



**Town of Seabrook
Planning Board Minutes
March 18, 2014
NOT OFFICIAL UNTIL APPROVED**

Members Present: Donald Hawkins, Chair; Jason Janvrin, Vice Chair; Francis Chase, Roger Frazee; Michael Lowry, Edward Hess Jr, Ex-Officio, Ivan Eaton III, David Baxter, Alternate, Tom Morgan, Town Planner; Barbara Kravitz, Secretary; Paul Garand, Code Enforcement Officer; Members Absent; Sue Foote, Alternate; Paula Wood, Alternate,

Hawkins opened the meeting at 6:30PM

MINUTES OF MARCH 4, 2014

MOTION:	Lowry	to accept the Minutes of March 4, 2014 as written.
SECOND:	Hawkins	Approved: Unanimous Abstention: Ivan Eaton III

SECURITY REDUCTIONS, EXTENSIONS, ROADWAYS

CORRESPONDENCE

Case # 2014-11 Sewer Department storage structure

Attending: Philippe Maltais, Sewer Superintendent

Maltais described the limited storage layout in the current sewer department facility, noting that the department used to have storage space with the water department. When the Water Department moved to the new Water Treatment Facility on Route 107, the DPW took over two storage bays that had been used for the sewer equipment. Currently, the department's equipment including the back hoe, septic pump, and a leased excavator are kept outdoors at the plant; some of the items are covered with tarps. He noted that the equipment generally has a 25 year life cycle.

Maltais has consulted with the Town Manager about purchasing a metal storage garage to be erected on a slab in the plant compound, with no underground structures. The above equipment, as well as the generator, ladders, and tools, would be protected from the weather. The workspace would be safer, and clutter could be eliminated. Construction could be accomplished with sewer department and DPW personnel. They have applied to the NHDES, because the building would be about 100 feet from the tidal line. The plant is operating at about 40 percent capacity, so no expansion is envisioned for the next 30 years.

Chase said this was a good building, and asked if the 12-foot opening would be enough for the back hoe. Maltais said the hoe arm could be lowered. Chase noted the building would not be insulated, but said that Styrofoam could be sprayed in the future. Morgan said that the Planning Board looks at town buildings and either waives jurisdiction or offers non-binding comments. Hawkins noted this had not been a Ballot item.

MOTION:	Hawkins	to waive jurisdiction re the Sewer Department proposal to erect a storage building, as presented to the Planning Board on March 18, 2014.
SECOND:	Hess	Approved: Unanimous



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Stephanie Sullivan - 1 Walton Road.

Hawkins referenced the Sullivan letter claiming that she owned the building, and her company had never ceased its first floor occupancy at this address. Garand explained that in a previous approval involving the tenant, Medical Laser Technologies, a condition was to return to the Planning Board for first floor occupancy. He was not sure about this situation, and would do an inspection.

Hawkins continued the Sullivan inquiry to April 1, 2014 at 6:30PM in Seabrook Town Hall.

Case #2014-09 – Proposal by DDR to erect an 8,580 square foot mixed use building (retail space and a [57] 87 seat restaurant) at 5 Provident Way, Tax Map 8, Lot 55-30.

Attending: Jim Grafmeyer, DDR

Appearing for the Applicant: Mark Verostick, project engineer, VHB; Robin Bousa, Director of Transportation, VHB; Attorney Morgan Hollis, Gottesman & Hollis;

Grafmeyer introduced Hollis as DDR's counsel, replacing Malcolm McNeill who was now retired. Morgan asked if the Board would consider the application complete. Hawkins wanted to hear the Applicant's presentation first.

Verostick described this project as multi-tenant and mixed use, and identified it as #3 of the DDR outparcels. Access would be through the DDR shopping site; the restaurant would have 87 seats and 57 parking spaces. A sidewalk would connect to the DDR site; the patio to the north was for the restaurant use. There possibly could be a connection to the abutting Provident Bank. The free-standing sign would be on Provident Way; dumpsters would be located on each of the north and south ends; utilities would be fed through DDR – connections to the water, sewer and gas lines, were already in place; on-site drainage would be directed through a catch-basin. There would be a transformer pad for the underground power and communications, and a grease trap installed. There would be no extensive grading. They would try to save as many trees as possible, especially the one large oak tree.

Hawkins referenced following the landscaping standards. He wanted an inventory of existing large trees, and thought some on the west side might be saved. This case would go to the Technical Review Committee, and for traffic review. The sign size should be checked. Grafmeyer said this complies with the North Village zoning. Janvrin noted the proposed "mixed use", noting that generally referred to mixed residential and commercial use. This building was 8,000 plus square-feet of which 2600 square feet would be for a restaurant. The calculation of impervious footage was needed on the plan. Chase said to depict a sidewalk connection to the Bank. Grafmeyer said they would be happy to work with Scott Mitchell on a potential interconnection. Hawkins commented that the Board wanted the ease of connection to keep cars off the roadways. Hess wanted tall trees kept or new trees installed. Hawkins said it would take quite a few new trees, and wanted to save the 50-year old red oak and maple trees. Verostick noted there was no vegetation on the old Bailey section; they would identify and save trees where possible.

Janvrin asked about a sidewalk to this site from the bus stop; Verostick will look at this. Grafmeyer said the Bank and Sea City Crossing parking would be placed on the siteplan. Janvrin asked that the dumpster be screened, noting that a fascia wall had been used on other sites. Hawkins said the entire seating was 87; 15 would be outdoors. Grafmeyer said the



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Noodles Restaurant was based on pasta and rice; and no alcohol. Bousa said that the brief trip generation memorandum submitted with this application covered both outparcels # 3 and #1. VHB assumed that the Outback application would have a 1,000 square foot seasonal patio. She recalled the previous testimony concerning the Panera Bread unit, and the ITE shopping center documentation indicating that even when a restaurant was on an outparcel, it would be part of the overall DDR traffic flow if it only connects internally with DDR i.e. no outside street connection. Further, as tenants arrive, they want to personalize their unit. Bousa also said that according to the current build-out projections, the DDR shopping center would never reach 450,000 square-feet; the current projected figure was 384,202 square feet with a potential maximum of 400,000 square feet. Additionally, the Noodles restaurant was now accommodating about 75 fewer sit down seats that originally thought; the remainder of the building would be for general retail use. Bousa commented that parcels #1 and #3 would be low trip generators.

Hawkins said that the court approval contemplated 450,000 square-feet; there was an increment that could be filled in. Grafmeyer called attention to the methodology. Hawkins wanted to see the comparison between the ITE 920 and 820 calculations. Bousa said the comparison numbers came out the same, with all the regulations met. She noted that DDR had done substantial mitigation. Baxter called attention to Section 10 of the Site Plan Regulations re impacts when occupying any part of a new development. Panera was inside the DDR site; Baxter thought that parcels #1 and #3 were not inside the original 450,000 square-feet, and should be considered as new projects. Bousa suggested referring this to the traffic peer reviewer. Grafmeyer said the outparcels were always shown to be part of the shopping Center. Hawkins said whether incremental or new space, they had 5 years for the build-out. He questioned doing the traffic summary for both cases together.

Grafmeyer said that the Outback parcel was shown on the original plan; this would be a ground lease; there were no more outparcels. Morgan thought that McNeill had treated the outparcels as stand-alone. Grafmeyer said the traffic memorandum should be redone separately for the two outparcels emphasizing the shopping center connection. Hawkins noted that DDR had approval for 450,000 square-feet, and Morgan asked why that amount was not being reached. Grafmeyer said that the "bubble" set forth by the court would allow a maximum of 420,000 square feet. The original plans showed some larger buildings. Chase said the limited number should be notated on the siteplan. Hawkins wanted to look at the traffic figures for both sites. Janvrin did not see more than 50 trips generated; therefore there was no additional exaction. If there were a new owner, there would be an exaction. He estimated that in that case, the Outback would generate above 50 trips. He thought the same memorandum for both parcels should go to the Board's traffic consultant in re the methodology.

MOTION:	Chase	to accept Case #2014-09 as administratively complete for jurisdiction and deliberation.
SECOND:	Hawkins	Approved: Unanimous

Hawkins scheduled Case #2014-09 for the Technical Review Committee on March 31, 2014 at 10 AM in Seabrook Town Hall, and continued Case #2014-09 to April 15, 2014 at 6:30PM in Seabrook Town Hall.



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OTHER BUSINESS

Planning Board Worksession

Hawkins scheduled a Board worksession for March 6, 2014 at 6:30PM in Seabrook Town Hall. Topics would include (i) whether the approved North Village zoning needed any adjustments in the Site Plan Regulations, (ii) signage recommendations, and (iii) the new zoning map. Baxter wanted to look at the Route 1 north frontier. Hawkins added that deciding whether updates for the Master Plan should be addressed.

New Zoning Map

Janvrin asked when there would be a new zoning map. Morgan will contact the Rockingham Planning Commission which has the data base.

Signage Sub-Committee

Chase will initiate the meeting.

Garand said that the signage and zoning map had to be addressed for the 286 Corridor. Morgan said LED sign technology had to be addressed. Hawkins asked if there were industry standards. Morgan will research potential new standards.

Rail Trail

Janvrin reported that he had attended a meeting re the Rail Trail with the NHDOT. He learned that the NHDOT had decided to remove all the rails and reuse or sell them. This means that Seabrook has nothing to negotiate with for a private company to build the rail trail. Further, the NHDES said as long as the railroad ties are in the ground, they can be left in place. Janvrin said this means that the state is pushing the clean-up costs on to the towns.

The Friends had raised \$10,000, but a cleanup would cost about \$2,000,000. Because of the potential for arsenic, creosote, and or herbicides, possibly this could be considered a Brownfield's site. The drainage had to be fixed, and the mess cleaned up. Hawkins thought this would have to go back to the Legislature. Hawkins said that in Hampton Falls and Hampton, PAN AM took the steel rails up. He said that Seabrook's rails were nearly brand new. Hess said that other towns (Salem) got money for taking up the rails. Seabrook was trying to improve and should get the legislators involved. The state was buying the right-of-way so it could remove and store the rails.

There being no other business, Hawkins adjourned the meeting at 7:45 PM.

Respectfully Submitted
Barbara Kravitz, Secretary,
Seabrook Planning Board