

Approved on September 11, 2012-MG



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

**TUESDAY AUGUST 21, 2012  
6:30p.m.**

**MEETING MINUTES**

**PRESENT:** John Huckins, Chair  
Alan Kelley, Vice-Chair  
Dawn Hatch, Ex-Officio  
Anthony Gaudiello  
George Calef  
Steven Oles  
Jackie Kessler  
Stephen Jeffery, Alternate

**ABSENT:** None

**STAFF** John Scruton, Town Administrator  
Marcia Gasses, Town Planner  
Greg Jones, Transcriptionist

**GUESTS:** See Attachment #1

**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 August 21, 2012 Public Hearing of the Barrington Planning Board to order at 6:30pm.

**MINUTES REVIEW AND APPROVAL**

**Vice-Chair A. Kelley made a motion to review agenda items #3-7 ahead of items #1-2. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

1. A. Approval of August 7, 2012 Public Hearing Meeting Minutes

**J. Kessler made a motion to direct the Transcriptionist to further review the meeting tape for the August 7, 2012 Public Hearing. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

B. Approval of August 14, 2012 Site Walk Minutes

**J. Kessler made a motion to approve the August 14, 2012 Site Walk Minutes as submitted. A. Gaudiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

C. Approval of July 24, 2012 Non-Public Session Meeting Minutes

**A. Gaudiello made a motion to approve the July 24, 2012 Non-Public Session Meeting Minutes submitted. S. Oles seconded the motion which passed with a vote of five (5), to zero (0) with two (2) abstentions.**

**ELECTION OF OFFICERS**

**S. Oles made a motion to elect J. Huckins as Planning Board Chair for the 2012-2013 term. 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 elect A. Kelley as Vice-Chair for the 2012-2013 term. A. Gaudiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

**ACTION ITEMS**

**3. 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; 7B Emery Lane; Stratham, NH 03885.

G. Calef and A. Gaudiello recused from discussion.

Chair J. Huckins delegated S. Jeffery as the seventh Planning Board member.

Attorney Malcolm McNeil approached the Board representing the applicant for a 64 lot Conservation Subdivision at a 135 acre site located off Franklin Pierce Highway. McNeil introduced the project team and reminded members that the project was first before the Board in March 2011 and was last reviewed on July 24, 2012. McNeil reminded the Board that the project was granted waiver to reduce the required roadway grade from 7% to 9% in order to reduce

environmental impacts at the July 24<sup>th</sup> meeting. McNeil reminded the Board that all but one of the applicant's requests for Special Use Permits for Construction in a Wetland Buffer under Zoning Ordinance Section 9.6 for proposed basins A, B, and C were also granted.

McNeil informed the Board that Jeffery Dirk; P.E., PTOE (Vanasse & Associates, Inc., Andover, MA 01810) has submitted a driveway permit and traffic analysis to identify the potential need for roadway alterations. McNeil stated that the NHDOT determined there to be no need for the installation of turning lanes at either intersection (Route 9/Route 125).

McNeil stated that the project team has met with the Board of Selectmen to discuss public road acceptance issues, and upgrades to the class VI roadway R.O.W. McNeil informed the Board that the applicant has agreed to following terms:

- The project will be completed utilizing a three (3) year phasing scheme
- Seventy Five percent (75%) of the homes within the subdivision must be built before the town will accept responsibility of the roadway
- A one (1) year notice of Intent to Dedicate the roadway must be provided to the town
- The Town has made no commitment
- The Board of Selectmen voted in the affirmative to allow work to occur on the Class VI connector roadway to the Deer Ridge subdivision

McNeil informed the Board that after a review of the August 10, 2012 review letter from the town's engineering consultant; it appears that limited issues exist for this project. McNeil informed the Board that a comment pertaining to the 3:1 length to width ratio requirement was determined by the town's attorney to not apply to Conservation Subdivisions. The Project team has no issues with the terms of this review letter.

McNeil informed the Board that he has only just received a conservation easement plan from the Conservation Commission Chair. McNeil stated that the plan appears reasonable and that his applicant is amenable to required monetary fees. Conservation Commission Chair J. Wallace informed the members that the Board of Selectmen have not yet reviewed this conservation easement document.

Christian Smith, P.E (Beals Associates Inc., Stratham, NH 03885) approached the Board to address the town engineering consultant's most recent review comments for which responded with the following:

- Pertaining to gravel access road to the three wetland pond; a 20-25' grass paver strip/pull off will be constructed
- The 3:1 length to width ratio requirement was determined by the town's attorney to not apply to Conservation Subdivisions
- Street Lights are proposed at the intersections to address roadway geometry. Proposed lighting fixtures are down-cast/shielded on 22' poles. Detail sheets to be added.
- All NHDES comments will be forwarded to the town's third party engineering consultant
- A variable width ratio for the R.O.W associated with the Cistern on the easement lots will alleviate concerns and will not affect lot loading capacity requirements.

McNeil directed the Board to the Conditions Precedent and Conditions Subsequent as listed on the August 21, 2012 Staff Recommendations (Action Items #3 – Available in the Land Use

Office). After a review of Planners list, McNeil stated that the applicant will comply with all stated Conditions.

Chair J. Huckins inquired as to the intent for the Roadway width dimensions. After some discussion, it was determined that the Road Agent's recommendation was to utilize a double yellow middle striping scheme with two (2) ten (10) foot lanes with one (1) foot shoulders striped with white.

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

Conservation Commission Chair J. Wallace inquired if Prime Wetland Buffer markers will be installed on-site. Wallace was informed that markers will be installed.

Chair J. Huckins closed the meeting to public comment.

Vice-Chair A. Kelley opined that the individual lots which may need a Special Use Permit for Construction in a Wetland Buffer under Zoning Ordinance Section 9.6 should be better identified. Chair J. Huckins stated that the Code Enforcement Officer has jurisdiction for this issue and is aware that this is to be addressed during the building permit process.

**S. Oles made a motion to approve the application with the following conditions: 1) all of the Planners Conditions Precedent and Subsequent as listed on the August 21, 2012 Staff Recommendations be adhered to; 2) "No Thru Way" signs be installed in the specified locations during phase 1 and noted on the plans. J. Kessler seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.**

**4. 12/620 (Proposed Municipal and Light Industrial Subdivision)** on a 30.88 +/- acre site located on Franklin Pierce Highway (a/k/a Route 9) (Map 234, Lot 1) in the Village District (VD) and Stratified Drift Overlay (SDA) Zoning Districts and a request for a modification to the 9.6 application approved on August 7, 2012 for 7,711 sq. ft. of additional impact to the wetland buffer along Route 9 for the creation of accel and decel lanes. Applicant: Eliot Wilkins, Turbocam, Inc.; 607 Calef Highway, PO Box 830; Barrington, NH 03825. Owner: Town of Barrington; PO Box 660; Barrington, NH 03825; by Jones & Beach Associates (9.6 Special Permit from the Zoning Ordinance for Construction in the wetland buffer granted on 8/7/2012)

G. Calef and A. Gaudiello returned to the Board.

Ex-officio D. Hatch recused from discussion.

S. Jeffery remained on the Board as the seventh Planning Board member.

Barry Gier, P.E. (Jones & Beach Engineers Inc., 5 Portsmouth Avenue, Stratham, NH 03885) approached the Board on behalf of Turbocam Inc., for a request for a modification to the 9.6 application approved on August 7, 2012 for 7,711 sq. ft. of additional impact to the wetland buffer along Route 9 for the creation of acceleration and deceleration lanes.

Gier informed the Board that the project team has addressed the town's third party engineering consultant's most recent comments and associated plan amendments. The required test pits have been completed for the property and the recommendations of the traffic analysis have been

incorporated into the plan. Gier explained that the plan now calls for a deceleration lane and an acceleration lane in the westbound direction. This plan is currently under review by the NHDOT. Gier informed the Board that the construction of these two lanes will result in additional wetland buffer impact not included in the previously granted Special Use Permits (SUP).

Chair John Huckins stated that according to the town's regulations, if the buffer impact is associated with a state wetland crossing, a municipal permit is not required. The Board agreed. Gier informed the Board state wetland permits are required for this work.

S. Oles expressed concern for the lack of incorporation of eastbound turning lanes. Oles opined that this direction is hazardous at time also.

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

Conservation Commission Chair J. Wallace informed the Board of a recent Memorandum from the Commission regarding concerns for the potential disruption of the on-site perched wetland system. Wallace explained that the Commission has fully reviewed the implications and is concerned for potential fracture of bedrock during on-site blasting activities. Such a fracture may result in the draining of this perched wetland. Wallace recommended a redesign should this risk become apparent to the developer.

Chair J. Huckins advised Wallace to forward these concerns to the Board of Selectmen.

Conservation Commission Chair J. Wallace expressed concern with the lack of proposed open space with this subdivision. Town Administrator J. Scruton stated that the Board of Selectmen fully intend to incorporate recreational lots as part of the subdivision build out.

Chair J. Huckins closed the meeting to public comment.

**G. Calef made a motion to approve the application with the following condition: 1) The Planners Conditions Precedent as listed on the August 21, 2012 Staff Recommendations must be completed in full. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

**J. Kessler made a motion to empower the Chair to sign the plan after all conditions have been met and the applicant will not require further review by the Board. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

**5. SR12/417 (Proposed Municipal and Commercial Development))** Request by applicant for a proposed Municipal and Commercial Development on Franklin Pierce Highway (a/k/a Route 9) (Map 234, Lot 1 and proposed Lots 1.1. & 1.3) in the Village District (VD) and Stratified Drift Aquifer Overlay (SDA) Zoning Districts and a 9.6 Special Permit from the Zoning Ordinance for Construction in a wetland buffer, Applicant: Eliot Wilkins, Turbocam, Inc.; 607 Calef Highway, PO Box 830, Barrington, NH 03825. Owner: Town of Barrington; PO Box 660; Barrington, NH 03825; by Jones & Beach Associates (*3.4 Conditional Use Permit to allow for a Light Industrial Use and a 3.4 Conditional Use permit to allow for a 93,000 sq. ft. building where a maximum 50,000 sq. ft. building is allowed; were granted on 8/7/2012*)

Barry Gier, P.E. (Jones & Beach Engineers Inc., 5 Portsmouth Avenue, Stratham, NH 03885) approached the Board on behalf of Turbocam Inc., for a proposed Municipal and Commercial Development on lot #3 of the conditionally approved subdivision (12/620) on Franklin Pierce Highway.

Gier stated that the town's third party engineering consultant's most recent review letter has been addressed and the site plan has been amended. The Planner's recommended wetland buffer impact notes have been added to the plans, and additional landscaping has been added as well.

Gier stated that the project team has recently met with the Conservation Commission to discuss the plan and did receive an endorsement for the Special Use Permit under Section 9.6 of the Zoning Ordinance. In addition, Gier reminded the Board and members of the audience that a site walk was held at the property.

Gier informed the Board that a waiver to Site Plan Review Regulations Section 5.7.2(2) Performance Standards for Special Signs, may be required in order for a Neighborhood Sign to be allowed for a non-residential use. In addition, Gier informed the Board that the applicant seeks a waiver to Site Review Regulations Section 4.8.2, Driveways, in order to seek relief from curbing requirements at the driveway entrances. Gier explained that the proposed roadway will not have curbing and so to require curbing at the entrance would serve no purpose.

Gier informed the Board that the applicant seeks a 9.6 Special Permit from the Zoning Ordinance for a proposed 6,800 +/- square feet of buffer impact as shown on the plans. Gier stated that the applicant anticipates there being no problems adhering to the Planners August 21, 2012 Staff Recommendations, and Conditions Precedent.

Planner Gasses informed the Board that a draft Notice of Decision (NOD) will be distributed to members which will include all administrative subsequent conditions to be carried over for all applications. Town Administrator J. Scruton reminded the Board and members of the public that all outstanding conditions of the subdivision approval, of which this lot (lot #3) and Site Plan is a part of, must be met.

After some discussion, the Board agreed that according to its interpretation of the Zoning Ordinance, the applicant is allowed to have one sign on each street frontage.

**Vice-Chair A. Kelley made a motion to certify that the applicant is permitted to install one sign on each street frontage of the property. J. Kessler seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

After some discussion, the Board agreed that the waiver of curbing requirements is reasonable as the roadway will not include any curbing.

**Vice-Chair A. Kelley made a motion to grant the applicant request for waiver of Site Review Regulations Section 4.8.2 in order to alleviate curbing requirements for the driveway entrance. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

After some discussion, the Board agreed that applicant has satisfied the requirements for a Special Use Permit under Section 9.6 of the Zoning Ordinance for impacts to the wetland buffers for construction of a retaining wall and associated pavement.

**G. Calef made a motion to grant the applicant's request for a Special Use Permit under Section 9.6 of the Zoning Ordinance. S. Oles seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

**G. Calef made a motion to approve the application with the following conditions: 1) The Planners Conditions Precedent as listed on the August 21, 2012 Staff Recommendations must be completed in full along with standard subsequent conditions as required by the Planner. A. Gaudiello seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

**A. Gaudiello made a motion to empower the Chair to sign the plan after all conditions have been met and the applicant will not require further review by the Board. G. Calef seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

Chair J. Huckins informed members of the public that all conditions of approval must be in-hand within one (1) year of this approval before work for these projects and begin.

### **RERVIEW OF PLANS**

**6. 12-238/44 (Turbocam-Additional Parking Lot)** Request by applicant for a proposal to expand the existing parking lot with 50 gravel parking spaces located at 607 Calef Highway (a/k/a Route 125) (Map 238, Lot 44) in the Village District (VD) Zoning District. Applicant: Don Fillebrown; Virtuous Realty, LLC; PO Box 830; Barrington, NH 03825; by Jones & Beach Associates

Ex-officio D. Hatch returned to the Board.

A. Gaudiello recused from discussion.

After a review of the application checklist submitted on August 16, 2012 the Board agreed that the following items must be addressed:

- The original waiver for the gravel parking lot must be reviewed
- The Planning Board Approval Block must be revised - should be blank
- The tax map/lot numbers of the abutters across 125 must be included on the plans
- The wetland delineation note (#9) on Sheet C-1 must be filled in
- A grammatical error on Sheet C-1 must be corrected

**7. 12-240/15.7/15-8 (Fisheye-relocate existing Lot Line)** Request by applicant to relocate a section of the existing lot line between the parcels located on Young Road (Map 240, Lots 15.7 & 15.8) in the Neighborhood Residential (NR) Zoning District. By: David W. Vincent; Land Surveying Services; Barrington, NH 03825.

A. Gaudiello returned to discussion.

After a review of applicants request for a lot line adjustment, the Board agreed that the Planner should review the checklist.

**A. Gaudiello made a motion to empower Planner Gasses to review the application checklist and correspond with the applicant. J. Kessler seconded the motion which passed unanimously with a vote of seven (7), to zero (0) in favor.**

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

8. Discussion of a memo from Ken Grant.

Ex-officio D. Hatch recused from discussion.

Chair J. Huckins informed the Board that he had a conversation with Mr. Grant regarding compliance issues at 372 Parker Mountain Road. Huckins directed the Board to Mr. Grant's August 11, 2012 letter (available at the Land Use Office) for review.

After some discussion the Board agreed to empower Town Administrator J. Scruton to correspond with the town's legal counsel regarding compliance with conditions of approval.

#### **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**

There was no unfinished business to review at this time.

#### **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, September 11, 2012 at the Barrington Early Childhood Learning Center.

**J. Kessler made a motion to adjourn the August 21, 2012 meeting of the Barrington Planning Board at 10:45 p.m. S. Oles seconded the motion which passed unanimously with a vote of six (6), to zero (0) in favor.**

Respectfully submitted,

Gregory M. Jones  
Transcriptionist



## Attachment #1

### Members - Attendance and Status

Date of Meeting: August 21, 2012  
 Place of Meeting: EPIC Meeting Room  
 Scheduled Time of Meeting: 6:30 PM  
 Time Meeting Adjourned: \_\_\_\_\_

Members Identification	Present at Convene ✓	Departed Early Time	Comment
John Huckins, Chr	✓		
George Calef	✓		
Alan Kelley, Co-Chair	✓		
Dawn Hatch, Ex-officio	✓		
Tony Gaudiello	✓		
Steve Oles	✓		
Jackie Kessler	✓		
Stephen Jeffery ALT	✓		

Staff Present	Present at Convene ✓	Departed Early Time	Comment
John Scruton	✓		
Greg Jones	✓		
Marcia Gasses-Town Planner	✓		

Public-Print Name	Address & Phone #	Case Name	Email Address
Scott Cole	125 Deer Ridge	Village Place	
Christopher Smith	70 Paris Ave, Shelton	Village Place	Csmith@bestsocialcenter.com
JOSEPH PATRIZI	72 Burywood	Village Place	
Dennis Malloy	112 Stone Farm		
John Wallace	Com Comm		
Eliot Wilkins		TURBOCAM	
Kathy O'Brien	70 Parkman Ave	Village Place	
Scott Gore	70 Parkman Ave	Village Place	
Scott Duman	843 Franklin Pierce		
Jeremy Labbe	837 Franklin Pierce		
Bruce Guse	85 Paris, Ed, Shelton	TURBOCAM	FRANCO.JONES@BESTSOCIAL.COM
REVERDICK E. DREW III	38 Parkman Ave Rd	Village Place	