

**SEABROOK PLANNING BOARD  
AUGUST 21, 2001 - 7:00 P.M.  
SELECTMEN'S MEETING ROOM**

**MEMBERS PRESENT:** Vice Chairman Susan Foote, Philip Stockbridge, William Cox, and Mark Preston. Others Present: CEO Robert Moore, Town Planner Thomas Morgan, PB Engineer Michael Fowler and Secretary Emily Sanborn.

**MEETING OPENED:** In the absence of Chairman Brown, Vice Chairman Susan Foote, assumed the duties of the Chairman and opened the meeting at 7:03 P.M. with a quorum present.

**MINUTES:** P. Stockbridge made a motion to accept the minutes of the July 17, 2001 meeting as written. W. Cox 2<sup>nd</sup>. Vote: unanimous

**OLD BUSINESS: TROY WAY**

T. Morgan explained the circumstances of the proposal by the town to address surface water drainage issues along Troy Way. He laid out the plan showing as-built conditions and proposed drainage on Troy Way prepared for the town by Millennium Engineering for the board's review. Mr. Morgan told the board that DPW John Starkey has submitted his report in regards to the Troy Way site work revisions. Mr. Starkey stated in his letter that the town has called the bond posted by Mr. Tremblay and would like to complete the site work with this money. Starkey also stated in his review that the present existing conditions on Troy Way include drainage problems that may not be solved if the current approved plan was implemented and with this in mind Mr. Starkey has contracted with Millennium Engineering, Inc. to prepare a revised site work plan which will hopefully better address the problems as found on site at present.

Henry Boyd of Millennium Engineering told the board that he was contacted a while ago about the situation on Troy Way and was asked to draw up a plan to address the drainage and roadway. H. Boyd said that the owners of the houses on Troy Way had complained and rightly so. He said that the road was built too high and not built to plan. Chris York of Millennium Engineering explained the changes proposed to the drainage, swale, etc. W. Cox asked how driveway #3 was going to be crossed. C. York said that it would be a 6" deep paved parabolic swale. H. Boyd explained the piping on lot #6 and how it is going to be fixed.

T. Morgan asked if the proposed drainage would accommodate a 50 year storm. C. York said that he had the calculations had been done and were back at the office. H. Boyd said that the runoff does not directly flow into the wetlands. He said that he had visited the site and that a lot of stumps had been dumped and recommended that the town crew remove these while they are doing the work. S. Foote asked if the 6' rip rap apron would be sufficient. H. Boyd told her that it would but she could suggest more.

T. Morgan asked how much will it cost to do this and would this end up costing the taxpayer. H. Boyd said that a finish coat has to be done and that J. Starkey indicated that the bond of \$18,000 would be enough to do the revised plan. H. Boyd said that the ponding in the winter is dangerous. W. Cox asked if this would increase runoff on another property. R. Moore said that the piece of property in question is presently a swamp.

H. Boyd said that the swales were not built properly. T. Morgan said that if the board agrees that this is the case than the motion should be made to that effect.

Acting Chairman Foote asked if any abutters wish to comment. Steve & Jean St. Pierre, 6 Troy Way, asked if this would cause more erosion to their property. H. Boyd said that they would be getting a good lawn and showed the St. Pierre's the direction of the proposed flow and to their question about pitching the water down into their cellar window, H. Boyd said that it would not do that.

Richard Morrison, 10 Troy Way, said that he lives in back where all the water is going. He stated that his neighbors had given an easement across their property for the runoff to go into the creek. H. Boyd said that the town intends to do it so that it will work. W. Cox asked if all the easements needed had been secured. H. Boyd said that it was his belief that they had. John Gagnon, 3 Troy Way, asked about the detail across 3 & 5 Troy Way. H. Boyd explained that instead of having the pipe like it now is that it would be deeper with a parabolic swale with a slight dip and a vegetation swale.

W. Cox asked if the road was built to the current plan. H. Boyd said that it is built higher than proposed. M. Fowler said that technically this seems to make sense. The one issue is whether the bond is sufficient and if it is going to end up costing the

town to complete this project. H. Boyd explained that Mr. Tremblay had laid more pavement which is going to make it difficult to make swale. M. Fowler referred to the Maple Ridge Project which was a similar situation and when the grass doesn't grown, the swale doesn't work properly will the town be responsible. M. Fowler said that he hoped that there is enough funds available if it takes more than the \$18,000 bond. The St. Pierre's expressed their concerns about their predicament. H. Boyd told them that their house lot was too low. S. Foote explained to the St. Pierre's that the approval for the plan is for the existing grade on the lots. S. Foote and W. Cox said that is why the board now requires a before and after topo.

Mr. Morrison said that he was told by the Town Manager and DPW Director if the revised swale is done then the town would take over the plowing and rubbish collection. S. Foote said that she was to understand that when a bond is attached the town assumes responsibility of maintenance of the road. P. Stockbridge said that they should get it in writing from the Town Manager.

Mr. Morrison said that he brought it to R. Bailey's attention to bring up the reversal of the plan and that they would support it. The residence of Troy Way expressed their support of the revised plan.

**MOTION:** W. Cox made a motion to accept the As-Built Conditions & Proposed Drainage on Troy Way as prepared for the Town of Seabrook by Millennium Engineering, Inc., because the road was not built as specified in previous approved plan for Edward Tremblay. P. Stockbridge 2<sup>nd</sup>. Vote: unanimous

**CASE #01-13 - TIMOTHY JOHNSON - 920 LAFAYETTE ROAD - SITE PLAN  
TAX MAP 7 LOT 91 - FORMAL CONTINUATION**

Vice Chairman S. Foote described for the board the proposal to construct a 23,950 square foot expansion to a building at 920 Lafayette Road for review and approval.

Henry Boyd and Chris York of Millennium Engineering, went over the revised plan in response to Mr. Morgan's letter of review.

- #1) Agreement from the Hardware Store owner submitted;
- #2) Parking lot easement submitted.

- #3) Easement for proposed detention pond to be situated on land of David Benoit has been drawn up and signed. Whether it has been recorded is not known.
- #4) Labeled Health Club is acceptable.
- #5) Calculation for open space shown on Sheet #2.
- #6) Lighting: note "no higher than 20'". Lighting specs given to W. Cox to review.
- #7) Sidewalk to be 5' in front of lot.
- #8) Sheet submitted to update location of grease trap; Sheet#3 shows two proposed locations for grease trap/will work with sewer/water department to verify location of existing grease trap and which would be the most appropriate location. M. Fowler and R. Moore discussed 10' setback for location. M. Fowler said that the grease trap should be located as close to the source as possible. H. Boyd agreed that it should be located so that there is enough room to get to it. It was noted that Linda's Restaurant has an internal grease trap. T. Morgan recommended that the sewer proposal be shown as the old/new.
- #9) There are no wetlands that will be impacted.
- #10) Lighting specs given to W. Cox; landscaping includes shrubs and a liberty elm; plan shows location of water & sewer; and dimensions of existing and proposed buildings have been added to sheet #1.
- #11) Bond of \$50,000 recommended by PB Engineer for this project.

P. Stockbridge asked about the proposed tie-in of the Eagle Landing Road to the parking lot of this site plan and recommended that this should be on the plan. H. Boyd said that the permit for the road crossing has not been received and that putting this on this plan would be premature. He assured the board that this is the intention to connected and that he would go on record as the representative of the applicant to do this connection when the time comes. T. Morgan suggested that this be a condition of approval that when the road is done there will be a connection to the parking lot.

B. Cox made a motion to waive the photometric grid with the stipulation that the lighting consist of 5 pole (400 watt) box fixtures and 3 (400 watt) box wall fixtures. M. Preston 2<sup>nd</sup>.  
Vote: unanimous

B. Cox made a motion to approve the site plan with the conditions that when Eagle Landing Road is built it is to be

connected to the south side of the building parking lot and that a bond be posted in the amount of \$55,000. P. Stockbridge 2<sup>nd</sup>.

Vote: unanimous

**CASE #01-16 - EDWARD & DELTINA GOSS - 227 & 213A SOUTH MAIN ST. LOT MERGER & CONDOMINIUM CONVERSION FOR 4 DWELLING UNITS - TAX MAP 16, LOTS 8 & 9 - FORMAL CONTINUANCE**

Henry Boyd told the board that the Goss family has requested a continuance because they do not have everything in order.

W. Cox made a motion to continue this case to September 18, 2001 at 7:00 P.M. M. Preston 2<sup>nd</sup>. Vote: unanimous

Henry Boyd asked the board if floor plans were needed on a condo conversion that had two separate units. It was the consensus of the board that they were not needed unless the condo line goes through the building.

**CASE #01-20 - LEDGE TWO ACRE REALTY TRUST - 11 LEDGE ROAD - TAX MAP 2 LOT 54 - 3 LOT SUBDIVISION - FORMAL**

Henry Boyd of Millennium Engineering presented the plans for a three lot subdivision off of Alison Drive. Mr. Boyd told the board that Charles & Rena McLaughlin wish to make three lots for the existing two mobile homes and a barn. Mr. Boyd went over the history of the parcel and said that lot #1 would need a waiver for the 125'x 125' box requirement.

W. Cox said that he had a problem of approving a plan that had non-conforming because of the setback requirements for the two mobile homes and the lot line goes through the barn on lot #3. H. Boyd said that there is a note on the plan that these buildings would be relocated. W. Cox said that this would be creating something illegal. S. Foote asked why does this lot have to be divided.

Abutter Stanley Pond complained about all dumping of the paving business debris on lot #2 and asked if this business would be allowed to continue after this property is divided. He also said that he believed there were only one sewer line and water line servicing these lots. Michael Fowler said that in his reviewed he had addressed this issue and said that they would need a new sewer line for lot #2.

Robert Moore said that there should be a time limit in regards to the relocation of the buildings. T. Morgan recommended that a bond be required to make sure this is done.

P. Stockbridge made a motion to disapprove the plan because it is not in compliance with zoning regulations. P. Stockbridge withdrew his motion.

W. Cox recommended that the plan be revised to show new location of the buildings and a bond amount and a time limit be set.

P. Stockbridge made a motion to continue the application to September 18, 2001 at 7:00 P.M. M. Preston 2<sup>nd</sup>. Vote: unanimous

**PUBLIC HEARING: PROPOSED AMENDMENTS TO SUBDIVISION AND SITE PLAN REGULATIONS**

Acting Chairman S. Foote read the following proposed amendments for the boards input and approval:

- 1) Add the following to Article XI of the Site Plan Review Regulations: E-Wetland Protection: In order for the Condominium conversion Regulations to be consistent with Article XV of the Zoning Ordinance ("Wetland"), no proposed Limited Common Area shall be allocated a disproportionate share of a lot's wetlands.
- 2) Add the following to Article XI Section B of the Site Plan Review Regulations: Shut-off valves shall be located on Town-owned property or in a Town-owned right-of-way.
- 3) In Article VII of the Subdivision Regulations, increase the minimum required sidewalk width from four feet to five feet.

W. Cox made a motion to adopt the Site Plan and Subdivision Regulations as proposed. M. Preston 2<sup>nd</sup>. Vote: unanimous

**CORRESPONDENCE & BILLS**: T. Morgan distributed the correspondence to the members and Chairman Foote signed the bills.

**OLD BUSINESS: GRAPEHILL MOBILE HOME PARK EXPANSION**

Acting Chairman Foote said that a site walk had been conducted at Grapehill Mobile Home Park with NHDES Rep. Denise Frappier, Park Owner Michael Lago, Building Inspector Robert Moore and

Assistant BI Paul Garand. Ms. Frappier found that Mr. Lago had disturbed an area in excess of 100,000 square feet and that there was no record of a site specific permit being issued for this disturbance.

R. Moore said that this expansion has become a public safety matter with the drainage, road slope and the town's ability to supply water to the upper lots. Michael Fowler also sited the water pressure needed for adequate fire protection. R. Moore said that Mr. Lago's assumption was that this is a private road and the town has no say in the matter. The board asked R. Moore to send a letter to Mr. Lago in regards to this situation.

**DRIVEWAY PERMITS**: W. Cox made a motion to approve the driveway permits for Ed & Tarnya Cody, 34 Walton Road; Dupere Construction, 66 Viola Circle, S. Mitchell, 1 South Access Road. M. Preston 2<sup>nd</sup>. Vote: unanimous

W. Cox made a motion to deny the driveway application for Michael Marshall off of Smalls Avenue because of BOA access ruling and the questionable ownership of who abuts Smalls Avenue. P. Stockbridge 2<sup>nd</sup>. Vote: unanimous

The board said that the other driveway permits be returned to DPW for further review.

**OTHER BUSINESS**: Phil Stockbridge brought the matter of membership into the Rockingham Planning and the appointment of the town's representatives to this organization. T. Morgan said that it is more beneficial to the town to appoint/recommend two members to the Metropolitan Planning Office instead. He said that it meets approximately four times a year. W. Cox recommended Robert Brown as one of the representatives.

S. Foote said that the trees planted by Wal-Mart for the abutters on Boynton Lane have died. She also spoke about the drainage detail of the detention pond at the site.

W. Cox voiced his concerns with the sign violations at Getty, Ganz Plaza and the Sunoco Banner. R. Moore said he would take a look at these signs and act accordingly.

W. Cox asked if there was anything on the September 4<sup>th</sup> agenda. Mr. Morgan said that there was nothing. W. Cox made a motion to

do away with the September 4<sup>th</sup> meeting. P. Stockbridge 2<sup>nd</sup>.  
Vote: unanimous.

**MEETING ADJOURNED**: Acting Chairman Foote adjourned the meeting  
at 10:00 P.M.

Minutes Taken by Secretary Emily Sanborn.

Secretary's Notations: Mylar for Elephant Rock recorded  
8/21/01, D-29187;