



## MEETING MINUTES

### BARRINGTON PLANNING BOARD MEETING

**NEW LOCATION: EARLY CHILDHOOD LEARNING CENTER**

**77 RAMSDELL LANE**

**Barrington, NH 03825**

**(Approved October 18, 2016)**

**Tuesday October 4, 2016**

**6:30 p.m.**

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

#### **Members Present**

Fred Nichols, Chair

James Jennison, Vice Chair

Richard Spinale

Daniel Ayer-ex-officio

Jeff Brann

Paul Mausteller

#### **Alternate Member-Absent**

Andrew Knapp-ex-officio

Town Planner: Marcia Gasses

#### **MINUTES REVIEW AND APPROVAL**

1. Approval of the September 20, 2016 Meeting Minutes.

*Without objection the Board approved the September 20, 2016 meeting minutes with a minor typographical correction on line 57.*

#### **ACTION ITEMS-CONTINUED CASES FROM SEPTEMBER 6, 2016**

2. [123-1,2,3-GR-16-LL\(Harold & Lois McCoy\)](#) Request by applicant for a proposal for a lot line and lot consolidation to relocate lot lines of Lots 1 & 3 to eliminate lot 2 and waivers at McDaniel Shore Drive on a .5 +/- acre site (Map 123, Lots 1,2,3) in the General Residential (GR) Zoning District. By: David W. Vincent, Land Surveying Services; PO Box 1622; Dover, NH 03821

*Application was withdrawn by applicant*

3. [250-39-NR-16-3.4 & SR \(One Stop Trailer Shop-Owners: Loren Valliere & Zachary Tucker\)](#) Request by applicant for a proposal for a Site Review and 3.4 Conditional Use Permit to allow trailer sales and display along with waivers at 190 Beauty Hill Road on a 12.2 acre site (Map 250, Lot 39) Neighborhood Resident (NR) Zoning District. By: Joel D. Runnals, LLS, Norway Plains Assoc. Inc.; PO Box 249; Rochester, NH 03866-0249

F. Nichols recapped the following:

The applicant was applying for a Conditional Use Permit to operate a business in the NR Zoning District. One Stop Trailer Shop is a dealer of personal-use cargo trailers. There were no proposed modifications to the existing structures. The applicant sought permission to use the office space in the three car garage as a place of business to sign paperwork, store small trailer accessories, and talk with customers. The main house, three-car garage, shop, and horse barn would remain as personal-use property by the owners.

The applicant requests a small non-illuminated sign to identify the property. The advertising of the trailers is done online, and trailers are stored on-site until picked up. Trailers were to be stored in a designated area of the property and not to exceed the boundaries. The storage area is partly grass and part gravel and adequate vegetated buffer at the roadside and along neighboring property lines would be maintained.

F. Nichols explained that the Board accepted the 3.4 Conditional Use Permit application on September 6, 2016 and a site walk was held on September 14, 2016. F. Nichols explained that on September 6, 2016 the Board granted the following waivers:

- **3.3(3) Existing Topography**
- **3.3(13) Wetland Delineation**
- **3.2.4 Legend**

F. Nichols explained that no new construction or development was being proposed with this application. The lot pre-dates the wetland buffer regulation. The access if deemed inadequate would require wetland delineation for any improvements if so the waiver 3.3(13) Wetland Delineation would need to be withdrawn.

Joel Runnals from Norway Plains explained the overview of the plan to the Board. Joel explained that the office would be the only thing used for the business. The garage would be used for personal use only. Joel explained that he spoke to M. Gasses and told her that they would be putting up a 5' fence and she suggested a 6' feet.

F. Nichols asked what kind of fence.

Loren Valliere confirmed that the fence would be stockade.

Joel explained that there were two areas for the trailers. He explained that Area A would have the trailers that are under 5 feet tall and Area B would be for any other size trailers.

R. Spinale asked if they would be stacking the trailers.

Zack Tucker stated that the trailers would not be stacked.

Joel explained that the designated customer parking spot was shown on the plan. Joel explained that the gravel area would be for the winter storage only. Joel explained that there would be a post for the sign by the driveway as shown on the plan. Joel explained that Peter Cook, Road Agent was fine with the unloading of the trailers.

M. Gasses asked to explain the loading and unloading of the trailers.

Loren Valliere explained that they receive shipments a few times a year and they would be backing into the driveway where they would park on the driveway and unload then drive out of the driveway.

R. Spinale asked if there were tractor trailers and how many times a year do they make deliveries.

Loren explained that they have had six loads this year so far and expect one or two more loads.

Joel explained that the tractor trailer driver has his wife with him on deliveries for safety when backing up.

R. Spinale said “that would only be if they do the deliveries”.

Zach explained that he would be there and sometimes he would do the deliveries themselves.

R. Spinale asked Zach how they would do the deliveries there self.

Zach explained that he has a flatbed truck and he also used his truck and trailer to do pickups.

R. Spinale asked if they had any tractor trailer deliveries since the site walk.

Loren said one load.

R. Spinale asked if this was a box truck.

Zach explained that he has a flatbed truck and he also uses his truck and trailer to do pickups.

R. Spinale questioned the height.

P. Mausteller explained that it was the powerlines that was a concern.

D. Ayer stated that it was the safety concern.

R. Spinale was concerned that it was an enclosed tractor trailer truck and had no vision.

R. Spinale asked the applicant if they received a letter from the building inspector about trailers and was there any talk about this.

Zach said no.

F. Nichols asked if there has been changes in your business model since the original application. F. Nichols explained their model online focused on ordering on line and trailers were stored on site until the customer could pick up at the site.

Loren explained that they have not added anything. They do advertise on their website, craigslist and eBay.

Loren explained that when they order half pre sold and half not sold on site.

R. Spinale asked on the half not sold is that the inventory on site.

Loren explained that was the inventory on site.

D. Ayer explained that they needed to fill a trailer.

J. Jennison explained that they were still selling online.

J. Brann explained that you look at the trailers online from their inventory; order and then pick up at the site. J. Brann asked what the difference between this trailer sales and any other trailer business in the area.

Loren explained that they have specialized in custom trailer orders. Loren explained that they work with small manufacturers that do custom option orders.

R. Spinale questioned that if the customer buys a popular trailer that applicant orders extra to keep on site.

Loren explained that was correct if it was something that would sell fast.

F. Nichols explained to the Board not to get confused with when the applicant came in a few months ago.

R. Spinale explained that he was concerned the business would grow in a residential area and they would be back to the Board for waivers. R. Spinale's concern was that he did not know what direction the applicant was going in.

Loren explained that they were only asking for a designated area on the property. Loren explained that they were maxed already and that they are only one full time employee and a part time employee.

Loren explained that they are by appointment.

J. Brann asked if customers want to see trailers before they paid the high price.

Zach explained that he normally sends about 20 pictures and he delivers about 25% of the trailers.

J. Brann questioned the percent of trailers that people want to see.

Zach explained that if customers want to see how the trailers are built they do come to the site and see the trailers.

P. Mausteller asked about being in a General Residential neighborhood and allowing small businesses in the regulations. P. Mausteller concerned on what the definition of small would be from the applicant. P. Mausteller feels it could be different from what others think. P. Mausteller concerns of this business growing to campers and utility campers. P. Mausteller wanted to see if this could be capped for small business.

J. Brann asked the applicant what they would define as small business.

Loren explained that they have an office space and a designated area only for personal use cargo trailers as stated on their application. Loren explained that they were not interested in selling campers.

J. Brann questioned where the applicant was drawing the line on how many trailers would be on site.

Loren explained that they were not having a count on trailers, they were having a designated area for the trailers.

Zach explained that it's a small business you can't go by the amount of trailers just sitting there. Zach explained that there was only one employee.

P. Mausteller was concerned about neighbors coming to the Town who wanted to do the same thing because the applicant was able to do this.

M. Gasses explained that she did talk to the attorney and the Board needed to come to an understanding on what is small in this instance. The Board needed to be comfortable with what is considered small. She asked if the Board wanted to require the storage area be smaller or less trailers on site and place conditions to limit the size.

R. Spinale stated that he didn't think it should matter how many sales there were. R. Spinale's concern was that the area was large enough for the trailers and not telling the applicant that they can't have an inventory of trailers. R. Spinale was also concerned with protecting the neighbors where this was a residential area.

Joel Runnals explained that the applicant was going to place posts to designate the area.

R. Spinale explained that instead of the amount of trailers use the area that they have designated for the trailers. R. Spinale stated that if the applicant used the area and didn't stack them this worked everyone for the amount of trailers shouldn't matter.

Joel Runnals explained that the applicant needed to understand when this would no longer be a small business.

J. Jennison asked what would be the limit of customers per day.

Loren questioned that it would be hard to put a limit because they were busy in the spring and not in the winter time. Loren was unsure how to put limits on the sales.

J. Jennison explained that the board was leaning on sales per year. J. Jennison expressed when they get to their limit they would stop selling.

J. Brann asked what restrictions that they could put on the sales.

M. Gasses explained that the applicant explained that they were going to have one full time employee. The attorney had expressed the board could limit them to the amount of visits per week.

J. Brann asked what the sales were to date.

Loren explained that she would have to look she didn't know.

R. Spinale also asked whether the one full time employee was in addition to them.

Loren explained that Zach was the one full time employee.

D. Ayer questioned them stacking the trailers.

R. Spinale explained that they already stated that they would not be stacking trailers.

Loren explained that they were not asking to stack the trailers.

F. Nichols explained that they would put in the conditions on what they need to do. F. Nichols asked if they sell more than one brand of trailer.

Loren explained that they have four manufacturers that they used.

P. Mausteller asked what the hours of business would be.

Loren explained that the hours were on call.

P. Mausteller asked about service.

Zach explained that they would not be doing service.

M. Gasses explained that they needed to have business hours.

J. Jennison was concerned the applicant would be having tractor trailers coming late at night.

Zach explained that the businesses could be 9:00-6:00 and it would be six days a week.

M. Gasses explained that she would like to see deliveries during slow traffic times.

F. Nichols asked if the Planning department had all the information they needed for the Board, so the Board can open public comment.

M. Gasses explained that the applicant had addressed the 6' fence and shrubs.

F. Nichols re-opened the public hearing.

F. Nichols closed the public hearing.

F. Nichols explained that he would like to go over the 9 conditions under section 3.4 for compliance.

1. The building, structure or use is specifically authorized under the terms of this Ordinance.  
*Small scaled businesses are allowed under the ordinance in the Neighborhood Residential District. The task of the applicant and the Board is to come to an agreement on what small scale and document the parameters. The Board my want to limit the permit to utility trailers.*

**J. Brann explained that this was comparable to this type of business.**

**P. Mausteller stated for the size of the lot and it appears they are only using 10% of the lot for a house and business.**

**F. Nichols explained that you could not see the trailers from the road. F. Nichols explained that they should define the size.**

**M. Gasses explained that the trailers are defined to an area.**

**P. Mausteller stated that there was a machine shop business here before the applicant bought the property. There was a loading dock that the board saw on the site walk.**

**J. Jennison asked if the Board knew the square footage of REP.**

**M. Gasses explained that you could not compare to REP. She explained they are zoned different, they do service and you need to look at the application as presented.**

**R. Spinale stated that he felt with the area that the applicant had marked on the plan and with the fence, it was appropriate for what they want to do. R. Spinale explained that instead of the amount of trailers give them the space they had marked.**

**F. Nichols explained that the Board may want to limit the space and have the trucks drive in and turn around. F. Nichols explained that this would limit the space.**

**R. Spinale stated the applicant said they would back in trucks.**

**J. Brann explained that they could turn around by the machine shop.**

**F. Nichols explained that size was important to him in a residential area.**

**R. Spinale that they don't have that many deliveries.**

**D. Ayer explained that the residents were spread out and this was not in a development.**

**J. Brann stated there was a site walk and asked if this a small business.**

**P. Mausteller stated that he drove by and didn't even notice the business.**

**F. Nichols asked if the Board accepted the space designated for the trailers.**

**J. Jennison agreed that if they go with the highlighted area to store the trailers.**

**F. Nichols explained that #1 meets the conditions with the trailers in a designated area.**

2. If completed, the development in its proposed location will comply with all requirements of this ordinance, and with specific conditions or standards established in this Section for the particular building, structure or use.

**F. Nichols stated that there was no development proposed. The Board agreed.**

3. The building, structure or use will not materially endanger the public health or safety.

**F. Nichols explained that there will be no manufacturing on the site, this was a retail business only.**

4. The building, structure or use will not substantially de-value abutting property.

**F. Nichols stated that you cannot see from the road and the bushes and fences are not up. F. Nichols that this could change in the winter, but he didn't see any concerns.**

**J. Brann was concerned about sales of neighbors' homes.**

**R. Spinale stated that no abutters were present and there were no shrubs or fencing yet.**

5. The building, structure or use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located.

*The applicant has represented that much of their sales is done online. The Board may want to consider limiting the amount of customer visits on site per week.*

*The applicant has represented they would not be doing service on site and only using the office area for business purposes. Any use of the garage would be an expansion and would require Planning Board Approval.*

**F. Nichols questioned if the Board was going to limit the amount of visits.**

**J. Jennison explained that there would be no way to trace it and cannot be enforced.**

**J. Brann asked that the business be this limited to two employees.**

**M. Gasses explained the only different from a home business was the outside display and not more than two employees. M. Gasses felt this followed a home business.**

6. The building, structure or use will not have a substantial adverse impact on highway or pedestrian safety.

*Staff recommends adding a condition that there will be no loading or unloading of trailers on Beauty Hill Road.*

**J. Brann questioned as it is not far from the intersection and this needed to be consider when backing up.**

**F. Nichols stated he didn't like it.**

**D. Ayer stated it's faster.**

**J. Jennison stated they have been in business and no accidents.**

**R. Spinale stated that other businesses do this on Calef Highway. R. Spinale stated that other businesses manage.**

**F. Nichols stated that one condition will be that the applicant does not unload on Beauty Hill Road.**

7. The building, structure or use will not have a substantial adverse impact on the natural and environmental resources of the town.

*Any changes to the lot would require site plan approval.*

**F. Nichols explained that if the applicant proposed changes to the site they would need to come back to the Board.**

7. Adequate public utilities, community facilities, and roadway capacity are available to the property to ensure that the proposed use will not necessitate excessive public expenditures in providing Public Services.

**F. Nichols explained that the Road Agent had no concerns.**

**R. Spinale stated there was a letter from the Road Agent.**

**M. Gasses explained that the Road Agent was not comfortable with the applicant unloading on Beauty Hill Road, but OK with backing in the driveway.**

9. Where deemed necessary when considering an application for Conditional Use approval, the Planning Board may require that adequate visual buffers be established.

*The applicant needs to supply specifics about what type of plantings and what type of fencing.*

**F. Nichols stated that this now was part of the plan.**

F. Nichols asked M. Gasses to read the conditions.

M. Gasses explained that some of the conditions are the conditional use approval. M. Gasses explained that these are going to be on the plans. M. Gasses suggested granting the conditional use permit, then these will be placed on the site plan.

*A motion was made by J. Jennison and seconded by R. Spinale grant the 3.4 Conditional Use Permit with conditions. The motion carried 5-1 vote.*

F. Nichols opened public comment.

F. Nichols closed public comment.

D. Ayer asked about sanitation.

Joel Runnals explained that they would have a dumpster.

R. Spinale asked if Joel could review the plan for the Board to understand.

Joel Runnals gave an overview of the plan.

R. Spinale asked if they are going to have fencing.

J. Brann questioned if there was a back line.

M. Gasses asked for a measurement of the location just in case trees were removed.

D. Ayer explained that they didn't need a dumpster they could have the debris picked up.

R. Spinale asked if they needed dumpster area shown.

D. Ayer explained they needed to show an area.

F. Nichols asked M. Gasses to read the conditions.





**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)

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**DRAFT  
NOTICE OF DECISION**

[Office use only]	Date certified:	As built received:	Surety returned
<p><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></p>			
<p><b>Proposal Identification:</b> 250-39-NR-16-3.4 &amp; SR (One Stop Trailer Shop-Owners: Loren Valliere &amp; Zachary Tucker) Request by applicant for a proposal for a Site</p>			

<p>Owner: Loren Valliere Zachery Tucker 190 Beauty Hill Road Barrington, NH 03825</p> <p>Professional: Joel D. Runnals Norway Plains Associates, Inc. PO Box 249 Rochester, NH 03825</p>	<p>Dated: xxxxxx, 2016</p>
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**Dear applicant:**

This is to inform you that the Barrington Planning Board at its XXXXX, 2016 meeting **CONDITIONALLY APPROVED** your application referenced above.

List Conditional Use Permit Granted:

To allow the retail sale of trailers and accessory parts

List Waivers Granted:

3.3(3) Existing Topography

3.3(13) Wetland Delineation

3.2.4 Legend

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, 2016, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board.

## Conditions Precedent

- 1) Add the following plan notes
  - a) Add hours of operation **(8:00 am-8:00 pm Monday thru Saturday)**
  - b) Garage area attached to business office use is not part of this approval
  - c) There is to be no unloading or loading of trailers on Beauty Hill Road
  - d) **Board added**-A conditional Use Permit was granted for utility trailer sales on this site.
- 2) Make the following plan revisions:
  - a) Add revision Block
  - b) Add perimeter of the storage area with 6' stockade fencing.
- 3) **Board added**-No service or part and accessory sales.
- 4) **Board added**-Add dimension of storage area.
- 5) **Board added**-Locate bulk waste area to rear of non-business storage area.
- 6) Any outstanding fees shall be paid to the Town
- 7) Prior to obtaining Board signature, the Applicant shall submit three(3) complete paper print plan sets and supporting documents as required in Article 3 with a letter explaining how the applicant addressed the conditions of approval. This shall include final and complete reports for all items submitted during review for the Town of Barrington's file. The Chairman shall endorse three copies of the approved plan(s) meeting the conditions of approval ~~upon receipt of an executed bond for all improvements, excluding buildings.~~ The Town shall retain a signed and approved reproducible 11"X17", and PDF format with supporting documents for Town records.

## General and Subsequent Conditions

- #1) Where no active and substantial work, required under this approval has commenced upon the site within two years from the date the plan is signed, this approval shall expire. An extension, not to

exceed one year, may be granted, by majority vote of the Board so long as it is applied for at least thirty days prior to the expiration date. The Board may grant only one such extension for any proposed site plan. All other plans must be submitted to the Board for review to ensure compliance with these and other Town ordinances. Active and substantial work is defined in this section as being the expenditure of at least 25% of the infrastructure improvements required under this approval. Infrastructure shall mean in this instance, the construction of roads, storm drains, and improvements indicated on the site plan. RSA 674:39

(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).

I wish you the best of luck with your project. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Marcia J. Gasses

Town Planner & Land Use Administrator

cc: File

*A motion was made by R. Spinale and seconded by J. Jennison grant the Site Plan Approval with conditions read by M. Gasses. The motion carried 5-1 vote.*

### **ACTION ITEMS**

- 4. 238-36, 37, 40 & 42-V-16-LL (Owners: Waldron B. Haley Rev Tr of 1998, Lawrence Haley, Irving Oil Prop NH Inc & A. William & Jules D'Antillio)** Request by applicants for a proposal to relocate lot lines from Map 238, Lots 36, 37, 40 and 42. Lot 36 is 34.876 change to 31.150 acres, lot 37 is 0.900 to 1.042 acres, lot 40 is 1.435 to 2.763 acres and Lot 42 is 1.805 to 4.058 acres and waivers at Franklin Pierce Highway and Calef Highway on 39.016 acre sites (Map 238, 36, 37, 40 & 42) in the Village (V) Zoning District.\* By: Joel D. Runnals, LLS, Norway Plains Associates, Inc.; PO Box 249; Rochester, NH 03866.

R. Spinale recused himself

F. Nichols read from Joel Runnals from Norway Plains letter that the applicant is proposing a lot line relocation between four (4) lot owners and there will be no changes to topography, parking, structure, drainage, landscaping, lighting, and access.

Joel explained that the reason applicant was here was because once they started doing the survey the found problems so they decided to do lot line adjustments. Joel explained on the plans what the applicant was doing. Below are the breakdown of the lot lines:

**Proposed Map 238 Lot 36** from 34.876 acres to 31.150 acres

**Proposed Map 238 Lot 37** from 39,210 sf. to 45,377sf

**Proposed Map 238 Lot 40** from 62,348 sf to 120,353 sf

**Proposed Map 238 Lot 42** from 78,620 sf to 4.058 acres

Joel explained that he had site plans for Dante's and Irving. Joel explained that Dante's did a site review in 1996. Joel found a deed that the trust deed land to Dante's but was never recorded. Joel explained by doing these lot lines would correct this and square off the other lots.

J. Brann asked Joel to explain the plan.

Joel Runnals explained the plan by the color keys that he showed on the plan.

F. Nichols asked how this would help the applicants.

Joel Runnals explained that this would square off all property lines.

Joel Runnals explained the reason for the waivers was no development, clean up boundary line and there would be no development proposed.

J. Brann asked if this would cause any impact on the site plans.

M. Gasses explained that the applicants are not asking for any changes. M. Gasses explained that she spoke to Joel if any changes to the lots buffers would apply. M. Gasses asked if any wetlands on the house lot.

Joel explained that no wetlands were located on the house lot.

F. Nichols read the waivers:

- 1. 5.3.1(8)** The estimated location and use of all existing structures, including wells and septic systems, on the site and within 100 feet of the site.

*A motion was made by J. Brann and seconded by D. Ayer to approve the waiver because not granting the waiver would pose an unnecessary hardship to the applicant and granting the waiver would not be contrary to the spirit and intent of the regulations. The motion passed unanimously.*

- 2. 5.3.1(10)** Man-made features such as, but not limited to existing roads, stonewalls, pedestrian ways, cemeteries, and other structures.

*A motion was made by J. Jennison and seconded by J. Brann to approve the waiver because not granting the waiver would pose an unnecessary hardship to the applicant and granting the waiver would not be contrary to the spirit and intent of the regulations. The motion passed unanimously.*

- 3. 5.3.1(11)** The size and location of all existing public and private utilities, including off-site utilities to which connection is planned, and any underground storage tanks, abandoned or in use.

*A motion was made by D. Ayer and seconded by J. Jennison to approve the waiver because not granting the waiver would pose an unnecessary hardship to the applicant and granting the waiver would not be contrary to the spirit and intent of the regulations. The motion passed unanimously.*

4. **5.3.1(6)** Existing grades and topographic contours at intervals not exceeding two (2) feet with spot elevations where the grade is less than 5%.

*A motion was made by D. Ayer and seconded by P. Mausteller to approve the waiver because not granting the waiver would pose an unnecessary hardship to the applicant and granting the waiver would not be contrary to the spirit and intent of the regulations. The motion passed unanimously.*

*A motion was made by D. Ayer and seconded by J. Jennison to accept the application as complete. The motion carried unanimously.*

F. Nichols opened public comment.

F. Nichols closed public comment.

*M. Gasses read the conditions.*



**Planning & Land Use Department**

**Town of Barrington**

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**333 Calef Highway**

**Barrington, NH 03825**

**603.664.0195**

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**DRAFT  
NOTICE OF DECISION**

[Office use only]	Date certified:	As built received: N/A	Surety returned: N/A
<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>			
<p><b>Proposal Identification:</b>  <b>238-36, 37, 40 &amp; 42-V-16-LL (Owners: Waldron B. Haley Rev Tr of 1998, Lawrence Haley, Irving Oil Prop NH Inc &amp; A. William &amp; Jules D'Antillio)</b> Request by applicants for a proposal to relocate lot lines from Map 238, Lots 36, 37, 40 and 42. Lot 36 is 34.876 change to 31.150 acres, lot 37 is 0.900 to 1.042 acres, lot 40 is 1.435 to 2.763 acres and Lot 42 is 1.805 to 4.058 acres and waivers at Franklin Pierce Highway and Calef Highway on 39.016 acre sites (Map 238, 36, 37, 40 &amp; 42) in the Village (V) Zoning District.* By: Joel D. Runnals, LLS, Norway Plains Associates, Inc.; PO Box 249; Rochester, NH 03866.</p>			

**Applicant:**

Irving Oil Properties NH Corp  
190 Commerce Way  
Portsmouth, NH 03801

Joel D. Runnals, L.L.S.  
Norway Plains Associates, Inc.  
PO Box 249  
Rochester, NH 03866

Lawrence Haley  
2908 French Place  
Austin, TX 78722

A. William & Jules D'Antillio  
P.O. Box 474  
Barrington, NH 03825

Dated: XXXX, 2016

**Dear applicant:**

This is to inform you that the Barrington Planning Board at its XXXX, 2016 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, 2016**, the Boards approval will be considered to have lapsed, unless a mutually agreeable extension has been granted by the Board. *Reference 8.23 of the Town of Barrington Subdivision Regulations*

**Conditions Precedent**

- 1)
  - a) Add the owners signature to the final plan
  - b) Add the wetland scientist stamp & signature to the final plan
- 2) Make the following plan revisions
  - a) Add the buffer delineation to the wetland shown
- 3) Add the following plan notes:
  - a) Wetland buffer regulations apply to all lots
  - b) List waivers granted as part of this approval

**1. 5.3.1(8)** The estimated location and use of all existing structures, including wells and septic systems, on the site and within 100 feet of the site.

**2. 5.3.1(10)** Man-made features such as, but not limited to existing roads, stonewalls, pedestrian ways, cemeteries, and other structures.

**3. 5.3.1(11)** The size and location of all existing public and private utilities, including off-site utilities to which connection is planned, and any underground storage tanks, abandoned or in use.

**5. 5.3.1(6)** Existing grades and topographic contours at intervals not exceeding two (2) feet with spot elevations where the grade is less than 5%.

*(Granted)*

- 4) 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)*
- 5) Any outstanding fees shall be paid to the Town
- 6) For lot line adjustments the applicant shall submit to the Land Use Office a copy of the signed and notarized deed which will effect the conveyance of the subject property before the plat is certified by the Planning Board. Once the plat is certified the deed must be recorded simultaneously with the plat. For Lot Line Adjustments where the property is in the same ownership corrective deeds incorporating the adjustment must be provided.
- 7) Final drawings. (a) five 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. 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.

#### **Conditions Subsequent**

1)

I wish you the best of luck with your project. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Marcia J. Gasses

Town Planner & Land Use Administrator

cc: Joel Runnals, Norway Plains Associates

File

*A motion was made by D. Ayer and seconded by J. Jennison grant the Lot Line Adjustments approval with conditions read by M. Gasses. The motion carried unanimously.*

*R. Spinale returned to the board.*

### **NON-ACTION ITEMS**

5. ([Map 223, Lot 22](#)) Review and comment under RSA 41:14-a on possible sale of parcel of land at the corner of Old Green Hill Road and Route 125 to Joe Falzone.

F. Nichols read the description to the board.

Joe Falzone explained that he owns about 100 acres and he had put 68 acres into Conservation behind a commercial lot. Joe explained that when he contacted the town they said the state owned it then it came back that the town owned the property. Joe explained that there was already a curb cut on Route 125 at Substitute Road. Lot 22 cannot be built on has a 50' setback from Route 125.

M. Gasses explained that lot 22 was gifted to the town.

Joe Falzone explained he wanted the lot to use for access to the approved commercial lot.

R. Spinale asked if he wanted to use for the driveway to access lot 20.

Joe Falzone explained that was correct. Joe explained that the curb cut was already there.

D. Ayer questioned that this would be for the selectmen to decide.

M. Gasses explained that under Section 41:14-a the selectmen needed to get a recommendation from the Planning Board.

M. Gasses explained that there was also a 200+ acre lot that abutted this property that could bring future development to the right. This was a way to improve the roadway. This would be a discussion for the selectmen.

F. Nichols asked about the trees and bush on Route 125 is that wetlands.

Joe Falzone explained no wetlands and that he cannot clear until he comes in with a site plan. Joe explained that every time a buyer comes out and hears about the 50' rule they don't want to buy the lot.

D. Ayer explained that this is 50' green space.

F. Nichols explained that he liked the idea of having a road in.

J. Brann asked where this was located.

M. Gasses explained that location.



P. Mausteller stated that DOT doesn't like curb cuts off of Route 125. P. Mausteller explained that it made sense to him to do this.

Joe Falzone explained that he was not at the Conservation meeting due to a family matter and the Board made a recommendation without his input.

M. Gasses explained that the lot was a lot of record no buffer.

M. Gasses explained that she thought the Conservation Commission had not had enough information.

F. Nichols stated that the board supports the sale.

M. Gasses stated that the board supported the sale of Lot 22 to Joe Falzone because it utilized existing curb cut and could act as a catalyst for economic development.

### **COMMUNICATIONS RECEIVED**

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

**A. Sign Ordinance- DRAFT**

*First workshop with be held on October 18, 2016*

**B. ADU Ordinance-DRAFT**

*First workshop with be held on October 18, 2016*

#### **UNFINISHED BUSINESS**

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

M. Gasses explained that the board needed to vote to have F. Nichols sign the release and termination of access and maintenance agreement and driveway easement plan. M. Gasses read the full document.

R. Spinale and seconded by P. Mausteller to authorize the chair to sign the document release and termination of access and maintenance agreement and driveway easement plan.

**6. Map 104, Lot 15-** Review of a request for a building permit on a private road, for Kenneth Bolstridge, 639 Berry River Road. Memo needs to be revised to add must meet all zoning requirements.

M. Gasses explained to the board that this was brought back to the Board because the location of the garage was changed and wanted to Board to know.

The board recommended the standard memo be sent to the selectmen stating that the Board saw no conflict with the regulations in issuing a building permit provided the recommendations of the Road Agent were followed.

**7. Map 118, Lot 31-**Review of a request for a building permit on a private road, for Linda Harrington, 333 Mica Point Road.

The board recommended the standard memo be sent to the selectmen stating that the Board saw no conflict with the regulations in issuing a building permit provided the recommendations of the Road Agent are followed.

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

October 18, 2016 6:30 p.m., Early Childhood Learning Center 77 Ramsdell Lane

Without objection the meeting was adjourned at 9:00 P.M.

Respectfully Submitted,

Barbara Irvine