



Town of Seabrook
 Planning Board Minutes
 Tuesday, February 17, 2015
 NOT OFFICIAL UNTIL APPROVED

Members Present: Donald Hawkins, Chair; Jason Janvrin, Vice Chair; Francis Chase, Ivan Eaton III, Aboul Khan, Ex-Officio; David Baxter; Alternate, Tom Morgan, Town Planner; Barbara Kravitz, Secretary; Steve Zalewski, Building Inspector; Rick Friberg, engineering peer reviewer, TEC;

Members Absent: Sue Foote, Alternate; Paula Wood, Alternate, Roger Frazee, Michael Lowry,

Hawkins opened the meeting at 6:35 PM.

MINUTES OF JANUARY 20, 2015

Hawkins asked for comments on the January 20, 2015 Minutes. Janvrin said the reference to “cape cod berm” should be removed from one of two motions on page as redundant. Eaton said that his name be substituted for Mr Hess on page 12.

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| MOTION: | Janvrin | to accept the Minutes of January 20, 2015, as amended. |
| SECOND: | Chase | Approved: Unanimous Abstained: Khan |

CORRESPONDENCE AND ANNOUNCEMENTS

Case #2012-18 Litigation

Hawkins reported that the Superior Court hearing for the Case #2012-18 Latium Gas Station scheduled for January had been postponed. No later date had been set.

Town of Seabrook Website Transition

Kravitz reported that the Town was building a new website with a different design. Currently there is access to Agendas and Minutes on the Planning Board page, but not yet to other Board’ documents. The Board has been asked to be patient during the transition period. The date for completion was not given. The new access is www.seabrooknh.info.

**PUBLIC HEARINGS
NEW CASES**

Case #2015-02 Boddy New Hampshire Realty Trust for a 3-lot subdivision at 11 Groveland Street, Tax Map 22, Lot 1-278.

Attending: Len and Bernadette Boddy;
 Appearing for the Applicant: Henry Boyd Jr, Millennium Engineering;

Hawkins asked for Boyd’s presentation. Boyd said that the Boddys had obtained a variance from the Zoning Board of Adjustment and wanted to subdivide their lot into 3 lots (A, B, C) of approximately equal size. The property was on the Beach area so structures would be limited by what would fit on a lot. Little grading would be required; driveways would be 20 foot maximum. The garage would be demolished. The Boddys would move to lot A; 2 new utility services would be installed – 1 would be for the Boddy house. No waivers were requested.

Morgan asked how many houses could be served by the one inch water line on the street. Boyd was unsure. Len Boddy said they met the federal requirements. Morgan asked for the closest fire hydrant. Boyd pointed out the



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hydrant and said these were larger lots than usual on for the Beach. The one inch line served 4 houses on Groveland Street. He had calls into the Water Department; there might be a new tap on Route 1A. Friberg said to prove out the volume and pressure for the water lines. Chase asked if the tap could be in the right-of-way. Boyd said it could. Hawkins asked if the ZBA documents, relating to the area and frontage, were in the file. Boyd will provide them. Morgan asked about the lot width. Boyd said they had applied in re the frontage. Morgan asked about the drainage. Boyd said there would be no sealed surfaces.

Hawkins called attention to the 8 and 16 foot setbacks and the 20 feet in the front, and was concerned about the runoff as the neighbors were very close. Morgan asked where the runoff would go from more impermeable surface. Boyd said it would run into the drain. Morgan asked about ponding. Boyd said this would not be a lot for not much more sealed surface. Khan said that Beach parking issues had been recently discussed noting that some lots were all driveway, and asked about these lots. Boyd said the allowance for driveways was 20 feet. Hawkins noted that the Planning Board would soon address the enforcement issue at the Beach. Boyd said they would have to get driveway permits.

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| MOTION: | Eaton | to accept Case #2015-02 as administratively complete for jurisdiction and deliberation. |
| SECOND: | Khan | Approved: Unanimous |

Hawkins thought that Case #2015-02 should

be referred to the Technical Review Committee particularly in re the drainage matters; by consensus the Board agreed. **Hawkins scheduled Case #2015-02 for the Technical Review Committee on February 23, 2015 at 10 AM in Seabrook Town Hall, and continued Case #2015-02 to March 17, 2015 at 6:30PM in Seabrook Town Hall.**

Case #2015-04 Yankee Greyhound Racing Inc. - Voluntary Lot Merger 319A Route 107, Map Lot
 Appearing for the Applicant: Attorney Morgan Hollis, Gottesman & Hollis;

Hollis said that the Applicant wanted the 2 lots located as 319A Route 107, map 2 lots 40, 41 to be considered as 1 lot and shown on one siteplan with the boundary line removed. Chase asked the purpose of the change. Hollis said they wanted to clarify that this parcel could be developed as a single lot. Hawkins said that the Planning Board needed the documentation. Hollis referenced the drawing submitted stating that it had a typo in re the lot numbers.

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| MOTION: | Janvrin | to accept Case #2015-04 as administratively complete for jurisdiction and deliberation. |
| SECOND | Eaton | Approved: Unanimous |

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| MOTION: | Janvrin | to approve Case #2015-04 Yankee Greyhound Racing Inc. - Voluntary Lot Merger 319A Route 107, Map Lot conditioned on the form of Voluntary Lot Merger, the submittal of an amended submittal letter, and the mapping being clarified and made consistent. |
| SECOND | Eaton | Approved: Unanimous |



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ONGOING CASES

Case #2014-30 Proposal by David Benoit and Raven Realty Trust to construct a 3,557 square foot auction house at 892 Lafayette Road, Tax Map 7, Lot 92-1.

Attending:

Appearing for the Applicant: Henry Boyd Jr, Millennium Engineering;

Hawkins asked if there had been a decision by the Zoning Board of Adjustment. Boyd said they had appeared but there was lack of a quorum; they would return on February 25, 2015. Hawkins said the case would have to be continued. Boyd said that Klia Crisafulli, the auction promoter, had traveled from Winthrop for this meeting, and asked that she be allowed to describe how the auction business would function in Seabrook. Hawkins said that the review should be heard all at once, and not split between two meetings, noting that the ZBA decision could affect the siteplan.

Hawkins continued Case #2014-30 to March 3, 2015 at 6:30PM in Seabrook Town Hall.

ONGOING CASES - UPDATES

Case #2013-15 – Proposal by Arleigh Greene, GRA Real Estate Holdings, LLC and Waterstone Retail Development, Inc. to demolish existing buildings on Tax Map 8, Lots 54-2, 54-4, 54-5, 54-7, 54-8 and 90, and to construct a 168,642 square foot shopping complex with associated parking and access drives, continued from July 2, 2013, July 16, 2013, September 3, 2013; September 17, 2013, October 1, 2013, November 5, 2013; November 19, 2013, December 3, 2013, December 17, 2013; January 7, 2014; March 4, 2014; April 1, 2014; April 15, 2014, May 20, 2014, August 5, 2014, August 19, 2014; September 2, 2014; September 16, 2014; October 7, 2014, October 21, 2014; November 18, 2014; December 16, 2014; January 20, 2015; topics: letter from NHDOT and driveway permit; Route 1 work schedule; letter from DDR, letter received from NextEra Energy; exaction, revision of 100 % off-site Improvements plan;

Hawkins referenced the letter from NextEra Energy in re the status of their situation with Waterstone development. He has invited Waterstone to attend the Planning Board meeting of March 3, 2015 for a status report and to discuss the NextEra letter issues, remarking that he thought a neck-down after the traffic light on Provident Way would be ok. Additionally, he wanted a status report as well as to discuss Waterstone's request to change the location of a restaurant; the Board's traffic engineer would review this. More documents were expected for the board to review. Khan asked about the Route 1 traffic light issue. Hawkins thought that if the Provident Way work and the Routes 107 and 1 intersection was done, it should be ok for the Hobby Lobby to open. Baxter wanted a completed update; Hawkins said that the Route 1 south widening was not done. Baxter wanted a committee formed to review the long term Route 1 roadway and signal issues. Janvrin asked for a sign indicating that the Provident Way signals at the Waterstone and DDR driveways was active because cars from NextEra were unaware of cross traffic.

Hawkins continued Case #2013-15 to March 3, 2015 at 6:30PM in Seabrook Town Hall.



Janvrin asked that a sign be put at the new signal intersection at the DDR and Waterstone driveways indicating that the lights are active, because people driving from NextEra were unaware of their installation.

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| MOTION: | Janvrin | to recommend to the Board of Selectmen that a police sign signifying that the new Provident Way signal lights at the Waterstone and DDR driveways are active be placed at that intersection. |
| SECOND; | Chase | Approved: Unanimous |

PROPOSED SITEPLAN AND SUBDIVISION REVISIONS

**Spill Protection Control and Countermeasures
 Stormwater Management Standards**

Hawkins continued the proposed siteplan and subdivision revisions to March 3, 2015 at 6:30PM in Seabrook Town Hall.

OTHER BUSINESS

Hawkins called attention to **Sue Foote’s request that the Planning Board look at the zoning ordinance and incorporate a provision to effect setback requirements around hydrants with respect to utility pole placements.** Foote wanted hydrants to be unobstructed when digging them out of the snow. Janvrin asked if utility poles had to be licensed, or if they could be regulated. Hawkins thought that would require authority from the state, and asked Morgan to address this in the zoning ordinance.

920 Lafayette Road – Chop Shop Emergency, Temporary Location Request

Attending: Bill Niland, Chop Shop;
 Appearing: Paula Wood

Wood read the following statement:

“Thank you for considering this matter in advance. As you may know the adjacent units to the Chop Shop at 920 Lafayette Road, Seabrook collapsed because of the weight of the snow this past weekend. I, Bill Niland, owner of the Chop Shop, am renting the unit which housed the Honey Pot, also at 920 Lafayette Road. I am asking that the Planning Board defer to Steve [Zalewski], the Building Inspector authorization to deal with this, as this is an emergency move.”

Wood said that Niland was renting the Honey Pot unit as an emergency move, and asked that the Board waive jurisdiction to Zalewski. Khan related that the Town Manager said as long as the Fire and Police Department inspectors were satisfied. It would be hard to survive the winter. Janvrin asked if the Honey Pot had gotten an entertainment license. Wood said yes. Eaton thought Niland should also be able to use the smoking area in the back. Hawkins noted that had siteplan approval. Niland said this would be a temporary stopgap. Zalewski said that the water service actually came up inside the collapsed area. It would take months to reoccupy. Hawkins thought that temporary usage would be ok, but they had to attend to the water issues. Zalewski said this would be discussed with the Water Superintendent and asked if there was a timeframe. Hawkins said that would be hard to do, noting that the Honey Pot had had approval for a restaurant. He felt that Zalewski would actively watch the



situation. Janvrin asked if they had approached the liquor commission. Niland said he needed a letter from the town, the Planning Board and the Fire Chief. His entertainment contracts and licenses were in place on an annual basis. He could not buy them out and still exist. He would be a tenant and needed water supply.

Hawkins thought that a few months would probably not be sufficient and suggested a one year temporary period, and to return to the Planning Board if they needed more time Eaton asked how many owners were involved on the site. Wood said there were two. Chase said they would have to change their address. He asked if the business license and the fee could be waived. Hawkins said this was not for the Planning Board to do. Zalewski said they could reapply. Khan said that the Town Manager would make recommendations for the Board of Selectmen to consider. Niland said he had owned the Chop Shop for 6 years and was a responsible owner. He wanted to keep his business open and the staff employed.

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| MOTION: | Janvrin | to waive jurisdiction to the Code Enforcement Officer for the Chop Shop to temporarily occupy the former Honey Pot unit at 920 Lafayette Road for up to one year, and to return to the Planning Board if more than one year was needed. |
| SECOND: | Eaton | Approved: Unanimous |

Hawkins said the February 17, 2015 Planning Board Minutes would be his documentation. Niland described this weekend's entertainment schedule.

RAIL TRAIL

Janvrin said they had met with Senator Nancy Stiles and the Town Manager. **Because the NextEra project that would have included the trail was disapproved, the rail trail was set back about 2 years.** Stiles will help seek state and federal level funding. Janvrin said they would need a new plan. [Friberg said that TEC had experience with engineering and funding for rail trails, and offered to provide assistance.]

Khan asked again if certain of the exaction money could be used for a sidewalk plow. Morgan will discuss this with the Board's attorney.

Hawkins asked Kravitz to try to get the meeting room rearranged so that members would not have their back to the attendees.

Hawkins called attention to the updated Form of Application. Zalewski commented that application forms for building permits had also been updated.

Hawkins adjourned the meeting at 7:40 PM.

Respectfully Submitted
 Barbara Kravitz, Secretary
 Seabrook Planning Board