnaround for emergency service vehicles at the backlots, Class V road construction requirements and fire protection.

After some discussion the Board and applicant felt that the possibility exists for alternate design concepts which reduce the number of curb cuts to one. The applicant requested that the application as submitted be formally voted upon as future plans and anticipated cooperation in this matter are pending.

J. Pohopek stated that he will have revised plans submitted for review prior to the Boards upcoming work session.

**G. Calef motioned to accept the application as complete. A. Gaudiello seconded the motion which passed with a vote of seven (7), to zero (0) in favor.**

**G. Calef motioned to continue the application to the Board's March 6, 2012 Public Hearing. A. Gaudiello seconded the motion which passed with a vote of seven (7), to zero (0) in favor.**

7. **SR12/405A (Associated Buyers Inc. /Steppingstone Farm)** Request by applicant for a waiver to Install above ground three phase power to an existing business on a 4.36 acre site located at 50 Commerce Way (Map 250, Lot 79) in the Regional Commercial (RC) Zoning District. Applicant: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

Christopher Berry representing Associated Buyers Inc to request a waiver in order to install overhead utilities to an existing business at 50 Commerce Way. Berry opined that because overhead utilities currently existing in the area, as well as on-site, the request for waiver of underground utilities is prudent. The Board was in agreement that a waiver to underground utility requirements is acceptable in this case.

There were no comments from Department Heads to be submitted for this application.

Chair J. Huckins opened up the meeting to public comment. There was no public comment.

**J. Kessler motioned to grant the applicant's request for waiver of underground utility requirements as above ground utilities currently exist. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

**Ex-Officio M. Clark motioned to accept the application as complete. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

**Ex-Officio M. Clark motioned to approve the application upon completion of the following conditions: 1) the addition of all waiver information to the plan set; 2) all typographical errors on the plan set are corrected for clarity. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

**Vice-Chair A. Kelley motioned to empower the chair to sign the final plan set upon completion of condition of approval. J. Kessler seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

8. **(John & Beth McMaster)** Request by applicant for a waiver to install above ground power to an approved subdivision located on Merry Hill Road (Map 257, Lot 3) in the General Residential (GR) Zoning District. Applicant: Chris Berry, Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

S. Jeffery recused from discussion.

Christopher Berry approached the Board representing John & Beth McMaster for waiver request of underground utility requirements in order to install above ground power to an approved subdivision located on Merry Hill Road.

There were no comments from Department Heads to be submitted for this application.

After some discussion, the Board was in agreement that a waiver for underground utility requirements is acceptable in this case as overhead utilities currently exist and it is reasonable to do so.

**M. Clark motioned to grant the applicant's request for waiver of underground utility requirements. A. Gaudiello seconded the motion which passed with a vote of six (6), to zero (0) in favor.**

**A. Gaudiello motioned to accept the application as complete. G. Calef seconded the motion which passed with a vote of six (6), to zero (0) in favor.**

**G. Calef motioned to approve the application as presented. A. Gaudiello seconded the motion which passed with a vote of six (6), to zero (0) in favor.**

9. **SR12/410 (The Three Socios, LLC)** Request by applicant to construct a 5,000 s.f. convenience store/gas station on a 1.84 acre site located at 491 Calef Highway (Map 238, Lot 4) in the Town Center (TC) and Stratified Drift Aquifer (SDA) Overlay Zoning Districts. Applicant: The Three Socios, LLC; 321 Lafayette Road; Unit D; Hampton, NH 03842.

S. Jeffery returned to the discussion.

G. Calef recused from discussion.

Scott Mitchell of The Three Socios, LLC, approached the Board with regard to a proposed project to construct a 5,000 square foot convenience store and gas station supporting 10 fueling stations, 2 diesel pumps, coffee shop with drive through aisle complete with all of the newest technology for

preventing and containing potential fuel spills. Grooved pavement, automatic shut-off pump hoses, 2 20,000 gallon fiberglass fuel tanks, leak sensors and specialized tubing to prevent contamination of surrounding environment.

Wayne C. Morrill (Jones & Beach Engineers, Inc.; 85 Portsmouth Avenue, Stratham, NH 03885), the project's engineer, approached the Board to discuss the plan. Morrill stated that the property has 280 feet of frontage and currently supports a single family home which will come down. Morrill stated that the site elevation will be increased by 2 feet and the plan calls for the utilization of existing surface flows. Morrill explained the intent of the drainage plan, dark skies compliant lighting plan as well as the proposed landscaping plan. Morrill informed the Board that the intent is to install an on-site septic system with pre-treatment capabilities and to provide canopies to gasoline pump stations. The on-site well is proposed to be relocated in order to meet wellhead setback requirements.

Chair J. Huckins stated that the volume of spill containment must be specified on the plan set, canopies should be provided for all pumps including the proposed diesel station. S. Mitchell expressed a willingness to investigate the possible installation of a diesel pump canopy.

Stephen G Pernaw (Pernaw & CO; Concord, NH 03301) the project's traffic engineer, approached the Board and gave a brief overview of the traffic analysis and planned traffic patterns for the site. Pernaw stated that the study was completed at the direction of NHDOT and he is currently awaiting correspondence.

Chair Huckins directed the Board and applicant to the January 31, 2012 Dubois & King Engineering Review (available at the Land Use Office) containing 27 comments for discussion and review. A discussion ensued among the Board and applicant to better understand the comments supplied to better reciprocate responses.

The Police Department submitted comments for this application indicating concerns over additional development and traffic in the area of Route 9 & Route 125. The Fire Department recommended 1 way traffic be designated to start at the edge of the building and not at the edge of the parking spaces. The Barrington Conservation Commission submitted comments indicating concern for aquifer protection. The Town Building Inspector submitted comments advising that the proposed underground fuel storage tanks for not comply with the side setback and that the curb ramp will require detectable warnings pursuant to New Hampshire Amendment to ANSI 117.1, 2033 Edition, Section 406.12.

Chair J. Huckins opened up the meeting to public comment.

David Roy, an abutter to the project site, expressed concern with contamination of the surrounding drinking water.

Barrington Conservation Commission Chair J. Wallace also expressed concern with the surrounding aquifer as the soils are very well drained and very little hydrocarbons are needed to contaminate vast amounts of drinkable water resources.

The applicant is to re-submit revised plans and materials in preparation for the Boards next Public Hearing on March 6, 2012.

**A. Gaudiello motioned to continue the application to the Board's March 6, 2012 Public Hearing. Vice-Chair A. Kelley seconded the motion which passed with a vote of six (6), to zero (0) in favor.**

## **NON-ACTION ITEMS**

### **A. REPORT FROM PLANNER**

#### **10. Board Member Appointments 2013-2013**

Planner Brawders reminded the Board of the upcoming Board Members appointments for 2012-2013.

#### **11. Remind Board of CROPs responsibility for updating Regulations using USB drive**

Planner Brawders reminded the Rules Committee of the intention for utilizing a USB drive to streamline the work of the committee.

### **B. COMMUNICATIONS RECEIEVED**

There were no other communications at this time.

### **C. REPORTS FROM OTHER COMMITTEES**

## **UNFINISHED BUSINESS**

The Board returned to the approval of the January 24, 2012 Meeting Minutes.

**A. Gaudiello motioned to table the review and approval of the January 24, 2012 Meeting Minutes until 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.**

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

Vice-Chair A. Kelley informed the Board that he and Ex-Officio M. Clark met with Town Administrator John Scruton regarding the need for Subdivision and Site Review Regulations to be brought into a fully amendable format. Kelley stated that a plan has been formulated to address the issue.

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

The next meeting of the Board is scheduled for 6:30 p.m. on Tuesday, February 14, 2012 at the Early Childhood Learning Center.

**A. Gaudiello motioned to adjourn the February 7, 2012 meeting of the Barrington Planning Board at 10:00 p.m. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.**

Respectfully submitted,

Gregory M. Jones  
Transcriptionist