



## Town of Seabrook Planning Board Minutes

Tuesday, March 2, 2010

NOT OFFICIAL UNTIL APPROVED

Members Present: : Sue Foote, Chair; Donald Hawkins; Mike Lowry; Robert Moore, Ex-Officio; Elizabeth Thibodeau Alternate; Paul Garand, Code Enforcement Officer, Alternate; Tom Morgan, Town Planner; Barbara Kravitz, Secretary;  
Members Absent: Paul Himmer, Vice Chair; John Kelley; Keith Sanborn;

Foote opened the public meeting at 6:35 PM and said the two new cases would be heard first so as not to detain the applicants and their representatives, although they are welcome to sit in for the presentations.

### **PUBLIC HEARINGS**

#### **NEW CASES**

#### **#2010-4E(A) – Proposal by Griffey Seabrook, LLC and Kohl's to establish a 12,500 square foot mattress store at 325 Lafayette Road, Tax Map 9, Lots 240 & 62.**

Appearing for the Applicant: Wayne Morrill, Jones & Beach Engineers;

Morrill said this is the last space on the previously approved Kohl's development; an as-built had been delivered and he thought the case was closed. This is just a change for the space for which the applicant agreed to return to the Board. The new tenant will use the sign panel is already in place on the Kohl's pylon. The letters "Sleepy's the mattress professionals" will be added to the storefront on the building; at no time will signage take up more than ten percent of the wall area and there will not be signs on the glass. The existing dumpster will be shared by Sleepy's and Famous Footware; no mattresses will be thrown into the dumpster. The parking lot is paved and stabilized and the landscape is in. The lower lights on the southern area will be turned on for the Sleepy's. Hours of operation are Monday – Saturday 10AM – 9 PM; Sunday 11AM – 7PM. AS is traditional in Seabrook, there are no dumpster pick-ups between 7PM – 7AM.

Foote asked for Morgan's comments. Morgan asked when lighting or landscaping will be altered. Morrill said there are no changes. Foote said they are putting up the signs and opening the store. Morrill said they are hoping to ready the store to open up in a few weeks. Morgan asked about the mattress disposal. Morrill thought there is a corporate disposal site but they would not be disposed of in Seabrook store dumpster. Morgan asked if they would be stored indoors in the meantime. Morrill said there are notes on the original plan that do not allow any outside storage. Foote asked for Garand's comments. Garand said this is a very low-impact use for the property. The sign is existing. He thought this a good tenant for the site. Hawkins asked how the sign size compared to the recent ordinance changes. Garand said this sign is existing and they are just putting on the painted area. It is taller and larger than the new dimensions allow, but would be a grandfathered non-conforming sign. There being no further comments:



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<b>MOTION:</b>	<b>Moore</b>	<b>to accept case #2010-04 E (A) as sufficiently complete for administrative jurisdiction and deliberations.</b>
<b>SECOND:</b>	<b>Lowry</b>	<b>Approved: Unanimous</b>

Morrill said the plan had originally been submitted within the 25 day application deadline and they had met that requirement, so they tried to figure out why they were not on the previous meeting agenda. They had written to the Board and now understand that there was a different submission date, as shown on the calendar in the Planning Board office, of the Tuesday prior to the date they submitted the case. He understands that a resubmission needs to be in on the Tuesday prior to the meeting, but this was not a resubmission. Although it didn't affect them this time, it might make a difference in the future. Morrill asked for clarity as the regulations say 25 days. Foote apologized and said Kravitz was not at fault, but there had been a lot of activity in the office lately and she had not been that active with the Board since September. Partly it was her oversight by not keeping track of things. Morrill was correct that the regulations say 25 days and she apologized for the errors, mistakes and oversight. Morrill asked if it was correct that the regulations say 25 days on a Friday, and on the Tuesday for the resubmission. Foote confirmed this.

<b>MOTION:</b>	<b>Lowry</b>	<b>to accept case #2010-04 E (A) as sufficiently complete for administrative jurisdiction and deliberations.</b>
<b>SECOND:</b>	<b>Moore</b>	<b>Approved: Unanimous</b>

Morgan indicated the acceptance vote.

<b>MOTION:</b>		<b>to accept Case #2010-4E(A) – Griffey Seabrook, LLC and Kohl's to establish a 12,500 square foot mattress store at 325 Lafayette Road, Tax Map 9, Lots 240 &amp; 62.</b>
<b>SECOND:</b>		<b>Approved: Unanimous</b>

**Case #2010-05 – Proposal by Jacqueline L. Bagley Trust and Paul D. Carey, Jr. for lot line revisions that would reduce three lots to two lots at 17-19 South Main Street and Route 286, Tax Map 15, Lots 35, 36 & 37.**

Attending: Jacqueline Bagley and Wanda Merrill;

Appearing for the Applicant: Peter Sarri, Cassa & Ryan;

Sarri said this case is brought for two reasons: 1. The Carey mobile home does not meet the side setbacks, so the Careys and Bagleys agreed to shift that lot-line. Both lots used to have frontage all the way around Collins until Route 286 cut off some pieces; the front piece and the mobile home on the Carey property were combined. The intent was to make that mobile home piece conforming. There is an



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easement to the Carey plan going from South Main; the frontage on Collins has been lost. Foote explained that is why the access is from Route 286 even though it is limited access; there was a similar situation off of New Zealand Road to reach Route 107 some years ago. Sarri concurred. Moore said the mobile home had been there for a lot of years. Foote said this proposal would bring about conformity. Sarri agreed. Foote asked for Morgan's comments. Morgan was fine with the overall concept. Even though the plan doesn't have some of the details, but it is not complicated. Sarri noted that the Board looks for the digital copy, but he thought the surveyor might not have this. Foote said that could be waived. Sarri said they would provide a mylar. Foote said although the regulations call for the mylar to be submitted with the application, the Board does not insist on the mylar until after the approval. Sarri commented that most towns do the same. Morgan said that some iron pins are missing and said that right after a survey is the best time to stake out the territory. Sarri said there is one to be set except for the "tail" that goes up to Route 286.

Moore asked if the 22-foot wide right-of-way would service both lots. Sarri said they would. Morgan asked if there are wetlands. Moore thought not. Foote was interested to learn that Lot 15-38 next to Carey belongs to the NH Department of Transportation.

<b>MOTION:</b>	<b>Moore</b>	<b>to accept to accept case #2010-05 as sufficiently complete for administrative jurisdiction and deliberations.</b>
<b>SECOND:</b>	<b>Lowry</b>	<b>Approved: Unanimous</b>

Foote noted there is an iron pin to be set and agreed with Morgan to recommend that Carey get certain iron pins set. Foote said the approval is phrased "with the understanding" rather than "conditioned" because state regulations now require conditions to appear on the plan. Conditions should run with the plan; other items could be an understanding. In the past several months this has caused several "bumps" in the road in re signing plans.

<b>MOTION:</b>		<b>to approve Case #2010-05 – Jacqueline L. Bagley Trust and Paul D. Carey, Jr. for lot line revisions that would reduce three lots to two lots at 17-19 South Main Street and Route 286, Tax Map 15, Lots 35, 36 &amp; 37, with the understanding that the plan won't be signed or recorded until the following is provided: (i) written waiver for the digital copy, (ii) written waiver with the Carey's signature if he doesn't want to put the pins in, (iii) a written designation of the proposed lot and street numbers, and (iv) a written waiver for the topography.</b>
<b>SECOND:</b>	<b>Lowry</b>	<b>Approved: Unanimous</b>

Kravitz asked if there would be changes on the mylar. Foote said only if Carey wants to put in the two pins.



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Foote said the Board would wait for the arrival of RPC's Cliff Sinnott, as well as Theresa Walker who would speak about the Adaptation project.

## **MINUTES OF JANUARY 5, 2010 and FEBRUARY 23, 2010**

Foote asked if everyone had read the January 5, 2010 Minutes.

<b>MOTION:</b>	<b>Moore</b>	<b>to accept the Minutes of January 5, 2010 as written.</b>
<b>SECOND:</b>	<b>Lowry</b>	<b>Approved: Unanimous</b>

The Minutes of February 23, 2010 were tabled to the March 16, 2010 meeting.

## **SECURITY REDUCTION/EXTENSION**

Foote referenced a request from **Gary Moore requesting a clarification on when security would be due for the Case #2009-20 – Gary Moore subdivision plan.** As the due date for the \$5,000 security was not included in the plan wording, Moore suggested 90 days from the date of registration of the mylar. Foote said the Notice of Decision allows all conditions to be met within 180 days. An extension could be requested; the Board has been very lenient with that dating. She thought the request came in before the NOD had been received. She clarified that in no way has not meeting those conditions of approval prevented a mylar from being signed after 30 days because this is needed for financing sources to do a project. Morgan said he had reviewed the revised plans and they're ready to be signed. Foote said they had been signed and recorded by Mary Ganz.

Foote referenced communications re the Kohl's letter-of-credit being held as security in Case #2006-61. Griffey Seabrook is requesting either acknowledgement that the letter-of-credit is allowed to expire or the release and return of the letter-of-credit at this time. The Security Reduction checklist is signed except for the Planning Board; the as-built is in. Morgan said that the digital as-built is not in. As the Griffey project is extensive the digital is wanted. Foote agreed saying there is a lot of sub-structure that would be significant to look at in the future. Moore noted the restaurant site is still open. Morgan said he forgot to mention this to Morrill before he left. Foote commented that the restaurant site in the front is owned by Mr Adams. Kravitz called attention to a letter from Santander Bank stating they have no intention of renewing the Letter-of-credit. The Treasurer wants authorization from the Board for any action. Foote said the digital is still needed. Morgan recommended making the release subject to receipt of the digital.

<b>MOTION:</b>	<b>Moore</b>	<b>To release the security for Case #2006-62 – Kohl's ]]] upon receipt of the digital as-built.</b>
<b>SECOND:</b>	<b>Lowry</b>	<b>Approved: Unanimous</b>



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### **CORRESPONDENCE**

Foote asked about the correspondence that the Board did not have in its packet.

**Kravitz noted that the Bergeron correspondence re Case # 2004-19 was for information purposes. Morgan noted that the Bergeron package is appears incomplete.** Foote said this is for information purposes as other documents including the deed for the road and an official letter declaring that the road work is complete and requesting the Planning Board to recommend the town take over the road are still needed. Several department heads say there are things that need to be completed.

Kravitz called attention to the copy of **SB 481 which would increase the State's allocation toward the I-95/Route 107 Bridge to \$4,000,000 from \$2,000,000.** Senator Maggie Hassan has indicated that the bill is out of the Senate committees and now in the House.

**Foote reference an announcement that the NH Department of Environmental Services will host its Annual Land Resource Management workshop on either March 5, 23 and April 23 in Concord.** Topics are aimed at land resource professionals and includes stream crossing rules, updates from subsurface bureau, shoreland and wetland programs and permitting. Registration is \$20 and anyone interested should contact Kravitz who can coordinate with Finance for funding.

**Foote referenced an announcement from the Rockingham Economic Development Corporation of two CEDS Visioning Sessions – Planning for the Future of Southern New Hampshire. Keynote speakers are Peter Francese – March 26 in Salem and April 2 in Portsmouth, and Ross Gittell – in Raymond March 31 and Nashua April 7.** If interested see Kravitz for more information.

**Foote called attention to the Kravitz memo indicating that said the Town's new Website is up and functioning and on-line.** She had noticed that even though it is the same Seabrooknh.org the old link doesn't work so the new one should be used. Foote was very impressed with the well put together website and thought that when various departments get used to it and have more time it has the potential to have an incredible amount of information and pictures on it. Moore said the goal is to be completely transparent with a 21<sup>st</sup> Century website. Anything needed to know or information from departments can be printed out. Morgan suggested linking to the RPC website. Foote said they are working on additional links. She was very satisfied with Virtual Town Hall's work.

It's a great job. Foote thanked Shaylia Marquis for all her work on the website.

### **MASTER PLAN UPDATE; ROUTE 1 VILLAGE CENTER – RPC preliminary proposal; HOUSING AND CONSERVATION PLANNING PROGRAM REPORT**

Attending: Jack Mettee, Planning Board Consultant, Cliff Sinnott, RPC Executive Director  
Julie LaBranche, RPC Senior Planner; Theresa Walker – RPC Adaptation Planning;



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Foote said there has been a preliminary meeting with Sinnott, LaBranche, and Mettee re the desire of the Planning Board and the Master Plan Steering Committee to return the village/small town atmosphere. It has been a struggle to see how this might be done with RPC along Route 1. Mettee will be providing an update on the Housing and Conservation Planning Program Grant which has also paid for multiple chapters in the Master Plan. Additionally, Theresa Walker has been working with Sinnott, the Conservation Commission, and the Planning Board on adaptive planning for potential sea-level rise which is very appropriate given last week's weather. She requested 10 - to 15 minute presentations on each of these topics and then continue with a round-table discussion because the topics overlap and support each other.

Mettee said that this presentation was originally scheduled for January and there were further delays due to the storms and his being out-of-town. He handed out a memo re future Master Plan work. Foote noted that everyone had received the HCPP report. He wanted to provide an update on the work since June 2009, and then discuss the next steps for the Master Plan. The Vision Section is one of the items in the HCPP Report although is only required under the RSAs for the Master Plan. The Build-out analysis and Historic Resources section were also part of the HCPP analysis. He called attention to the previous work characterizing the community, wetlands areas, and some acres of conservation. The estuarine and tidal areas are very rich in aquatic life are important when looking at sea level rise. There are seven small watersheds including Cains Brook, a number of small ponds, and the town aquifers. All of the waters are classified as Class B ie none support fish or shellfish by state standards.

The population is about 8,400; most of the growth came to Seabrook between 1970 and 2000. The largest segment of the population is in the 35-54 age group ie family and working designation. The aging population is a big issue concern for Seabrook as well as across the country. Between 1990 and 2000 the median age increased to 40 and Mettee thought it would increase to over 44 which is high. This will have to be thought about in the Master Plan next steps. Morgan asked how the median compared state-wide. Mettee said the higher median age groups are around the mid-state area. Morgan said this is not worse than the rest of the state. Moore said the town has a lot of elderly parks. Foote said several elderly may be here March through the Summer but declare residence elsewhere because of tax reasons. So while they are physically here they are not technically counted as a resident. Mettee said in terms of housing and income, most of the housing stock was single family, however, there a significant amount of multi-family and manufactured homes were also built in 1970-2000. Statistically it is disturbing that family income lags behind the rest of the region. Mettee thought this might be addressed in the Economic Development Chapter. Even though in 1990-2000 income increased by 52 percent, Seabrook still lags behind the rest of the region and incomes are 32 percent lower than compared to the region. Additionally, the cost of housing has increased much faster than incomes. Between 2000 and 2006 the purchase price of homes increased 74 percent while median household income only increased by 31 percent which is the affordability gap for workforce housing. .

Mettee said the Vision was hammered out in two or three meetings; he thought the Steering Committee has done a good job trying to capture what Seabrook should be in the future – the community with the small-town character, a healthy community supported by cultural and recreational opportunities. The town has a , unique geography with the beach, central, and rural which are divided by roadways and not connected very



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well. One of the challenges is how to integrate those three neighborhoods. The idea of making areas of Route 1 more like a village may be one way to do that. The HCPP required a build-out analysis as a tool to analyze how much the town can potentially grow based on the amount of available land and the current zoning. Open parcels were linked to the assessing records to determine their size and in what zone they were. A composite was created of all the restraints that could occur for development conservation, surface water, floodplains, and existing developed lands were set aside. Potentially there could be redevelopment if there were rezoning. The parcel data was overlaid on top of the constraints map to determine the possible number of parcels using the 125 foot standard for frontage taking into account roads and utilities (12%) that would be needed. The new result is potentially 453 new lots that could be developed. This means that about 90 percent of the town is not available. Mettee thought that given the information available the number of potential new lots was reasonably accurate. Most of these lots are in the western portion of the town. Lots were divided into single lots units, 23-5 lots, or 6-26 lots. Mettee said essentially the community is built-out and this needs to be addressed going forward.

Mettee said to prepare for the Historic Resources section, he had been reading old town and Department of Transportation documents showing many historic resources especially along Route 1. However, of those structures only two are left that might be eligible for the National Registry, so he has concluded that most of the remaining historic resources are in 5 older residential villages s like Smithtown, Seabrook Village, south Seabrook and [[[[Crowtown]]]]. Thus the history supports the importance of village centers and maybe this can be recaptured at each end of the Route 1 Corridor. Morgan asked if Mettee had heard of the proposed windmills off Salisbury Beach, and commented that that is where the National Registry focus is important. Foote said this is a proposal to put windmills off Salisbury Beach like at Cape Cod. Morgan said a consulting firm has been asked to see if any historic properties would have their views impaired. Moore said this depends on where the relative distance definitions begin and end. Morgan emphasized that the historic research would be pertinent. Mettee said that the Historic society did not feel there was a lot of historic quality to those structures that remain except perhaps for a couple of early 20<sup>th</sup> century homes. Morgan said these could be important in re the beach focus.

Mettee said the Steering Committee was enthusiastic about looking at creating a Heritage Commission which can act in an advisory capacity to focus on minimizing the impact to historic resources, although it does not have the authority of the Historic Commission. That could apply anywhere in the Town. If there were to be a historic district, the most concentration of historic homes is in the Walton Road south Seabrook area. A number of recommendations can be considered to protect these resources. Next Steps Will be the Transportation, Recreation, the Facilities Chapter and the Economic Development chapters. Lindsey Hamblet is interested in assisting with recreation. Mettee distributed a proposed outline for the Transportation chapter.

Sinnott said that Kravitz and Aboul Khan are aware of the local technical assistance category in RPC Transportation Planning Program; an application is being developed for communities that want help with a combined transportation and land use planning. For example, Stratham is attempting to over time transform the commercial development along Portsmouth Avenue into something more village-like with more depth and mixed-uses. He understood that there have been conversations about this approach at the Master Plan Steering Committee as well as the Planning Board. Based on a meeting among LaBranche, Kravitz,



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Mettee, Foote and himself about the parameters of that type of work together with the RPC, LaBranche put together a draft scope of work.. Although a formal application process is envisioned, Seabrook would not have to apply because it already has begun the process with RPC. The procedure is that Federal Highway Administration funds for transportation planning are passed through RPC and the work is done either by RPC or another service provider, depending on what the community wants. Eighty percent of the funds come from the FHA and the community's portion is twenty percent. He asked LaBranche to walk through the process.

LaBranche distributed the proposed scope and framework that were devised after the above referenced conversations. The focus would be the north and south ends of the town along Route 1 as being historically important and the areas where more concentrated growth in a village-type atmosphere is desirable. The focus also would have to take in the high commercial area connecting the north and south so that they are not completely isolated from one another. The transportation planning aspect comes through connecting the two areas in the manner that retains the quality of Route 1 as a transportation corridor for a highly traveled area. The historical preservation aspect would be dove-tailed into the end of the process.

LaBranche said there are six recommended action items to be considered over two years to ultimately arrive at (i) potential zoning changes, (ii) an access management plan for Route 1, and (iii) to take some environmental preservation actions based on plans already in place including the Watershed Management Plan for Cains Brook and some wetlands protections regulations. The first action item is to look at is developing a sub-area plan to guide nodal development of the two north and south Route 1 pods into a village center concepts. LaBranche described the Stratham project which pulled together a committee early in the process when they realized they wanted to do a rezoning of an entire commercial business district. A Master Plan for that area was then developed which brought together the elements detailed above, and also developed goals, objectives, and a vision statement for what they wanted that area to become. This became the driving force for getting public support for the ideas and action items as well as guide the potential zoning changes. It also brought together diverse opinions not only of the property owners in the district but of people (or their children) who might want to live in this district.

LaBranche said that the sub-area plan is the first step. Like a master plan, it is a way of collecting all of the diverse thoughts in the town, including those of the Planning Board, Conservation Commission etc, that emerge during the year-long process to culminate in the town vision for the area. One component of the sub-area plan is a public education and outreach program in the community is to do a public charrette, either through presenting a draft plan or as a tool to solicit public guidance at this stage. She called attention to a new EPA/HUD/DOT program providing technical assistance (not cash) as a component of smart-growth program for sustainable communities. This process involves a team of technical experts who help develop and run an outreach session and provide the report, which she thought would be a good match for Seabrook. It is a competitive process; the application would be due in April. Sinnott suggested Plan NH as an alternative. Foote said the Plan NH approach had been tried a few times before but did not seem a good fit at the time. sinnott thought they might focus on single-site, smaller scope endeavors, and might be beyond its objectives. LaBranche thought the EPC et al approach would bring in a wide variety of expertise.



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Morgan asked if LaBranche had first-hand knowledge of working with the EPA. LaBranche said two years ago she attended a planning workshop in conjunction with a national conference on smart growth. The EPA held a coastal planning workshop covering form-based codes, adaptation planning, coastal planning and the like which she found very impressive. She hoped the same group was behind this effort. All that is needed to begin is a letter of interest describing the goals and objectives for the Town. LaBranche will provide additional information. Mettee said he'd participated in Portsmouth; the team travels throughout the country as facilitators. LaBranche said this year's topics include climate change, equitable development projects, smart-growth, financing and planning infrastructure investment, hazzard mitigation, energy efficiency and conservation, suburban retrofitting, and transportation solutions . She thought this could be a good fit.

LaBranche said another component would be evaluating whether a development rights transfer option would work for the town. Protecting the wetlands is important to the town particularly as sea levels may rise over time. Also looking at the remaining open land to prioritize for open space and conservation. One technique is offering an incentive for landowners to sell and transfer the density rights to areas the town has identified as having suitable or desired potential. The nodal or village centers being discussed could become viable communities where people will live and perhaps even work. Sinnott said that this approach would potentially work in Seabrook because it has overall sewer and water infrastructure serving areas that are comparatively undeveloped. This opportunity to increase density ie the nodal concept might as well be used as an engine that will pay for purchasing or preserving conservation land elsewhere in the community. LaBranche said in this manner the community gets an economic return while enhancing preservation. Foote said this would also help the town in re the new workforce housing legislation by encouraging lower cost dwellings. While the town has in excess of 750 apartment units, because new [multi-unit] apartments aren't allowed it is not in compliance in that regard. LaBranche said that transfer development rights or options could be structured with different types of density credits depending on the nature of the endeavor.

Mettee said that he is currently teaming on density transfer bonuses for a workforce housing project in Durham and that will provide more experience useful to Seabrook. La Branche asked for the timeframe for finishing up the HCPP work. Mettee said within the month. The next steps continue with the Master Plan update and complete it before the end of the year. LaBranche said that in addition to the HCPP work, the ideas put forth for the village center, the recommendations re the environmental watershed including Cains Brook Management Plan, and the Route 1 access management plan, are part of the Master Plan. Walker suggested adding in the strategies and recommendations in the Adaptation Report. LaBranche said this could all be brought together in the sub-area planning segment, picking out those items that are relevant to potential zoning and regulation changes. Foote said that although the concentration is on the Cains Brook as the main watershed, Browns River comes up at the north border area which could bring an incredible storm surge through A & B Streets. She thought some of the residents near the marsh look closely at this because it wouldn't take too much for the surge to possibly approach Route 1 through Pelton Farms. LaBranche indicated that the above constitutes the Year 1 work. The process for Year 2 would focus on the implementation ie whether, and if so how, the Town wishes to go forward eg with with regulation changes.

LaBranche said the process of developing a Memorandum of Understanding with the Department of Transportation re route 1 access management would begin in Year 1. Foote noted that there have been



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discussions with NHDOT and Senator Maggie Hassan. It was strongly recommended that the town enter into an MOU with the State so that the town supports the road and the road supports any site plan that are submitted to result in a better way to design access and gauge impact on the road network. LaBranche said that the NHDOT has actively agreed to cooperatively develop access management plans whether for a single property or for a corridor or for a portion of a town or intersection. If an MOU were in place the NHDOT would actively implement that plan as part of their permit approvals, recognize and use it and coordinate their approval with what's being done at the Planning Board level. If the MOU is adopted and the access management plan is in place, they can be coordinated with any rezoning process. Morgan asked how this approach would differ from how the NHDOT views the Route 1 Corridor Study. Sinnott said the Corridor Study can be the basis for the access management plan, but the MOU establishes a two-part driveway permit process. The NHDOT cannot defer totally to the town but they can work in conjunction with the town. Under the MOU process NHDOT would review a plan and give a preliminary approval to a developer saying they have the required frontage but the permit won't be issued until the site plan approval is completed at the local level. The town has leverage because it can influence the design of driveway access.

LaBranche said this results in a more predictable process by formalizing the way information and commenting is transmitted. All parties understand that the access management plan guides the process. She thought this would benefit contemplating the nodal-village concept because the access management plan would be developed along with that growth. It goes hand-in-hand with reviewing zoning and increased density proposals. RPC would provide assistance in bringing all of the stakeholders together

The last step is to use that collected information and structure zoning and regulation changes that accommodate the process results. Likely areas to look at would be lighting, landholders signage, parking areas and requirements, and storm water management. In Stratham the Planning Board retained a lot of leeway and discretion to negotiate with the developer, and not be committed to meeting particular numbers. Sinnott said the objective in Year 1 is to bring about consensus, otherwise there is no point in moving forward with Year 2. Foote thought this proposal is definitely very timely as the Master Plan is being updated at this time. There are going to have to be zoning changes if citizens really want to see the kind of vision over the long-run that they are communicating to the Planning Board. It's appropriate that the forms and additions to the Master Plan are being completed, and next year work on a major "redo" of the zoning ordinances as they apply to certain areas.

LaBranche provided the description of the assistance opportunities through the EPA and use of the model land use ordinances that provided ideas and topics that can be discussed. Sinnott added that the charrette became the key to making the Stratham program work because it gave a visual design that people could relate to. The graphical depiction was very helpful. Foote said support for passage of ordinance changes is more likely to be successful with a graphical design. LaBranche said that the public can help create that visual design.

Theresa Walker discussed the RPC Seabrook Adaptation Report which now is the prototype for analysis of the sea level rise and climate change issues. It is particularly pertinent when considering regulation changes and the recommendations in the Report. [Secretary's Note: The Adaptation Report was presented



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in the entirety at the Planning Board meeting. Walker called attention to a march 16 workshop on how to establish an agricultural commission which is key to retaining the agricultural heritage. She asked if that would be a Master Plan recommendation. Mettee said it is premature at this point. Foote said there are small, backyard farms and garden plots, but did not think there much of an agricultural base remained in the town. Morgan said perhaps the thinking should be about how to expand this in the remaining land. Walker thought that might be an important part of how the town sees itself. Foote noted that the State acknowledges fisheries as agricultural resources and there is a great deal of that activity in Seabrook. Walker agreed, and said the definition of farming today differs from the historic frame of mind. For example, people in one community produce or provide support for items utilized in abutting communities. Local food movements and farmers markets are changing how food production is viewed – ie it can be on a very small scale. LaBranche added that community gardening on town-owned land is another resource for local consumption, as well as the for sale or exchange and farmers markets. Moore said gardens can be on top of a roof. Foote commented that she has campaigned for that.

Walker called attention to the summary recommendations in the Adaptation Planning Report and said that the Conservation Commission has started on some of the non-regulatory protection of undeveloped coastal areas. One Seabrook strategy has been to identify Land owners and parcels; a workshop held in Seabrook with Southeast Land Trust of New Hampshire addressed opportunities for land conservation. She recommended including this into the work that Mettee is doing. Walker said if the Town moves forward with the project that LaBranche described, she would like to start working on some of these objectives but at this time not on raising the road beds. Foote suggested working on how to restore the elevations that existed before last week's storm. Walker said she would like to work with Mettee to assemble the information. She did not want to see all this information set aside when looking at the next steps for Seabrook. Zoning etc. Seabrook was the pilot program in New Hampshire so RPC is learning from its experience which will serve to benefit other communities with adaptation planning. Once again the town is on the front line in building the foundation by implementing items ranging from really difficult recommendations with a long planning horizon, to the Natural Resources chapter for the Master Plan.

Sinnott said one of the regulatory mechanisms suggested in the report is an "extended coastal flood hazard overlay district" which would be inserted into the existing ordinance. It would be up to the Planning Board to fine tune the numbers to a reasonable level. RPC defined this as 15 feet above base flood elevation. Foote said it would have been good to have that ordinance on the town meeting ballot and thought people would have responded favorably after dealing with the recent rain and flooding. Sinnott said the framework was done and asked for some feedback to know whether the town is interested in pursuing a detailed model ordinance. Issues that involve more than one landowner, such as road-bed levels, need to be addressed by way of ordinance. Foote said logistics for areas like River Street across Beach Road or some of the roads in the beach sun-valley basin are in that flood zone. Even if the town had unlimited funds and the desire to address road levels, addressing a road that is five feet above a front yard would be difficult. Sinnott said that is only one issue. Perhaps rather than requiring regulation compliance, a landowner could pay into some kind of capital reserve fund until enough money is accumulated to make the sewer, water or roadway adjustments.



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Moore commented that some flooding is normal in the five-moon high tide. Sinnott said when photos were made there were variances. Foote said this surf was actually higher than a storm surge. Moore noted that the beach at Plum Island had been chopped up. Walker said this was a worst-case scenario for those dunes. Hawkins said this time the water went all the way into the dunes and brought the sand down to cover some of the grass in low areas. There is a lot missing, for example, at Ashland Street a huge amount of sand was washed out. Of course in two weeks it could all be back. There is a huge cut right around Hampton Harbor right under the bridge on the bayside. Hawkins said dune grass should be continually replanted which spreads great. Sinnott thought that was a good strategy. Foote said this storm was the first time she'd seen the surge come all the way up the river and crest at the bridge with the spray coming over the abutments on to the travel lanes. Moore said the town had attempted to get a management plan so it could put the sand back onto the beach. Sinnott said there is a lot of work to do to make the overlay ready to present to the town for a vote. If the town does not want the overlay district, RPC would not develop it further at this time.

Walker suggested a joint meeting with the Beach precinct. Foote said the precinct has its own zoning. Hawkins thought the best time to present to the Beach would be in May-June when people return for the summer. He noted that people would not have seen the original presentation except on channel 22. Foote said May, June or September would be a good time; not during the summer when people are busy. Sinnott said there is a very good chance that the NOAA Coastal services is going to fund new lidar mapping which would give much greater accuracy. Hawkins thought a better starting point would be a big help in relieving accuracy questions. Foote said there is a narrow strip that has no lidar data, although it does have high resolution data for at the Beach. Hawkins asked if this is all of the east of 1A. Foote said data is needed for the woodlands and the salt marsh; she thought it was done for a half-mile from Route 1. Walker asked if the Beach Precinct has regular meetings. Hawkins said the commissioner meetings are the second Tuesday of the month plus an annual meeting that is better attended. During the summer there is a fairly active beach community association that is always looking for speakers. Foote said that the precinct is the official government. The civic association is made up of residents as well as absentee landowners who cannot vote. Walker said they could meet with both groups.

Moore asked about numbers for the "sinking" phenomenon. Sinnott referenced a graph in an adaptation report power-point slide. Aboul asked if there was any difference between the "town center" talked about a couple of years ago and the current "village center" concept. Foote did not think so except that "village center" suggests small town New England with small shops with apartments above clustered together. Sinnott suggested the difference was in scale. Walker said that a town center suggests municipal public structures; a village center is more of a residential mixed use. Khan understood that the transportation chapter would be worked on in the next several months, and noted that the RPC had recognized a bridge at Folly Mill Road, and asked if there were any way that could move forward so that the small neighborhoods could get into the town – ie not just the commercial traffic. Foote said while that would be a benefit to the residents, it would not take long for out-of-state cars to find their way to that narrow roadway and not know they have to go around the circle. Sinnott said even though it is unlikely, that bridge should remain in the Master Plan. Walker said it is also in the hazard mitigation plan.



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Footee said it was eye-opening to look at bridges in general. When Sam's was being built it worked with the NHDOT on the Route 107 bridge. For all of the other I-95 bridges (going north) were NHDOT and federal ie the Route 84 and 88 bridges have many more lanes. These access roads are very wide and have sidewalks. The Route 107 bridge was the only one designated for an off-ramp; it is a grossly inferior bridge. Mettee said now that would be a turnpike project. Moore said [NHDOT] is working with the town now.

Walker referenced the adaptation report recommendations and thought it a great idea to get them in front of the Beach Association for discussion of the science as well as what the town is already doing, such as identifying lands for conservation. She thought it important to recognize that the data indicates the changes that will occur, and to have an ongoing conversation with the Planning Board. Footee was a proponent of looking way out ahead, and noted that in her lifetime she had noticed the difference in plant species; for example, the blueberries are being pushed out by sweet pepper bush. Also, during the last storm there was salt water inundation in the back of her woods sinking down into the tree roots; she thought many trees would be lost.

Walker asked if there were a CIP committee. Footee said the Town Manager gets the proposals from the department heads, puts it together working with the Board of Selectmen, and then presents it to the Planning Board for review and ratification. Walker asked if there would be value in his calling a meeting where department heads could have the adaptation report presentation and gauge how their budgets should be affected. Morgan suggested that Walker contact the Town Manager. Walker thought that a good first step, and to work with the Beach Precinct when the time was right. Mettee suggested identifying the person(s) who would take the lead in this process. Walker said she would let Footee and Kravitz know when meetings are set up. Mettee asked if the Planning Board and/or the Steering Committee would want to see this in the Master Plan. Footee was interested in pursuing this. Sinnott thought Massachusetts communities needed to deal with their own flood hazard maps; Seabrook is looking out toward the future. He noted that a FEMA map could be attached to zoning. Footee thought if a municipality is building or rebuilding roads and infrastructure that should last hundreds of years, it has to think about infrastructure elevations.

Sinnott thought that FEMA is doing the coastal communities at a certain pace and perhaps the NH Office of Energy and Planning which houses the program would know the timetable. Moore noted FEMA sets the elevations. Footee said the trouble is that it is set at 9-foot in Seabrook. Footee said the areas have marsh rack sitting on top or the tide came so high it pushed the rack off; she has pictures. The Sewer Department was out all weekend with the pumps, all of which were inundated. Sinnott said all the more reason to meet with the Department of Public Works etc. Footee noted there is a lot of work to rebuild Cross Beach Road. For example, pylons in one house was impacted and the deck is falling. She thought other houses had water coming in through the floors. Walker appreciated this information and said that anyone interested could participate in the meetings. Sinnott said although FEMA would be consulted, thought the town had the authority to create an overlay as long as the standards were not less than those of FEMA. One idea is to add a foot every five years to the base flood line. Moore asked for the fifty-year estimate. Walker said it is a foot and a half in the first 50 years and three to five feet by 100 years.

LaBranche said it would be important to decide whether to plan for 50 or 100 years. Hawkins said if it reaches five feet everything would be under. Moore said it is wise to plan for the likelihood of storm surge.



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Sinnott noted that even if sea-level rise is totally discounted, there is the long-term trend of land indicated what it wants RO erosion.

Kravitz commented that Walker was clear on the steps she would take, and wondered what about the other Planning Board and RPC coordinating steps. Sinnott said the work scope that RPC had proposed was based on the initial meeting and should be reviewed. The Board should respond to RPC as to whether it reflects what is wanted. For example, is the two-year timeframe and the order of the work performance acceptable. The objective during the first phase is to arrive at an "in-house" concept that the Master Plan Steering Committee, the Planning Board, RPC and Mettee believe should go forward. The charrette is used to verify the plan with the community ie does it think this is a good idea. LaBranche said the proposal could be tweaked and changed. Foote said there is a good deal of preparation to come up with the timing and direction for the mechanisms for public input ie forums, charrettes etc needed for a successful result.

Hawkins said the focus needs to be on the expected for the town meeting vote and the work schedule has to fit into that timeframe.

Sinnott noted that the ordinance work would be envisioned for 2012. LaBranche said the first application for transportation assistance would be due in May. Kravitz wanted to look at the schedule for the near-term deliverables ie the "to-do" list. Sinnott wanted the application to be submitted so the request is in place, even though Seabrook would not need to go through the competitive round. Any part of the RPC proposal could be used for the narrative. Sinnott said once the Board decides what it wants RPC to do, a budget would be prepared. It might even want to bring in someone to manage the charrette process. Foote noted that Charlie French of UNH had done the initial Master Plan survey and public forum work, and that French and Mettee had run a really good process. Sinnott thought it might be good to repeat that team as people were used to it. Sinnott said that RPC could be helpers and facilitators. Foote said that date would need to be known a few months in advance to get the work out and to reserve the multi-purpose rooms in the Community Center which runs 10-week sessions. LaBranche said it is important to know what components, products and results the Planning Board wants to pursue. Sinnott said the first step is to confirm whether the proposed work scope is what the Board wants to pursue.

Kravitz said there is a Steering Committee meeting on March 25 and asked for deliverable dates. Foote noted that several members of the Steering Committee were also Planning Board Members and were at this meeting. She asked if the Planning Board wants to allow the Steering Committee to take the lead, or if the Board wanted to take a more active role. Hawkins said this is a component of the Master Plan, and thought the Steering Committee should organize the ideas to bring back to the Board; a chapter is wanted to deal with Route 1. Sinnott agreed that the best course is to make this part of the Master Plan.

Transportation section. Kravitz asked what RPC needs RPC would begin the effort in July so the application should be in by March 1. Foote asked Kravitz to provide copies of the material to Steering Committee members for the March 25 Agenda when they can work with Mettee on the language. Kravitz said that would be the time to integrate these items into the time line for the remaining Master Plan work.

Hawking asked if the process RPC used in Stratham was transferable to the Seabrook proposal, and what should be learned from that experience. LaBranche said one outcome being worked on is a design manual showing examples of the type of traditional New England architecture, style and amenities that the zoning by nott said LaBranche wasn't involved until Stratham was ready to look at the zoning. Prior to that a pretty



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solid consensus that the town wanted to do this was developed. That was a critical piece and it would be a good idea to research how that was accomplished. Morgan thought it would be an easier task in Seabrook which is contemplating on restoring what used to be, whereas Stratham has become a suburban destination. Hawkins commented that the Stratham committee seemed to be comprised of townspeople and not just the planning board. Hawkins said it would be worthwhile to think about how to do that. Foote said the issue was how to get people to volunteer. LaBranche said in Stratham the business owners were asking for the change. The committee was made up of developers, property owners, preservationists, landscape architects and also people who recognized that they were tired of having to go outside of their community and wanted to this growth to be consistent with what they wanted the town to consist of and look like.

Foote commented how pleased she was with the Newburyport Port Mall which was changed from a 1970s blight sprawl by putting in some islands and trees, redirecting the traffic, and allowing a building to be put into the middle to break-up the "monster" parking area. Kravitz asked what specific steps should be taken in addition to those outlined by Walker. Foote said the Steering Committee needed to review the RPC proposed scope of work and itemize what parts are needed so a budget can be submitted. Kravitz said that on March 25, the Steering Committee and Mettee will work on the application and work out the transportation chapter and establish the timeline for between now and the end of the 2010. The is to be provided to RPC at the end of April. She asked if a letter of interest was needed sooner than in April. LaBranche said that would be a one page outline for EPA technical assistance that should also be discussed on March 25. Once RPC knows what the town wants it would only take a couple of days to prepare a budget. Foote noted that the Steering Committee generally meets monthly; a meeting can be scheduled for mid-April to discuss the application and budget to be provided to RPC by May 1. She understood that RPC would have the time available to move forward beginning in July and thought that would fit well in the scheduling. Sinnott said by that time RPC's current work on the Stratham and Route 33 projects, the Hampton Beach parking study, and work in Plaistow would have neared completion.

Foote thanked Sinnott, LaBranche and Walker for attending. Hawkins asked if Sinnott had any incite into the Salisbury Beach proposed development. Sinnott said that Foote and Kravitz have asked Glenn Greenwood who handles the projects of regional development to look at the applicable Massachusetts laws. There is no reciprocity]]] with the regional impact laws in the two states. There is no reason why Seabrook can't or should not enter its "abutter" comments. Foote said the Town of Seabrook is legally a direct abutter; the town owns salt marsh that directly abuts the developer's property. Sinnott said Seabrook should testify directly. Kravitz said thanks to Morgan, the developer had agreed to meet with the Seabrook Planning Board on April 6, unless he changes his mind. She asked Sinnott to confirm that RPC could write a letter in supp[ort of the Seabrook concerns. Sinnott asked if Greenwood could sit in on the April 6 meeting. Foote agreed although everyone is concerned about the potential traffic impact, according to a Newburyport News article the developer has stated there will only be two trips per day per unit. Morgan thought they would all be coming to Seabrook. Foote said with those numbers, three cars per minute are added to South Main Street. However, the development is in the in the middle of the largest section of unfragmented woodlands from Route 28 weeks because of 86 oute 1A in Salisbury. Once it gets established, turns condo, and the management goes away, there will be ATVs throughout the woods. It will be devastating to the wildlife that depends on those woodlands.



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Morgan said there seems to be some support in Salisbury. Sinnott wondered if some federal permits would be required. Foote thought there would be, and noted that Green & Company was held up for nearly 18 months by US Fish & Wildlife and EPS because they were in the shoreland protection zone, and that only involved about five lots. About 95 percent of the Salisbury project is in that zone. Sinnott said if that were the case he did not think the state boundaries would have anything to do with that or with the Army Corps. Morgan said the developer claims that hardly any wetlands are involved. Foote noted there used to be an eagle's nest at Carr's Rock. Morgan said the biggest impact would be that the developer is willing to put in a sewer line. Moore said that building and cul-de-sacs would blossom with a sewer line. Morgan said that with a sewer line the Massachusetts affordable housing (40b) groups would see the sewer line and empty land. Kravitz said she had mentioned this to Senator Hassan who thought this project makes the cross-border issues very visible. She asked Sinnott if he were going to speak with the Merrimac Planning Commission. Sinnott said he would be meeting with its Director and would ask about their process. They do not have a regional impact procedure but do have environmental reviews for major developments. Perhaps they would invite comments from RPC.

Foote asked for other questions or comments; there being none.

Foote adjourned the public meeting at 9:17PM.

Respectfully submitted,

Barbara Kravitz, Secretary