

**SEABROOK PLANNING BOARD  
DECEMBER 2, 2003-7:00 P.M.  
SELECTMEN'S MEETING ROOM**

**MEMBERS PRESENT:** Chairman Robert Brown, V-Chair Susan Foote, William Knowles, Peter Evans, Mark Preston, Alternate Michael Lowry and Karen Knight. Others Present: Town Planner Thomas Morgan, Town Engineer Michael arrived late, CEO Paul Garand and secretary Keely Perkins.

**MEETING OPENED:** Chairman Brown opened the meeting at 7:08 P.M.

**MINUTES:** November 18.2003

Peter Evans made a motion approve with an amendment by striking from page 6, Randall Drive due to no deed.  
Foote 2<sup>nd</sup>. Vote: unanimous

**PUBLIC HEARINGS ON APPLICATIONS:**

**CASE #3-31-Proposal by Ivan Q. Eaton, Jr. for a lot line adjustment on Eaton Lane.**

Sue Foote made a motion for Ivan Q, Eaton, Jr's case to be continued until January 6<sup>th</sup>, 2004 for a lot line adjustment at 1 & 6 Eaton Lane, Tax Map 7, Lots 34-4 & 34-5 Knight 2<sup>nd</sup>. Vote unanimous.

**OLD BUSINESS: Proposal by J. Normand Jutras to amend the site plan approval for his property of Smith Lane.**

T. Morgan stated there are two letters, the first from M. Fowler stating the sloped granite edging for the Main street entrance and area near stream has not been installed.

Jutras stated a hot top curbing was put in and not a granite curbing.

Sue Foote stated the reason that they require granite curbing and not hot top curbing is because if you run into it with a plow you will have a break in the curbing. The curbing is intricate to your drainage. The regulations require sloped granite curbing on corners so that the plows don't damage the drainage.

Jutras said they will re-due that.

Second concern from M. Fowler is that the detention pond has not been stabilized with loam and seed. It has been graded with bank run gravel.

Jutras stated it has been done. The building inspector has come by and had contractor straighten that out.

R. Brown asked P. Garand if this was clear. It has been.

Next is the sidewalk along Main Street was not installed.

Chairman Brown stated to Jutras that the sidewalk was supposed to be made out or concrete. Jutras was not sure. R. Brown asked if that was the contractor's doing as well? Jutras stated it was his doing that he built the sidewalk and the paving was done by the paving company.

The 'Do Not Enter' sign from Main Street was not installed. Jutras stated it was directed they he review with the building inspector. R. Brown stated ok.

Last was the stream has been filled with riprap which was not approved by this board.

R. Brown stated that he is not sure but he believes that the state requires that some of the vegetation in place.

S. Foote agreed about the stream bank and stated that as many trees, as possible, that were growing along the stream bank were suppose to be left to help stabilize the bank to prevent erosion and create a shade area.

Jutras replied by stating it didn't prevent erosion but it did help clean up the property.

S. Foote stated the planning board has had several phone calls this summer about saving the trees.

Jutras was told by Foote that Henry Boyd could let him know which trees should be saved.

Jutras stated between Foote, he, and Henry they could take a walk the site and so forth and that didn't get done.

Per Jutras the trees that were there were just shrubbery.

S. Foote stated that all the trees were cut down.

Jutras said that clearing of the lot was done way before hand. That this board recommended to plant an Elm tree M. Preston said that it was a violation anyway isn't it? S. Foote noted that the construction did not follow the Dredge and Fill permit's requirements.

Chairman Brown stated just to clarify your going to have Mr. Syvinski come back to take care of curbing and sidewalk from hot top to concrete?

Jutras said that he wouldn't be able to do it this time of the year it will be in the good weather next year he could do that. Foote states this needs to comply with the state permit for doing the work. It's supposed to be stabilized and vegetated to help slow down the flow of the water to help reduce the pollutant load. All the vegetation has been removed.

R. Brown asked Foote what her suggestion to that?

Foote said that removing all the rip-rap is going to create extreme soil erosion, especially this time of year. It would be a very difficult to try to remedy this it, this time of year.

Foote recommends in the spring when he does the repairs to the concrete sidewalk and the granite curbing to possible get together with a erosion control engineer that knows working with streambeds and work on reestablishing shrubby and vegetation that naturally grows to help control the water flow.

T. Morgan asked of Mr. Jutras recalls if there was a bond. Jutras stated there was and he recalls the amount to be \$40,000.00 through an insurance co.

Also was it was stated that there is a space out back that was suppose to be open space vegetation with a tree and it is now all paved.

Jutras replied that it's not all paved and there is a strip of grass.

R. Brown stated that per the drawing there is all concrete there now where there was grass. Jutras said he discussed this with Mr. Moore when they talked about moving the loading dock from the front to the back. Jutras stated that P. Garand that he knew about that.

P. Garand acknowledged that Jutrus met with Moore but was not aware of the conversation.

T. Morgan said he knew Mike and Paul had a list of items.

T. Morgan reminds the board that the board can not make substantial amendments to a site plan unless we notify the abutters and that has not happened as of yet. We have proceeded in a most productive way and that Mr. Jutras has a better understanding what he needs to do. His next step is to come in with a site plan and they will notify the abutters. The board should not to let Mr. Jutras leave with out fully understanding what is expected of him.

Mr. Jutras stated that he has been working well with the building inspector.

T. Morgan said needs to track the bond status is so doesn't expire before spring.

### **Informal Discussions:**

#### **Proposal by Mr. Quan to establish a mini-mart at the Getty Station at 587 Lafayette Road by the corner of Perkins Avenue.**

The proposal was presented by Mr. Quan's wife, Thuy Bui.

This is already an existing business and is not sure of what is required of them. They will be closing up the garage. They are only changing the usage of the building to a convenience store.

T. Morgan asked that given the fact that building on site is not going to change does the planning board require anything other than what is in front of them, do they need to go to a professional engineer?

Thuy states they are only franchising the business and wanted to know from the board any suggestions.

R. Brown said only thing he can see they may need to do is reconfigure the parking. Instead of putting it all up to the back, possibly have some facing the building.

T. Morgan stated that if there are not any significant changes to the site then he doesn't see any reason to send them to the expense of an engineer.

M. Preston stated this would clean the area up.

Another suggestion is to maybe define Perkins Ave. better by placing another Island on the other end. Thuy thanked the board.

#### **Proposal by Lafayette Realty Trust to construct a 5,250 sf shopping plaza at the corner of Lafayette Road & Gove Road.**

Wayne Morrill states this lot has been vacant for sometime now. There is an existing 30ft curb cut. All road access info has been sent up to the state. As a part of this development they went back to Sullivan Tire to obtain a drainage easement on the rear of the Sullivan Tire property for a drainage detention pond. This easement has been filed with the registry of deeds.

M. Preston asked if this is 3 units. Morrill stated yes.

The landscaping is extensive but they may have to remove some trees due to drainage. Lighting height to the top of the shield is 23.5ftR. Brown asked is there a cross easement with the Sullivan Tire.

Morrill said there is no access from one site to another.

P. Evens asked with respect to their water main were there any stubs put in?

Morrill said all utility stubs were there.

Planning board will see Mr. Morrill in January.

**Public Hearings:**

**Proposed zoning amendment re: height limit in Zone 2.**

R. Brown noted that our industrial zone was created was to help ease the tax burden on taxpayers. It seems that now were having storage sheds that are no more than commercial outlets in the industrial zone. How can we have better control for more substantial type of buildings in the industrial zone instead of these little garages? Could we refuse on the basis that it not what were looking for?

T. Morgan has never heard of it being done but doesn't see why couldn't.

R. Brown stated you do have a height requirement that is why this was brought up. What is the height requirement now?

T. Morgan stated it was 50.

Motion made by S. Foote to put this height limit zoning regulation on the Town Warrant. M. Preston 2<sup>nd</sup>. Vote unanimous.

S. Foote requested before we move on from public hearings to reconsider the international codes. At the last meeting there was a hearing and she thinks they really need to know just what the ramifications are. The codes need to be looked at more seriously. The property maintenance code had already been approved. P. Garand was just adding to what Foote had no objection to. Foote only objected is to the international property maintenance code.

**Capital Improvements Program update:** Moved to December 16<sup>th</sup> 2003 meeting to begin at 6:30 P.M.

**Informal Discussion on Proposed Land Use Amendments:** Proposals recommended by the Master Plan

Chairman Brown read possible ordinances suggested by the Master Plan:

Peter Evans submitted a list of item mentioned in the Master Plan and wanted to discuss them.

Are we able to establish an over all ordinance giving the Planning Board power to deny permits. T. Morgan stated yes.

There are some protection ordinances per R. Brown.

Conservation funds: S. Foote noted that some land and money has been donated. No conservation officer but a need for one.

There is a Master Plan for sidewalks.

Load limits: R. Brown wanted to know how we do that inspection. M. Fowler states its done by video. T. Morgan suggested a recommendation regarding load limits. M. Preston stated that would be for the DPW Dept.

Funding to mark bicycle lanes and routes. Foote said that there was supposed to be marked as a bicycle lane on 286 and never was. M. Preston said there was one by the new Merrimac St. R. Brown states that when it comes up this doesn't require funding. A request for a grant could just be made.

Growth control ordinance can't be done until water meters are put in per Foote. M. Preston stated even if this was to take place there aren't many build able lots. P. Garand stated there are 150.

**Proposed Subdivision Regulations:** T. Morgan not prepared to go over. Continued until January 6<sup>th</sup> meeting.

**Correspondence:**

Regarding a letter from Mr. And Mrs. Fowler. Regarding Austin Way. Charlie has asked for his bond to be reduced. M. Fowler recommended a figure of about \$50,000.00 due to things that have been just half done. M. Fowler suggests that a letter be written stating that things are done immediately with the exception of the top paving and possible the detention pond, which was built completely incorrectly. It's too deep, it holds water and there's no outlet and no riprap on the down streamside. This also pertains to the letter stating that this has to be done by January 1<sup>st</sup> of 2004. Have him resubmit a bond. Per K. Knight there is no bond.

Letter from Federal Government requesting some minor changes in the zoning ordinance. T. Morgan suggested that he would draft up the changes and have a public hearing on January 6<sup>th</sup> 2004. All agrees.

E-mail regarding Merrimac Street. K. Knight stated they are aware.

T. Morgan stated there are letters from Jones & Beach Engineers to the Planning Board and another from John Starkey to the Town Manager. Also a letter from Ava Mae Lane from the Town Manager. Finally a letter from Beechwood Homeowners Association.

T. Morgan other Correspondence not copied senate bill 95 regarding work force housing. It's in the package to read about. As well as other issues to read about.

**Roadway issues:** Continued to the next meeting.

**Driveway permits:**

Sue Foote made a motion to accept and approve all the driveway permits and Knight 2<sup>nd</sup>.  
Vote unanimous.

Meeting Adjourned: Chairman Brown adjourned the meeting at 9:43P.M.

Minutes taken by new Secretary, Keely L Perkins.