



Town of Seabrook Planning Board **DRAFT**

Meeting of July 5, 2005 called to order at 6:02 PM. Members Present: Sue Foote, Chair; Paul Garand, CEO; Tom Morgan, Planner; Mike Lowry, Peter Evans, Paul Himmer, Keith Sanborn, Patricia Welch, Secretary.

Foote: first item on the agenda is the minutes of June 21st:

Motion: **Garand** **To accept minutes of June 21, 2005.**

Second: **Lowry** **Unanimous**

Foote: Next item is a request for site security reduction for Jean Drive/Gove Road. The amount to refund bottom line is \$235,725. If you want to read all the calculations, I'll pass the package to you. The total security was \$380,000. The amount left is not available because there is interest on it and we cannot state that. That leaves us with approximately \$144,275 plus interest.

Garand: do the department heads concur with that amount?

Foote: that's what we went by is the department heads amounts. They are all totaled on the side here.

Motion: **Garand** **To reduce site security on case #04-07 Jean Drive/Gove Road by \$235,725.**

Second: **Lowry** **Unanimous**

Foote: on to the Public Hearings:

#05-28 Proposal by Samantha Real Estate Development LLC for a condominium conversion at 48 Belgian Drive, Tax Map 9, Lot 36-10. Is there anybody here?

Mary Ganz: Henry asked me to represent....

Foote: actually, before you begin Mary, I'd like to read a letter that Conservation Commission members requested be sent to Code Enforcement, Planning Board and Town Manager regarding failure to comply with permit. The Conservation Commission has noted that several ongoing projects appear to be in default of their NHDES-WB Dredge and Fill permits. One of them is the Pineo Subdivision, which was supposed to execute a conservation easement and the Lloyd Perkins Subdivision is also in violation of the permit in regards to restoring and constructing a wetland area. The CC respectfully requests that no building permits or Planning Board applications be approved until the required conditions have been met. The CC will follow up with a complaint to NHDES-WB within 10 days if a resolution has not been found to these circumstances.

Garand: Sue, I spoke with Lloyd Perkins last week and he started Friday actually taking the loam out of that area and at the same time he's still working on that at this time.

Paul Lepere, developer at Belgian Drive: He removed all the loam and has a meeting with Henry from Millennium tomorrow morning in regards to plantings that are required and Mary Ganz has a picture of that. As of this evening, no more loam is piled there.

Ganz: I think Henry who has been working with Lloyd on that wanted to let the PB know that couldn't have been accomplished before now and that he is working to get it done. He is doing it with the supervision of the Planning Board and the Conservation Commission to get that done. Is there, there must be still a bond outstanding on the road. And talking to Paul, the wetlands restoration doesn't affect this lot per se.

Lepere: No that would be the entrance of Lot number one, which is on the corner of Belgian and Centennial. And this lot is the last lot in on Belgian.



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Ganz: we'd asked that it go forward and give it conditional approval subject to the mylar being signed by Sue.

Foote: but one other area that it is in default of the original permit, condition number nine, and there have been multiple deeds already written and passed on this development. (Reads from DES permit): notation shall be included in the deeds for the appropriate lots regarding the presence of wetlands, proposed detention ponds and all drainage swales. Those are not in the deeds, so that's why the CC requested that no further action be taken by this Board, because it's not just the wetland restoration, it's all of the deeds that have already been written for that parcel.

Ganz: maybe they can do up something to record at the registry? So that it's brought to any body's attention that it is a condition of the plan. I think that could be done and I could take care of getting that done.

Foote: and also it says that the schedule of construction for the mitigation area shall coincide with the site development unless otherwise approved and authorized by wetlands Bureau. So that means coincide, it doesn't mean do it after everything else has been done.

Ganz: I'm just the messenger, I wasn't aware that was a condition and it certainly is going to be something that he is going to take care of.

Foote: Conservation Commission has provided a copy of this permit several times to Paul and it was supposed to have been recorded in Rockingham Deeds before any activity took place on the site, from my research the original wetlands permit has not been recorded in Rockingham.

There was supposed photographs of the mitigation area prior to any work and it's an extensive list.

Ganz: do you have an extra copy and the original because I'll be glad to record it tomorrow? Do you know where the original is?

Foote: they mail the original to the applicant

Ganz: and who is the applicant at that point?

Foote: it's in the name of Lloyd Perkins.

Garand: the other thing also is that it's supposed to be posted on site. I told Lloyd that last week to post it in a plastic envelope so that it would be there in case someone stopped in from the State.

Lepere: I don't believe that Lloyd received that letter. As a matter of fact about a month ago according to Lloyd the first time he was aware there was a problem was when Paul came down and Paul told him to put up some silt fencing which he did right away. But in regards to letters going back and forth I don't think Lloyd was aware of that. In regards to the time schedule he definitely wasn't that's why he was a little surprised by this.

Foote: I don't know what the date is on the top of that

Ganz: June of 2002

Foote: that's when the original permit would have been mailed to him that gave him approval

Lepere: I can't speak for Lloyd, but I do know that is that true Paul he was a little surprised and he was unaware of it?

Garand: I talked to him about the wetlands permit and that the loam pile was actually in the wetlands and that he went around to put the silt fencing to protect it and he would remove that as soon as he could. At this point, the Conservation sent me the last memo and that's when I went into action on this.



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Foote: so the CC is requesting that no PB applications be approved until this site is brought into compliance.

Ganz: are you talking about the whole road even though it doesn't affect this particular lot?

Foote: is this lot that has the detention pond in the backside of it?

Lepere: correct

Foote: those deeds do not indicate what item nine states

Ganz: we'll have to look into that. Where can we get a duplicate copy of the original to record at the registry?

Foote: you'd have to contact DES; they issue it

Garand: Lloyd should have that in his files

Ganz: it's a long time ago, though; I don't know how good his files are.

Garand: you can get it on-line

Ganz: something that's recordable?

Lepere: Henry must have a copy of this, correct?

Garand: he might.

Ganz: Is this the reason that the application is not complete? Paul mentioned today that the application is not complete for some reason.

Foote: it could be this plus others. Let's see. I believe that must be the reason why. Drainage easements to be written into the condo docs. Boundary marker on Sheet 1 and 2 should be granite with an iron bound beside it; north property bound iron rod must be set before plan is approved; wetland boundary signs need to be included on the plan.

Ganz: to Paul **Lepere:** do you know if the boundary has been marked with an iron rod?

Lepere: I don't think so. Obviously Henry did a full survey but I don't think he marked it?

Garand: how long will it take you to take care of lot number one with the drainage and rehabbing the wetlands out there?

Lepere: Lloyd is working on it full time as long as you instructed him exactly what to do

Garand: so two weeks?

Lepere: no problem at all there

Motion: **Garand** To continue case #05-28 to July 19th at 6:00 PM

Second: **Lowry**

Morgan: before you vote on that. Sue, I am puzzled by the granite marker requirement.

Garand: on the curve radius on the inside of that cul-de-sac there's supposed to be granite markers on the radius.

Morgan: there's supposed to be granite markers at the end of a radius.

Garand: if it's on a point where the property lines come in, aren't they supposed to be all granite markers?

Morgan: I was under the impression that the Planning Board's practice, at least for the last five years, to just require granite where the radius changes direction.

Foote: on the town right of way? Granite on the Town right of way, iron rods on the backside.

Morgan: except when you're in the middle of an arc I had the impression you guys had not been requiring granite in those locations.

Evans: where there is a property line change

Morgan: someone is asking for granite here; I thought that was a change in policy here.



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Evans: that could be what they do for the state is put granite on the boundary for radius

Morgan: except it's a Town road. Maybe I'm imagining things. I thought this had been our practice for at least the last five years.

Evans: there are granite markers between the properties at a certain development that I'm aware of.

Morgan: granite belongs where a line changes direction; when I looked at this plan it seemed to be in the middle of an arc

Foote: one rod to be set; they should be granite markers; it's not on the radius, it's on the corner of the lot

Morgan: we don't have the metes and variance here, but I got the impression this is all one arc here

Evans: I believe it is

Foote: but this is the corner of the property line so shouldn't that be granite. Corners of the property line are supposed to be granite when they abut the road.

Morgan: here's my recollection of how you guys have been operating, tell me I'm wrong. Put granite where the street line changes direction and you put iron where you are just marking the property line. You've got a couple weeks to think about this because it's going back to the drawing board.

Foote: well, we've got to let them know because it's got to be set before we approve. I always thought it was granite at the property line near the road.

Garand: I thought it was only on the radius of any intersecting lots lines on the radius was granite and anything on the back lot lines we used rods

Evans: do we have the book?

Morgan: the regulations were sufficiently vague that prompted this discussion six or seven years ago and unless I'm delirious that's what everybody concluded, what I said.

Ganz: is it possible to request a waiver to do what you've been doing until you make a more definitive change?

Morgan: I'm trying to clarify the Board's policy because we'll run into this again.
(Morgan finds item in Regulations)

Foote: (reading): "**I - Monuments:** Permanent monuments shall be set at all corners and angle points of the subdivision boundaries and at all street intersections and points of curves. Monuments marking curves in the street right-of-way shall be stone or concrete. All other monuments may be fabricated of metal."

Evans: Article VII, paragraph I

Ganz: can I tell Henry that he doesn't need to do that?

Morgan: Henry already has a strong opinion on the subject. You'll hear it when you talk to him.

Ganz: I want to make sure if everything else gets done for the next meeting that that's not going to be an issue. That will be taken off the list of things to do if he gets everything else done?

Evans: it appears that Henry meets the letter of the statute.

Foote: my one question when I was reviewing it is why if this subdivision has been in existence for more than several years, why is it still saying, when we're going for a condominium conversion "to be set". I should think that those rods or whatever should have



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been set long before this date in time. I would like to see them set and noted on the plan "set", not "to be set".

Garand: and also delineation of the wetland markers

Foot: I would think that during the original subdivision and lining up of the lots the rods would have been set at that time, not several years later when we're going to do a condo conversion.

Ganz: I'm not sure that they are not. I know it says, "to be set", but maybe they are set.

Motion: **Garand** To continue case #05-28 to July 19th at 6:00 PM

Second: **Lowry** Unanimous

Next we have #05-29 Proposal by Edwin Adams for a site plan review to construct a 4,500 square foot restaurant on Lafayette Road, Tax Map 5, Lot 29.

Wayne Morrill, Jones & Beach Engineers: this is a site that currently has the Signal Street variety that's north of the Seabrook Rec Center. Internally I believe they sell cigarettes and all types of other goods out of that store. Back when the Lowe's was being subdivided the deal was this lot got enlarged to this size so that we could have some kind of a restaurant use on this in the future. Mr. Adams had some back parcels that were part of the Lowe's pond proposal. We see here some of the roadway work that's being done out there now. Our proposal is to take down the existing Signal St Variety and construct a 4500 square foot restaurant with 90 parking spots, a single access driveway in the center; access in the rest of the parking lot; snow storage in the rear; retaining wall on the back side; drainage is a closed drainage system with vertical granite curb around the entire perimeter. This stream would be redirected through onto the channel itself. Utilities are town water, sewer, electric coming off the existing telephone pole, and gas on that side of the road also. Lighting was done by Sharon Inc. At this point we do not have a user for the restaurant. We prototyped this building to two different restaurants that aren't in town at this point. That's one of the reasons you don't have architectural elevations in your packet because we do not have a user at this point. That's why there are no lights on the building itself, only the parking lot. That's why we have all those arrows on this side. And landscaping in the front, the liberty elm; landscaping around the building itself, two pines in the island. The rest are detail sheets. What we are requesting is to try to get approval from this board and then once a tenant was found, they would have to come back in front of the board for architectural review so you could see the building.

Morrill: excuse me, Mr. Mitchell, do you have something to add?

Mitchell: we went to the Conservation Commission

Morrill: we did have a meeting, Adele had a meeting with the Conservation Commission Chairman and they walked the site and looked at the wetlands and met with Frank Richardson on this project and we have submitted for our DOT permit.

Foot: Adele met with Frank; I haven't met with Frank on this project.

Morrill: so we've received the comments from the Technical Review committee. One of the reasons we have the building in the location where it is is originally we were directed that the building was not able to be in any of the wetlands so we tried to position it so that it wouldn't be in the wetlands. I've learned recently that it was allowed to be in the wetlands and it could have been positioned on the north side of the lot, which I think a lot of the comments from Technical review were asking for the building to be flipped. We have done a lot of work on this



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project at this point; Mr. Mitchell has done about 20 to 30 concepts on this thing. We're hoping to get some guidance from the Board if that's the direction you'd like to go. I did bring some other diagrams that Mr. Mitchell will go through that he can discuss with you or if you like the way the building looks now, we can move forward with what we have in front of you.

Morgan: I have a question. The tech review met on June 20th, right? These plans are dated June 10th.

Secretary: there haven't been any revisions submitted on this, these are the originals

Morgan: so you have no response to the tech reviews comments

Mitchell: that's why we're here because if we're switching the building to the other side of it, it's a complete design of the entire thing; and if that's the guidance the board wants to send me, then I wanted to hear it from the Board and not just from the tech review; because it's going to take me more than two days to redesign this whole entire thing.

Garand: what the board was looking for when we did the tech review was to flip the building around so the fans and everything would be pointed away from the rec center to the back; they were looking for better loading details; they were looking for snow storage; better details on the plan itself. There are no building elevations and no designs for lighting so it's hard to comment on that. But they were looking for more than what is on there.

Foote: and also to line up the driveway with Boynton Lane

Garand: there was a situation where the sign was behind the Liberty Elm, if they could reposition that so it's better; just a lot left to do on the site. There are a lot of questions on the drainage, the way the brook was brought into it and the way it was pushed around.

Morrill: well, it's a really tight site and we're trying to do a lot on here. It's part of a big picture. This is like a front just like the Chili's out in front of the other big box. In the future we're hoping that this is going to be on the corner of something bigger and better. At this point, this is what we have and so, if that's the direction the Board wants to go, we can switch it onto the other side. I do have some other ones that Scott can flip through and show you on the back of this that we can go through and get some of your ideas and you can tell us if that's more of what you'd like to see so that we have guidance from the board so we can move forward.

Garand: the first step is this a complete application and I don't think there's enough here to make this a complete application. As far as the elevations, lighting, etc. we're not going to do a bunch of waivers on that so I'm sure that we can even hear this until you redraw something that we want to see.

Scott Mitchell, I represent Mr. Adams: we don't have a tenant. We can definitely give you a building elevation and we can show you what the building looks like as long as you guys all understand that when I do have a tenant I'm going to be coming back here with a different elevation and a different building look and a different lighting plan. If you want us to do that, we can do that, that's not a problem to make our application complete. But I will tell you that two of the tenants that we're talking to right now have two totally different identifications so the building would change substantially as long as the Board knows this up front so they don't think I'm trying to pull some shifty maneuvers.

Foote: the problem is that after reviewing the State's criteria for a conditional approval, it is things, items that are not debatable or judgmental, you know, it's you give us the permit, evidence of this and that. There is no way we could do a conditional permit until we know for sure what the building is going to be that's there.



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Garand: basically what you're saying Scott is that this is a premature application, you don't know what the site's going to be. So when you do know what the site is going to be, why don't you come back at that time?

Mitchell: because we know it's going to be a restaurant Paul, down the road. It's either going to be A or B and we're in preliminary discussions with two of them right now; one of the things that takes so long in this process as you guys are all well aware is the Wetlands Permit. So ...

Garand: so if you know basically that you're going to be impacting that site pretty much so, when you get those Wetlands permits it's not going to take any time to go to the board, correct?

Mitchell: I guess just hearing what you're saying, if you want me to come back with an elevation and we'll give you building, it's not a problem; we'll stick to one of the two that we're dealing with, but it might be the other one; just as simple as that it's not a problem. I'm not trying to be cute or coy or whatever, it's just the way. I feel very strongly that once Lowe's opens, that's going to be the icing on the cake to solidify this deal. We have had many discussions with the developer, as you know I did that project and I'm working on Phase II of that project about combining some sites.

Foote: is it likely that this is just going to be a paper site per se and that there is going to be a south entrance to the Lowe's and other mystery big box at this area with lights?

Mitchell: let me show you what I am preliminarily working on. I asked Wayne to bring it here and I really don't have permission from the developer to discuss that with you.

Foote: to be absolutely no-holds barred is Mr. Adams proposing this primarily so he can have an approved site plan, which makes the lot worth more money than just what sits there now?

Mitchell: Mr. Adams is not doing that; it's me that's doing that, not Adams.

Foote: oh, it's you?

Mitchell: yes. I have several reasons to do it. One of the things we did look at just so you guys don't think we're sleeping at the switch here, we did look at lining up this Boynton Lane and putting another signal in there which was a request that this Board not everybody was here at that time but some of the members I knew weren't here, but they had discussed earlier to us in the Lowe's project, hey guys what's in the crystal ball behind you? We looked at this and as you well remember we had the cash guy going over here, and since then Robert was able to purchase the old bank and move him over there. So that took away the heat from building this and making it so we could build Chili's. We also have been talking with Irving Oil about expanding their facility and that is a possibility to put some land with them; it's something we're working on right now. The problem I have is we're working diligently on fixing the title up here; we're getting very, very close, we've been on it for almost two years now and we're extremely close right now. This would do all the things that you guys are asking about. I'm having a hard time getting Robert and Eddie to go like this (puts fingers close together). That's the problem I have. It's timing, you know what I mean? I want you to know that we've thought of this, we have a user that we know will go here (pointing to plan and lot between Irving and proposed restaurant) if we can do this. We already have that commitment. So it's in our best interest to do it as well. But I can't force Robert to work with Eddie. You see what I'm saying? That's the real problem. So we heard your concerns.

Morrill: this is what it would look like day one before anything happened out back

Mitchell: and it's a two-phase thing

Morrill: and it would stay in the same spot and open up



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Mitchell: so in other words we'll be doing a lot line adjustment to make this lot larger and then when the title problem is fixed and we come back in and have all the right of way already taken here to put the Boynton Lane extension or whatever you want to call that into the development

Foote: I personally would feel a lot more warm and cozy considering approving that as a conditional then this, in fear that this might actually get built.

Mitchell: just so you know, you've got several applications coming that I'm not involved in; Town Fair Tire's coming; NTW's coming (tire warehouse), and they were all after this site, trying to get this site and we turned down to have a tire guy here. We also had a cigarette guy that wants to build a superstore there and put a big cigarette palace there and we did not opt to go with that either. We really want a restaurant. We think we have a great restaurant pad site and Bennie's listening to me on that. So that's why we didn't want to change the plans, we didn't want to get the technical review committee saying one thing and the planning board saying another thing; so I said don't change any plans let's go to these guys and show them what we're trying to do, let's see what their input is and then go back to Adams and Korff and see what we can do.

Foote: I personally would feel better with a restaurant positioned where it is,

Morrill: meaning?

Mitchell: one back Wayne?

Foote: that way if Phase II never happens, at least the restaurant is in the correct position so it has the least amount of impact on the rec center

Mitchell: the only problem is that it wipes out his other lot; see what it does? Just so you understand the complications I'm dealing with; here's Adams lot, right here; this is Korff's lot; see what I'm saying, I'm wiping out half his lot. That's the problem I have.

Morgan: you're about to fix the title problems out back?

Mitchell: we're very confident; we're very, very close right now. It's only been two years.

Foote: I'm not sure if you're aware that a month or so ago we added to our subdivision and site plan review regulations that a conditional is only good for 90 days and if those conditions are not met the applicant has the right to ask for one extension for an additional 60 days so that means you have a total of 150 days after we do a conditional, if all conditions are not met, that plan is revoked and goes away.

Mitchell: my question to you Sue would be let's just use that case scenario that's on the board right now. If we went in and showed you building elevations and do a lot line adjustment to expand the Irving, I don't understand what would be conditional in that approval?

Foote: your DES permits

Mitchell: right, that's already started. Wayne, do you have any feeling on Korff?

Morrill: on the existing building that is like a well or something?

Mitchell: what's the time table up there Sue, are they backed up still really bad or are they putting permits out?

Foote: they are putting permits out. What Frank said is they are telling him is he had 90 days to make a decision and 120 days to get the paper work out for approval.

Mitchell: so the only condition would be the DOT permit; they're backed up to but I think that's more realistic; it's wetlands that's been the problem, it's been taking so long.

Morgan: Scott, do I understand that tech review hasn't seen this plan?



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Mitchell: I don't want anyone to see it except this Planning Board.

Foote: tech review has only seen the original; but we did discuss at tech review that we wanted this—that's what the tech review wanted to see is the restaurant flipped. One other thing that was brought up at the tech review, the trees going in along the front of Lowe's, there was a proposed Elm tree here, Paul already mentioned that the elm tree was on the road side of the sign which means someone is going to chop down that tree eventually.

Mitchell: I got you. It should be flipped.

Foote: beyond that. Elm trees that are supposed to grow 100' high or so should not be planted under power lines; so any trees, we really appreciate having trees on our 20' green strip, but I think they should be trees that inherently don't grow more than 20-25', dogwood, crab apple or whatever. We don't want the storm interference of a tree taking down lines and we don't want the electric company to crew cut all the trees.

Mitchell: makes sense

Morrill: this is the direction the board wants us to go in, right?

Lowry: yes, I'd like to see that

Garand: how much time do you need to redraw that flip?

Mitchell: I'd like to have a continuance, how much time can you give me?

Morgan: they haven't been to tech review with this proposal

Mitchell: no, just the current application I've got pending; as far as you're concerned this doesn't exist

Evans: it hasn't been accepted as complete

Foote: but we still have to continue it

Garand: continue to the 19th is the earliest we can do it

Mitchell: No, I want to do it later.

Foote: when do you want, September?

Morrill: second meeting in August

Foote: that sounds good

Mitchell: that gives me time to get my karate belt on

Morgan: is the tech review going to have a look at this between now and then?

Garand: if they get it in on the deadline

Secretary: normally when you send in revisions, they don't go back to the tech review, they come to the planning board with the tech review comments on the original plan and you go through the check list and you say oh yeah, these things on the original plan are now different so if you are going to change it substantially, you probably want to get it in in time to go to a tech review and kind of like we'll say it's a new plan that's come in but it's really an old application.

Mitchell: I'm just asking. Is it something we could do simultaneously? Knowing that we're not in other words let's say we come in the second week in August and we haven't been able to get everything together for the tech review and we come in and show you guys what we've got and then we send it out knowing that we have to get that before so we're not putting the horse before the cart

Foote: I don't know. How does the rest of the board feel about that?

Sanborn: I won't vote on it until it goes to the tech review. There are too many ifs and too many buts here.



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Morgan: if I were in tech review I would want

Sanborn: I've listened to it. You've got this one wants to get into the building and the other one wants to get into the building and it all depends on how it goes through here. It ain't going through here on my vote. Until I know who's in that building.

Morgan: I think the tech review folks would be a little bit irritated that they reviewed one plan and then the other plan seems to be what everybody's talking about.

Foote: I think logistically it really should go through tech review again before the board looks at it

Mitchell: okay Sue if we're not ready in the second week in August, we can ask for an extension at that meeting and then deal with tech review and then deal with coming back here

Motion: **Garand** To continue case #05-29 to August 16, 2005 at 6:00 PM

Second: **Lowry** Unanimous

Foote: case ##05-30 Proposal by EMC Realty Trust for site plan review to construct a 19,500 square foot office building at 219 New Zealand Road, Tax Map 5, Lot 6-0. Is there anyone here to represent this case?

Audience member: I'm here to talk about it. I'm an abutter.

Garand: seeing that

Foote: Paul, before we just cast it aside, the last time Francis Chase came before this board, we were starting at 7PM not 6PM so I would like to say that we go on to correspondence and other business and if Francis has not shown up before we're done doing our business, I mean we've only got ten minutes. I would like to give him every possible opportunity. I believe the correspondence and other business we have to discuss will take up more than that ten minutes and if he's not here when we're done with that then he missed his chance.

Garand: all right. Let's move on to correspondence.

Foote: Paul has provided copies of the fire that blasted the St. Louis plant. If anyone has been watching the ZBA meetings lately, there's talk of potentially a very similar plant coming in to town. I've already talked with the Fire Chief and asked him to start providing us with documentation and justification as to what is a safe distance from residences. I believe he's saying 1000 feet or 1000 yards?

Garand: I'm not sure. I received that from the fire chief. He was also looking to see if he could procure the news footage so that we could actually see visually what was happening at that site where the fire occurred.

Evans: I have done some research on some of the materials to be stored there and material safety data sheets off of BOC gases and sort of authoritative sources. They state a radius of a half-mile is to be evacuated in case of a fire and I think that's probably a half decent distance from residential areas.

Morgan: can I ask what material they are proposing to store?

Foote: propane, acetylene, oxygen, bring in liquid oxygen and run it through a bubbler to turn it into oxygen gas for medical use, didn't he say a couple other gases?

Evans: argon and xenon

Morgan: this the same stuff that went up in St. Louis?

Garand: the same exact identical plant—same kind of procedure that they are proposing in town.



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Morgan: the same gases?

Foote: the same gases plus

Garand: in one of the situations also I believe Jeff mentioned on that site that some of the tanks were actually underground and on this site with the water table being so high, they wouldn't be able to do that on site, they would all be above ground tanks and I think that's making it more than this. But at this point we can't prejudge an application until it comes in.

Morgan: we should probably curtail this discussion with verbatim minutes. As your institutional memory, I would suggest somebody go back into the archives about 15 years and find out what the propane storage proposal for Lafayette Road.

Foote: do we know where the archives might be located?

Garand: do you know what year it was?

Himmer: 1985 or 1986; down by the tanks

Garand: so it was around 990 Lafayette

Himmer: yes

Morgan: at any rate the records from the court case would be well worth looking into.

Foote: might be able to do a search on Rockingham County Court

Morgan: the plaintiff was Eastern Propane

Garand: the property owner would have been Benoit and ?

Morgan: being in Zone 2 there were a lot of people living nearby and they showed up

Himmer: it was an allowed use at the time, but it was the abutters that overturned it and there was a lawsuit saying it should have been allowed; but the court said the safety factors That it wouldn't be allowed

Garand: the property was Benoit and Johnson so I would search that also.

Foote: we have more correspondence. To just follow up on that Conservation Commission memo, the Pineo subdivision was supposed to execute a conservation easement and take photos at the site before development and set up a management of the site for the conservation easement area and record in all the deeds where it is and they have yet to do any of their mitigation conditions.

Garand: the developer is well aware at this time and I also told him I would not give him any more building applications or occupancy permits until it was made

Foote: I have discussed it with their engineering firm, Wayne Morrill and Wayne told me that he had discussed it with Mr. Green and Mr. Green's response was that he was going to hold his own conservation easement and he would make sure that nothing got damaged.

Garand: he's very aware of that now. Another thing I wanted to bring up while we're talking about that subdivision, Lot #5, there are 34,000 square feet in the lot and what happens, we approved the lot with 9000 square feet being located in Hampton Falls. So when they came in, I approved a building application for a duplex structure on that lot because it meets the 34,000 because the card says what the size is, but after reviewing the plans, it only has 26,000 square feet in town. So I told the applicant that he needs to bring 30000 square feet into that lot in town so that it actually meets the zoning requirements. We're probably going to see a lot line adjustment on that lot just so you know why they're coming forward. And in the future we have to make sure we look at all those features. Or at least I do.

Foote: actually the engineer should have calculated the property as far as square footage in the Town of Seabrook.



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We have another correspondence to the Planning Board from Paul Garand CEO regarding 100 Lafayette Road. The owner of the above referenced property wishes to reopen a retail store on the site utilizing the existing structure. He proposes remodeling the building. What would the planning board require if this were to go forward? Where's 100 Lafayette Road?

Garand: Chris Peter's old store. The pink building on the corner right directly down.

The applicant is the owner of the property actually. He came forward and I told him there is an illegal unit that the person has added on the first floor. He stated that he would take all residential units off the property, take all out buildings off the property, remove them, remodel the existing one story commercial unit that was on the property and he would then like to open the cigarette, beer, wine sales. I wanted to know to what extent you want to see site plan review if any or do you want to just let my office go through the stages.

Foot: Without a site plan review you don't really have much to do with enforcing him to do the cleanup. If he draws it on paper and says this what my plans are.

Garand: in order to change it, because it's a non-conforming use, he still needs to go the ZBA, which I told. If he wants to rebuild the building and actually change it at all, he needs to get their permission. Right now the ZBA I would say to make a condition that the residential units have to be removed, the site has to be cleaned up and he would have to protect the water way somehow by directing the water towards Route 1 and the drainage system there, or do something. Basically the building is...

Foot: I'd like to see a stockade fence along that banking so that he doesn't infringe down into the brook.

Garand: that's something to look into but at the same time to what extent do you want to direct him?

Evans: I think the traffic needs a good look.

Lowry: right, parking

Garand: traffic and so forth I'm not sure, the business has been closed for a little over two years, but it's an allowed use in the zone and historically the building has been in place since 1911, I believe. The ZBA did grant the caretaker's apartment above the unit. As long as he gets rid of that it will clean up a lot of eyesore. Get rid of all the junk vehicles that would be one of the benefits. I also told him he would have to paint the building other than pink.

Morgan: what would your recommendation to the Planning Board be?

Garand: I'm not going to recommend, I want to know what you want done

Evans: my opinion is that I would like to see a site plan review

Foot: is it going to be the same type of store that it was before? General retail?

Garand: beer, wine cigarettes

Lowry: I'd like to see him come in too.

Foot: I think we really need to have plans just to make sure that it's going give you documentation that he's got to stay to the plans; I know we shouldn't predetermine and prejudge, but this site has a history and I'd hate to see us get promised "I'm going to do this and that" but if he doesn't put it in writing and draw it on a plan, we've got no way of going back and saying.

Garand: to what extent? The site is completely paved, the building is over 100% of the site, they are within the setback for the 50' for the stream; they are within the setback for the road because the road has been expanded past the original property line; the rear setback I



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believe is four foot off the boundaries because it was built prior to zoning; so in essence, 100% of the site has been built.

Footte: I think he's got to show architectural, lighting, parking

Garand: when I direct him would you like me to say, show as built, what you're removing and a concept drawing and then let the Planning Board direct him from there? As built? Drainage? Right now if he doesn't change the site by anything major...

Footte: if he doesn't change the topography of the site, I don't think drainage would be an issue because most of it appears to flow back out on Route 1

Garand: which it does, down around the corner and into the catch basin

Evans: the signage certainly will be changing

Garand: signage has to comply with today's ordinance; if he rebuilds or remodels he takes all the signs down and he would have to come into conformance.

Evans: we have to make sure the lighting is proper as well

Garand: the fixture type; right now if we don't make him come in and he just wants to open as is, he could paint the building, screw in light bulbs in all those little lights that hang out over there and basically he could open up tomorrow.

Footte: I think then he has to come in with a site plan. We have a corrected parking easement from Susan & Nelson Murray; remember the restaurant we approved down by McDonalds and Pizza Hut and that area? They did comply with our request on item #6. It now just says, "any change or alteration to the easement term requires Seabrook Planning Board approval." So we can approve this and have them sign it and they have met the conditions. Now they still have to provide us with architectural.

Garand: architectural and at the same time there was the issue of the off site signage too which still has to be taken care of.

Footte: That's it for correspondence. We'll now step back for EMC Realty Trust. And before we're done there is other business we still have to get through. So you can't all bug out when we are done with this. Otherwise, I'll make them sit through the other business and we'll do that now. **Case #05-30 Proposal by EMC Realty Trust for site plan review to construct a 19,500 square foot office building at 219 New Zealand Road, Tax Map 5, Lot 6-0.**

Gerritt Crabbendam, Land Surveyor and Francis Chase, owner.

Crabbendam: we ran out of time on the two-year approval and we had to resubmit. So nothing has changed except that Sue mentioned that we didn't conform to the new DES regulations so we're trying to get your help here today.

Footte: Phase II Stormwater

Crabbendam: right. I'm not that familiar with it but I've done a lot of reading up on it. From what I can see it's a very small site and it's under the one acre minimum that they have so I don't know if it comes under the national jurisdiction anyway.

Footte: problem is that this exits out to drainage that either the State or Town will have to deal with. What the EPA has told the Town is that if they take a sample from that catch basin, the Town will be paying the violation and the fine. So the Town is putting the onus on the developer to insure that all reasonable measures have been taken to insure there are no pollutants that get into the storm water catch basin that the Town is responsible for.

Crabbendam: there are other drains going into that basin too

Footte: that's why I think if you notice one of the things is there is supposed to be a sample, grab manhole.



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Crabbendam: yes, we put that on the plan. We did add some notes on details and things, but Do you have any questions on it now that you've had a chance to look at it?

Morgan: some of the things that the tech review came up with have been addressed, many of them have not.

Crabbendam: should be go through the checklist? Most of the check list is lighting and

Chase: the last time we were here and got our approval, we asked for a waiver of the lighting requirements because I've given you a plan of the lighting and all we have is down lights. I'll ask for a waiver. On the last page, shows P87 's and I'm not sure who the gentleman was I spoke to when I addressed the issue about the P87's he didn't have a problem with the lights and nothing has changed since the last time we were here as far as the lighting goes. And we've been through the check list and I thought the lighting was the biggest issue as far as the number of items to be checked off and I guess I am asking for a waiver of all that design work because all we have is these P87's in the soffit of the exterior lighting.

Morgan: off street loading was another issue

Crabbendam: Whom did we speak to on that one?

Chase: off street loading, I'm not sure what the criteria is for off street loading, I've spoken to the Fire Department and he doesn't have a problem driving around the building and he doesn't have a problem with the stone dust in the rear.

Morgan: the issue was we couldn't find any off street loading area anywhere on the plan. How would a truck unload and where would they go?

Chase: well, I'm not sure what we're talking about by unloading. This is an office complex and I'm not sure what we're going to have for deliveries.

Foote: do you know who your tenants are going to be?

Chase: the biggest part of that building is myself, Lighthouse Real Estate and CHD the two companies I own and we're going to be occupying the biggest part of that building and my wife hasn't decided how much of it she's going to take. I would say we're going to take two-thirds and one third will be left over. And in that case we hope to rent to a professional person or a doctor or something along those lines. I'm designing it to be a very attractive building you can see from the outside and I can talk a little about the signs right now. The signage is another issue. My intention if my money holds out, that I will construct a nice field stone wall across the front and there will be Chase Center in the process of that. But I will go through Paul as making sure we meet all the requirements as far as signage goes. But that's my intention but again it has to do with money. And if it doesn't then it's going to be whatever the Town requirements are as far as signage goes and there will be a Chase Center sign, because that's the name of the building. And that's the same thing we had before.

Garand: I'm looking at the lighting here and you are looking at eight tenants, or eight units? You are showing eight entryways into the building.

Chase: front and rear. We originally designed it for four units and again my wife is more than likely going to take two-thirds of it. There's a front door and a rear door. That's the way we originally designed it. But basically the help is going to park out back and the patrons will enter through the front.

Crabbendam: the other one was no details on the planting area. I think they are concerned about the back. We did add a fence something around the dumpster that would give you that comment on the list. The planting area is mostly grass in the back isn't it? And that's where



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our little...this whole site drained off towards the rear and the people, the neighbors to the south are happy about us containing that really.

Foote: one of the questions that was brought up at the tech review is that you're indicating that the back of the building is going to be gravel stone dust surface and yet you have a couple of catch basins sitting there. What's to prevent that gravel stone dust from going down inside the catch basin and fouling the ability for the catch basin to do what it is supposed to be doing, especially with the type of leaching system design you have to be placed underneath all the catch basins. As soon as that fills in with gravel and stone dust, it's not going to be functioning the way it's supposed to function.

Crabbendam: there's going to have to be periodic clean outs too. I don't know if everybody understands what the whole system was based on was containing all the drainage on our site and having an overflow say on a fifty-year storm that would overflow on a six-inch pipe going out towards the highway. So that very seldom will happen. The idea is to infiltrate it back into the soil for a fifty-year storm.

Foote: I discussed with Francis last week was this is infiltrating it directly back into the groundwater. There is no pre-treatment to remove any petro-chemicals, contaminants, anything like that. And there are people that we are aware of that have private wells in the trailer park that abuts this and that's one of the major things that was discussed about the Stormwater is that there is no pre-treatment, you're just directly injecting it into the ground with all its contaminants.

Crabbendam: I don't know about contaminants, there's not much contaminant here, but I take your point, I think that's what we need to talk about is to put a grease trap or some sort if you accept that we could do that in the rear if you're worried about that put a grease trap on both those catch basins in the back.

Foote: well, these catch basins up here are built exactly like that, what's the difference whether the contaminant goes in the soil here or it goes down into this pipe and goes over into the area across the street.

Crabbendam: so what you're saying is that we make sure all that is treated before it goes in the soil. Now would a siltation grease trap type of thing be acceptable?

Foote: I believe it would, what do you feel Paul?

Garand: it would have to be engineered. At that time once it's engineered and proven, I don't have any objection to it. Oil-water separators.

Foote: this is also in part of our aquifer protection zone.

Crabbendam: yes, that was pointed out to me.

Foote: and while Fran said he and his wife are going to be the primary occupants

Crabbendam: you wouldn't know in the future

Foote: we don't know five, ten, fifteen years from now you might decide to move to Arizona and this turns into who knows what

Chase: I'm not disagreeing over that comment.

Crabbendam: that's a good point

Evans: what's the width of the travel lane, Paul?

Garand: twenty-four feet

Evans: we're a little tight on the sides here as well.

Foote: twenty-five on one side and fifteen on the other

Evans: there's less than that



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Crabbendam: there's a little bit less than that from the property line. I think we have twelve or fourteen feet. It's a tight site, a small area.

Lowry: any problem with it to the Fire Department?

Crabbendam: there wasn't any with them

Chase: I spoke to the Chief and he has no problems at all with taking his truck around the building. I personally spoke to him and he said he was going to call Paul.

Garand: I haven't received any calls.

Chase: that's what he told me. I personally went in to his office and spoke to him.

Crabbendam: Sue, part of the drainage solution was to keep that rear side permeable but I didn't know what you expected on that but we can do that with some oil trap or grease trap filtration.

Garand: put a couple grease hoods in there

Crabbendam: we have filter cloth around this now but that's going to help that much. It's a standard thing you put around the leaching basins that does help some but

Evans: isn't the travel lane a zoning requirement? Or can we waive that?

Garand: it's a zoning requirement

Morgan: the intent of the travel lane was the area between parking spaces so it would be a matter of how you want to interpret it on this lot here

Crabbendam: it is a one way around; we'll put arrows or signage or something

Chase: I'll go back to the same comment that parking in the rear is for employees and the front is for patrons

Crabbendam: what was the comment "Roof drains connected to septic tanks for leaching system; outfall higher than catch basins; non-compliant"?

Foote: as part of the detailed drawing here, you notice where it drains into the catch basins, the overflow actually

Crabbendam: the roof drain should be able to come down the building under the pavement and go into drain there, the catch basin; the roof is higher

Foote: before it would overflow here, it would actually back up through one of the lowest catch basin rim elevation

Crabbendam: oh, I see what you're saying. I'll have to check on that.

Foote: if it reached the point of filling the overflow

Evans: it comes out the top

Crabbendam: it comes out the top on the rear corner before it goes out here, that is 55'9" and our rim here is 57'9" it is higher

Morgan: who is the engineer?

Crabbendam: it's Keith Coleman. He worked with John and I on a lot of projects

Morgan: is he going to stamp it for us?

Crabbendam: the first time around we didn't have it stamped because he had a drainage report that was stamped so I think he just overlooked it and I'll have to get him to do that

Foote: I think the tech reviews primary comments as far as the storm water drainage goes is that

Crabbendam: is treatment

Foote: there's got to be some sort of pre-treatment before it goes into the leaching system to infiltrate it back down into the ground water table. Signage you said you'd



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already covered; advertising devices, details about your lighting you have; specifications of lamps and reflectors; some of these items the Board could consider

(conversation between Garand and Crabbendam regarding the roof drains - unable to hear)

Garand: there's a detail drawing in the back that shows the roofing basins with the roof leader pipes coming into it in the top right hand corner. And if you figure out the elevation differences it comes out about two feet below the rim and if you calculate the rim for the discharge, it's below actual discharge and that's what he's talking about

Crabbendam: I'll square that away.

Chase: would it be your request that we do away with the drains? Just let it dump on the ground?

Foote: what we have accepted in the past is if you don't want to do gutters at the base of the building, say you've got a six inch overhang of roof, build a two to three foot wide by 18" deep pea stone trench just to collect all the water as it comes down. So it would be that much less Stormwater precipitation that would have to fit into your calculations for treatment. While we might have acid rain and that type of stuff, that's not the kind of spillage they're concerned about. They worry about cars driving on the parking lot, dripping and then the rain washes it away. You might have some bird doo-doo on the roof but you're not going to have heavy metals and petrochemicals.

Evans: I don't think the Chairman's trying to engineer your plan for you; I think that she's trying to point out the fact that some engineering needs to be looked at as different options. This particular one you've shown us here isn't acceptable at this point.

Garand: do we have a waiver for the lights in writing?

Foote: we don't have any written waiver requests. Anything that you want a waiver for we need it in writing and short couple sentences as to why you feel we should waive it.

Garand: how much time do you think you're going to need to redraw this?

Chase: as soon as possible. I didn't realize this was a problem, so I'm behind the ball already so I'll be putting the pressure heavy on these guys to get this done.

Garand: Gerritt, what time frame are you looking at?

Crabbendam: next meeting, what's the next?

Foote: the 19th. Discussion of meeting's agenda and number of cases to be heard

Evans: my question would be since this is going to be substantially revised and specific items that were addressed by the tech review is there some way we can get the revised plans reviewed by the tech review people? I think that it's not unreasonable if a plan comes before us and we say it isn't complete for whatever reason, or it stands to be substantially revised in some aspect, that it should be submitted to our tech review.

Garand: would you be willing to got o the first meeting in August?

Chase: I have to do whatever I have to do

Garand: August 2nd

Foote: we can't put him off because we're full. We don't have time for tech review if we do it on the 19th. We won't have one between now and then.

Motion: Garand To continue case #05-30 to August 2, 2005 at 6:00 PM

Second: Evans Unanimous

Tom Banks, abutter: that property is definitely all clay. I have a lot of water run off from that property now and the area in the park itself is low and the water table is really high



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there. I was just curious are you still going to be putting up the fence that was there before? Nothing's really changed. I was really curious is it a 19,500 square feet building or is that the lot size?

Crabbendam: I believe that's the lot size.

Banks: when I say that, I thought you maybe were going to go higher

Foote: that was a typo; but it doesn't state what the square footage is on the plans;

Banks: so if there is any water that's actually going to collect there and if it doesn't go down the drain, it's coming right at my place; it does right now

Chase: granite curb all the way around that protects you

Crabbendam: even the engineer mentioned that we're taking quite a load off

Banks: it all comes down to that one spot; I used to ice skate in my yard.

Foote: do you have any other questions?

Banks: I wanted to make sure the fence was still there and it has been three years and that was all pine trees and the noise from 107 is unbelievable.

Foote: I can imagine. I live about the same distance from 286 as you do from 107.

Garand: so at that time Francis you'll have a written waiver request in also so we'll know what you are asking for on the lighting.

Chase: these items on the checklist aren't numbered so I just list them all? They don't have a number beside them that I can refer to so I just list them all out?

Garand: go right down the review sheet and list them out.

Chase: just to summarize, if we correct the oil separation what else?

Garand: the oil separation, the roof leaders, the elevations—prove that out, the lighting waivers, the required pavement out back if that was part of the drainage calculation, if you take the roof leaders out of that and put up a leaching system for the roof right into stone, I think that will increase your open area on that lot.

Crabbendam: it might match the roof

Garand: look into the open area and see if you can actually save more and get better product

Foote: we were just discussing logistics of tech review. Our next tech review is on the 18th. We like to have the department heads have the plan at least three or four days prior to the tech review. Can you get them to us by this Friday, the 8th, or the 11th at the latest? If we don't have them by the 11th, it's not going to make it back to the next tech review. Today's the 5th.

Crabbendam: by the 11th?

Foote: by noontime on Monday July 11th, next Monday, have the plan in. Deadlines, don't you love them?

Crabbendam: thanks for not throwing us right out though. Are you going to keep all the plans?

Secretary: we're going to keep one and you can have all the rest.

Garand: so what's the other business you have for us before we get up and leave on you?

Foote: other business as you know there is a public hearing scheduled for the 19th for changing the definition of subdivisions, I believe you've all received it. While going through that and checking everywhere that minor subdivision was written through our subdivision regulations, I noted that there are quite a few areas that we've made changes but it never reflected through the whole regulation so over the weekend I reviewed all the subdivision



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regs and have highlighted, edited and made suggestions. Everyone here gets email and can open an MSWord document. Rather than ask Patricia to print them out, because color is key. I have highlighted in different colors and highlights.

I am going to attach them to emails to you. Keith, you don't have email? I'll see to it that Patricia prints one copy in color for you because the color is key. I would greatly appreciate everyone reading them before our next meeting, because the public notice will be going out on those edits and changes to happen sometime early in August. If you have any other suggestions, thoughts, additions, now is the time to get it incorporated into our subdivision and site plan regulations because we are very quickly coming in to the time window of where we have to start thinking about whether we are going to alter or change any zoning items.

Garand: also isn't there supposed to be a special town meeting at this time?

Foote: I don't know. I've asked Fred several times and he can't give me a specific date. A special town meeting would be a perfect time to do zoning changes so we don't have to wait until next year.

Garand: I'd like to change the building permit schedule fee and also the time frame on the building permits, when they actually expire.

Foote: I have done subdivision and site plan. I haven't even looked at the zoning. But I think if you sit and read them you will notice inconsistencies throughout them. That's what's coming back to bite us all the time. I'd appreciate it if at anytime you have insomnia and want to read the regulations, and notice something that is inconsistent, please flag it and bring it to everyone's attention so we can correct it. That's all I have for other business. Does anyone else have anything?

Morgan: On minor subdivisions I know we had exchanged emails and now I see the wisdom of your point about keeping the existing regs. I've rethought my position and I'll send you an email.

Foote: is it contrary to this public notice that we're going to have to public notice it again?

Morgan: well, you can decide for yourself whether it's worthy, but I think you were on the right track initially. I said put it to the back of the book. I'm now having second thoughts about that. It's more important than I thought initially.

Foote: is that something that we're going to have to public notice or is it a minor change?

Morgan: I think it's minor. It's just a matter of where in the book you put it.

Foote: okay.

Evans: I have three quick items I would like to bring up. I think it should be our policy that if we find a plan is incomplete or we refuse to accept a plan because it's incomplete that it gets sent back through tech review cycle.

Garand: that may be a good thing because basically when there's a vast amount of changes that are required or seem to need review, I think a bunch of eyes with a bunch of time would be better than trying to review it hurriedly here.

Secretary: I think you need to think about the tech review where we have so many people involved, we need to be very specific about what it is that didn't get done, why we want it to be re-tech reviewed.

Garand: I think if it has anything to do with drainage, egress for the fire department for safety then it should be tech reviewed



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Foote: I'm concerned that some of the people involved in the tech review are going to unroll the plans and say, I've already looked at this and roll it up and put it away and not realize that it's a changed plan.

Garand: that's something we're going to have to do through the department heads system. Basically they need to come in here and look at each plan as we unroll them.

Morgan: don't they do them around a table?

Evans: if I were a department head, I would appreciate seeing that my suggestion had been addressed

Garand: like tonight, some of these plans, nothing was even addressed prior to this meeting, so they are just wasting our time. If they haven't at least put in revisions, we shouldn't even hear the case.

Foote: right

Garand: they bypass the tech review system and they're just going along and doing the same old thing and wasting our time.

Foote: like you pointed out tonight. We're not a paid board. We're in here to do the best for the town that we can, but at the same time, if they are not listening to the tech review, which knows the town requirements, then why are we taking time to look at the stuff.

Evans: second item. In instances where entire buildings have assumed a corporate identity, that seems to me to border on going around the town's sign ordinance. Certainly the spirit of it. If you painted "Mail Pouch Tobacco" on the side of your entire barn, that wouldn't be acceptable under the sign ordinance. And I think Mr. Mitchell has stated that you keep your car place considers that glaring yellow to be part of their corporate identity. I don't know what grounds we have to

Garand: I think that was addressed once. We had to do a historic committee and say what the town wants for color schemes and so forth.

Evans: so in the absence of that we're stuck with what we get

Foote: yes because we don't have any regulations.

Lowry: you'll have to work on that Peter

Evans: I'll take that to a committee of one.

Garand: we ought to put it into the regs, no loud or bright colors. If we put in there...

Secretary: that's infringing on their civil liberty to paint their house the color they want.

Evans: I beg to differ. They submit architectural elevations, do they not?

Foote: yes, but as far as color, you would have to declare it a historic district and have to qualify a historic district. That's the only way in NH State Statutes that

Garand: what makes a thing historic? I think 100 Lafayette Road is an historic building, I really think we should have pinks and yellows.

Evans: my last item is the application submitted for our review concerning the Signal Street variety.

Garand: I asked them to take down the cigarette signs that go past the 10%.

Evans: my concern is the impact that development is going to have on the rec center.

Garand: I hate to interrupt but the whole thing is the rec center is in the wrong place. That's a commercial belt along that road; it's a poor design and a poor place to put that. Impact on the rec center or not, it shouldn't have been built there.



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Footo: One of the thoughts that's juggling up in the air is sell this for commercial offices and move the town offices to the rec because it's centrally located in the town and build a new rec out near the library, fire and police.

Garand: we don't receive any tax base from these buildings.

Evans: my point is that maybe there's something in it for the town and we should start considering in terms of similar to the Cain's Brook Project from Lowe's and things on the CIP like town pools and new DPW buildings that

Garand: one thing I'm noticing is that they are so overdeveloping a site—like the industrial sites on Ledge Road at the last meeting, this restaurant that came in tonight, like this professional building. That's why I asked the number of units inside of it because they are using every inch of that site. I understand that land is valuable, but

Footo: maybe we should increase our open space requirement

Garand: but it's not even that, they aren't even meeting the parking requirements—there were only twenty parking spaces on that plan; that's five per unit.

Footo: that goes back to my request that everyone take some time to read the regulations and see how we'd like to possibly change things; see if there's anything that we've got to do in zoning; see if we can try to make it better for the residents that live here and yet still allow commerce to happen. Increase the setbacks, increase the open space.

Garand: I did that already and I almost got shot that night. The 35 feet, remember that increase?

Motion: Garand To adjourn meeting at 7:53 PM.

Second: Lowry Unanimous

Respectfully submitted,
Patricia Welch, Secretary

MYLARS RECORDED		
05-17	#05-17 - Proposal by Mark Sullivan for a condominium conversion at 54A & 54B Foggs Lane, Tax Map 7, Lot 50-140. Condominium Documents & Bylaws	D32824 12:31 46611
05-18	#05-18 -Proposal by Mark Sullivan for a condominium conversion at 67A & 67B Foggs Lane, Tax Map 7, Lot 51-3. Condominium Documents & Bylaws	D32823 12:31 46612
05-21	#05-21 Proposal by Allen & Cathy Felch for a lot line adjustment at Acorn Drive, Tax Map 12, Lots 20-20 & 20-30.	C32821
04-19	#4-19 Proposal By Carl B. Bergeron Jr. Trust For A 3-Lot Subdivision at 63 Collins Street	D32822