



BARRINGTON PLANNING BOARD MEETING

NEW LOCATION: EARLY CHILDHOOD LEARNING CENTER

77 RAMSDELL LANE

Barrington, NH 03825

Tuesday October 3, 2017

6:30 pm

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

(Approved October 17, 2017)

MEETING MINUTES

Members Present

James Jennison, Vice Chair-Acting Chair for Fred Nichols

Jeff Brann

Richard Spinale

Steve Diamond

Donna Massucci

Alternate Member: Dan Ayer-ex-officio

Town Planner: Marcia Gasses

Members Absent

Fred Nichols, Chair

Casey O'Brien-ex-officio

MINUTES REVIEW AND APPROVAL

1. Approval of the September 19, 2017 Meeting Minutes.

Without objection the Board approved the September 19, 2017 meeting minutes.

5/1 Vote

Diamond-Yay

Ayer-Abstain

Jennison-Yay

Brann-Yay
Spinale-Yay
Massucci-Yay

Continued ACTIONS ITEMS before the Board from September 5, 2017

2. **216-28, 29, 31-GR-17-LL (Owner: Michael J. O'Connell Revocable Trust 2009)** Request by applicant for a lot line adjustment between Map 216 Lot 28, Map 216 Lot 29 and Map 216 Lot 31 with a proposed gifting of 110 acres of undeveloped land (Lot 29) to Southeast Land Trust located on Old French Mill Road (Map 216, Lots 28, 29 & 31) in the General Residential (GR) Zoning District. BY: Joel Runnals; Norway Plains Associates, PO Box 249, Rochester, NH 03866.

J. Jennison introduced Joel Runnals representing the case for Dr. Michael O'Connell.

Joel Runnals from Norway Plains Associates representing Dr. Michael O'Connell explained that he owns Lots 28, 29 and 31. Joel explained that there was a lot line adjustment done a year or two ago for lot 30. He explained that Dr. O'Connell lives at lot 31. He explained that the applicant was in the process of gifting lot 29 containing 110 acres to SELT (Southeast Land Trust). He explained that lot 28 use to be owned by the Andersons and the only access to the property was over a bridge. He explained that the goal was to have lots 28 and 29 to be 5 acres so the applicant would not have to go to the state for subdivision approval; both lots have houses, septic systems and wells. He explained that 50' frontage was needed on the private road where Dr. O'Connell's house was.

R. Spinale asked if this was a private road.

M. Gasses explained that was the neck of the lot.

Joel Runnals explained that was so the lot would have frontage for a backlot.

D. Ayer stated that the Conservation Commission had no concerns.

J. Jennison asked Joel Runnals to address the following waivers:

Requested Waivers:

1. 5.3.1(5) Surveyed property lines of the entire parcel

A motion was made by D. Ayer and seconded J. Brann to grant the waiver 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 carried unanimously.

2. 5.3.1(6) Existing grades

A motion was made by D. Ayer and seconded J. Brann to grant the waiver 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 carried unanimously.

3. 5.3.1(8) The estimated location of all existing structures on the site and within 100' of the site

A motion was made by J. Brann and seconded D. Ayer to grant the waiver to show only those structures on Lots 28 & 31 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 carried unanimously.

4. 5.3.1(9) Natural Features

A motion was made by D. Ayer and seconded S. Diamond to grant the waiver 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 carried unanimously.

5. 5.3.1(10) Man-made features

A motion was made by J. Brann and seconded D. Ayer to grant the waiver to show only those structures that are on lots 28 & 31 of interest and not on the remaining 75 acres or on abutting lots 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 carried unanimously.

6. 5.3.1(11) – The size and location of all existing public and private utilities

A motion was made by D. Ayer and seconded J. Brann to grant the waiver to show size and location of all utilities 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 carried unanimously.

7. 5.3.2(3) Test Pits

A motion was made by J. Brann and seconded D. Ayer to grant the waiver for test pits on lots 28, 31 & 29 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 carried unanimously.

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

J. Jennison opened public comment.

J. Jennison closed public comment.

Requested Waiver:

8.8 Monuments

A motion was made by D. Ayer and seconded R. Spinale to grant the waiver for only monuments shown on the plans are set, and that they either be rebar or drill holes and not bounds; 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 carried unanimously.

M. Gasses read conditions precedents:



Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0195

DRAFT
NOTICE OF DECISION

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As built received: N/A</i>	<i>Surety returned: N/A</i>
<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>			
Proposal Identification: 216-28, 29, 31-GR-17-LL (Owner: Michael J. O’Connell Revocable Trust 2009) Request by applicant for a lot line adjustment between Map 216 Lot 28, Map 216 Lot 29 and Map 216 Lot 31 with a proposed gifting of 110 acres pf undeveloped land (Lot 29) to Southeast Land Trust located on Old French Mill Road (Map 216, Lots 28, 29, &31) in the General Residential (GR) Zoning District. By: Joel Runnals; Norway Plains Associates, PO Box 249, Rochester, NH 03866			

Applicant: Michael J. O’Connell Revocable Trust 36 Old French Mill Barrington, NH 03825 Professional: Joel D. Runnals Norway Plains Associates, Inc. PO Box 249 Rochester, NH 03867	Dated: xxxxx, 2017
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Dear applicant:

This is to inform you that the Barrington Planning Board at its XXXX, 2017 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, 2018**, 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) Add plan note with the waiver that were granted:
 - a) 5.3.1(5) Surveyed property lines of the entire parcel (*Board granted*)
 - b) 5.3.1(6) Existing Grades (*Board granted*)
 - c) 5.3.1(8) The estimated location of all existing structures on the site and within 100' of the site (*Board granted*)
 - d) 5.3.1(9) Natural Features (*Board granted*)
 - e) 5.3.1(10) Man-made features (*Board granted*)
 - f) 5.3.1(11) The size and location of existing private utilities (*Board granted*)
 - g) 5.3.2(3) Test Pits (*Board granted*)
 - h) 8.8 Granite Bounds (*Board granted*)
- 3) Add a note to the plan stating "Any disturbance outside of the delineated areas requires wetland delineation of the proposed areas of disturbance.
- 4) Make the following plan revisions:
 - a) Label Old French Mill a Private Road
- 5) The applicant's surveyor shall certify in writing that the bounds and pins have been installed according to the plans.
- 6) Any outstanding fees shall be paid to the Town
- 7) 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.
- 9) 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: File

A motion was made by R. Spinale and seconded by D. Ayer to approve the lot line of adjustment. The motion carried unanimously.

ACTIONS ITEMS

3. [209-2-GR-17-2RochesterSub \(Owners: John & Cheryl Huckins\)](#) Request by applicant for a 3 lot subdivision which will be 2 lots in Rochester and 1 lot in Barrington. Rochester lot 1 will be 1.39 acres and lot 2 will be 2.41 acres with the remaining lot containing .93 acres in Rochester and 7.06 acres in on Huckins Lane (Map 209, Lot 2) in the General Residential (GR) Zoning District.

J. Jennison gave a brief description of the application.

John Huckins explained that he came before the Board a couple of months ago to break off a lot in Rochester at that time. He explained that in Barrington you can do a backlot and front lot as a combination and stated that Rochester has what was called a pork chop subdivision; you cannot do a combination of a backlot and front lot as a combination so that was why he was back before the Board twice. He explained that the only thing that would be changing in Barrington was that back in 1988 when the original lot was done you could do backlots off a right away. He explained that the difference now was that he has ownership out to the class five road so now this conformed with today's regulations. He explained that now this complies with the backlot provision in Barrington and the pork chop regulations in Rochester.

M. Gasses asked John Huckins to clarify that there would be no changes in Barrington.

John Huckins explained that there would be no changes in Barrington. He explained that he would have ownership all the way to Chapman Drive with a 50' right of way to the end of the road.

J. Brann questioned was this all the way to Chapman Drive.

John Huckins stated that was correct Chapman Drive was a class 5 road.

J. Brann questioned what was part of the 25' right of way.

John Huckins explained that the 25' right of way was in part of the 50' ownership neck that he owns. He explained that the 25' right of way part of when the 2 backlots were done with the 25' front for each.

J. Brann questioned if the 50' strip was part of his driveway to your house and all of the added strip was in Rochester.

John Huckins stated this was correct.

J. Brann praised John Huckins on the great job on the checklist.

S. Diamond asked why all of this wasn't done at once.

John Huckins explained that because in Rochester you couldn't. In Barrington you can do a front lot and backlot together as a subdivision. He explained that in Rochester you cannot do a pork chop subdivision he explained that Rochester called them flag lots not backlots. He explained that in Rochester if the subdivision was not on a new road you cannot do a regular frontage subdivision with a pork chop (backlot) subdivision. He explained that they have to be done separate because this was how Rochester's Regulations work.

S. Diamond questioned that between the two times that you have come in you have created 4 lots.

John Huckins explained that there were 3 new lots in Rochester and 1 lot in Barrington.

S. Diamond questioned that part of the Barrington lot was in Rochester.

John Huckins explained that the 4th lot was in Barrington to be able to keep ownership to the class 5 road.

S. Diamond questioned the Barrington subdivision regulations allowed 2 backlots and Rochester regulations you could have up to 3 flag lots.

John Huckins confirmed that this was correct.

S. Diamond questioned that he felt that the Barrington rules were being applied on one side and Rochester rules applied on the other to get more lots than the town intended to allow.

John Huckins explained the 3 lots in Rochester are flag lots and the lot from a couple months ago was a straight front lot.

S. Diamond questioned if this was using the Barrington rules.

John Huckins explained that this was using the Rochester rules.

M. Gasses explained that City of Rochester cannot apply their rules to us and Barrington cannot apply our rules to City of Rochester.

John Huckins explained that all the information for Rochester needed to meet their rules and in Barrington had meet our rules.

J. Brann asked how many backlots were allowed in Rochester.

John Huckins explained that up to three pork chop lots are allowed in Rochester.

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

S. Diamond cited the following Barrington Subdivision Regulations and wanted to know what town this would reference.

11.2.4(5) The backlots shall be deemed as unsubdividable unless additional lots conform to town zoning and subdivision standards.

John Huckins explained that Barrington conforms to Barrington and Rochester conforms to Rochester's regulations.

S. Diamond stated that the way he read the regulation was that the backlot was unsubdividable when he did the first subdivision.

John Huckins stated that this was incorrect.

S. Diamond stated that it was Barrington's regulations.

John Huckins explained that the last one he did was a road frontage lot.

M. Gasses clarified to the Board that years ago the Board stated that there could be no further subdivision. She explained that this could not be legally done, if someone comes before the Board and could meet the zoning ordinance at the time requesting the subdivision this could be subdivided.

John Huckins confirmed that several subdivisions have come back before the Board previously stating no further subdivision.

J. Brann stated the last time you came before the Board you had no changes in Barrington and you still have no changes.

John Huckins stated that he keep 50' in Rochester because Barrington's regulations states that you need the neck.

J. Jennison open public comment.

J. Jennison closed public comment.

M. Gasses read the conditions precedent.



Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0195

barrplan@metrocast.net

barrplan@gmail.com

**DRAFT
NOTICE OF DECISION**

<i>[Office use only]</i>	<i>Date certified:</i>	<i>As builts received:</i> <i>n/a</i>	<i>Surety returned</i> <i>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.

Proposal Identification: 209-2-GR-17-3-SUB Request by applicant for a 3 lot subdivision with 2 lots in Rochester and 1 lot in Rochester and Barrington. Rochester lot 1 will be 1.39 acres and lot 2 will be 2.41 acres with the remaining lot containing .93 acres in Rochester and 7.06 acres in Barrington, on Huckins Lane (Map: 209 Lot: 2) in the General Residential (GR) Zoning District

Owner:
John D. and Cheryl A. Huckins
70 Huckins Lane
Barrington, NH 03825

Professional:
Randy Orvis
Geometres Blue Hills, LLC
PO Box 277
Farmington, NH 03835

Dated: XXXXX,2017

Dear applicant:

This is to inform you that the Barrington Planning Board at its XXXXXXX, 2017 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 XXXXXX, 2018, 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 owners signature to the final plan
- 2)# Any outstanding fees shall be paid to the Town
- 3) Final Drawings (a) five sets of black line (b) plus one set of 11"X17" final approved plans 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.

(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
City of Rochester, NH

A motion was made by R. Spinale and seconded by D. Ayer to approve application. The motion carried unanimously.

*Massucci-Yay
Spinale-Yay
Brann-Yay
Jennison-Yay
Ayer-Yay
Diamond-Yay*

DESIGN REVIEW

4. 238-16-V-17-DesignReview (Owners: Frederick E. Drew III & Cheryl A Groscinski-Drew)

Request by applicant for a design review for a 20 unit townhouse style development off of Franklin Pierce Highway (aka Route 9) across from the middle school entrance. BY: Chris Berry; Berry Surveying & Engineering, 335 Second Crown Point Road, Barrington, NH 03825.

J. Jennison gave a brief description of the design review.

J. Brann questioned whether in design review was it correct that none of the review would be binding.

D. Massucci recused herself.

M. Gasses explained that any comments would be nonbinding on what would be brought before the Board. She explained to that because this was multi-family design that it would be subject to architectural design review.

J. Brann asked what the applicant was planning for a theme.

Chris Berry from Berry Surveying and Engineering with Robert Baldwin principal owner from Knox Marsh Development LLC., explained that the applicant would like to get input from the Board before they come back within 30-60 days. He explained that this project would be across from the middle school. He explained that this property was known as the Drew property and gave the Board a more detailed plan. He explained that the applicant was looking to develop quarter of the property at a time. He explained that Drew pond was on this site. He explained that after talking to Marcia Gasses, Town Planner that they have decided to do the project in phases.

R. Spinale asked if the two houses between the pond and this lot were part of this project.

Chris Berry explained that currently the houses would be separate from this project.

J. Brann asked about the poorly drained wetland area north of the pond.

Chris Berry explained that was correct that there are poorly drained area that reaches up slope.

J.Brann stated that since the applicant was not using the right of way between the houses that was his concern about the traffic if they were going to use the right of way between the houses.

Chris Berry explained that they would not be using the curb cut between the two houses. He explained the area for the curb cut needed to have 400' site distance coming from each direction and 2' snow cover in the shoulder. He explained that this was the best spot.

Chris Berry explained that the applicant was proposing single family attached housing units with two floors and a two car garage for lease or for sale.

R. Spinale questioned what the intent of these units was.

Chris Berry stated that the intent was to sell or lease if that could not happen they would rent.

D. Ayer was concerned that the units would not sell based on other towns.

Rob Baldwin suggest that they take a look at the units on Dover Point Road across from Patty B's.

M. Gasses explained that the fire chief was concerned about snow storage and having additional parking for visitors. She explained that he suggested 30,000 gal. cistern.

Chris Berry explained that these units would need to have sprinklers so the cistern would not be needed.

M. Gasses explained that the well capacity would need to change. They should also check with the fire chief because he may still want a cistern.

Chris Berry explained that these would be 20 unit single family attached with private well which would need a public water supply permit. He explained that there would be scattered septic systems around the site. He explained that stormwater was always a concern there would be a reserved area for stormwater for some type of rain garden.

J. Brann raised a concern with possible traffic pattern problems with all the proposed development in this area and Christmas Dove area.

Chris Berry explained that the traffic would be morning and evening. He explained that with additional possible projects coming in the future they were looking into a corridor study in the area. He explained that a count would probably be done on all of route 9.

R. Spinale was concerned about the backup on Route 9 in the evening now.

M. Gasses explained that she did talk to NHDOT and her thought was that the Board be supplied with the same information required by NHDOT.

S. Diamond asked if there would be connecting roads to this project.

Chris Berry explained that they looked into it and there could be no connecting roads without going through private properties.

M. Gasses explained that this does not need to be a through road.

J. Jennison asked if there would be a sidewalk from the site to the middle school.

Chris Berry explained that there could be an internal sidewalk, but the problem with a sidewalk to the school would be in the state right of way and they do not want to maintain sidewalks.

J. Jennison asked about a possible path.

M. Gasses asked about internal sidewalks or pathways.

Chris Berry explained that they do not mind doing internal trails and recreation space, as far as sidewalks to the school the counts of children in this type of development was low.

Chris Berry explained that the architectural design would be more open to the roadway because drainage has to be put in where a buffer of trees exists. He explained the fronts would be facing route 9. He explained the roof lines would have a country look.

R. Spinale asked how many would be attached.

Chris Berry explained that some units would be 6 or 8 units attached.

S. Diamond asked size of each unit.

Rob Baldwin explained that the units would be 1550 sq. ft. per unit.

R. Spinale asked if the units had basements.

Chris Berry explained that they do not have basements the first floor was the garage.

R. Spinale asked about the pump house.

Chris Berry explained that there would be a community well and a pump house.

R. Spinale asked about the septic systems.

Chris Berry explained that every 2 to 3 units would have a septic system.

M. Gasses explained that the State of NH classifies wells and many gallons of water required per bedroom and how many additional gallons for fire suppression.

R. Spinale asked what the units would be worth.

Rob Baldwin explained that the units would be worth about 225,000.00.

J. Brann asked about chair lifts or ADA units available.

Chris Berry explained that they had not got that far into the project.

J. Brann asked about test pits.

Chris Berry explained that test pits were done.

M. Gasses explained that they would need a mailbox system.

Chris Berry stated the mailbox system would be at the entrance.

J. Brann asked about islands and greenery.

Chris Berry explained that there would treatment they could do using islands, planters etc.

The motion was made by D. Ayer and seconded by R. Spinale to close the design phrase review. The motion carried unanimously.

COMMUNICATIONS RECEIVED

REPORTS FROM OTHER COMMITTEES

UNFINISHED BUSINESS

OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD

5. Review of a request for a building permit at 19 Heron Way a Private Road/Class VI, for Scott & Shanin Sansoucie (Map 106, Lot 10).

Without objection the Board agreed to send a letter to the Selectmen stating that they knew of no pending projects or conditions that would hinder the issuing of a building permit. The Board concurs with the recommendations of Peter Cook, Road Agent.

6. Steve Diamond discussion on wetland buffers.

S. Diamond brought brochures for the Board on wetland buffers and he had a discussion with the Board.

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

Next meeting would be October 17, 2017 5:30 pm for the Economic Development Chapter and the next workshop would be at meeting 6:30 p.m. Early Childhood Learning Center

Meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Barbara Irvine