

**SEABROOK PLANNING BOARD  
DECEMBER 17, 2002 – 7:00 P.M.  
SELECTMEN'S MEETING ROOM**

**MEMBERS PRESENT:** Chairman Robert Brown, V-Chair Susan Foote, Philip Stockbridge, Paul Garand, Mark Preston, Selectmen's Rep. Karen Knight and Alternate William Cox.  
Others Present: Town Planner Thomas Morgan, CEO Robert Moore, PB Engineer Michael Fowler and Secretary Emily Sanborn.

**MEETING OPENED:** Chairman Brown opened the meeting at 7:00 P.M.

**MINUTES:** S. Foote made a motion to accept the minutes of December 3, 2002 as written. P. Garand 2<sup>nd</sup>. Vote: unanimous.

**CASE #02-30 – DANIEL J. & WALLY L. SULLIVAN – 122 OCEAN BLVD. – 6-LOT  
SUBDIVISION TAX MAP 22, LOTS 3-4, 20, 23-1, 23-2 AND 34-2 – FORMAL CONTINUANCE**

Henry Boyd of Millennium Engineering representing the Sullivan's presented the plans for a six lot subdivision at 122 Ocean Boulevard for the board's review and approval. Boyd said that since the last meeting the beach precinct had granted a variance for all of the setbacks requested with this application. Boyd said that a note had been added to the plan that limited the lots to single family houses only. T. Morgan said that the board had recommended that the Dredge & Fill Permit for each lot be stipulated on the subdivision plan and also be incorporated into every applicable deed.

The board members and Mr. Boyd went over T. Morgan's letter of review and recommendations with the following comments: Boyd said that the location of parking is in the town R.O.W. Boyd said that Dori Wiggins assured him that the DES permit will be issued very shortly. S. Foote asked that the pedestrian R.O.W. be extinguish. Boyd said that this is not a legal R.O.W. and therefore did not have to be noted. Boyd said width and pavement is a major roadway and that the only thing that isn't up to standards is the drainage. He said that there would be no problems with the present drainage and that they would be asking for a waiver of the drainage requirements.

R. Moore said that the construction of a pedestrian walkway would be a lengthy process. H. Boyd said that the town owned the easement. P. Garand said that the Sullivan's should be responsible for the cost of the boardwalk to the town property. H. Boyd said that to get to the town property is about 100'.

H. Boyd described the difference in the Ambit plan and the location of the fire hydrant. T. Morgan said that the driveway regulations should be stipulated and attached to the subdivision approval. Chairman Brown noted that driveways can be 20' according to driveway regulations. H. Boyd said that the turn-around is sufficient to meet needs. T. Morgan said that he had a visit from T. Pike, the beach building inspector and asked that he convey to the board that the B.O. A. variances were contingent on the approval of the roadway specs. H. Boyd asked the board if they could conditionally approve this subdivision as the process has been long. He said that he would be meeting with the B.O.S. on January 8, 2003. W. Cox asked about the paper street. P. Stockbridge asked about the court order in regards to the disbanding of the street. Stockbridge said that he was against conditional approvals. W. Cox said that it has been done before and the Mylar has been held until all conditions are met and then signed by the Chairman.

Michael Fowler recommended a bond amount. Chairman Brown rounded off to \$40,000. S. Foote made a motion to recommend a bond of \$40,000. P. Garand 2<sup>nd</sup>. Vote: unanimous

S. Foote made a motion to waive the standard road regulations for R.O. W. width. P. Garand 2<sup>nd</sup>. Vote: unanimous

S. Foote made a motion to approve the subdivision plan with the following stipulations: bond of \$40,000, NHDES Permits be attached to & recorded with the deed, when lot 34-002 is developed the concrete paved walkway will be abandoned & removed; a boardwalk similar to the town R.O.W. walkways to be constructed in the Merrimack Street R. O. W. Easement pending DPW approval.

There were no abutters present.

P. Stockbridge amended the motion to say that construction to be overseered by consulting engineer. P. Garand 2<sup>nd</sup> the amendment. Vote: unanimous

P. Garand 2<sup>nd</sup> the original motion with the amendment. Vote: unanimous

P. Garand made a motion that the Chairman sign the plan when all is revised. P. Stockbridge 2<sup>nd</sup>. Vote: unanimous.

**CASE #02-38 – RICHARD EATON AND WALTER J. NEFF JR. REVOCABLE TRUST – 14 BOYNTON LANE – SITE PLAN FOR AUTO BODY SHOP – TAX MAP 9, LOT 60 – FORMAL**

H. Boyd of Millennium Engineering said that Mr. Eaton had received a variance for an auto body shop at the old Napa site at the corner of Boynton Lane. Boyd said that they had also received a setback variance and that Mr. Eaton would be removing part of the building to make it less non-conforming. Chris York of Millennium Engineering asked Mr. Eaton to explain why he would not need a oil/water separator and presented a plan model of his proposed building. The board complimented Mr. Eaton on his model. M. Fowler asked about the fire at the site and asked if any reports had been filed in regards to hazardous waste. Napa owner Walter Neff said that there had been and that as far as he could tell the report had been accepted that the site was ok.

P. Stockbridge said that Mr. Eaton's business is presently located in his neighborhood and that everything has been fine. W. Cox asked the applicant if he knew what he was asking for on his plan. Cox explained that no illumination could go off of the site.

W. Cox made a motion to waive the photometric grid and to require two, 400 watt box fixtures be mounted as depicted on the plan. P. Garand 2<sup>nd</sup>. Vote: unanimous

No abutters present.

P. Stockbridge made a motion to approve the site plan with the waiver of the photometric grid. K. Knight 2<sup>nd</sup>. Vote: unanimous.

**CASE #02-41 – AZOURY FAMILY, LLC – CORNER OF 1 RIVER STREET AND OCEAN BLVD. LOT LINE REMOVAL - TAX MAP 23, LOT 1 – FORMAL**

H. Boyd of Millennium Engineering presented the plan for a lot line removal for Azoury Family LL, at the corner of River Street and Ocean Boulevard for the board's review and approval. Boyd said that the plan simply shows the deed that the state has conveyed to Mr. Azoury and that the deed is to be redrafted contingent on the approval of this plan. Boyd said that the correct deed has been submitted. M. Fowler said that he recalled town sewer and water pipes be placed in that area and that some kind of easement for these structures should be obtained from Mr. Azoury. H. Boyd said that he will do some research and locate these pipes and show it on the next lot line adjustment between Mac's Clam Bar and Mr. Azoury. Stockbridge questioned the way the State had gone about

the sale of this land and why the town hadn't been asked to buy it. K. Knight said that she had found a letter from the state and that the state had notified the town in 1999 and asked if they would like to buy it. H. Boyd said that he would put the easement on plan.

W. Cox made a motion to approve the lot line removal and the mylar and plans be corrected if any easement exist on Parcel A and plan to be signed by the Chairman when revised. M. Preston 2<sup>nd</sup>.  
Vote: unanimous.

No abutters spoke on the proposal.

**CASE #02-42 HUNTERLOGAN REALTY TRUST, LLC - 419 ROUTE 286 - SITE PLAN - TAX MAP 17, LOT 47 - FORMAL**

Henry Boyd of Millennium Engineering presented the site plan for a 30-unit motel at 419 Route 286 for the review and approval of the Planning Board. Applicant Patrick Carey, trustee of HunterLogan Realty Trust was also present to describe his proposal. Mr. Boyd said that they had received a variance for front setback but the B.O.A. was not in favor of the proposed ATM. The board said that it could not be in a separate building. Mr. Carey said he would address the ATM at a later time.

Mr. Boyd said that at the previous site approval no curb cut had been issued by the D.O.T. Boyd said that since then Mr. Carey had received a letter from Mike Burlage that he may remove the small island at his own expense. The board went over T. Morgan's letter of recommendations with the following comments from Mr. Boyd. Boyd said that there were 33 parking spaces as there was to be no ATM and no parking spaces for the ATM. Boyd said that they were not yet in receipt of a NH DES permit for the unit that was in the flood plain. Boyd said that the height of the building would be 35 feet at the mid line of the roof. Other concerns discussed were the lighting, landscaping, garbage pick up hours and water usage.

W. Cox asked about the present lighting and requested that the photometric grid be shown on plan. H. Boyd asked if the lighting could be left up to the architect? W. Cox said as long as it conforms with our lighting specs. R. Brown said that Cox could look at the lighting for approval. Carey said that he would like some lighting along the walkways. R. Moore said that these would not be intrusive and the only scope of review should be for glare and safety.

S. Foote made a motion to waive the photometric grid pending William Cox working with architect for the approval of lighting. M. Preston 2<sup>nd</sup>. Vote: unanimous

Chris York of Millennium Engineering went over the storm water drainage. He said that they had reduced the pervious area and would be asking for a waiver of the storm water calculations. S. Foote asked about the roof drainage and discussed the sheet flow of rainwater to the salt water. Cox said that there should be drainage details before we approve this plan. S. Foote said that there should not be a large concentration of water onto the marsh. S. Foote noted that the half hour for this case had expired. S. Foote made a motion to continue for 15 more minutes. M. Preston 2<sup>nd</sup>. Vote: unanimous.

Abutter Vernon Small said that this would be good for the beach area and that Mr. Carey had cleaned up this site. Residents Catherine and Peter Evans voiced their concerns with the waiver of the lighting requirements and the incompleteness of the plan that is before the board.

Chairman Brown asked how long it would take to come up with a drainage plan. W. Cox went over things that has to be changed on the plan and Mr. Carey said that whatever issues with lighting, etc. will be dealt with by the architect.

P. Stockbridge made a motion to continue to January 7, 2003 at 7:00 P.M. S. Foote 2<sup>nd</sup>. Vote: unanimous.

**CASE #02-43 – KEVIN KARPENKO & ROBERT CARBONE – 93 LEDGE ROAD – SITE PLAN  
TAX MAP 5, LOT 8-90 – FORMAL**

**CASE #0244 – KEVIN KARPENKO & ROBERT CARBONE – 95 LEDGE ROAD – SITE PLAN  
TAX MAP 5, LOT 8-100 - FORMAL**

Eric Saari of Jones & Beach presented the site plan for Kevin Karpenko and Robert Carbone for the board's review and approval. Mr. Saari said that this was a continuation of a previous proposal and asked the board if he could present both of these site plans at once. The board granted this request.

Mr. Saari said that the previous proposal for a concrete crushing plant has been completely abandoned and that this would have been spread out over two lots. Now there will be two separate industrial buildings. Saari said that it would be light industrial but they were not sure at this time just what it would be. He said one building would be 10,500 square feet and the other would be 12,000 square feet with a common driveway off of Ledge Road. Mr. Saari went over the landscaping and the parking spaces. He said that these buildings would likely be for small contractors like Ron Fudge has. Saari said that most of the site is curbed and that lot 90's drainage feeds into lot 100 with vegetation treatment swale and then goes into pond through straight up open pipes with a rip rap apron. He said that this would be a decrease in peak rate runoff.

R. Moore informed the applicant that anything over 7,500 square feet has to be sprinkled. Mr. Saari went over the 50' no cut zone; the design of the pump for usage; underground electrical; sewer pipe elevation and the existing length of the construction entrance. Mr. Karpenko said that the entrance construction was 100'. M. Fowler said that a gate valve would be needed at the property line. E. Saari told Fowler that borings had been done and explained the wet pond to W. Cox. M. Fowler said that he preferred a 3 inch sewer main and also said that an agreement should be drafted and a note showing the sharing of the driveway.

W. Cox went over the lighting specs and made a motion to have 4 fixtures as per C4-D1. P. Stockbridge 2<sup>nd</sup>. Vote: unanimous

E. Saari said that he had left the approved holding tank on the plan. S. Foote said that whatever the intended use of the building was to make sure what goes into the building does not have a negative effect on our aquifer. Foote also had a major concern with the snow storage location. Saari said and Foote agreed that the snow storage could be moved to the pond.

Abutter Catherine Evans asked about the companies that will be located on this site. Karpenko said that there would be one tenant per building and that he did not want to come in town to pollute the land and would make sure there would be suitable tenants.

Mr. Evans asked the board to reconsider the non-implementing of sidewalks in the industrial area. The members and Chairman Brown explained why even though it is a regulation why the sidewalk requirement was waived in the industrial zone.

S. Foote made a motion to waive the sidewalk regulation for this site plan. P. Garand 2<sup>nd</sup>. Vote: unanimous.

P. Stockbridge made a motion to continue this application to January 7, 2003 at 7:00 P.M. S. Foote 2<sup>nd</sup>. Vote: unanimous

**CORRESPONDENCE:** Town Planner T. Morgan passed out the correspondence and Chairman Brown signed the bills. S. Foote expressed her dismay that no one in town government has showed any interest in an offer to have a 15 minute meeting (this writer did not get the name of the organization) to discuss dealing with growth and financial assessment. T. Morgan said that he would invite this person to the January 7, 2003 meeting.

**DRIVEWAY PERMITS:** None

**OTHER BUSINESS:**

**Home Depot:** The board ok'd the removal of the gate for access to the pond.

**Chase Drive Bond:** Board of Selectmen's Rep. Karen Knight informed the board that the letter of credit submitted by John Colliander for Chase Drive was denied by the B.O.S.

**Belgian Way:** H. Boyd of Millennium Engineering told the board that Lloyd Perkins had made some minor revisions to the sewer main of his previously approved subdivision. He said that the original plan depicted an existing 6 inch sewer main running from Centennial Street onto the Brown's property to be abandoned when in fact it is an 8 inch main that Mr. Perkins wishes to continue to utilize and that a easement plan was needed. The site was looked at by Warner Knowles with no objections and M. Fowler said that his was ok. The board members were in agreement that this was a minor change and had no objections.

**Charles Brown of New Zealand Road** was once again asking the board their opinion in regards to his proposed 3-lot subdivision. W. Cox said that Attorney Simmons, in his letter of legal opinion, sites case law and recommends that Mr. Brown apply to the ZBA for relief in regards to the non-access frontage for 2 of the lots. Mr. Cox was concerned that this would be setting a precedence by going to the B.O.A. R. Moore said that this plan without proper frontage would be circumventing Zoning. S. Foote commented on the safety aspect. The variances that would be needed was discussed and the H. Boyd was told to straighten out the lots.

**CVS Lighting:** W. Cox made a motion that sheet PH 1 replace the Photometric Grid on sheet SH 4. S. Foote 2<sup>nd</sup>. Vote: unanimous

**MEETING ADJOURNED:** Chairman Brown adjourned the meeting at 9:50 P.M.

Minutes taken by Secretary Emily A. Sanborn.

**Secretary's Notations:** Mylar fro Pride Development Condo Conversion was recorded 12/04/02 D-30300, Documents and bylaws recorded at 9:15 A.M. #110709.