

**TOWN OF SEABROOK
BOARD OF ADJUSTMENT
MINUTES OF May 28, 2014**

Members Present: Teresa Rowe-Thurlow, Henry Therriault, Robin Fales, Dr. Lebold

Others Present: Paul Garand, Code Enforcement Officer and Jo-Anne Page Morgan O'Connor,
Secretary

H. Therriault opened the meeting at 7PM. He explained the procedure for the meeting. He stated the meeting had been posted at the Seabrook Town Hall and Seabrook Post Office and in the Newburyport Daily News. He further explained that this meeting is being recorded and available on DVD at the Town Hall.

H. Therriault also stated that there were four board members present at the meeting and that in order for an application to pass it would need three votes in the affirmative. He advised that each applicant could continue their case to the next meeting when a full board would be present.

OLD BUSINESS:

Minutes of April 23, 2014 Meeting

Motion: Dr. Lebold Accept the minutes of April 23, 2014 meeting with the deletion on the first
Second: R. Fales page of "H. Therriault also stated that there were three board members
present at the meeting and that in order for an application to pass it
would need all three votes in the affirmative. He advised that each
applicant could continue their case to the next meeting when a full board
would be present."

Yes: Unanimous

Minutes of April 23, 2014 accepted with the changes.

**Case #2014-007 GRA Real Estate Holdings LLC, 27 & 39 Stard Road Map 4, Lots 9 & 11 for
Variance to Section 16, Subsection 307 to Permit Automotive Repair & Refueling in Zone 2
(CONTINUED FROM APRIL 23, 2014)**

Henry explained that there were only four members and that Mr. Greene needed three members to pass. Mr. Greene agreed to move forward.

Henry Boyd, Millennium Engineering, appeared on behalf of this application. He stated that this case had been continued from April. He pointed out that the refueling request had been withdrawn. The only request tonight was to permit the automotive repair at this location.

H. Boyd presented the following:

- We met with utilities and changed the design
- There would be no refueling
- 20,000 square foot pavement added to proposal
- Widened 90ft west and 30ft north
- Drainage pattern has been changed and pitched to the center of pavement
- Curtis has worked with us for the storm water and oil separator
- Have worked with both utilities for firework and equipment placement with an extra 30ft radius of PSNH poles

One gate will be locked, and another gate will be open to allow drop off vehicles

H. Boyd covered the memo from Curtis Slayton (see attached memo)

Applicant is asking for ability to do repair on this property

Dr. Lebold asked if there was going to be a truck wash.

A. Greene said inside building for internal use.

Glen Ferguson Civil Engineer, environmental, auto/ truck dealership work.

Ferguson said that pavement, fencing, oil water separator will help take care of any potential problems. Ferguson said that there would be employee training regularly for safety issues. He also explained the vortex system.

Dr. Lebold asked if there would be an inside drainage use.

G. Ferguson said that it would go into a tank and the tank would be pumped out regularly.

Arleigh Greene is the truck center owner has 30 employees. The Grease traps will be closed, The wells will be monitored.

Arleigh Greene said that this was all-important to them.

Dr. Lebold asked if the business hours would be from 6:30AM to 7:00PM

A. Greene said yes those were the hours

Dr. Lebold asked if there was spill plan prevention and testing course

A. Greene said yes there was a spill plan prevention and yes the employees

Dr. Lebold asked if there was spill kits everywhere

A. Greene said where Glen said that they were going to be

Dr. Lebold asked if there was going to be drainage two times a year

A. Greene said as needed or two times a year

Dr. Lebold said no overnight engine running or heard about fireworks

A. Greene said that it has to go to planning board

Dr. Lebold asked if PSNH and Unitil was ok with it

A. Greene said yes they were

Dr. Lebold asked if they needed any curb cuts

A. Greene said that two already excised

Paul asked the size of the underground storage take

A. Greene said that it is 1000 gallons

C. Slayton said that the project has come a long way and that most of his concerns have been addressed, and that the rest of them would be taken care of with the planning board.

H. Therriault said thanks for helping with the issues

Jim Porier- The pumping station across the street?

C. Slayton said the sewer

Porier asked with Curtis experience with wells in the area if there was any risk to the drinking water.

Henry said that know one can answer that question

Porier said that there are risk factors with petroleum and that he doesn't want to put the water at risk

C. Slayton said that there is risk with everything we do on RT 107, and there is already a petroleum risk. Spills that are reported immediately and cleaned up will not affect the water, the only way that the water will be affected is when those who spill do not report that immediately and they sit there.

Robert Wheeler- 8 Riley Road
#4 Injustice

R. Wheeler said that Stard Rd is not good for truck use

H. Boyd said that everyone can use that road for anything they want other than trucks repair.

R. Wheeler- #3 private writes. Wheeler asked if there were any tank trailers stored in the lot that are full of chemicals or oil

Arleigh Greene said that there has never been a loaded tanker in the lot before

Carmel O'Brian- 21 Deer Crossing

O'Brien asked what Arleigh meant when he said the diesel plan without prejudice

Dr. Lebold said that he can bring it up again in another meeting

	T. Thurlow	R. Fales	H. Therriault	Dr. Lebold
A.	No	No	Yes	Yes
B.	Yes	Yes	Yes	Yes
C.	No	No	Yes	Yes
D.	No	No	Yes	Yes
E.	Yes	No	Yes	Yes

Motion: Dr. Lebold Denied based on votes, need three yes votes
2nd: T. Thurlow
Yes: Unanimous

Case #2014-7 request for Variance is denied based on the vote.

NEW BUSINESS:

Case #2014-9 Miles Cook, 262 Route 107, Map4, Lot 1 for Variance to Section 16, subsection 301/307 to Permit Power Sport Dealership in Zone 2

Miles Cook appeared on behalf of this application. M. Cook stated that this was to build a Power Sport Dealership. Cook also said that this business differs from the previous proposal.

Miles said that the Power Sport Dealership was going to make repairs to different vehicle but it would only be a small area of repairs. There are no chemicals allowed in this area by zoning.

Mr. Cook stated that there would only be limited repairs done on site.

M. Cook stated that in this repair area there would be no large amounts of gasoline. The amount of gasoline is 30 gallons. The amount of oil that would be there is 55 gallons.

Mr. Cook stated that there would be no toxic chemicals within the Dealership.

Dr. Lebold asked if he had a plan to show us.

Cook said that he had a small plan now. The storm water is not ready.

Dr. Lebold asked why he didn't have a plan ready to show them.

Cook said that they told him that was only to go to the planning board.

Paul Garand said that the planning board sent him to you guys. Paul also said please explain the gasoline again.

Cook said that there is going to be 5 gallon gas containers with gas in them and he said that he's going to have a 55 gallon drum of oil, and also that he will be selling containers of oil on the shelf.

Teresa Thurlow asked for a building size and also how many vehicles are going to be in the area at once.

P. Garand asked for a preliminary plan.

Cook said he gave it to Curtis Slayton.

Robin Fales asked if the entrance was on Weare Rd.

Cook replied and said yes

Alan Ganz, 779 Lafayette Rd suggested to come back and bring more info for a better decision

Dr. Lebold said come back with containment for vehicle work

Cook shoed the proposals plan for the building.

Paul asked what the board needed back to make a decision

Teresa asked for a continue.

Alan Ganz says ZBA responsible for protecting and needs to see precautions before sending you to the planning board.

Dr. Lebold asked if there were location spill packages

Cook said that he was told that was planning boards issue.

Dr. Lebold asked if there was prevention in place for the gas containers.

Curtis Slayton asked if there were asking facilities.

Cook said that there was a spray clean area

Paul Lepere 33 Weare Rd 27, 28, 33 said that there were certain zoning repairs and commercial zoning. He said that it backs up to a residential area, and said that the entrance on Wear Rd would be an issue at the planning meeting.

Paul also stated that this was almost the same proposal as the Stard Rd application. Lepere asked if there was a problem with a 107 entrance

Cook said that there was 1 curb cut on Rte. 107

Alan Ganz said that he disagrees with Lepere. He said that this case needed more info like the Stard Rd.

Cook said my proposing is a huge difference from Mr. Greene's and the US foods.

H. Therriault asked how much gas is stored in Rochester.

Cook said two 30 gallons gas tanks and a 55 gallon drum of oil. Here there would only be a 55 gallon drum and 30 gallons of gas.

T. Thurlow said do you have a truck to bring in the gas.
Cook replied and said yes right from Suzuki.

Dr. Lebold said that the only difference in the projects is the size of the buildings and that he would need more info.

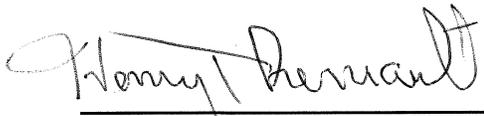
Motion: Dr. Lebold Continue both cases to June meeting with more information and meet with P. Garand

2nd: Robin
Yes: Unanimous

Motion: Henry Adjourn Meeting

2nd: Dr. Lebold
Yes: Unanimous

Meeting adjourned at 8:45PM.



Henry Thériault, Chairman

6/4/14

Date

Received
5/28/2014

Seabrook Water Department

PO Box 456
Seabrook, NH 03874
(603)-474-9921

MEMORANDUM

To: Henry Therriault ZBA Chair.

From: Curtis Slayton; Water Superintendent

Date: May 28, 2014

Subject: Case #2014-007 GRA Real Estate Holdings LLC 27&39 Stard Rd

If the ZBA was to approve the requested variance for this project, I would like to point out the conditions that I would recommend to protect the water supply.

- All vehicle maintenance should be done inside the garage and not out in the parking lot.
- The owner shall request a variance from the Sewer Department to have the floor drains in the garage connected to a holding tank.
- A containment area should be identified for storage of vehicles and equipment waiting for repair. The dumpster should also be kept in the same area.
- Note that all imperious areas are directed to a single oil/water separator, the proposed berm adjacent to the separator provides only 0.2 of storage before overflowing onto the adjacent gravel areas. I am concerned the mountable berm will become damaged over time and provide only minimal barrier stormwater to discharge overland onto pervious surfaces
- Stormwater calculations should be provided to demonstrate that the separator, vor-tech unit and other drainage facilities are appropriately sized.
- The applicant should confirm how rooftop runoff will be managed.
- The site will need a Stormwater pollution prevention plan to include maintenance on the stormwater equipment.
- This site will also need a spill prevention, control and countermeasure plan.
- I would like to see a 24 hour security camera system and DVR to provide security for the site.


Curtis Slayton Water Superintendent