



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

TUESDAY APRIL 3, 2012

6:30p.m.

MEETING MINUTES

- PRESENT:** John Huckins, Chair
Alan Kelley, Vice-Chair
Michael Clark, Ex-officio
Anthony Gaudiello
George Calef
Stephen Jeffery, Alternate
Steven Oles, Alternate
Jackie Kessler, Alternate
- ABSENT:** None
- STAFF** Constance Brawders, Town Planner
Greg Jones, Transcriptionist
- GUESTS:** Mathew Jensen; 94 Blake Road; Epping, NH 03042
Mathew Towne; 163 Estes Road; Rochester, NH 03867
Karen Towne; 163 Estes Road; Rochester, NH 03867
Brian Lenzi; 155 Young Road; Barrington, NH 03825
Chris Berry; Berry Survey and Engineering; 335 Second Crown Point
Road; Barrington, NH 03825

**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 April 3, 2012 Public Hearing of the Barrington Planning Board to order at 6:30pm.

Chair J. Huckins delegated alternate member S. Jeffery and S. Oles as the sixth and seventh Planning Board member

MINUTES REVIEW AND APPROVAL

Vice-Chair A. Kelley motioned to move the review and approval of minutes to the unfinished business portion of the Board's next meeting agenda. S. Oles seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.

1. Approval of March 20, 2012 Meeting Minutes.

See unfinished business.

2. Approval of March 27, 2012 Meeting Minutes.

See unfinished business

CASES FOR CONTINUANCE

Planner Brawders informed the Board that the applicant for SR12/410 (The Three Socios, LLC) has requested a continuance to the Board's May 1, 2012 Public Hearing.

S. Oles made a motion to grant the applicant's request for continuance. Vice-Chair A. Kelley seconded the motion which passed with a vote of six (6) in favor, to zero (0) against with one (1) abstention.

ACTION ITEMS

- 3. 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

Mathew Jensen approached the Board to discuss his revised Site Plan materials for his application to construct a three-tenant office building at 6 Glass Lane.

A discussion ensued regarding the applicability of wetland buffer and wetland setback requirements and grandfathering as they relate to this application. The plan calls for wetland buffer incursion on the subject property which was subdivided prior to municipal wetland buffer and setback requirements came into effect. The Board determined that the application may require a Special Use Permit under Zoning Ordinance Article 9.6 in order to construct within the on-site wetland buffer. In order to determine if this is in-fact a requirement, the Board empowered Planner Brawders to verify the proper procedure to address this issue and potential need for Special Use Permit with Town Counsel. Upon determination of procedure, the applicant is to be notified of requirements for proposed wetland buffer incursion.

Chair J. Huckins reminded the Board that the Board reviewed the applicant's submitted Request for Waiver of the required Road Maintenance Agreement between the residents of Glass Lane and Two Mile Road at its meeting on 3/20/2012 and determined that the Request for Waiver was not required as the applicant does not have the authority to force neighbors into an after-the-fact road maintenance

agreement. A waiver request for road maintenance agreement regulations is not required for this application.

After review of the submitted materials, the Board determined that the application is currently incomplete. The Board advised Jensen that the following items are required before approval can be granted for this application:

- Special Use Permit for wetland buffer incursion *Pending Legal Counsel Opinion
- Elevation Drawings for the proposed building must be submitted for review
- Lighting Plan must be submitted for review
- An opinion from NHDOT must be sought to confirm that the project will have no adverse impact on traffic. Upon receipt of this opinion, a note stating such must be added to the plan
- A third party review of the drainage and erosion control plan will likely be required
- The final plan must be stamped by a Certified NH Wetland Scientist Stamp
- Parking layout must be consistent on all plan drawings
- Location of proposed signage must be shown on plan and sign application complete with schematic and dimensions must be submitted
- NH State Subdivision number must be added to the final plan
- NH State Construction Approval number must be added to the final plan set
- All plan notes must be updated and added to the final plan set
- A Barrington driveway permit must be granted and a note added to the final plan set

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

Chris Berry addressed the Board to express concern with the potential requirement for a Special Use Permit for this application. Berry opined that the property is exempt from such a requirement as it is grandfathered based on historic interpretation of said regulation. Chair J. Huckins assured Berry that the interpretation would be duly reviewed by Town Counsel.

Conservation Commission Chair J. Wallace addressed the Board to express general concerns with impact to proximate water resources which contribute to drinking water in surrounding communities.

S. Oles made a motion to continue that application to the Board's May 1, 2012 Public Hearing. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

4. **SR12/411 (Mathew & Karen Towne)** Request by applicant to change permitted driveway to proposed location at the end of the cul-de-sac located at 36 Stillwater way (Map 105, Lot 17) in the General Residential District. Applicant: Mathew & Karen Towne; 163 Estes Road; Rochester, NH 03867.

Karen Towne approached the Board to discuss her application to change the location of a driveway at 36 Stillwater Way. The permitted access for this lot is from a shared driveway which was required as a condition of the original subdivision approval. Towne explained that the permitted driveway poses accessibility issues and the construction driveway they seek to make permanent is a much safer and more acceptable situation.

Planner Brawdors informed the Board that she has been in contact with town legal counsel to identify the least expensive and most expeditious solution to address the proposed driveway relocation.

Brawders informed the Board that legal counsel advised the following:

- Engineering plans are not required if the proposed driveway location is compliant with all other municipal driveway standards
- The Road agent must endorse the proposed driveway location and verify its location in the field at the time of construction
- A survey is not necessary for this situation
- Memorialization must occur by submitting a driveway sketch and notice of change to the Strafford County Registry of Deeds stating where the revised plans can be found at Town Hall

Chair J. Huckins informed that Board that correspondence with the Road Agent indicate that the temporary construction driveway is a more appropriate access way for the subject lot and allowing the Towne's to utilize it permanently would be in the town's best interest.

G. Calef reminded the applicant that the issue of parking within the cul-de-sac and the need for updated street number must be addressed at the town hall.

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

Conservation Commission Chair J. Wallace inquired about the potential for wetland impacts as a result of this project. Mathew Towne informed the Board that the proposed driveway location will have no impact on proximate wetlands as the new location is farther away from said wetlands than the permitted driveway location.

Chair J. Huckins closed the meeting to public comment.

S. Oles made a motion to accept the application to change a permitted driveway location at 36 Stillwater way as complete. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

A. Gaudiello made a motion to approve the application upon completion of the following condition; 1) a driveway sketch and notice of change must be submitted to the Strafford County Registry of Deeds stating where the revised plans can be found at Town Hall. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

A. Gaudiello made a motion that once the condition of approval has been met the Chair is empowered to sign the final plan set and the applicant will not require further review by the Board. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

5. **LL12/238 (Lenzi Family)** Request by Applicant to adjust the boundaries of three existing lots of record located on Young Road and Lenzi Point Road (Map 155, Lot 32, 33, 34 (in the General Residential (GR) Zoning District. Applicant: Brian Lenzi; 155 Young Road; Barrington, NH 03825.

S. Jeffery recused from discussion.

Chair J. Huckins delegated J. Kessler for S. Jeffery.

S. Oles made a motion to empower Planner Brawders to purchase an easel for the Planning Board meeting room. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Brian Lenzi approached the Board to discuss his application for Lot Line Adjustment and to present a Request for Waiver of Subdivision Regulation 8.3(6) two foot topography (replaced with 5-foot topography) on his final plan set due to the project's lack of construction and undue expense on the applicant. Lenzi reminded the Board that the properties have undergone previous lot line adjustment but the current configuration is the most suitable.

Chair J. Huckins reminded the Board that the Zoning Board of Adjustment has previously granted this project Variances for lot area and frontage requirements as well as a Special Exception in order to create an access way from Lenzi Point Road.

The Board agreed that the project may require State Subdivision Approval due its location within the Shoreland Water Quality Protection Act jurisdiction. The Board asked that Planner Brawders confirm that this is a requirement.

G. Calef made a motion to grant the applicant's Request for Waiver of Subdivision Regulation Section 8.3(6) Two Foot Topography. J. Kessler seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

J. Kessler made a motion to approve the application upon completion of the following conditions: 1) the State Subdivision Approval number is to be added to the final plan set if applicable; 2) driveway easement language is to be review and approved by town legal counsel; 3) the locus map must be updated to reflect current E-911; 4) monumentation is completed to shown on final plans; 5) a note referencing waiver of Subdivision Regulation Section 8.3(6) two foot topography is added to the final plan set; 6) a PDF version of the final plan set is submitted to the Land Use Office; 7) the 2005 Flood Insurance Rate Maps must be referenced on the final plan set. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

J. Kessler moved that once the conditions of approval have been met, and the applicant has submitted his letter of compliance to the Land Use Office, the Chair is empowered to sign the final plan set and the applicant will not require further review by the Board. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

6. **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

See cases for continuance

NON ACTION ITEMS

S. Jeffery returned to the discussion

7. Request by applicant to discuss the need for a Special Use Permit or Zoning Board of Adjustment Application for Case# 11/615 John & Elizabeth McMaster. Applicant: Chris Berry; Berry Survey

and Engineering; 335 Second Crown Point Road; Barrington, NH 03825.

Chris Berry (Berry Survey and Engineering; 335 Second Crown Point Road; Barrington, NH 03825) approached the Board in order to identify the proper manner in which to interpret the Zoning Ordinance with regard to the need for Special Use Permit pursuant to Zoning Ordinance Section 9.6. The Board discussed the interpretation inquiry with Berry and assured him that town legal counsel will be contacted in order to determine the proper manner in which to apply Zoning Ordinance Section 9.6 as it relates to lots which may have potential grandfathered status.

REPORT FROM PLANNER

Planner Brawders informed the Board that Wendy Huff, the consultant for retyping and reformatting the town regulations, has been contacted and is still available for the project.

COMMUNICATIONS RECEIVED

There were no other communications at this time

REPORTS FROM OTHER COMMITTEES

There were no reports from other committees at this time.

UNFINISHED BUSINESS

A. Approval of March 20, 2012 Meeting Minutes.

A. Gaudiello made a motion to table the Public Hearing Minutes to the April 10, 2012 meeting of the Board. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.

B. Approval of March 27, 2012 Meeting Minutes.

A. Gaudiello made a motion to table the Public Hearing Minutes to the April 10, 2012 meeting of the Board. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

A discussion ensued regarding the town third-party review of the on-site stormwater treatment plan for SR12/410 (The Three Socios, LLC) convenience store/gas station. Planner Brawders informed the Board that they do not yet have the current Technical Review and urged them to hold further review.

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, April 10, 2012 at the Early Childhood Learning Center.

S. Oles made a motion motioned to adjourn the April 3, 2012 meeting of the Barrington Planning Board at 9:05 p.m. Vice-Chair A. Kelley seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.

Respectfully submitted,

Gregory M. Jones
Transcriptionist