



# Town of Seabrook Planning Board Minutes

Tuesday, May 21, 2013

NOT OFFICIAL UNTIL APPROVED

Members Present: Jason Janvrin, Vice Chair; Roger Frazee; Francis Chase, Michael Lowry, Ed Hess, Ex-Officio; Paula Wood, Alternate; Tom Morgan, Town Planner; Barbara Kravitz, Secretary; Paul Garand, Code Enforcement Officer;

Members Absent; Sue Foote, Alternate; Donald Hawkins, Chair; Dennis Sweeney;

Janvrin opened the meeting at 6:30PM.

## **SECURITY REDUCTIONS/EXTENSIONS**

### **Case #2002-37 Irene's Way**

Attending: Paul Lepere

Janvrin asked Morgan for the status of Irene's Way. Morgan said the as-built was ok. The deed needed to be revised. Kravitz said the revised deed had been submitted. Morgan said he would be satisfied with the deed if one sentence had been corrected. Lepere stated that the as-built was complete; the revised deed had been submitted, and the swales raked out; and the Department of Public Works Manager had said there was no problem. They had caused the disturbance on the last lot # 6. Lepere requested approval for a town road, and that the security be reduced to approximately \$17,000. Kravitz said that Jim Kerivan of Altus Engineering was asked to provide a final memo, noting that previous resident issues had caused Lepere to return again to the Board. Chase asked if the Water Department had signed off; Morgan said it had, and could act at this meeting with stipulations. Kravitz suggested that Lepere provide a letter describing the items that had been corrected. Lepere agreed.

<b>MOTION:</b>	<b>Janvrin</b>	<b>to reduce the security for Case # 2002-37 – Irene's Way to the maintenance amount of \$17,000. for a period of one year, and to recommend to the Board of Selectmen that Irene's Way be accepted as a town road, conditioned on (i) the revised deed being acceptable to the Town Planner, and (ii) a letter from the Department of Public Works and/or its assigned representative, Altus Engineers, stating no issues remain.</b>
<b>SECOND</b>	<b>Chase</b>	<b>Approved: Unanimous</b>

### **Case #2012-01-Verizon, Dawson 332 Lafayette Road**

Attending: Brad Jones, Jones & Beach Engineers;

Janvrin explained that Attorney Mary Ganz had been providing updates re discussion with Walmart to try to get approval to complete the cross-connect. Janvrin asked if the as-built had been submitted. Jones said there were only limited changes. Garand said an as-built would not be necessary. Kravitz said the mylar for the drainage had been submitted. Jones asked for a reduction in the security to the ten percent maintenance amount, and for the town to retain \$6,000 as the escrow in anticipation of Walmart allowing the cross-connect to be continued to its parking area at 270 Lafayette Road. Kravitz asked if the ten-percent maintenance security would also be retained. Chase asked why the ten percent maintenance would be needed on a private roadway. Morgan said that the ten percent was the customary figure for roadway maintenance work. Chase



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said the site plan was satisfactory, and the town would never do the maintenance work. He thought maintenance security was unnecessary. Morgan agreed, provided that all of the work had been satisfactorily done. He explained that the security policy in re streets was clear, but siteplan security was usually for a specific purpose. Janvrin explained that the developer had agreed to the \$6,000 escrow.

<b>MOTION:</b>	<b>Chase</b>	<b>to return the balance of security currently held for Case #2012-01 – Verizon, Dawson 332 Lafayette Way, provided that the amount of \$6000 shall be retained for a period of 5 years as an escrow in anticipation of the extension of the cross-connect to the Walmart Plaza parking area at 270 Lafayette Road.</b>
<b>SECOND</b>	<b>Janvrin</b>	<b>Approved: Unanimous</b>

## **CORRESPONDENCE/ANNOUNCEMENTS**

**Janvrin referenced communications from the DPW Manager and the Water Superintendent in re the Case #2008-23 DDR construction changes called out in the agreed base siteplan dated April 2, 2013.** Kravitz asked if these types of responses from department heads were satisfactory to the Board. By consensus, the Board agreed.

Janvrin called attention to the **invitation from the Rockingham Planning Commission Annual Meeting on June 12, 2013 at the Granite Rose in Hampstead** noting there is an RSVP and a cost for attending. Seabrook has appointed 4 Commissioners.

**Janvrin referenced a request for a waiver of jurisdiction from Eugene Dean to allow a guard shack on the property at 32 Stard Road.** He asked for Garand’s comments. Garand said that some years ago an approval had been given for Fiesta to use the site as a storage laydown for equipment. The property had been subject to extensive vandalism. Garand also said that because a trailer had been set up and someone was living in it, Dean would need a special exception for that purpose as this was not a campground or an approved use. He thought Dean wanted a guard shack attached to the trailer, or it could be as part of the trailer itself. Kravitz noted that no sketch or details had been provided. Janvrin asked Kravitz to send a letter to Dean requesting a sketch or overhead, and details of his proposal, and request Dean to appear at a Board meeting to explain the specifics of his proposal.

Janvrin called attention to the **DPW Manager’s communication to the Beckman Woods** developer indicating this was for the Board’s information with no board action required. The concern is that feces are being deposited into storm drains causing contamination of the ground water. Hess said this will be a big issue with the new MS-4 EPA regulations as the town will have to report the findings when taking catch basin samples. This could result in a big fine for the Town. He implored townspeople not to drop any foreign materials into the drains, noting that towns are cooperating on this issue. Janvrin said that some people do not realize that stormwater



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goes into the groundwater system, and that ordinance requires residents to pick up after their pets or face fines. When there is contamination the clam flats get closed.

## **ZONING BOARD OF ADJUSTMENT APPEAL**

### **Case #2012-18 Latium, Tropic Star Development**

Kravitz said that a letter had been received from Attorney Richard Uchida requesting that Case #2012-18 be extended until June 30, 2013. Janvrin asked if an appeal of the Zoning Board of Adjustment decision had been entered. Kravitz said not as of this date, but there was still time to file with the ZBA during May. The Case was now scheduled for the June 18, 2013 Agenda, however, the request letter from Attorney Uchida requested extension to June 30, 2013. She suggested the Board confirm this date.

<b>MOTION:</b>	<b>Chase</b>	<b>to grant the extension for Case #2012-18 requested by Attorney Richard Uchida for Tropic Star Development until June 30, 2013.</b>
<b>SECOND</b>	<b>Janvrin</b>	<b>Approved: Unanimous</b>

**Janvrin called attention to a letter from Steven Ireland of the NH Department of Transportation providing information pursuant to a meeting with representatives of the Market Basket north plaza.**

### **NORTH VILLAGE CHALLENGE GRANT Meeting with Hampton Falls Representatives**

Janvrin reported that the meeting with Hampton Falls representatives – Dick McDermott, Board of Selectmen, Charlyn Brown, Chair, Planning Board, and Anthony Franciosa, Vice Chair, Planning Board, was a very good meeting. Chair Hawkins talked about the Seabrook North Village challenge grant purpose, and summarized the feedback from meetings with neighborhood groups. Hawkins also described the exactions strategy that Seabrook was implementing along Route 1. Among other items discussed were the DDR Shopping Center construction and the potential for the Market Basket north plaza external site work. Janvrin asked Kravitz to add comments. Kravitz said that Seabrook’s approach to going from five lanes at Route 107, to four, and then to three traffic lanes at the Hampton Falls boundary with Seabrook was appreciated. Brown stated that North Hampton would never agree to five or even four lanes, at the boundary with Seabrook. They are proposing moving one of the two traffic lights at the town center to the Route 88 intersection, and changing some of the roadway configuration at the common. They are contemplating other zoning changes as well.

Kravitz said that this meeting focused on land use and traffic issues. Hampton Falls’ priority was still to explore the potential for connecting into Seabrook’s sewer system, although this meeting was not the venue for that discussion. Hess appreciated that the towns can get together. Facilitators for the meeting were Julie LaBranche and Dylan Smith of the Rockingham Planning Commission, who are working on the Challenge Grants with Seabrook and Hampton Falls respectively. Morgan’s view was that the Hampton Falls people were impressed with Seabrook’s forward thinking. Kravitz said the consensus was to meet again in the fall. Janvrin wanted



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Hampton Falls to be kept informed as the Seabrook North Village work progressed, and to maintain direct mutual contact.

### **WORK SESSION POTENTIAL ZONING MAP CHANGES**

Tom Morgan, Town Planner

At the Planning Board's request, the Town Planner has begun the process of reviewing the mapping details of the August 2012 Zoning Map for the purpose of developing recommendations for boundary adjustments in anticipation of presenting a revised Zoning Map to the 2014 Town Meeting. This session concentrated on the Route 107 – Crowtown and North Village areas. The methodology was to zoom in lot by lot by using computer driven GIS technology to incorporate comments from Planning Board Members. Morgan had advised deciding on the best future use before private development makes that decision. Similar worksessions will take place during the summer, with public hearings scheduled in the fall. Below are highlights of the interactive comments among all participants.

#### **Route 107 area**

Yankee Greyhound Racetrack. Morgan called attention to the extensive Yankee Greyhound properties off Route 107, that include the track area, kennels, and open land, stating that part of this property is zoned residential [Zone 3 and Zone 1]. Garand said that this property was being actively marketed with several options. Morgan said that the kennels was a non-conforming existing use; there could have been previous variances. The Planning Board would have to decide whether to recommend that the property be in a single zone, and/or whether to adjust any of the boundaries. Chase commented that this was a very large parcel covering 2 zones. Janvrin wanted to wait for the recommendations of the Crowtown Challenge Grant discussions, which will focus on zoning issues

Maple Ridge – suggestions that the zoning lines follow the residential property lines to the center of the road.

Calumet Sales Company. This is a limited access driveway; suggest leaving as non-conforming residential; watch-out for power lines and aquifer. Chase wanted to enhance the entire Route 107 area for business which could mean going to the ZBA.

#### Stard Road Area

The Greene property straddles commercial and residential zones. The Best Western Suites and Hotel comprise 2 large lots; suggest bringing the zoning to the middle of the boundary road. Look at conservation lands in the Pineo Farms Zone 1 rural area (could be up to 200 acres). Review Industrial area; Ledge Road – Zone 3.

#### Route 1 North of Route 107

Morgan recommended revisiting the 500 foot limitation east and west of Route 1. Look at DDR, the Greene and Staples property as all in Zone 2. Consider adjusting Rocks Road lot lines if acceptable to residents; make Transfer Station and the Power Plant as Zone 3 Industrial, not residential; Market Basket north and 920 Lafayette Road should be all commercial; look at property fronting Route 1 as commercial, with residential to the west;



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### Municipal Zone potential

Consider creating a new Zone M - Municipal for town-owned land e.g.: municipal parks, recreation areas, cemeteries; town buildings

### General Comments:

Opinion of residents should be included when evaluating new zoning ideas or potential adjustments. The positive and negative outcomes should be included when evaluating each potential change. Effort should be made to avoid controversy e.g. reevaluate the 500 foot Route 1 limitation. Following lot lines was favored e.g. Kohl's and Market Basked boundaries; Keep the Rail Trail pathway in mind when considering property boundaries. Look to the Route 107 (Crowtown) and North Village Challenge Grant recommendations in re the areas discussed at this meeting. Create a schedule for similar preliminary mapping discussions with Morgan re other zones, with the objective of achieving Planning Board public hearing deliberations early in the fall, and presentation to the voters at the 2014 Town Meeting. .

Janvrin adjourned the meeting at 8:15 PM.

Respectfully submitted,

Barbara Kravitz, Secretary,  
Seabrook Planning Board