



# Town of Seabrook Planning Board Minutes

Tuesday, July 6, 2010

NOT OFFICIAL UNTIL APPROVED

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

This meeting was held in the Seabrook Library.

Hawkins opened the meeting at 6:35 PM

## MINUTES OF June 15, 2010

<b>MOTION:</b>	<b>Thibodeau</b>	<b>to accept the Minutes of June 15, 2010 with corrections on pages 4 and 7.</b>
<b>SECOND:</b>	<b>Janvrin</b>	<b>Approved: Unanimous</b>

## CORRESPONDENCE

Hawkins referenced a **letter from Garand to Anjni Realty Trust denying permission to erect an internally illuminated sign at 134 Lafayette Road.** The denial was based on the plan approval which stipulated use of the existing sign and no additional signs erected except for the 10 percent maximum building sign. Options were to petition the Zoning Board of Adjustment, or to return to the Planning Board to amend the siteplan. Kravitz said a representative from Signs by Doug had requested an expedited application.

Hawkins referenced and distributed a **memorandum from Morgan re Case #2009-02 Seabrook Trucking indicating that the stipulations included providing 2 permits.** As these had not been received, Morgan said the siteplans were not ready for signing. Hawkins asked if this had bearing on the two related lot-line adjustment siteplans that he had signed. Morgan said the stipulations were extraneous to the lot-line cases.

## SECURITY REDUCTIONS

There being none.

## PUBLIC HEARINGS

### ONGOING CASES

**Case #2010-18, a proposal by Raman Patel to establish a 1,713 square foot convenience store at 609 Lafayette Road, Tax Map 8, Lot 3, continued from June 15, 2010.**

Hawkins referenced a request from Millennium Engineers to continue Case #2010-18 to July 20, 2010. Garand submitted photos from his site inspection showing 61 cars on the property. Hawkins said **Case #2010-18 would be continued to July 20, 2010 at 6:30PM at the Seabrook Library** when the photos would also be circulated and discussed.



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### **NEW CASES**

**Case #2010-20E – proposal by Tim Johnson and Tony Gallagher to establish a furniture store in Unit 3 at 920 Lafayette Road, Tax map 7 Lot 91-103.**

Attending: Tony Gallagher;

Hawkins said that this proposal would bring retail business to Seabrook. Janvrin asked for the location of the unit to be leased. Gallagher said it was next door to the Dollar Store. Hawkins recalled that when Case #2010-16 was heard Johnson made a commitment to fix up the site as required in the original case and would post security to ensure that he does that. Garand said that the State is now involved and there will be some changes in the sidewalks and curb-cuts. He thought they would return to the Planning Board re the changes, and was pretty confident that things would work out. Hawkins asked if progress was being made on other site items to be completed. Garand said the work had been progressing although the security was not in place, and Johnson was not at the meeting.

Hawkins said the [Gallagher] proposal was a fairly simple change of use application, and would not be overwhelming in terms of traffic or parking and the like. His concern was that the security deposit was not in place and asked how to get that without holding some leverage. Garand asked Morgan if the security was on a separate parcel of the property, and how it would impact the proposed use. Morgan said the number of parking spaces had not yet been determined. Garand said it showed eight parking spaces plus a loading area. Gallagher said his truck and an employee car could be parked in the loading area, so seven spots would be kept open at all times. Garand asked for the hours of operation. Gallagher said it would be from 9AM to 6PM and noon to 4PM on Sundays. Currently he is closed on Wednesdays but that could change. Garand asked if there would be exterior changes. Gallagher said there would not. He wasn't sure if he needed a separate permit for the roof sign. Garand asked Gallagher if there would not be storage containers, and Gallagher said except for a tow trailer there would not.

Garand did not see a major issue on the north parcel. Janvrin asked about the signs. Garand said if the regulations are not met, they would have to go to the ZBA. Garand thought the proposal would qualify for an expedited process. Hawkins said that Morgan's checklist noted a number of items were "not submitted", and asked if these were not necessary. Morgan said it depends on whether this is in the floodplain, but noted that Garand said it was not. He recited the other non-submitted items and noted that this use would have a very low traffic impact. Janvrin thought this is only a change of use and the other items had been submitted originally. Hawkins said nothing is being done to the building, Garand said the building is fully sprinklered.

Paula Wood was pleased at this type of business but wondered if deliveries would be at the front. Gallagher said deliveries would come to the front or back into the loading area; deliveries would not be in the back. Wood had hoped Johnson would have been at the meeting to deal with some of the remaining site issues such as those at the Bar. She had objected to the poker proposal. Gallagher said he is moving his business from Salisbury to Seabrook. Hawkins asked Morgan for a recommendation re the security issue relating to Case #2010-16. Janvrin said that case dealt with the south parcel. Morgan said if that is the case there would be nothing in the way. Hawkins said he would hate to get in the way of someone starting a small business in a location that needs the business. He wanted the owner to step up and do what he committed to do. Janvrin asked Garand if this presented enforcement issues. Garand did not think so.



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Hawkins asked for further board comments. Thibodeau thought this was a good use.

<b>MOTION:</b>	<b>Janvrin</b>	<b>to accept Case #2010-20E as an expedited application sufficiently complete for jurisdiction and deliberation.</b>
<b>SECOND:</b>	<b>Hawkins</b>	<b>Approved: Unanimous</b>

Hawkins wanted to make the hours from 9AM to 6PM as a condition. Members thought hours might go until 10PM with Kelley commenting that this is not a high traffic business. Hawkins wanted to be sure that the file was sufficient for code enforcement. Gallagher did not intend to need the later hours. Hawkins said if business was good he might want to be open to 10PM.

<b>MOTION:</b>	<b>Janvrin</b>	<b>to approve Case #2010-20E –Tim Johnson and Tony Gallagher to establish a furniture store in Unit 3 at 920 Lafayette Road, Tax map 7 Lot 91-103, conditioned (i) on the hours of operation being no earlier than 9Am and no later than 10PM, and (ii) no deliveries to the rear of the building.</b>
<b>SECOND:</b>	<b>Kelley</b>	<b>Approved: Unanimous</b>

## **EXPEDITED APPLICATION PROVISIONS AND PROCEDURES**

**Amending the Subdivision Regulations and Site Plan Review Regulations in order to include provisions for expedited applications, revision blocks, and waiver requests.**

Hawkins explained that the Planning Board had discussed amending expedited application procedures at a prior meeting. He distributed the revised proposed language for expedited applications and certain other Board requests, prepared by Morgan, which included certain changes wanted by the Board. Kravitz noted that a brief public hearing notice [for this meeting] had appeared in the newspaper. Hawkins read the following proposed language:

1) Amend Article IV of the Site Plan Review Regulations as follows:

**ARTICLE IV - Site Plan Review Procedure** shall be the same as that required by the Seabrook Subdivision Regulations (*Articles II, III, IV, V & X*) for subdivision review, including provisions relative to abutter notification, public notice, administration, and the submittal of performance bonds, exhibits, data, project revisions, ~~and~~ as-built plans, and the depiction of dimensions, parking, signs, lighting, site features, and vegetation. Notwithstanding the foregoing, in those cases in which Code Enforcement and/or Planning Board staff determines that a site plan proposal meets all of the following criteria:

- No discernable impact on abutters;
- No adverse impact on the public or the environment;
- No building expansion;
- No increase in intensity of use;
- No increase in traffic impact;
- No condominium conversion, subdivision, or lot line adjustment;
- No changes to stormwater flow or utilities;
- It is the site of a previously approved site plan;



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- Planning Board determines that no review by the Technical Review Committee is warranted;
- No change to lighting or signage.

then the proposal may qualify as an **Expedited Application**, consistent with RSA 676:4 III. Abutters shall be notified pursuant to RSA 676:4. ~~The fee incurred by the applicant shall be postage + \$4 per abutter notice, plus a \$25 administration fee.~~ Publication of the notice shall not be required, nor shall review by the Technical Review Committee be required. ~~nor shall the fees specified in Article IV above be applicable.~~ The Planning Board reserves the right to determine that the proposal does not qualify for *expedited* status.

Required exhibits for Expedited review is are as follows:

- Name of applicant and site address;
- All lot, building, driveway, and parking dimensions;
- Location of lighting, signage, vegetation and other site features;
- Wetlands locations;
- Abutter names and locations shown on drawing;
- North arrow;
- Street names clearly shown;
- Location of liberty elm if planted or new location if not already planted;
- Aerial photos and hand drawings are acceptable if they include all of the above;
- Applications should include 14 copies – if color is used, all copies must show colors.

2) Amend Article V Section 18 of the Subdivision Regulations so as to require revision blocks to be situated directly above the title block instead of to the left.

[Hawkins noted that this provision relates to all applications.]

3) Add the following to Article X Section B of the Subdivision Regulations:

**B - Waivers:** A waiver to the provisions of these regulations may be permitted when, in the opinion of the Board, topography or other consideration warrants such waiver, provided that public convenience, safety, health and welfare will not be affected adversely. The Planning Board will act on waiver requests only after considering a written submittal from the applicant detailing the rationale for such request.

4) Add the following prerequisite to Article V of the Subdivision Regulations:



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**U – Waivers:** The applicant shall submit a written request detailing the rationale for each waiver request.

Hawkins said that language had resulted from the prior Planning Board discussion and asked for comments or changes, and whether everything was in the proposed language. Kravitz suggested that the name and address of the owner of the property as well as their signature be required on the application. Up to now a letter of permission from the owner is requested, but the owner's signature is not on the application. Morgan said the owner's contact information would be important. Garand agreed. Hawkins said it would be important if someone is going to make changes [to the property]. Kravitz noted that Morgan includes both the owner and applicant in the application description, and thought the owner should be signing the application. Hawkins said to add the name of the owner and owner's address under the applicant information. Janvrin said the applicant's address is also needed as it may not be at the case's property. Hawkins wanted the same 'approval' page for all applications. Garand said the property owner's signature and permission should be obtained to avoid future complaints. Hawkins said the first bullet should be name of applicant, site address, and business address. The next bullet should be the name of the property owner and address.

Hawkins asked for other comments. Kravitz recalled the Board speaking about requires for setbacks and showing the street location. Janvrin asked if this would be a locus. Kravitz thought the submission could include just the building, or the structure, parking, and setbacks. Hawkins said the street names would be clearly shown. Garand said with an existing build setbacks would not be an issue; including setbacks would mean survey information which should be accurate if it goes into the file. Kravitz said these are the kind of questions the Board has asked. When a prospective applicant comes to the Planning Board office for information, she indicates that a drawing should be done to scale and show the relationships. Hawkins said if a building is close to the setbacks a survey would be required, and the proposal probably would not be accepted as an expedited application as in most cases it would be beyond that scope. Garand said the expedited procedure would have no footprint, parking or drainage changes so there wouldn't be need for measurements except perhaps for changing the sign. Janvrin asked if someone brings in an expedited application that is approved, then it would be an amendment of the approved site plan. Hawkins said it is a way to get through a simple request, perhaps in one night, without hiring an engineer if not necessary. However, the applicant needs to show up at the hearing with a drawing or overhead photo. He noted that Garand could send them to the assessor's office for a photo to make it easier and show what the site looks like.

Kravitz suggested that the bullet re "previously approved site plan" require the reference to those approval(s) be submitted. Janvrin said this should be on the application. Kravitz noted that the Case number would be extended to reference the prior cases. Garand said, for example, the Case 2010-20E would have been listed as 2010-20E:05-42. The original cases references should be listed in the application, and can be gotten from the Assessor's Office. Hawkins asked Morgan where to place that requirement. Morgan said next to the reference [bullet] to the previously approved plans. Janvrin said that would make sense. Garand said all prior Planning Board applications [for the site] should be noted on the expedited application form. Kravitz said this should be the same for the regular application. Morgan noted that information could be gotten from the Planning Board office. Garand said it is on the assessment card. Kravitz said the applicant is looking at something and that is what the Board needs to see. Morgan thought they would go to the Planning Board for the information. Kravitz said that would be ok too. Morgan said to add a bullet requiring case number(s) for previously approved site plans. Morgan then suggested that that information should be included in the exhibits.



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Morgan asked about the reference to “Planning Board staff” in the site plan procedure paragraph. Hawkins said that means the Town Planner. Morgan said he reads the requirement to be that either [Garand] or [himself] would look at an application before it gets to the Planning Board to determine whether it can be expedited. Hawkins said they would make the recommendation to the Planning Board which still would decide whether to accept an application as expedited. Morgan said one item on the checklist referred to no “TRC” and he could not determine what the Board would decide. He suggested removing the language that says “the Planning Board determines that”, so the Town Planner would make the recommendation. Hawkins said “Planning Board staff” would be omitted, and it would state either the Town Planner or the Code Enforcement Officer. Kravitz recalled discussion about requiring one of their signatures on the Expedited Application ie a written ok, not just an approval check-off. Hawkins said that would be included on the application. Janvrin said it should say that the application meets expedited criteria. Hawkins suggested stating that a signature is required on the application in the referencing paragraph #2. Hawkins said the sign-off is wanted so the Board knows there is a recommendation for an expedited application, and asked Morgan where this should be placed. Morgan said the applicant should supply a signature block. Hawkins said a line for the Town Planner or CEO would be on the signature page of the expedited application. Morgan said then it did not need to be an exhibit. Janvrin thought if it is required it should be an exhibit.

Hawkins said the exhibits are for things they have to bring in, in addition to the application. Morgan said if the application form is not filled out it goes nowhere. Garand said if the Planning Board Secretary doesn't see the signature she would not take the application. Kravitz noted the Board's discussion that the same signature page would be used for all applications. Morgan mentioned the embarrassing prospect of an owner not knowing what was going on at a hearing. Hawkins asked for further comments or suggestions. Kelley thought a great job had been done on this process. Hawkins hoped this would make clear what could and could not be expedited. Kravitz asked for insertion of the required “labels” to be added to the bullet referencing abutter names and locations. Janvrin said that would be part of the application. Hawkins noted that was already in the site plan regulations. The items being discussed were additions to the regulations. Hawkins asked Morgan if the changes [discussed in the hearing] are the same as the site plan applications with the new language as exceptions. Morgan said that some years ago the Planning board thought it would be a good idea to get rid of some of the redundancies in the regulations. Hawkins asked if it was necessary to specifically list items separately if they are already in the site plan regulations. Morgan said that was not necessary.

<b>MOTION:</b>	<b>Thibodeau</b>	<p><b>to approve the amendments to (i) Article IV of the Site Plan Regulations, (ii) Article V of the Subdivision Regulations, (iii) Article X of the Subdivision Regulations, and to (iv) add Section B – Waivers to Article V of the Subdivision Regulations as determined at the Planning Board hearing of July 20, 2010 as follows:</b></p> <p><b>ARTICLE IV - Site Plan Review Procedure</b> shall be the same as that required by the Seabrook Subdivision Regulations (<i>Articles II, III, IV, V &amp; X</i>) for subdivision review, including provisions relative to abutter notification, public notice, administration, and the submittal of site security, exhibits, data, project revisions, as-built plans, and the depiction of dimensions, parking, signs, lighting, site features, and vegetation.</p>
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		<p>Notwithstanding the foregoing, in those cases in which Code Enforcement and/or Town Planner determines that a site plan proposal meets all of the following criteria:</p> <ul style="list-style-type: none"><li>• No discernable impact on abutters;</li><li>• No adverse impact on the public or the environment;</li><li>• No building expansion;</li><li>• No increase in intensity of use;</li><li>• No increase in traffic impact;</li><li>• No condominium conversion, subdivision, or lot line adjustment;</li><li>• No changes to stormwater flow or utilities;</li><li>• It is the site of a previously approved site plan;</li><li>• No review by the Technical Review Committee is warranted;</li><li>• No change to lighting or signage.</li></ul> <p>then the proposal may qualify as an Expedited Application, consistent with RSA 676:4 III. Abutters shall be notified pursuant to RSA 676:4. Publication of the notice shall not be required, nor shall review by the Technical Review Committee be required. The Planning Board reserves the right to determine that the proposal does not qualify for <i>expedited</i> status. Required exhibits for Expedited review is are as follows:</p> <ul style="list-style-type: none"><li>• Name of applicant, site address, and business address;</li><li>• Name of property owner and address;</li><li>• Case number(s) of prior site plan approvals;</li><li>• All lot, building, driveway, and parking dimensions;</li><li>• Location of lighting, signage, vegetation and other site features;</li><li>• Wetlands locations;</li><li>• Abutter names and locations shown on drawing;</li><li>• North arrow;</li><li>• Street names clearly shown;</li></ul>
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		<ul style="list-style-type: none"> <li>• Location of liberty elm if planted or new location if not already planted;</li> <li>• Aerial photos and hand drawings are acceptable if they include all of the above;</li> <li>• Applications should include 14 copies – if color is used, all copies must show colors.</li> </ul> <p><b>Amend Article V Section 18 of the Subdivision Regulations as follows:</b></p> <p style="text-align: center;"><b>Revision block located directly above the title block in the lower right corner of the plan.</b></p> <p><b>Replace Article X Section B of the Subdivision Regulations as follows:</b></p> <p style="text-align: center;"><b>B - Waivers: A waiver to the provisions of these regulations may be permitted when, in the opinion of the Board, topography or other consideration warrants such waiver, provided that public convenience, safety, health and welfare will not be affected adversely. The Planning Board will act on waiver requests only after considering a written submittal from the applicant detailing the rationale for such request.</b></p> <p><b>Add the following prerequisite to Article V of the Subdivision Regulations:</b></p> <p style="text-align: center;"><b>U – Waivers: The applicant shall submit a written request detailing the rationale for each waiver request.</b></p>
<b>SECOND:</b>	Janvrin	<b>Approved: Unanimous</b>

### OTHER BUSINESS

#### Case #2009-10 RKW – re proposed guardrail removal

Hawkins referenced a request to remove a guardrail requirement for Case #2009-10. Garand referenced his memorandum and said the site was fully reviewed by the Planning Board. The guardrail was included to protect traffic on the site and to stop snow removal from encroaching



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into the wetlands. Hawkins agreed, saying that he also visited the site calling attention to a loading area ramp where a disabled vehicle could slide into the swamp. Hawkins said the request came from Jones & Beach in a letter dated May 7, 2010, however no one was present to address it. Hawkins wanted a response on the record. Garand pointed out a small portion that might be removed to ease snow removal, but otherwise there is a sharp drop-off. He recommended the guardrail should remain. Janvrin noted it would be easy to get stuck outside the guardrail. Kelley asked for the purpose of the removal request. Garand said that would be for the applicant to state. Hawkins said it could be the cost, but that wasn't stated.

<b>MOTION:</b>	<b>Janvrin</b>	<b>to notify the applicant for Case #2009-10 that the Planning Board will take no action on the request to remove the guardrail and the provisions of the approval are unchanged</b>
<b>SECOND:</b>	<b>Kelley</b>	<b>Approved: Unanimous</b>

### **Case 2005-42 Charles Bagley - Dow's Lane re culvert**

Hawkins referenced Morgan's draft response letter composed after the Board's discussion on June 15 concerning the culvert that did not meet the site plan specifications. The letter would go to the applicant. However the escrow was provided by Bagley. Garand noted that the letter speaks to completion within two years. Five years have gone by and all the homes have been sold. Some action needs to be taken to prevent the water from backing up into the homes. Morgan said the Board could persuade Bagley to fix this now, or the town would have to do this at some future point. He thought it preferable that Bagley clean up his own problem rather than burden the town. Janvrin pointed out that otherwise Bagley's could hurt his credit rating. Hawkins said that the letter indicated these options. Morgan favored trying once more to get Bagley to do it – within a month. Hawkins asked if the letter should come from the Planning Board or Code Enforcement. Janvrin said it should come from the Board with a copy to Code Enforcement.

Garand thought the letter should be more firm because Bagley is fully aware of the requirement and the wetlands application has probably lapsed. He thought the town should not take on the responsibility of working with the wetlands, fencing and the like, and would need an outside contractor to get it done. Thibodeau did not think Bagley would do anything. Garand said there was \$5000 security for the culvert. Bagley knows what he is doing and is fully aware of the site situation. Hawkins asked what part of the letter should be strengthened. Garand said the letter should say that if no action was taken or Bagley did not come to discuss the situation with the Planning Board at the next meeting, all necessary correction action would be taken. Kelley asked why more time should be given; the security should be used and a registered letter should go right now. Kravitz called attention to the language in the Security Agreement. Garand said it says the town shall take the money. Hawkins asked if there is enough money to build the culvert. Hawkins asked if there is enough money to do the job, or if it would be better to get Bagley to do it. Garand thought \$5000 could be used for the culvert and \$5000 for other things. Kravitz said the Security amount is approximately \$11,500. Garand asked if the entire security could be used for the culvert. Morgan said there would have to be a good case; the only sure thing is the \$5000 for the culvert. Hawkins asked if each item was specified in the security agreement. Janvrin said it did in the minutes.

Hawkins said without knowing the cost, he would be more comfortable getting Bagley to do the work. For example, if the cost were \$8,000 the Town might have to pay \$3000. Garand cautioned that the work



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would have to be done before the winter and asked who had the responsibility. Janvrin asked if Bagley had ever told the board the work is substantially complete on this property. Garand did not see that in the minutes but said the Board was under the understanding that it was taken care of. Janvrin said essentially this is still an open case. Hawkins said to give Bagley a chance to complete the work, and if not, to hope there is enough money for the town to hire a contractor to complete the work. If there is no response from Bagley within a month, the town should set up and do the work. Kravitz said she had given the Town Manager a copy of the Security Agreement as if the town had to do the work there would need to be a mechanism. Garand said the agreement says the Selectmen take the action. Janvrin asked that "at your convenience" be removed, and "prior to the meeting of July 20" be added to the last sentence, and to look for a response as to his intention at that meeting. Garand said the work has to be started very soon as the asphalt has to be cut etc before the winter and there is silt fencing and other work to be done. Janvrin noted that the case number is in 2005 and the agreement was signed in 2006 after the approval. Thibodeau said the letter should say if Bagley fails to complete by August 15 "the town will take any steps necessary to ensure compliance with the Site Security Agreement between yourself and the Town of Seabrook. [everything from "replace" to "your" is removed].

### **OTHER BUSINESS**

Hawkins **called attention to checklists for future cases 2010-21 – Green and 2010-22 NexTera that are not yet in the Board packet that have a number of missing items.** At the last meeting the Board was adamant that it wanted the checklist items to be completed before submission, and Hawkins thought these checklists appeared incomplete. He wanted to discuss how this should be handled, and asked that if the waivers were not in should there be a telephone call alerting them that if the waivers were not in the case would not be accepted. ie how did the Board feel about giving "a heads up". Thibodeau agreed. Hawkins said that at the last meeting the Board was clear that complete applicants need to be turned in. Thibodeau said if an application is not complete it should not go on the agenda. Hawkins said that over the years they have been accepted, and the Board is trying to change that right now. He thought if an application is incomplete there should be a telephone call or they should be sent home. He thought it appropriate for Morgan to call them with a heads-up that if their application is incomplete it is likely that the Planning Board won't hear it. The procedures need to be followed. Hawkins noted that the first NextEra checklist seemed complete but the application was not. Morgan said some items are not easy. For example, landscaping would need to be addressed by the Planning Board.

### **Checklist Procedures**

Hawkins called attention to five different forms of checklists provided by Morgan which he thought somewhat confusing. Morgan said he was trying to do what the Board is looking for. The regulations address both standards and exhibits. When the Board first developed checklists he was asked to draft them for both. Eventually, the Board only used the exhibits checklist. for the packet, Morgan had provided both types of checklists for the expedited as well as full applications. Hawkins view was that the checklists used for the applicants should be the items required to come in with the application – not necessarily how the Board will review the case against the regulations. He was looking for the checklist of the items that must be submitted to get an application accepted. Then the Board could review it. If the requirements are not met there could be changes. If there are items on the checklist that are not being turned in, Hawkins wanted to see a waiver request saying that the item is not necessary, or the Board would say it is incomplete and tell the applicant to go back and finish it. Everything should not be an exception. Garand asked if there were a place to state that the application is compliant with the Seabrook Master Plan. Morgan said that is the standards checklist that the Board hasn't used.

Morgan noted that Hawkins had suggested using one checklist for each of the full and expedited applications. Garand commented that in reviewing prior plans a lot of them did not speak to the Master



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Plan at all. In the '50s, '60s, and '70s there was talk of a town center around the Town Hall but nothing came of it. If the Master Plan had been followed things would look a lot different in that area. Hawkins thought this a good point and called attention to the case worksheet which included some of those items that should not be forgotten – more as a reminder. He suggested the worksheet might be expanded or there could be a different standards checklist used just as a guide for the Board's deliberations on projects. He agreed that convenience stores close together is not what townspeople had in mind. Garand said some proposals, ie the big boxes along Route 1, don't fit with anything previously envisioned. Kelley asked how much weight the Master Plan has if a proposal is compliant with regulations. Hawkins said there would be a presentation about what Route 1 could look like in 20 years. The first thing is to get the State to do the road the way the town wants it, and encourage a town center. It is for the Planning board to create ordinances that the town votes for ie the southern end of Route 1 could be zoned for certain types of uses. Kelley said the zoning allows a lot of uses. Hawkins said the Master Plan would create a vision as to what the town should look like and then to create ordinances to make it happen. If the townspeople want it they will vote yes; if not they will vote no.

Hawkins said some interesting things and good ideas have been done. He did not think the vision would be done in one-year; it would take some time. Garand said when a plan comes in the Board should have the right to say wants something better, which is what happened to the CVS store in Salisbury. The Planning Board has some power. Hawkins cautioned that the Board wouldn't want to end up in court over and over again. He became interested because he saw that the Master Plan wasn't being followed, and noted that last year for a couple of cases the Board did not have the authority to say no. The plan has to be established and approved in the town so developers have to fit in to it.

Hawkins said he liked the idea of having a "standards" list as a guide, but the checklist should address whether the application is complete. He thought the standards might be worked into the worksheet. The checklist for applicants should be attached to the application to indicate that if the items are not turned in, the case probably wouldn't get heard.

Hawkins said there would be a one-hour session on the Master Plan work so the Board could provide feedback on whether they like the direction or not. The Master Plan would come to an end approximately at the end of 2010. One objective would be how to get the State to do the roadwork the way the Town wants it. Another is how to get the town zoning to enforce the vision for the roadway. This is a 25 year project.

Hawkins asked if for other business. Kravitz drew attention to the reference to "performance bonds" in the first paragraph of Article IV (above), and pointed out that the Board does not accept performance bonds as security. Hawkins said to substitute "site security".

Hawkins adjourned the meeting at 8:00 PM

Respectfully submitted

Barbara Kravitz, Secretary  
Seabrook Planning Board