

## Minutes

### Planning Board Meeting

September 2, 2010

Members of the Planning Board in attendance were Charles Moreno, Chairman, James Graham, Lynn Sweet and Mark Whitcher.

The Board meet at 7PM on-site for the Scribner application with Randy Orvis, representing Herbert Scribner. The Board then moved to the town hall. The Chairman called the public meeting to order at 7:40 PM and announced the members present. The closing date for applications to appear on the agenda for the October 2010 regular meeting will be 5 p.m., Tuesday, September 21, 2010. The Chairman reminded the audience that the Board has a policy setting time limits for meetings and that the Board will not consider any new business after 10:30 PM.

The first order of continuing business was the application of HERBERT SCRIBNER for Modification of an Approved 2-lot Subdivision approved at the May 2, 2008 meeting for land located on Parker Mountain Road and NH Route 126 (Tax Map 11, Lots 89 and 89-3). Randy Orvis of Géomètres Blue Hills presented revised plans showing items requested by the Board at the last meeting, including the redesign of the proposed road. Board members had reviewed the location for the road at the site review earlier. Randy Orvis addressed the Board, noting that after Steve Leighton suggested the construction of a spur road at the last meeting, they redesigned the road and make some adjustments to the lots to accommodate the new proposal. In addition, Mr. Orvis presented a revised letter detailing the waivers requested from the subdivision regulations: they are asking for a waiver from the requirement for 3% grade at the intersection, a waiver from the request for a cul-de-sac at the end of the road, and a waiver from the vertical curve requirement. The new spur road will extend approximately 70 feet from the edge of the current pavement, and about 25 to 30 feet from the edge of the ROW for NH Route 126. An easement area at the end of the road will allow driveways to be constructed off the end of the spur road. The frontage for the new lot will extend around the arc of the curve to reach the full 200 feet required. Mr. Orvis noted that they intend to deed the spur road (MaKenzie Lane) to the town. The Chairman asked if Mr. Orvis had prepared the plan showing the road designed to full specifications without waivers, as suggested by the Board at the last meeting. Mr. Orvis noted that he had not, but also noted that he had prepared the comparison for the site review, where the Board had compared the fill elevations required to meet the 3% requirement with the 10% proposed here. Mr. Orvis noted that he had not yet contacted NH DOT with the revised plans, but would ask for an amended permit from DOT once the Board was finished with their review. Board members agreed that the new plans address the question of the outlet of the culvert under NH Route 126. It was agreed that the Town can ask for culverts under the new driveways to be constructed off MacKenzie Lane as part of the driveway permit process. There was discussion of the swale area at the base of the slope along NH Route 126, and whether an additional culvert under MacKenzie Lane should be required. Finally, Board members noted the requirements for financial guarantee; the new road must be built or bonded, and additional funds will be needed for construction inspection. It was noted that Ed Kelly has performed these services before and may be available.

Board members then addressed the request for waivers. Board members unanimously agreed that the site review had been valuable and that the site would be better aesthetically without the extra fill that would be needed to meet the 3% grade requirement for the intersection. The Chairman suggested that the Board address the three requested waivers one by one. A motion was made and seconded to grant a waiver to the requirement for grades to allow a 3% platform for 40 feet at the intersection, increasing to 10% for the remainder. The vote was unanimous in the affirmative. A motion was then made and seconded to grant a waiver to the requirement for a cul-de-sac to allow the spur road as designed. The vote was unanimous in the affirmative. A motion was made and seconded to grant a waiver to the vertical curve requirements to allow a 5.7 k value vertical sight distance. The vote was unanimous in the affirmative.

Board members then returned to a review of the revised plans. The following items were missing and/or need corrections or clarifications added to the plans: revise the cross-section to show the full required 3 inches of pavement and NH DOT specifications; set another monument on the corner as shown on Detail A on Sheet 1; correct typos on Sheet 1 in the conditions of approval notes; add the following conditions as notes—"The landowner is responsible for complying with all Town and NH DOT requirements." and "Town driveway permits will be required for access from MacKenzie Lane." After discussion, Board members reviewed the conditions of approval as agreed during discussion. The conditions are as follows: conditions as agreed at previous meetings, including the condition that the road must be brought to full town construction specifications in order to be brought to the Town for acceptance, and the note stating that the current approval is

for single family use only and that the road design would need to be brought back to the Board for review for multifamily use; the new conditions agreed upon this evening, including the condition that the landowner is responsible for meeting all Town and DOT requirements and that Town driveway permits will be required for driveways off MacKenzie Lane; NH DOT for the road access: financial guarantee for the road and for construction inspection of the road; deed reference for the State of NH ROW; fix typos; pipe/monument on the corner at Detail A; and correct the profile/cross section. Jim Graham then made a motion, seconded by Lynn Sweet, to accept and approve the plans for modification of an approved 2-lot subdivision, conditional upon the items listed above. There was no further discussion. The Chairman called the vote and the vote was unanimous in the affirmative. The applicant was directed to meet with the Selectmen regarding the financial guarantee.

The first item of new business was the application of PAUL A. and MARY A. AUCELLA for the 2-lot subdivision of their land located on Range Road and Province Road (Tax Map 228, Lot 16, Town of Barrington and Tax Map 8, Lor 34-1A, Town of Strafford). Mary Aucella was present. Board members briefly reviewed the plans. It was noted that there is no proposed change to the part of the Aucella's lot that is located in Strafford. There are two plan notes that were required by the Strafford Board when the land was previously subdivided. One note stated that the land in Strafford is not to be considered a separate lot. This is because this land would not mean minimum lot requirements without including adjacent land in Barrington. Another note identifies the approximate town boundary. Board members agreed that these notes have been carried over to the new plans. Jim Graham then made a motion to accept the plans as complete for consideration. Board members agreed that everything going on with the project is not in Strafford. The Chairman then opened the public hearing on this plan. There were no comments. Jim Graham then made a motion to accept and approve the plans for subdivision regarding the land in Strafford. It was noted that Strafford will need a copy of the final plans as approved and signed by Barrington for our files.

The final order of new business was the application of WEN W. REDMOND REVOCABLE TRUST for boundary adjustment between their properties located on Water Street and Fire Road 21 (Tax Map 34, Lot 7, Lot 7-1 and Lot 8, 34 Fire Road 21). Charles Moreno advised the Board that the Redmonds are clients of his, although not for anything involving this property. He recused himself from the Board for this item, although he agreed to participate in the discussion. Jim Graham served as Acting Chairman. Randy Orvis of Geometres Blue Hills presented the plans. There were several abutters present, including Richard and Marie Care. Mr. Orvis advised the Board that the proposal is to take land from Lot 7 and add it to Lot 8, which is now a tiny lot on the lake. Mr. Orvis indicated that you would still meet the uplands requirements for Lot 7 after the proposed adjustment. Lot 7 has 150 feet of frontage on Water Street, and is thus non-conforming by current ordinances. Lot 7 now has 40 feet of frontage on Bow Lake. This would be given to Lot 8, which would also gain land behind the lot. The Redmonds hope to do something with the camp on Lot 8, and would need to meet current Shoreland rules.

Richard and Marie Care and another abutter asked about whether the proposal would change the Fire Road, which also accesses their properties. Mr Orvis noted that there would be no impact on the Fire Road, and noted that the Fire Road ROW has already been established. Discussion then turned to whether the Board could act on this proposal without a Special Exception from the Board of Adjustment, because all of the lots involved are non-conforming by current ordinances. It was noted that it should be confirmed that the dog-leg area behind Lot 8 should be checked to be sure that it conforms to requirements for minimum lot width. The 1986 subdivision plan for Lot 7 was reviewed. Board members agreed that all plan notes and conditions shall follow to the new plan and be noted on the new plans. There was a question of whether, under the Subdivision Regulation 2.3.5, the area of the ROW for Fire Road 21 may be included in the minimum lot size because it had been platted in 1986. Noting concerns with non-conforming use issues, Lynn Sweet then made a motion, seconded by Mark Witcher, to accept the plans as complete for consideration, conditional upon the requirement that the Zoning Board of Adjustment be consulted under Article 1.7.1, Non-conforming use. There was no further discussion, and the vote was unanimous in the affirmative.

The final order of continuing business was the application of ROBERT, ELAINE, and REBECCA WHITE for Non-Residential Site Plan Review for the Whitehouse Early Learning Center, 352 Province Road (Tax Map 8, Lot 75). There was no new information on this item. Further discussion will be continued.

Board members then addressed the minutes. A motion was made and seconded to accept the minutes as presented. The vote was unanimous in the affirmative. The Board then reviewed recent correspondence. There being no further business before the Board, it was moved, seconded and voted to adjourn at 9:45 pm.

## Minutes

### Planning Board Work Session

September 16, 2010

Members present: Charles Moreno, Chairman, Don Rhodes, and Mark Whitcher. Paul Eaton attended the meeting.

Board members met regarding long-term planning issues regarding agricultural soils. They reviewed a draft agricultural soils overlay district regulation brought by Cynthia Copeland. Board members agreed on using high intensity soils surveys to identify parcels that would be subject to the new soils protection district. It was suggested that different requirements would apply to minor subdivisions and/or smaller lots.

Board members then turned to the Conservation Development ordinance, noting that the existing ordinance includes references to agriculture and would serve as a good starting point. Board members reviewed items that might need updating in order to work with conservation development as part of the current initiative.

Board members then reviewed recent correspondence. There being no further business before the Board, it was moved, seconded and voted to adjourn at 10:00 pm.