



Town of Seabrook
Planning Board Minutes
Tuesday, February 16, 2016
Seabrook Town Hall, 99 Lafayette Road
603-474-5605

MEMBERS PRESENT

Jason Janvrin, Aboul Khan, Ex-Officio, Tom Morgan, Town Planner, John Kelley, Donald Hawkins, Vice Chair, Francis Chase, David Baxter, Stephan Zalewski, Building Inspector, Maria Brown, Planning Board Secretary

MEMBERS ABSENT

Michael Lowry, Ivan Eaton III, Paula Wood, Alternate, Robert Fowler, Alternate

Janvrin opened the meeting at 6:33pm.

MINUTES

January 19, 2016

Motion	Hawkins	To accept minutes of January 19, 2016 as written
Second	Chase	Approved Janvrin, Hawkins, Khan, Baxter, Chase Abstain Kelley

Sea Grill - 186 Ocean Boulevard

Sea Grill would like to add a roof over an existing deck which is 14' x 29 ½'. The applicant will have no increase in seating. Hawkins feels nothing in zoning is restricting this. Chase asked if Zalewski has seen the land. Zalewski stated that he has not seen the property. Hawkins stated that the Beach District Building Inspector should get minutes and oversee the job. Morgan has no issues. Chase asked if all abutters would be notified. Janvrin commented they would not be notified and if it was a site plan review they would have.

Motion	Khan	To waive jurisdiction to the Beach District Building Inspector for 186 Ocean Boulevard - Sea Grill who is requesting to add a roof over the existing deck.
Second	Janvrin	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Kelley

TD Bank

The property has two separate lots. The first lot is where TD Bank is located. The second lot is where the Shaw's Plaza and Wal-Mart are located. TD Bank has requested to change a sign on the building and ask if they could add a sign in front of the Bank. They may possibly add one more sign to the large Shaw's Plaza sign. The signs will need to meet all dimensions requirements and conform to the zoning ordinances. The signs are back lit and trees will be trimmed on the lot. Chase asked if the trees were planted per requirement from the Town and if they will be cut and left to die. Chase asked if TD Bank owns the property. The property is owned by TD Bank.

Motion	Hawkins	To waive jurisdiction to the Code
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		Enforcement Officer for TD Bank – 271 Lafayette Road request for signs.
Second	Chase	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Kelley

Matthew Traffle

The new owners are looking for a facelift only to the building the footprint of the building will not change. Khan asked to explain the picture of the back of property. They will be replacing old vacume with new Boom vacume and it will be very quiet. They will have no changes to the property. Zalewski asked if the metal hoses will have a roof. The metal hoses will not have a roof and it will make it a lot easier to vacume the car. The dumpster will remain where it is now. Khan asked where they have these kinds of facilities. They have some throughout Massachusetts and in Boston. Khan asked if everyone pays \$3.00. The basic car wash will be \$3.00 and it will include a free vacume. Khan asked if the cross connection will remain open. Mr. Traffle stated that the cross connection will remain open. They are hoping to open over the next few months. Janvrin understands that when the new owners closed on the property the old owners laid off all the employees. The new company will consider hiring them back. Hawkins asked if the car wash has been closed for a year and it has not. Khan asked if they will still be using the well water. Mr. Mr. Mathews stated that they will be using the well water.

Motion	Hawkins	To waive jurisdiction to the Code Enforcement Officer for 495 Lafayette Road – Car Wash.
Second	Kelley	Approved Janvrin, Hawkins, Khan, Baxter, Kelley Present Chase

Janvrin presented a letter from Mr. James Sanborn to join the Planning Board as an alternate. Mr. Sanborn serves on the conservation commission at this time. Hawkins feels it is appropriate that we wait until after the elections and we currently have one alternate that actively participates. Hawkins stated that at this time we have 3 alternates (1 expires 2016, 1 expires in 2017, 1 expires in 2018). Hawkins stated that Baxter would remain an alternate unless he is elected and he believes Chase is interested in serving as an alternate. Khan asked if they have a rule concerning alternates that don't participate. Morgan stated that you can remove for good cause. Hawkins asked if they have a rule that would allow one year terms or two year terms for alternates. Morgan stated it must be 3 year terms. Chase stated that they discussed removing people from office at the State level and it is possible according to the law reviewed today. Morgan look at your rules and procedure and it is an expectation of the Board that you will attend the meetings. Khan asked what about attending 65% of the time. Hawkins would like to see a list of all parties that are interested and you cannot get a good feel for what is going on unless you are here. Hawkins asked to table this request. Kelley stated if we have a spot why not fill it. Currently the Planning Board has 3 alternates and can have up to 5. Kelley stated that this gentleman has gone out of his way to request an alternate vacant spot. Chase feels when it is election time people talk about this type of stuff. Khan agrees but if others are showing interest and others are not showing up maybe we should give the person that made the request a chance. Janvrin stated that Mr. Sanborn will be appointed until 2019.

Motion	Kelley	To appoint James W. Sanborn III with an expiration date of February 16, 2019.
Second	Khan	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Kelley

Route 1 Committee update

The Town signed a memorandum with DOT that they would work together moving forward. Baxter stated that the Committee is looking to add an additional single lane moving forward up to Dearborn Ave. If for some reason Market Basket isn't on board we may look at a shorter project ending at Rocks Road. Baxter spoke with Kara who is the owner of the Fireworks Business. Charlie's only concern would be that he has given all he can give and he is not sure if the cemetery will be affected. Baxter stated we will need to meet with DOT. Charlie would not be in favor of any type of median. Janvrin feels the cross connects are working well. Chase thought this was already designed. Hawkins stated that it was a schematic of a proposal made to the DOT. Hawkins stated DOT told Market Basket they had to do the entire length to the tune of 2 million dollars. Hawkins stated that it was too much money for Market Basket to even consider. They never had discussion whether any money would come from exaction funds. Janvrin asked where the sidewalks end. Baxter stated just after the Dollar Store. Charlie has already made his contribution to the State. Janvrin feels that between now and August we would have a much better picture of what we have for funding. Janvrin stated that our Engineer can draw a map to show additions for DOT. Hawkins stated if Route 1 south money was from DDR exaction fees. We could talk to the State up front. Charlie asked if there would be any grants available for upgrades. Hawkins is not sure if there are grants available for Town but maybe through Rockingham Planning we could seek a grant. Market Basket was very receptive. Khan asked what we want to do as a Town if our plan is to take this on for our next big project. Janvrin would like to ask TRC to do preliminary work. Hawkins would like to see what TRC thinks it would take to do this. Baxter was wondering if it would make sense to reach out the DOT District 6 now. Hawkins stated that the MOU says we are supposed to be talking to them about any potential changes and it is a good idea to do this now. Charlie's issue is that he cannot cut back on his property any further he gave 30' originally. Morgan stated that he will look for some data for this project and they could be gaps in the data. Chase feels the next step would be a joint meeting between the State and RPC and we are on

the 10 year plan. Janvrin stated that we should set up a meeting with Planning Board, DOT, and RPC including the abutters. Janvrin stated that Cliff from RPC would be a good contact. Hawkins stated once Cliff is on board we are more likely to get a meeting with DOT. Baxter asked Janvrin to contact Cliff for availability and he will do that. Khan stated that the current corridor study will be helpful for this plan. Janvrin feels it is a good time to update the Master Plan. Morgan stated that we should get copies of the Master Plan. Hawkins stated it is on the website. Baxter will contact Mr. Mathews from Market Basket. Khan would like to remind everyone to discuss cross connections and they are very important. Janvrin stated that two of the properties have an area to have cross connections. Charlie and Baxter are interested in cross connections. Charlie feels it would be helpful for everyone.

Chase asked about the traffic cutting across Market Basket to the oil change property and he suggested that they add barriers on Route 1. Janvrin asked who the land owner is for Lowes and Quick Lube. Heading north they have to cross 3 lanes. Midas has a cross connect area. Hawkins stated he remembers that the Oil Business was interested in talking to the Planning Board. Khan stated that we need a connection with Lowes. Chase would like some type of barriers that stop left turns. Hawkins feels this appropriate safety issues to share with DOT. Janvrin asked if this should be a second agenda item for the possible meeting with DOT and RPC. Janvrin stated that it is a full access drive at this time. Chase stated once they know they cannot turn in there they will find another place to go. Khan feels that this is a serious problem. We have exaction money and we could ask DOT to put a median at that intersection. We could also have our engineer look at the area and give the Planning Board feedback. Chase stated the yellow sticker's right up the street will work. Khan stated they will be knocked down in one day.

Janvrin stated that we have the sub-committee for Transportation and they meet the first Thursday of each month. They have a draft and will pull in department heads and anyone on the Planning Board can participate. Janvrin is anticipating that the work will be done in August.

Hawkins brought in a law update presentation from The Rockingham Planning Commission. One is a Supreme Court sign and Court decision. A town had different sizes of signage tied to what your main sign all different sizes. The Supreme Court came back and said you cannot make content any part of your sign ordinance. You cannot dictate what goes on a sign. The point of the whole case is free speech and the owner has the right to put what they want on the sign. Morgan stated that road side produce has some limits. Hawkins questioned the signs that are not permitted like sandwich boards. The sign could have an expiration date added to them. Hawkins feels the enforcement will get a lot easier. Chase asked if we have a lot of issues in Town. Morgan stated that we will find out. Morgan stated the NH Supreme Court has been very sign friendly. Khan asked if we should discuss this in our work session. Hawkins would like Morgan to review keeping in mind what the Supreme Court just ruled on. Assessor dwelling idea has been argued and supported by Rockingham Planning. All the benefits were discussed. Hawkins stated at this time Seabrook only allows in law apartment. How can the legislator take away zoning from the town? The bill passed in the Senate quite easily. Chase stated that it did not pass easily at the house level. Our Ordinance cannot restrict them to less than 750'. The Beach will not have an issue all other ordinances stay in place. The existing 2 family remains and you can have two living units in one house. Hawkins asked if we have the right to say they can only be one owner of the building. Hawkins asked if it could be added to the deed that it cannot be a condo conversion. Rockingham Commission is collecting data. If we have created environmental issues they need to be addressed. Zalewski stated that it could cause issues down the Road for our Sewer capacity. Janvrin stated the increase in water use could be an issue. Hawkins would like everyone to take a look at the presentation by Ben Frost and they would like feedback from the Town's regarding issues they have identified that need to be addressed. We need to look at what changes our ordinances are going to require supporting this should the family apartment ordinance be brought forward. As long as they are allowed you can put stipulations on them. Cliff is going to have a work session in the middle of the summer. Hawkins asked if we could have a work session for the first meeting in April

5, 2016. Chase felt the just of this bill was for the elderly. It was the people in the Town wanted something so the elderly can remain in their home with their children. Hawkins feels that the law is all good stuff. Chase stated that they would have to meet the parking requirements. This law doesn't change the rest of the ordinances. Janvrin asked what region was really pushing for this. Chase stated the whole state was pushing for this and a lot of Town's were not allowing in law apartments. Chase stated that we aren't doing something that is wrong they have to meet requirements. Khan the same houses will have more trash. Hawkins stated that how it is allowed will be up to the Board. The Planning Board doesn't do anything residential at this time it goes to the ZBA. Khan asked what the definition of in law apartment is. No relations are required any longer. Janvrin asked if they are looking at this for impact fees. Hawkins stated they had not thought of impact fees and he is not sure how it fits. Hawkins will have to read the impact language.

The new bill stated that the days went from 30 to 21 to submit new cases and have them heard. Morgan is going to re-read RSA 676. Morgan asked what prompted this change. Morgan stated this is a very lengthy bill. Hawkins felt the statue stated that the Planning Board has to hear the case before 30 days. Morgan would like to know if this new bill will affect RSA 676. The Planning Board has 30 days to hold a public hearing on cases. Janvrin feels the 30 day public hearing should be extended to 45 days.

Khan mentioned about 3 years ago when he joined RPC he brought the Safe Route to School to the committee. They had meetings with the school and identified a project that would benefit our children. At that time Beckman Woods was finishing up their project. Khan asked Chase to take this project over. Khan is requesting that the Planning Board take this project and do something for the Safe Route to School. We need Causeway to be widening. Khan asked us all to think about this project. Janvrin stated that Millennium did some work on this project. Chase stated that first we have outstanding debt to RPC of \$8,000.00 and they did a lot of evaluations. They eliminated Causeway which would have been a million and half. The crossing of 286 where the light is would cost \$10,000.00 and they looked at completing sidewalks at Centennial Street.

Unfortunately we ran into many problems and deadlines were missed. Chase stated that it seems to be a census that we may still get that money. Safe Route to School has gone away and been rolled into a bigger project group. Janvrin stated our Safe Route to School and Rail Trail were coming forward together. Khan asked if we can use some of the money donated by the developer to start something on this project. Chase was told they would be different funds to do part of Causeway. Starkey had some funds for this. Hawkins asked if we have an alternate plan. Starkey suggested at one time that Causeway could be a one way Road. Chase feels that we need to look at the Dam issue we are facing at the Hamilton property. The land owner has offered funds. Hawkins asked if we made any headway on the dam. Janvrin stated we have not made any headway but Sue Foote may have answers.

Janvrin attended a webinar on how to get grants for energy efficiency. Funding range is 2 million to 5 million per year with new guidelines. Janvrin thought we may want to ask for a committee to be formed. Janvrin stated some parking lot lighting, inside lighting, and motion sensors would be some areas that money is available. Another webinar is coming up in May. Find out what the requirements are, make an application through Unitil, and see if any departments would like to have updates. Prism does energy audits which prompts towns to go out and get funds. It may be worth it to have Prism sit down with us. Hawkins stated the library already went ahead and did an energy efficiency project.

Update on the Secretary Position

The committee will be conducting interviews this week and hope to have a recommendation. Maria has posted the meeting under Non Public to do interviews.

The meeting adjourned at 8:50pm.

Respectfully Submitted,

Maria Brown, Planning Board Secretary