



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

**TUESDAY JULY 24, 2012  
6:30p.m.**

**MEETING MINUTES**

- PRESENT:** Alan Kelley, Vice-Chair  
Dawn Hatch, Ex-Officio  
Anthony Gaudiello  
George Calef  
Steven Oles  
Stephen Jeffery, Alternate
- ABSENT:** John Huckins, Chair  
Jackie Kessler
- STAFF** John Scruton, Town Administrator  
Greg Jones, Transcriptionist
- GUESTS:** Attorney Malcolm McNeil; P.O. Box 815; Dover, NH 03820  
Christian Smith, P.E., Beals Associates Inc., Stratham, NH 03885  
Jeffery Dirk; P.E., PTOE., Vanasse & Associates, Inc., Andover, MA 01810  
James Long; GZA GeoEnvironmental Inc., 380 Harvey Road  
Manchester, NH 03101  
Joseph Falzone; 123 Water Street; Unit 4SE; Exeter, NH 03833  
Frederick E. Drew; Barrington  
Pam Failing; Vice Chair; Barrington Conservation Commission  
Susan Gaudiello; Barrington  
Deborah Clough; Barrington  
Scott Cole; Barrington  
William Lugg; Barrington

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

**ROLL CALL**

Vice-Chair A. Kelley called the July 24, 2012 Public Hearing of the Barrington Planning Board to order at 6:30pm.

**MINUTES REVIEW AND APPROVAL**

**S. Oles made a motion table agenda items # 1 & # 2 until after review of plans. Ex-officio D. Hatch seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.**

1. Approval of June 26, 2012 Meeting Minutes.

*See unfinished business.*

2. Approval of July 10, 2012 Public Hearing Meeting Minutes.

*See unfinished business.*

**REVIEW OF PLANS**

3. **SR12/418 (Stonehouse Bakery Sign)** Request by applicant, Denis St. Pierre, to change an existing sign on a 2.3-acre site, located at 746 Calef Highway (Map 250, Lot 89) in the Regional Commercial (RC) Zoning District. Applicant: Denis St. Pierre, Managing Member, Homefront Bakery, LLC; PO Box 1670; Dover, NH 03820-4137

Dennis St. Pierre approached the Board to seek guidance relative to his proposal to alter an existing sign at a bakery located at 746 Calef Highway. St. Pierre informed the Board that the existing, non-conforming signage does not afford adequate visibility and detracts from the establishment's ability to properly market its services.

After some discussion, the Board agreed that additional information is required of the applicant before a decision can be rendered for this application. The Board agreed that a determination must be made regarding whether or not the existing sign was properly grandfathered under the prior version of the Zoning Ordinance.

The Board advised St. Pierre to demonstrate that the existing sign is outside of the state right-of-way prior to the Board's August 7, 2012 Public Hearing.

**Ex-officio D. Hatch made a motion to continue SR12/418 to the Boards August 7, 2012 Public Hearing. S. Oles seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.**

- 4. 12/612A (Harbor Street Limited Partnership - Village Place)** Request by applicant for a 64 lot Conservation Subdivision and Section 9.6 Special Permit from the Zoning Ordinance for Construction in a wetland buffer, on a 135 +/- site located off Franklin Pierce Highway (a/k/a Route 9 (Map 238/Lots 9.1 & 14 (Lot 14 continues onto Map 235) Map 238/Lots 18 & 16 (Lot 16 continues onto Map 235) in the Village District Zoning District Applicant; Harbor Street Limited Partnership, Joseph Falzone; 123 Water Street; Unit 4SE; Exeter, NH 03833.

G. Calef and A. Gaudiello recused from discussion.

Attorney Malcolm McNeil (P.O. Box 815; Dover, NH 03820) approached the Board and reminded members where the application currently resides within the planning process. McNeil reminded members that the town's third party engineering consultant has reviewed the application materials and recently supplied two sets of correspondence dated July 13, 2012 and July 20, 2012 which significantly reduced the level of outstanding issues associated with the project.

McNeil made reference to one particular comment made by the town's third party engineering consultant relative to density requirements which was substantiated by citing an erroneous version of the Zoning Ordinance not applicable to this project. McNeil affirmed that the project is in conformance with the town's attorney relative to this concern and submitted supporting documentation.

McNeil made reference to a second comment made by the town's third party engineering consultant regarding the project's conformance with the spirit and intent of the Zoning Ordinance. McNeil questioned the validity of this comment and suggested that if the project was not in conformance with the spirit and intent of the ordinance the Planning Board would have made that determination.

McNeil informed the Board that his project team would be pursuing a waiver to reduce the required roadway grade from 7% to 9% in order to reduce further environmental impacts.

Christian Smith, P.E., (Beals Associates Inc., Stratham, NH 03885) approached the Board to discuss the comments made within the town's third party engineering consultant's July 13, 2012 and July 20, 2012 correspondence letters. Smith informed the Board that the July 13, 2012 review letter (available at the Land Use Office) has been utilized to make the most recent set of application amendments.

Smith directed the Board to the July 20, 2012 third party review letter (available at the Land Use Office) and stated the following:

- #1 - Plans now reflect proper revision dates as requested
- #2 - Lots 31, 32 and 33 have been modified in order to meet area requirements and Hydric "A" and Hydric "B" soils have been delineated on plans
- #3 - Iron rods with markers to demarcate the drainage maintenance area will be installed and pavers will be installed fifteen (15) feet off the shoulder
- #4 -Note #23 of the Doucet Survey has been amended
- #5 -Relief is not required for the contents of comment #5. The criteria mentioned pertain to the conventional subdivision criteria only. The issue will be further discussed with the town's third party engineering consultant.
- #6 – Granite curbing will be installed – a painted white line will be installed for pedestrian traffic

- #7 – A “Stop Ahead” sign will be installed as well as a lighted pole to address the “K” value concern relative to the proposed roadway layout. Roadway profile sheets show wetlands in close proximity to the proposed roadway; for this reason and a wish to avoid further filling, a certain degree of roadway sag is proposed.
- # 8 – All NHDES correspondence relative to this project will be provided for municipal review.

James Long (GZA GeoEnvironmental Inc., 380 Harvey Road), Wetland and Soil Scientist for the project, approached the Board to provide an overview of the environmental site conditions and an update of correspondence with the Barrington Conservation Commission.

Long informed the Board that the Conservation Commission (BCC) maintains the concern with Prime Wetland buffer being located within proposed residential lots as part of this subdivision. Long opined that this is not an issue as no work can be performed within the buffer pursuant to town regulations.

In response to further concerns raised by the BCC James stated the following:

- Building permits are required for work occurring in Barrington. Review of work within sensitive areas will be performed during an future permitting project
- Signage for the Prime Wetland buffer will be installed to clearly demarcate its boundary
- The on-site Vernal Pool has been protected by inclusion in the project open space and has been provided a 100 foot buffer
- Opportunities exist for public outreach in order to educate the future residents of this subdivision to foster protection of sensitive areas
- All efforts have been taken to minimize wetland and wetland buffer impacts resulting from the installation of this project
- The possibility of a conservation easement being placed over the properties open space areas exists.

Vice-Chair A. Kelley opened up the meeting to public comment.

Rick Drew approached the Board and opined that this project is the best scenario for the build out of this property.

Conservation Commission Vice-Chair P. Failing approached the Board the express concern with certain aspects of the subdivision layout. Failing presented the Conservation Commission’s Memorandum of July 24, 2012 for the record (see Attachment #1). Failing informed the Board that the Commission is currently within deliberations with regard to a potential agreement for interest in a conservation easement comprised of the project’s open space component.

Anthony Gaudiello inquired as to the applicant’s ability to include wetland buffer areas within the project’s open space calculations. The Board was directed to Zoning Ordinance Article 6.2.2 Common Open Space for guidance relative to this inquiry.

Susan Gaudiello inquired as to the applicant’s intent for providing access to proposed drainage infrastructure for maintenance activities and who will be responsible for said maintenance. Gaudiello opined that proper access to these areas is necessary. Gaudiello expressed concern with public safety as it relates to the sites walkability and nuisance potential as it relates to potential

light pollution from proposed streetscape fixtures. Gaudiello inquired as to the proposed phasing of this project. Attorney McNeil informed Gaudiello and members of the Board that project phasing and build-out depends largely on market conditions. The roadway is proposed to be properly bonded during all construction phases. Gaudiello inquired as to the process for monitoring and maintaining the project's common open space and included buffer areas upon project completion. Gaudiello expressed concern with destruction of open space due to lot owner incursion after full build-out. McNeil stated that the open space would be subject to monitoring events during the year in the case of a conservation easement being instituted. Alternate protections would come in the form of restrictive covenants should the retention of an easement steward prove to be challenging.

Deb Clough inquired as to the project team's intent for sidewalks as part of this subdivision. Vice-Chair A. Kelley informed Clough that the Board has not required sidewalks as part of this project. Clough expressed concern with potential open space crossover and associated liability issues.

S. Jeffery informed the Board, applicant, and members of the public that the town land use regulations and Master Plan all speak to the desire for sidewalk implementation. Town Administrator J. Scruton opined that the major issue with constructing sidewalks is the need for maintenance. Scruton stated that the discussion belongs with the Board of Selectmen but opined further that the inclusion of white demarcation lines on either side of the proposed roadway would provide for an appropriate pedestrian or bicycle travel lane.

**S. Oles made a motion to approve the applicant's request for waiver of the 7% roadway grade requirement in order to construct said roadway at 9% grade. Ex-officio D. Hatch seconded the motion which passed with a vote of three (3) in favor, to one (1) against.**

C. Smith presented the Board with information (see Attachment #2) relative to the project teams request for Special Use Permits for construction within the wetland buffer under Zoning Ordinance Section 9.6. Smith informed the Board that driveway incursions to the town's wetland buffers have been reduced to just one driveway through minimization efforts.

**S. Oles made a motion to approve the applicant's Special Use Permit for Construction in a Wetland Buffer under Zoning Ordinance Section 9.6 for proposed basins A, B, and C. Ex-officio D. Hatch seconded the motion which passed unanimously with a vote of four (4), to zero (0) in favor.**

After some discussion the Board and applicant agreed that the most appropriate tentative meeting date for further deliberation on this project is August 21, 2012. September 11, 2012 would then be the next most suitable date for Public Hearing.

**S. Oles made a motion to continue the application to the Board's August 21, 2012 Public Hearing. Ex-officio D. Hatch seconded the motion which passed unanimously with a vote of four (4), to zero (0) in favor.**

#### **REPORT FROM THE PLANNING DEPARTMENT**

5. Discussion of the 3.4 Conditional Use Permit and 9.6 Special Use Applications.

**S. Oles made a motion to approve the current 3.4 Conditional Use Permit and 9.6 Special Use Permit forms and direct the subcommittee to undertake further amendments to the documents which may be warranted. A. Gaudiello seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.**

#### **NON PUBLIC**

##### **6. Non-Public for Personnel (RSA 91-A: 3 iia)**

**S. Oles made a motion to enter into Non-Public Session to discuss an internal Personnel issue. A. Gaudiello seconded the motion which passed unanimously with a roll-call vote of six (6), to zero (0) in favor.**

**S. Oles made a motion to exit Non-Public Session and seal the minutes indefinitely. A. Gaudiello seconded the motion which passed unanimously with a roll-call vote of six (6), to zero (0) in favor.**

#### **COMMUNICATIONS RECEIVED**

There were no communications to discuss at this time.

#### **REPORTS FROM OTHER COMMITTEES**

There were no reports from other committees at this time.

#### **UNFINISHED BUSINESS**

**G. Calef made a motion to approve the meeting minutes of June 26, 2012 as amended. A. Gaudiello seconded the motion which passed with a vote of five (5), to zero (0) with one (1) abstention.**

**G. Calef made a motion to approve the meeting minutes of July 10, 2012 as amended. A. Gaudiello 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**

There was no other business before the Board at this time.

#### **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, August 7, 2012 at the Barrington Early Childhood Learning Center.

**S. Oles made a motion to adjourn the July 24, 2012 meeting of the Barrington Planning Board at 10:45 p.m. A. Gaudiello seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.**

Respectfully submitted,

Gregory M. Jones  
Transcriptionist

To: Barrington Planning Board

From: Barrington Conservation Commission, Pam Failing (Vice-Chair)

Date: July 24, 2012

Re: Dubois & King Engineering Review of Village Place Conservation Subdivision, dated July 13, 2012

The Conservation Commission has reviewed Dubois & King's (D&K) comments in this document and we are pleased with the thoroughness of their review. We ask that all the discrepancies noted be rectified to be brought into conformance with Town regulations. While we are specifically concerned with items 4-7, other points noted will also benefit resource protection on the parcel.

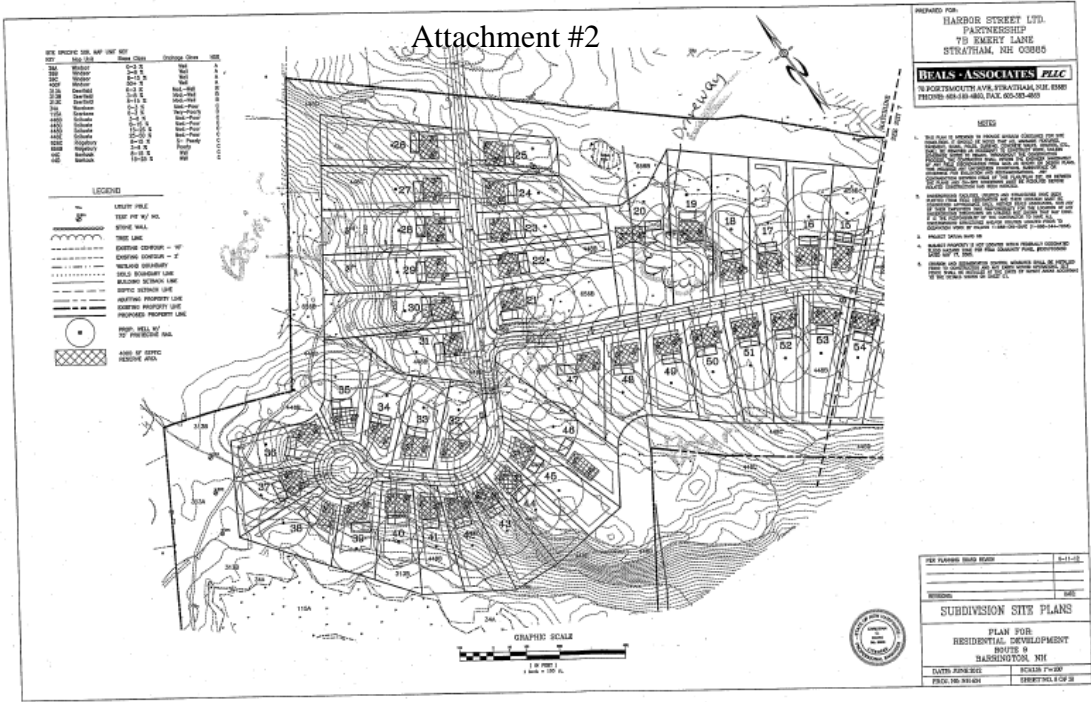
The commission has been discussing the options on how to protect the open space. We will hold off on our decision since action taken on D&K's comments may significantly change the proposed plan.



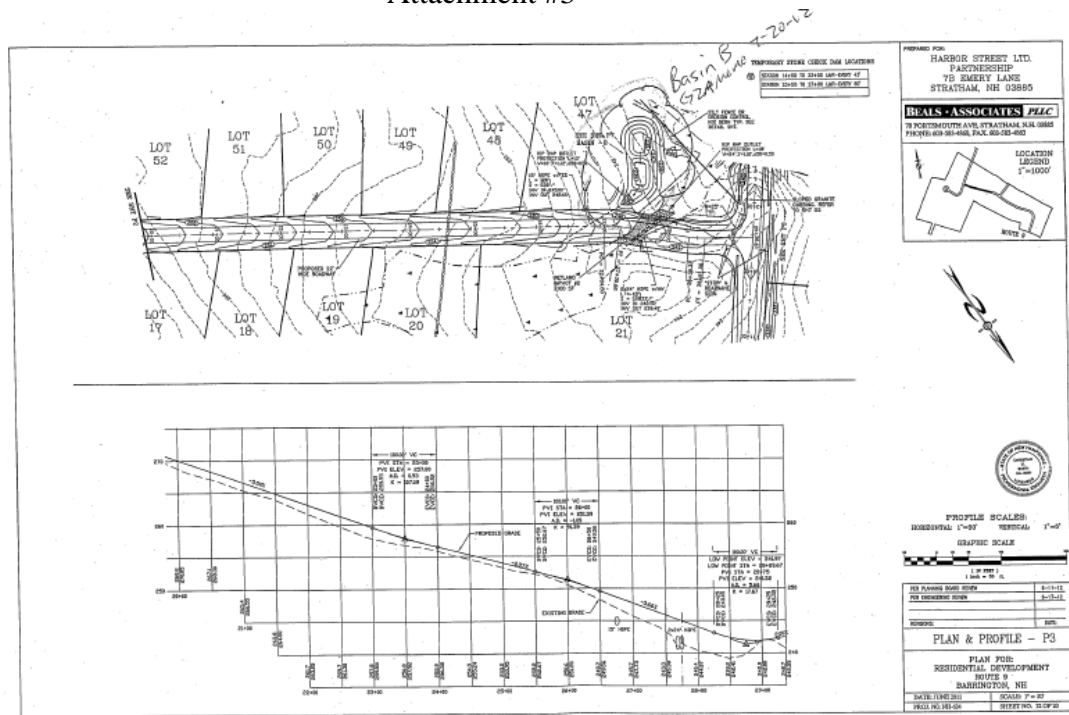
Attachment #1



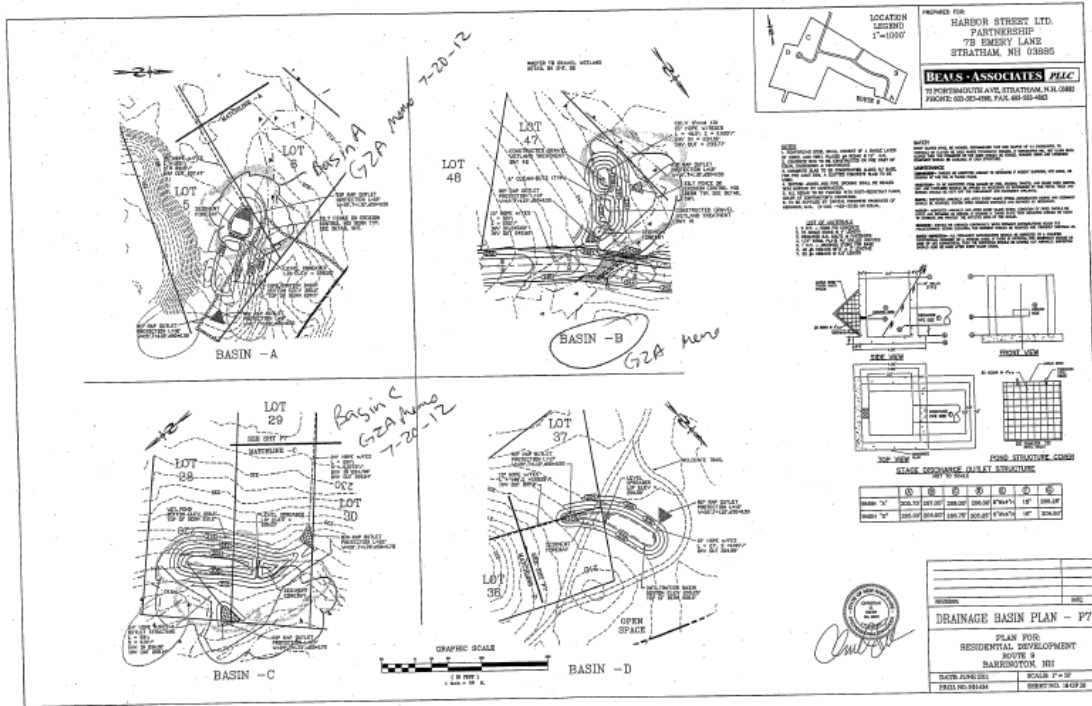
# Attachment #2



### Attachment #3



Attachment #



Attachment #5