



**MEETING MINUTES**  
**BARRINGTON PLANNING BOARD MEETING**  
**Barrington Annex (next to the Elementary School)**  
**572 Calef Highway**  
**Barrington, NH 03825**  
**Tuesday September 9, 2014**  
**6:30 p.m.**

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

Members Present

Anthony Gaudiello-Chair  
Jason Pohopek Vice-Chair  
Joshua Bouchard  
George Calef  
Bob Williams  
Dennis Malloy, Ex-officio

Member Absent

Jackie Kessler

Alternate Member Present

Daniel Ayer

D. Ayer to sit for J. Kessler

Town Planner: Marcia Gasses

**MINUTES REVIEW AND APPROVAL**

1. Approval of the July 22, 2014 Meeting Minutes

Copies struck from line 91

*Without objection the minutes of July 22, 2014 were approved.*

2. Approval of the August 5, 2014 Meeting Minutes.

Line 162 Strike "is"  
Line 145 Add "were"  
Line 153 Strike repeated "that"

*Without objection the minutes moved to the end of the meeting.*

*Without objection the minutes were approved as amended.*

### **ACTION ITEMS**

3. [224-1-NR-14-Sub \(W. Paul Cullen-Cullen Woods\)](#) Request by the applicant for an 11 lot Single family Subdivision, a waiver for underground utilities on a 48+/- acre lot on Smoke Street in the Neighborhood Residential (NR) Zoning District. By: Michael Garrepy, Tuck Realty Corp.; 34 Raeder Drive; Stratham, NH 03885

Mike Garrepy discussed the improvements to improve sight distance along Smoke Street. The ZBA had granted a Special Exception for lot 2 to come off lot three's frontage. Mike Garrepy acknowledged the approval was for a shared driveway. The applicant had met with the Selectmen to discuss acceptance of the open space. A 15' wide access easement needed to be placed between lot one and two for access from Smoke Street. State Subdivision approval was received today.

G. Calef asked what was shown on the plan he was presenting verses what was shown on the plan he had received.

Mike Garrepy stated the 15' access easement to the open space and the shared driveway.

A. Gaudiello expressed that the transfer of open space land would come after the applicant receive ownership of the property. Mr. Gaudiello asked if a condition requiring transfer of the open space prior to the first building permit was acceptable.

Mike Garrepy stated that condition was acceptable.

J. Pohopek asked if there was an inspection schedule for improvements in the right-of-way.

Mike Garrepy expressed a bond would be required along with inspections.

M. Gasses explained the improvements would be coordinated with Peter Cook, Road Agent and if needed the Town's consulting engineer would be consulted.

J. Pohopek asked if the applicant would be creating trails.

A. Gaudiello opened public comment.

John Wallace asked if the selectmen were aware of the location of the trails.

Mike Garrepy expressed they were. He discussed the possible location of trails and some of the existing trails.

M. Gasses mentioned Turbocam may be interested in constructing trails.

Public comment was closed.

G. Calef asked about possible ownership options.

M. Garrepy expressed the selectmen had voted, and they would be willing to take ownership.

M. Gasses read through the draft conditions of approval as amended.

A. Gaudiello asked for an explanation of the waiver requiring installation of underground utilities.

Mike Garrepy explained he believed there were eight existing poles on their frontage with other poles located across the street. They wanted the ability to run poles down the longer driveways as needed and to just tie in at the existing poles

B. Williams asked if there would be any new overhead wires across Smoke Street.

M. Garrepy did not believe so; they would tap off existing poles on Smoke Street. He also believed that some homeowners may choose to install underground utilities. They wanted the ability to go overhead as needed. He had understood that waivers had been granted in the past for road frontage subdivisions.

A. Gaudiello opened to public comment.

None

A. Gaudiello asked for further comment from the Board. The question was whether the Board should approve the waiver from 14.1.1 requiring underground utilities.

*A motion was made by G. Calef and seconded by B. Williams to grant the waiver from 14.1.1. The motion carried 6-1.*

*A motion was by G. Calef and seconded by D. Ayer to approve the application with the conditions as read into the record by the Town Planner.*

*Roll Call – Unanimous*

*Comments in italics are review response comments from applicant. The informational items below were included in the staff comments/recommendations provided the Board.*

- Applicant has notified the Land Use Office they have had further wetland delineation done and will not need a 9.6 for the driveway for Lot #1
- Driveways to Lots 2, 4, 6, 9 on plan set dated July 16, 2014 as presented will require a Special Exception under 4.1.2 of the Town of Barrington Zoning Ordinance. The Zoning Board of Adjustment may permit, by granting of a Special Exception, that a different side of the property be used for access because site constraints make using the otherwise required frontage inconsistent with protecting the safety, health, and welfare of the public.  
*Driveways have been revised and the driveway for lot 2 is the only driveway we requested and received a Special Exception for. Special Exception was approved on August 20, 2014 for the driveway to access lot 2 to be located on the frontage of lot 3.*
- Remove Highway Commercial Overlay District (HCO) from sheet 3 of 13

- The reference to Highway Commercial District (HCO) has been removed from the noted sheet*
- Add State subdivision approval to the final plan  
*NHDES State Subdivision approval number will be added to the final plan*
  - Dimension the pavement width of Smoke Street  
*A pavement width note has been added to sheets 8 & 9*
  - Designate each proposed lot by Map and Lot number as provided by the assessor  
*All proposed lots have been labeled with the approved Map & Lot numbers as provided by the assessor.*
  - The area of the neck for lots 4 & 10 must be deducted from the area on sheet 8 of 13  
*Labels have been added to sheets 4, 5, 6, & 8 of 14 referencing the area of the neck for the back lots.*
  - State contiguous uplands for each lot on sheet 8 of 13  
*Contiguous areas, in addition to other calculations, have been added to sheet 8 of 14*
  - Provide a draft easement in favor of the Town of Barrington for the fire pond this would also require acceptance by the Selectmen  
*Proposed fire protection has been altered from gaining access to the fire pond to installation of a cistern as shown on sheets*
  - The Selectmen would need to vote to accept the open space  
*The applicant met with the Selectmen on August 25, 2014, and the Selectmen voted they would be interested in accepting the open space with the provision access is shown from Smoke Street*
  - The application appears to be complete. The Board should consider accepting the application so that they may begin discussion on the details of the proposed subdivision.  
*The application was accepted as complete on August 5, 2014*
  - The applicant met on site with Peter Cook, Road Agent and Marcia Gasses, Planner on August 18, 2014 to review the possible improvements in the right of way to improve sight distance.
  - The applicant met with the Selectmen on August 25, 2014 to seek permission to make improvements in the right of way and for possible acceptance of the open space by the Town.  
*The Selectmen voted to allow improvements to be made to the right of way, an adequate bond would need to be placed with the Town.  
The Selectmen voted to consider the Town accepting the open space, with the understanding access must be provided from Smoke Street.*
  - Access to open space must be shown on the plan
  - The Board needs to act on the waiver request for overhead utilities
  - Access easement language must be provided for review by Town Attorney
  - The Board should discuss a timeline for completion of site improvements to Smoke Street, staff suggests improvements be completed prior to the issuance of the first building permit.

*Staff has provided a draft Notice of Decision below for the Board's review. (Includes revisions by Planning Board)*



**Planning & Land Use Department**  
**Town of Barrington**  
**PO Box 660**  
**333 Calef Highway**  
**Barrington, NH 03825**  
 603.664.0195  
[barrplan@metrocast.net](mailto:barrplan@metrocast.net)  
[barrplan@gmail.com](mailto:barrplan@gmail.com)

## NOTICE OF DECISION

[Office use only]	Date certified:	As builts received:	Surety returned
<i>"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.</i>			
<b>Proposal Identification:</b> 224-1-NR-14-Sub (W. Paul Cullen-Cullen Woods) Request by applicant for an 11 lot Single Family Subdivision, a waiver for underground utilities on a 48+/- acre lot on Smoke Street in the Neighborhood Residential (NR) Zoning District. By: Michael Garrepy, Tuck Realty Corp.; 34 Raeder Drive Stratham, NH 03885			

Applicant: Michael Garrepy Tuck Realty Corporation 34 Raeder Drive Stratham, NH 03885  Owner: Paul W. Cullen PO Box 2044 South Padre Island, TX 78597	Dated: /2014
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**Dear applicant:**

This is to inform you that the Barrington Planning Board at its, 2014 meeting **CONDITIONALLY APPROVED** your application referenced above.

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Board. Certification of the plans is required prior to commencement of any site work or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please Note\* If all of the precedent conditions are not met within 6 calendar months to the day, by xxxxx, 2015, the Boards approval will be considered to have lapsed, unless a mutually

agreeable extension has been granted by the Board. *Reference 8.2.3 of the Town of Barrington Subdivision Regulations*

## Conditions Precedent

- 1)
  - a) Add the owner's signature to the final plan
  - b) Add the wetland scientist stamp & signature to the final plan
- 2) Revise the following plan notes
  - a) Note #21 A Special Exception was granted on August 20, 2014 by the Barrington Zoning Board per Article 4.1.2. Reference the Zoning Board of Adjustment Notice of Decision to allow access from a side not the lots frontage.
- 3) Add the following plan revisions to the plans
  - a) Delineate 15' wide access easement to proposed open space on the plan (12.5.3(1) of the Subdivision Regulation)
  - b) Revise the driveway presentation on lot three
- 4) *Install monumentation of the open space access easement as defined in the Town of Barrington Subdivision Regulations (Section 8.8) Added by the Planning Board*
- 5) Add the following plan notes:
  - a) List waiver from 14.1.1 all utilities to be installed underground. *(If granted)*
  - b) Improvements to the right of way to improve sight distance must be completed prior to the issuance of a building permit for any of the proposed lots which are part of the subdivision. The Road Agent shall inspect and approve the improvements in the right of way.
- 6) Town Counsel shall approve all open space access easement language.
- 7) Town Counsel shall approve proposed shared driveway easement language
- 8) The amount and type of performance guarantee, under advice from the Town Engineer or designee shall be set prior to the final approval of the subdivision plan.
- 9) # 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 proposed streets. Iron pins (pipe or rod) are to be placed at all property line corners and angles, and 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. *(Reference 8.8 of the Town of Barrington Subdivision Regulations)*
- 10) Any outstanding fees shall be paid to the Town
- 11) Final Drawings (a) five sets of black line (b) plus one set of 11"X17" final approved plans (c) one electronic version by pdf or CD must be on file with the Town. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans. Note. If there are significant changes to

be made to the plans, as specified above, one full size check print must be sent to the Land Use Office for review prior to producing these final drawings.

## General and Subsequent Conditions

- 1) *Ownership of the designated Open Space will be transferred to the Town of Barrington prior to the issuance of the first building permit. Added by the Planning Board*
- 2)# In accordance with RSA 674:39 active and substantial development shall mean the expenditure of at twenty-five percent (25%) of the infrastructure costs required for a development, as indicated by a subdivision approved by the Planning Board, within (24) months of said approval, where approved plans have been properly recorded at the Registry of Deeds. Infrastructure shall mean in this instance, the construction of roads, storm drains, water and sewer facilities, or parking lots. Compliance with this definition shall also necessitate that a bond or other security to cover costs of said infrastructure requirements has been posted with the Town prior to the beginning of construction, if required as a condition of approval.
- 3) The Cistern required for fire safety shall be installed to Barrington Fire Department specifications. All required fire protection standards shall be operational prior to the issuance of any building permits. *Reference 11.5. (1) of the Town of Barrington Subdivision Regulations*
- 4) Current Use subject property or a portion of it is presently in Current Use. The applicant must provide the Town of Barrington Assessing Department use map and/or other items needed to assure requirements of RSA-79A and the New Hampshire Department of Revenue Administrations Rules are satisfied.

(Note: in both sections above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).

4. [268-1& Additional Lots –GR-13-SUB \(Gerrior Lane Trust\)](#) Request by applicant to present a Section 9.6 application for Special Permit for Construction in wetland buffer, Subdivide and create 10 lots, construct approximately 990LF of roadway, a shared driveway and realign a portion of Saint Matthews Drive located on Gerrior Lane and Saint Matthews Drive (Map 268, Lots 1, 1.1, -1.6 and 260-70-78) in the General Residential (GR) Zoning District. By: Michael Sievert, P.E.; MJS Engineering, P.C.; 5Railroad Street; Newmarket, NH 03857

Mike Sievert of MJS Engineering explained the review responses and revisions were at Dubois and King for a second review. FX Bruton had a request from the Attorney General to meet, the meeting should happen in the next one to two weeks. Their next step would be submitting the AOT and wetlands permit.

A. Gaudiello asked for a sequence of work.

Mike Sievert explained they would submit the wetlands permit by the end of October beginning of November. The AOT would be submitted in about the same timeframe. The wetlands permit may take four months.

A. Gaudiello asked about a plan for the gravel pile.

Mike Sievert explained they had a plan worked out with both Hartman and Severino Trucking, to process the material into three products, erosion control material, bank run, and crushed gravel. Mr. Sievert explained 35% to 40% of the material would be used on site.

A. Gaudiello asked the timeframe.

Mike Sievert expressed it would take 6-8 weeks to process the material. The plan was to do the private shared drive and road improvements first. Phase II would be building the cul-de-sac. If there was a spring summer construction timeframe for the shared driveway and road improvements the two lots would be marketed. The contractor processing the material would probably be the one who ended up owning the material.

M. Gasses expressed a plan for utilization of the stock pile and processing must be included with the plan set. The plan would need to include a timetable and erosion control methods.

A. Gaudiello expressed the Board wanted the ability to track progress with removal of the material, updated plans could be provided as the processing of the material went on.

A. Gaudiello asked for public comment

Paul Howes of 67 Homestead Lane explained that in the original Phase II the original Gerrior Drive was to be discontinued. Prior to development the Road was not washed out. The gravel area was washing out because there was a turf build up along the newly constructed paved hill. The water was being prevented from running off the road. A lot of the water was going straight down the hill.

M. Gasses asked if extending the pavement to the length of the drainage improvements would rectify the situation.

M. Sievert expressed a 30' apron was proposed. He believed the proposed improvements would fix the issue. Part of the issue was the pile of material. There was a new swale design which would go down 150'. He believed he could regrade the shoulders along the paved portion of Gerrior Drive.

Mr. Howes expressed that if the design did not address the erosion there should be a caveat that the developer address the issue further.

Mike Sievert described further the drainage improvements and expressed there should not be a berm restricting the flow of the water off the road surface.

G. Calef expressed the shoulders were higher than the pavement creating a ditch, preventing the water from flowing off the pavement.

D. Ayer expressed that he had done work on one of the abutting properties. He explained he had not done any work in the roadway.

Mike Sievert expressed that he could probably do something about the shoulders by regarding.

G. Calef expressed there was not a lot of crown to the road.

Mr. Howes expressed when the second layer of pavement was put on he believed it would build up the crown.



D. Ayer expressed the ditch line contained check dams.

A. Gaudiello expressed the rock pile was an issue along with the shoulders.

Mike Sievert expressed that maybe they could do something sooner to deal with the runoff.

Paul Howes expressed that six weeks of grinding was mentioned, the noise would be high. He asked what the decibel, level would be.

Mike Sievert expressed it would take a period of time to process the material and eliminate the pile. They would put a time limit on hours of operation. The noise would be quite loud.

Mr. Howes expressed that it would pass, it was necessary to get rid of the pile. He expressed that some of the new home owners may not understand.

M. Gasses expressed that people would have to understand that just because they built their house it did not mean the rest of the subdivision would not be built.

M. Gasses asked Mike Sievert to bring in proposed hours of operation for the crushing when he supplies his plan.

Jim Farnham of Mendum's Landing Road asked where the brook with the silt fence was that had not been removed.

Mr. Howes pointed out the location.

Jim Farnham expressed that he was concerned that there be adequate erosion control installed, currently there was only the one unmaintained silt fence protecting flow into the stream that goes to Mendum's.

Mike Sievert expressed there would be a new erosion control plan, which would include silk sox's. The silt fence which was left was for the last house that had been built.

Paul Mausteller asked if the Board should bring the selectmen up to speed on the planned meeting between the applicant's attorney and the Attorney General.

M. Gasses expressed that FX Bruton was in communication with the Town Administrator.

Paul Mausteller expressed that the Planning Board should require the payment of back taxes.

M. Gasses attempted explain the process of the collection of back taxes is strictly regulated by the State DRA.

John Wallace asked about adding a deed restriction for a wildlife corridor between the two wetlands to the rear of the parcel off the back lot.

John Wallace asked about access to the open space off lot 5.

Mike Sievert expressed that he could remove the easement along the long side of lot 5 so there would be access to the Mendum's Landing property.

A. Gaudiello expressed there should be a revised plan drawn representative of the discussions which had occurred regarding trail access.

John Wallace asked what the intent was for access to the open space.

Mike Sievert expressed he would forward the new easement document, he was not sure of the range of the access. He believed the level of access provided on the Mendum's land should be a consideration.

Paul Howes expressed they had had problems with wheeled vehicles.

A. Gaudiello closed public comment.

D. Ayer asked if there was an issue with him sitting on the application.

There was none.

A. Gaudiello closed public comment.

J. Pohopek asked if it was the applicant's intent to have the road accepted by the Town.

Mike Sievert expressed that had been the intention.

*A motion was made by J. Pohopek and seconded by J. Bouchard to continue the application to October 7, 2014. The motion carried unanimously.*

*The comments below were part of the staff comments and recommendations.*

- The original approval was signed by the Boards designee on September 22, 2005
  - Application for modification of Phase II was received on May 15, 2013
  - The Technical Review Committee met with the applicant's representatives on June 13, 2013
- Comments:

Dick Conway, Police

Comments: Concern with width of driveway  
Will need clear identification markings  
Michael Sievert explained the driveway would have a paved width of 20' to the turnaround

Rick Walker, Fire

Comments: Area with split needs to be large enough for a truck to back around  
The private drive needs to be named  
Cisterns need to be located within 1000 drivable feet.  
Planning Board could waive the requirement & possibly selectmen if homes are sprinklered

Peter Cook, Road Agent

Comments: Would like to see a road apron of 30' on the private road

Suzanne McNeil, Assessing

Comments: Intent to excavate needed if greater than 1000 cubic yards to be removed from site

Jeff Adler, Dubois & King

Comments:

John Scruton, Town Administrator

Comments: Asked whether there were any issues with the current drainage pipes from pond  
Jeff Adler explained the three remaining issues were the brush, pile of stone, and curve.

4-way stop which will need to be approved by the selectmen

John Wallace, Conservation Commission

Comments:

Tom Abbott, Code Enforcement

Comments: Questioned whether the shared driveway was being constructed as part of the subdivision

Wanted to make sure maintenance easements were in place

Well location on proposed lot #5

Wetland Buffer needs to be added to Mr. Conroy's lot

Removal of home from road prior to the signing of the plat

Marcia Gasses, Town Planner

Comments: Crushing of stone for removal and sale may need a permit

Discussed the need to correct the tax map and lot numbers

Add additional land to Conroy's lot which was part of first approval

- Revised plans were received on July 1, 2013
- The application was accepted as complete on July 9, 2013 and has been continued to this point while the applicant hired Counsel to work on modification of the conservation easement area.
- Revised plans were received on July 21, 2014
- Abutters were renotified on July 22, 2014
- The existing building in the right of way must be removed prior to certification of the plans, please label "to be removed"
- Add the Aot Permit number to the plan
- Add the State subdivision approval number to the plan
- The amount and type of performance guarantee must be set prior to final approval of the plan. (Reference 8.3 & 12.8 of the Town of Barrington Subdivision Regulations)
- Maintenance easement for shared driveway reviewed by Town Attorney
- Intent to excavate must be filed if more than 1000 cubic yards of material leaves the site
- The board should address the 9.6 permit for the shared driveway
- Lots on sheet C2 are numbered incorrectly
- Plan set should include the existing approved layout for reference purposes
- Show wetland buffer on land to be transferred to Conroy, lot line adjustment part of prior approval

- Explain if the shared driveway will be constructed in conjunction with the proposed road construction. The construction of the shared driveway involves a number of drainage structures and should be completed in conjunction with required road improvements.
- Send revised plans to Dubois & King for second review, money must be placed in escrow to cover estimated cost of review
- Drafts of all easement language which may need to be revised from the prior approval must be provided to the Land Use Office for review by Town Counsel
- The Applicant's legal counsel should be present to explain their progress on reconfiguration of the Conservation Easement.
- The Board may wish to schedule a site walk
- The Board Scheduled a Site Walk for August 19, 2014, three members attended, which was not a quorum. Several abutters attended and the group walked the site, with a representative of MJS Engineering.
- A check and signed contract for engineering services was received by the Land Use Office on August 28, 2014
- Staff suggests discussion by the Board of a timeline for completion of road improvements to run with the Bonding for the improvements.
- Staff asked Dubois & King to look at the improvements to the intersection with Gerrior Drive to see if what is proposed adequately addresses the erosion concerns of abutters.

*Dubois & King should complete review of the engineering revisions made by September 12, 2014. The Land Use Office has received no further updates from the applicant.*

5. [216-8 & 9-GR-14-ANNEX \(Ellen Dorrance & John R. Olson Trust\)](#) Request by applicant to clarify title issues of a lot line adjustment presented to, and conditionally approved by Planning Board in 2004. The application will annex all of Lot 8 (Olson) with Lot 9 (Dorrance) located on New Bow Lake Road and Route 126 on a 34.9 total acre lot (Map 216, Lots 8 & 9)) in the General Residential (GR) Zoning District. By: David W. Vincent, Land Surveying Services; Po Box 7418; Rochester, NH 03839-7418

*This plan is to rectify errors made 10 years ago when a Lot Line Revision did not meet precedent conditions and went unsigned. Subsequent land sales and a subdivision occurred without the original Lot Line Revision ever being recorded. Staff has worked with the applicant and the Town's legal counsel to come up with a resolution to the situation, the application before you is what is proposed.*

M. Gasses explained the applicant requested a continuance to allow time for the attorney for the Olson Estate to take a look at the proposal and circumstances.

*A motion was made by J. Pohopek and seconded by D. Ayer to continue to October 7, 2014. The motion carried unanimously.*

6. [115-48&50-GR-14-LL \(Kevin Roy & Carrie Vaich\)](#) Request by applicant to revise the lot line between Lot 48 & 50 by adding 18,559 s.f. to lot 48 from Lot 50 located at 39 & 50 Knowles Drive in the General Residential (GR) Zoning District. A variance was granted July 16, 2014 by the Town of Barrington Zoning Board of Adjustment to allow Lot 50 to be reduced from 57,462 s.f. to 38,904s.f. By: Kenneth A. Berry, PE, LLS, CPESC; Berry Surveying & Engineering; 335 Second Crown Point Road; Barrington, NH 03825

M. Gasses explained the unsigned application had been delivered by Berry Surveying to the Land use Office but none of the fees had been received or the application signed. The Land Use Office was unable to send the notices to abutters because of lack of payment. The application would need to be reposted and notices sent to abutters once the fees are paid.

### POSTPONED

7. [220-33-RC/SDA-14-SR \(Owner Sally Cook-Barrington Repair\)](#) Request by applicant to amend Site Review to allow the use of 6 additional parking spaces located at 9 Brittany Lane (Map 20, Lot 33) in the Regional Commercial (RC) & Stratified Drift Aquifer Overlay Zoning District. By: Steve Oles, MSC Civil Engineers & Land Surveyors, Inc.; 170 Commerce Way, Suite 102; Portsmouth, NH 03801

*The applicant is requesting to be allowed to use an additional 6 existing parking spaces on site. The Board should also consider approving the proposed future site of a fence between spaces 19 & 20. Staff suggests the Board accept the application as complete and open the public hearing.*

Steve Oles represented the applicant. They were here to amend the site plan for Sally Cook and George Fredette. Sally Cook owns the entire site which has a variety of uses. They were attempting to increase the parking spaces on site increased by seek.

A. Gaudiello asked if they were just allocating existing spaces and adding no new spaces.

Steve Oles explained the spaces were a matter of striping. Sally cook was reallocating the 5 spaces between her tenants and herself.

M. Gasses explained she had spoken with Sally Cook and it was her belief the owner had wanted to continue until she could come up with an overall plan, realizing she needed additional parking spaces. The parties must have spoken since she had last spoken with Ms. Cook. Mr. Goodwin had come into the office and also sent e-mails during the day regarding the situation.

George Fredette the owner of Barrington General Repair explained he had submitted application because he had parking violations for having too many vehicles on his repair facility site. The State had threatened to pull his State Inspection license. He hired Steve to work on assisting him in coming in compliance. He had originally been allotted 14 or 15 spaces by the Town for his business through site plan approval. He spoke with Sally Cook regarding the reallocation of spaces, but with the loss of three of the 6 proposed spaces he would get one additional space. There was also a proposed 6' high fence to act as a visual buffer from the insurance company. He planned to work with the landlord to come up with a plan for expansion of the parking area in the future.

A. Gaudiello asked for the total spaces proposed.

Steve Oles explained the total spaces are being increased from 25 to 31. There would be four additional spaces to the right of the garage.

J. Pohopek asked if all the spaces identified were on existing impervious services.

Steve Oles explained there would be no increase in impervious surface, that they would be using the existing pavement. They were just asking for the painting of four additional spaces.

A. Gaudiello asked about the proposed six foot fence.

Steve Oles explained the fence would be along the stripe line. The maintenance of the fence would be up to Mr. Fredette.

G. Calef asked for comments from the Fire Chief.

M. Gasses the Fire Chief had asked for the removal of the three spaces by the door to allow access.

A. Gaudiello opened for public comment.

Tom Maciolek of 22 Brittany Lane asked if all the vehicles were going to be parked in parking spaces or would they still be using whatever space is available to park vehicles.

A. Gaudiello explained that if they were doing something outside of their approval it was a code enforcement issue.

M. Gasses expressed that one of the reasons she had wanted to speak with Ms. Cook was that when she drove through the site today she learned that some of the vehicles parked did not belong to Mr. Fredette, but to relatives of Sally Cook. There were vehicles in Mr. Fredette's area which were not under his control.

David Goodwin expressed he did not have a problem with the additional spaces. It was the additional cars that were on the site. He was very concerned with the noncompliance. He expressed that he and Sally Cook did not have enough spaces. There had continuously been more cars than allotted spaces. John Huckins had been out several times; Mr. Fredette would move cars and be in compliance for 24 hours. All Mr. Goodwin had asked for was for Mr. Fredette to be in compliance with the rules. He did not like the area looking trashy; he was trying to run a professional business. He expressed that Sally Cook needed 10 spaces for her residence and business and he needed 6 spaces just for his employees, this left fourteen or fifteen spaces for Mr. Fredette. Mr. Fredette needed to manage his spaces better.

D. Ayer asked if the spaces were currently striped.

S. Oles expressed there were just asking for the striping of 4our new spaces and use of the other two additional spaces.

A. Gaudiello asked what the Board had as its purview for conditions subsequent.

M. Gasses expressed that if Mr. Fredette did not comply with the site plan the Town could notify the State and Mr. Fredette's inspection license could be pulled for noncompliance. The State had pulled his license once based upon being cc'd on a letter from John Huckins to Mr. Fredette informing his of his noncompliance with site plan approval. John had written back to the State in this instance explaining they were working on compliance.

G. Calef asked how large the lot was.

Steve Oles expressed four acres.

G. Calef expressed the applicant might want to consider expanding their parking down the road.

A. Gaudiello expressed the applicant cannot play fast and loose with the site plan approval.

George Fredette expressed he was intending to sit down with Sally and Steve Oles and come up with a better plan and keep his State inspection plan.

Tom Maciolek asked that the noninspected, nonregistered vehicles be removed.

A. Gaudiello closed public comment.

*A motion was made by D. Ayer and seconded by G. Calef to approve the six spaces and the fence reflected on the plan. The motion carried unanimously.*

*The comments below were part of the staff comments provided to the Planning Board*

- The application was received on August 11, 2014
- Notices were sent to abutters on August 26, 2014
- The Legal Notice appeared in Fosters on August 27, 2014
- The Fire Chief has request the three spaces proposed located in front of the garage be relocated to allow for Fire & Emergency Services access, spaces 30,31,& 32

*A draft Notice of Decision was provided below for the Boards review*



## Planning & Land Use Department

Town of Barrington

PO Box 660

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Barrington, NH 03825

603.664.0195

[barrplan@metrocast.net](mailto:barrplan@metrocast.net)

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## NOTICE OF DECISION

[Office use only]	Date certified:	As builts received:	Surety returned
<i>"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.</i>			
<b>Proposal Identification:</b> 220-33-RC/SDA-14-SR (Owner Sally Cook – Applicant: George Fredette, Barrington Repair) Request by applicant to amend Site Review to allow the use of 6 additional parking spaces located at 9 Brittany Lane (Map 20, Lot 33) in the Regional Commercial (RC) & Stratified Drift Aquifer Overlay Zoning District. By: Steve Oles, MSC Civil Engineers & Land Surveyors, Inc.; 170 Commerce Way, Suite 102; Portsmouth, NH 03801			

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Applicant: George Fredette Barrington, General Repair, LLP 9 Brittany Lane Barrington, NH 03825  Owner: Alice Cook PO Box 422 Barrington, NH 03825	Dated: /2014
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**Dear applicant:**

This is to inform you that the Barrington Planning Board at its, 2014 meeting **CONDITIONALLY APPROVED** your application referenced above.

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Board. Certification of the plans is required prior to commencement of any site work or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please Note\* If all of the precedent conditions are not met within 6 calendar months to the day, by xxxxx, 2015, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board. *Reference 8.2.3 of the Town of Barrington Subdivision Regulations*

**Conditions Precedent**

- 1) Add the following plan revisions
  - a) Relocate spaces 30, 31, & 32 per the Fire Department
- 2) Revise the following plan notes *per presentation at the Planning Board Meeting*  
Parking Calculations

Total = 18 spaces required  
31 spaces provided, including 3 ADA Van Accessible Spaces

Spaces #1-7 Dedicated to Residential, Repair & Office Space  
Spaces #8-13 Dedicated for Vehicles for Sale  
Spaces #17-19 Dedicated to Service Station and Repair Garage  
(Only 6 Vehicles for Sale Will be Stored on Site at Any One Time)  
Spaces #20-25 Dedicated to Residential, Repair, and Office Space

Additional Spaces #26-29 to be Dedicated to Service Station and Repair Garage  
Additional Spaces #30-31 to be Dedicated Residential, Repair & Office Space

- 3) Any outstanding fees shall be paid to the Town



- 4) # Final drawings. (a) three sets of large black line plus (c) one set of 11"x17" final approved plans plus (d) one electronic version by pdf or CD must be on file with the Town. Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the plans. (The applicant need only submit additional black line sets of drawings or individual sheets, as needed, to make three complete sets consult the Planning Department.) Note. If there are significant changes to be made to the plans, as specified above, one full size paper check print must be sent to the Planning Department for review prior to producing these final drawings.

(Note: in the section above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).

### **COMMUNICATIONS RECEIVED**

### **REPORTS FROM OTHER COMMITTEES**

### **UNFINISHED BUSINESS**

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

G. Calef recused himself

8. Planner seeking opinion from the board on refacing of Irving Sign with digital pricing. The Board confirmed that only time & temperature can be on the sign.

The board affirmed the opinion of the Planner that refacing the Irving Sign with digital pricing would not be consistent with the Town of Barrington sign regulations.

G. Calef returned

9. Presentation of certification of McMaster/Fried.  
A. Gaudiello explained the process of the Planner notifying the Board that the conditions of a conditionally approved application were met and now ready for signing by the Board's designee.

*A motion was made by D. Ayer and seconded by J. Bouchard for J. Pohopek to sign the McMaster Fried Plans. The motion carried unanimously.*

10. Recommendation for issuance of a Building Permit for Charles & Paula McCoy, Mica Pt. & Rocky Pt. Road  
11. Recommendation for issuance of a Building Permit for Lynn & Keith Gannon, Mica Pt. & Rocky Pt. Road

*A motion was made by J. Pohopek and seconded B. Williams to express to the Selectmen they had no issue with the request. Without objection the language approved.*

D. Ayer excused at 9:10

*Items 10 & 11 above were requests for building permits for demolition and renovation of existing homes on a paved private road. Peter Cook, Road Agent has visited the site and saw no issue with the road.*

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

September 23, 2014, 6:30 p.m.

A. Gaudiello initiated discussion on the Master Plan and whether the Board should take it chapter by chapter

.

A. Gaudiello expressed they could be a committee of the whole or we could enlist others to help.

The consensus was the Board would have the Planner work to get a Steering Committee together to work on the Visioning together.

Without objection the meeting was adjourned.

Respectfully Submitted,

Marcia J. Gasses  
Town Planner & Land Use Administrator