

**PLANNING BOARD MEMBERS PRESENT:** Chairman Susan Foote, Vice Chairman Mark Preston, Peter Evans, Paul Himmer, Barrie Glidden III, Alternate: Michael Lowry.

Others Present: Paul Garand, CEO, Thomas Morgan Town Planner, Michael Fowler Town Engineer

**MEETING OPENED:** Chairman Susan Foote opened the meeting at 5:55 p.m. and suspended the meeting at 5:56 p.m. to go into Executive Session with Planning Board Attorney, Walter Mitchell.

**MEETING REOPENED:** Chairman Susan Foote reopened the meeting at 6:57 p.m.

**MINUTES** of May 18, 2004

**MOTION:** *Peter Evans* *To accept the minutes of May 4, 2004*

**SECOND:** *Michael Lowry* *UNANIMOUS*

**SECRETARY'S NOTATION:**

- Planning Board Member, Peter Evans excuses himself from the Board.
- This portion of Planning Board meeting recorded by video camera.

Public Hearing opened at 6:58PM

**#4-13 - Proposal by Ledge Road Realty Trust to amend a subdivision approval for the Border Winds subdivision, a.k.a. Border Winds Avenue and Randall Drive.** Atty. Steven Ells, Henry Boyd, Jr., Parker Survey representing David Benoit/Ledge Road Realty Trust.

Chairman S. Foote addresses the audience and states that the Board is familiar with the abutters' concerns discussed during past meetings on this plan. In an effort to save time, only new issues are to be considered tonight. If an abutter wishes to go on record regarding issues discussed in the past, please state name and address then just say "ditto".

S. Ells - states plan before the board is the same amended plan as previous presented. No modifications have been made to this plan.

H. Boyd, Jr. - states plan is same plan presented at meeting held at the library. We have added Sloped Granite Curbing to the first 300 feet of the road and some minor modifications to some catchbasins. Have taken into account all of the concerns of the abutters. Plans have not been revised and stands on what was initially presented to the board.

**ABUTTERS**

Jason Page - asked if Board had talked with their counsel to verify what happened at mediation.

S. Foote - Yes

Abutter Jason Page states he remains totally against the plan being presented. Wants the original plan enforced. Mary Jo Kryskow 10 Border Winds Ave., William Demeras 55 Border Winds Ave., ditto Mr. Page.

Katherine Evans - questions H. Boyd, Jr. about comment considering people are satisfied with their drainage and asks what relevance that has with what you are presenting now? Have you considered getting rid of the swales, the extra catchbasin? H. Boyd, Jr. - hoping to get input from the board. Got impression from last meeting that some people were satisfied with drainage on their property at this time. In areas where drainage is not creating problems, it may be possible to eliminate that swaling technique and construction method if the stormwater is getting to the treatment areas properly without causing damage.

Bruce Pingree, 33 Border Winds Ave., Abutter Menas, Charles Gunn 62, Border Winds Ave., David McDowell 17 Border Winds Ave., Mike Magliaro 29 Border Winds Ave., Susan Leck Border Winds Ave., ditto Mr. Page.

Susan Foote, Chairman - officially closes the Public Hearing of Case #4-13 at 7:07 p.m.

Mark Preston states he sees same plans coming before the board, everything except for the original plan. States he was the person that reaffirmed the original plan by denying an amendment to it. Abutters have spoken. Engineer from Jones & Beach spoke at a previous meeting that the granite curbing would work, as in the original plan.

**MOTION:**     *Mark Preston*                     *To deny the plan before them #4-13 - Proposal by Ledge Road Realty Trust to amend a subdivision approval for the Border Winds subdivision, a.k.a. Border Winds Avenue and Randall Drive.*

**SECOND:**     *Michael Lowry*                     *UNANIMOUS*

Abutter W. Demaris questions time frame for this plan and what power does Planning Board have to enforce it. T. Morgan states that it is enforcement issue to be brought before the Selectmen. S. Foote - by denying this proposal it tells them to abide by the first plan.

Atty. W. Mitchell - Reinforces statement that this board makes decisions but has no enforcement authority, that is in the hands of the Selectmen. Don't lose sight of the fact that the boards decision denying the plan in August is under appeal in Court and that appeal is going to have to be heard. The court is going to have to speak as to whether the board made the correct decision then or not. States that he doesn't want anybody to leave here forgetting about that. Mediation was an effort, mandated by the court, to try to resolve an issue without going to trial. Obviously wasn't successful and the trial still needs to go forward.

D. McDowell - concerned that this situation be dragged out and states issues concerning maintenance of road - especially snow removal. It is recommended by the board that he address his concerns with the Selectmen.

**SECRETARY'S NOTATION:**

- Planning Board Member, Peter Evans returns to the Board.
- The video camera is removed.

**#4-14 - Proposal by Richard A. Adams Revocable Trust for a 2-lot subdivision off of 243 Lower Collins Street, Tax Map 14, Lot 43.** John Davis representing Richard A. Adams.

J. Davis addresses T. Morgan's comments:

1. Installation of wetland boundary markers now depicted in 7 different places.
2. FEMA floodplain map zone boundaries are now depicted - Elevation 9.
3. Drainage from proposed dwellings now depicted on plan. Added more spot elevations and added Note on remaining lot - upon development of tax map 14, lot 43 gradings will provide positive drainage from primary structure.

**ABUTTERS** - None

**MOTION:**     *Mark Preston*                    *To approve #4-14 - Proposal by Richard A. Adams Revocable Trust for a 2-lot subdivision off of 243 Lower Collins Street, Tax Map 14, Lot 43.*

**SECOND:**    *Michael Lowry*                *UNANIMOUS*

T. Morgan questions J. Davis if he wants both mylars presented to be recorded at RCRD. Yes.

**#4-15 - Proposal by Seabrook Holdings II, LLC to erect a Provident Bank office off the South Access Road, Tax Map 8, Lot 51-1.** Wayne Morrill, Jones & Beach Engineers representing.

Stated that they were preliminarily before the board on April 6, 2004. House currently on site will be removed. Site Plan Sheet C2 proposing temporary banking unit to be installed while the bank is being built. All utilities going to existing building will stay in place to be connected to the proposed building. Drainage designed for this site was approved by Board when they did the four commercial sites for CVS, McDonalds and Pizza Hut. The plan before the board has the grading along South Access Road that was approved by this board. That grading was not done as part of the residential house, but has to be done for this amount of impervious to be on this site. Now have extensive landscaping plan - Sheet L1. Lighting plan has been modified with different kind of fixture and will be asking for waiver. Not the typical shoebox type of light. This fixture does cast light down, but is more architecturally pleasing with the style of the proposed building. Also asking for waiver from the drainage report. Drainage report and plans were submitted when original lots were done. The calculations are the same as was originally designed, therefore, did not feel they needed to submit a new drainage report to this board, as it was consistent with what was prepared before. Added sidewalk detail on sheet D1 and crosswalk has been added to site plan.

## Town of Seabrook PLANNING BOARD

May 18, 2004

Etoile H. Holzaepfel, Landscape Architect explained the extensive landscaping plan in detail.

P. Evans questions if landscaping will survive without irrigation system. W. Morrill explains that there is an irrigation system on the site and a well was drilled before CVS was built. S. Foote - commends the landscape architect on her vegetation scheme.

T. Morgan - confused about history of drainage. W. Morrill states that plan before them was the one approved for the original development. Drainage that they are proposing today was actually conforming to the plan that was actually approved by this board. T. Morgan - questions if what is out there now is conforming. W. Morrill - No. The drainage presently is that the swale in front was filled and a drainpipe was put in, with no outlet. No impervious structure out there, impervious numbers were down, so there was no need for all the big swales. Now there will be a need for the big swales. T. Morgan asks if CVS will change. W. Morrill - CVS will not change - only this site.

M. Fowler -Improvements on plan should have no issues with off-site impact.

S. Foote -discusses history of this area and that the retention pond did not initially infringe of South Access Road. W. Morrill adds that land was traded in back for frontage, thus resulting in change of retention pond infringement. The State requested that the South Access Road be widened.

W. Morrill informs the board that the Historical Sign for the old Seabrook Library site is ready to be erected on the CVS site.

W. Morrill addresses T. Morgan's comments:

4. Requesting waiver on stormwater calculations.
5. W. Morrill explains proposed traffic circulation. Asking for two-way circulation for better flow of traffic. Allowing for traffic to get off the site as cleanly as possible.
6. Asking for waiver on Article X, Item B - previously discussed. Proposed lighting on Sheet C4. T. Morgan asks if photo-metrics meet with regulations. W. Morrill states they do, that there is no site spillover. S. Foote - questions clear or frosted bulb. W. Morrill believes clear and reiterates that light casts down. M. Preston notes that this does not abut a residential area.
7. Crosswalks now connect sidewalk segments.
8. Sidewalk construction specifications have been added to Sheet D1.
9. Previously discussed.
10. M. Fowler recommends \$21,000 performance bond.

S. Foote - discusses slope granite curbing and vertical granite curbing. The state once requested SGC and now asks for VGC. Explains that rectangular straight granite is used and set it on a slope - thus the integrity of the sidewalk is compromised where the concrete "marries" the edge of the granite. S. Foote - asking the board to consider waiving SGC to VGC on this site to follow example of the State. W. Morrill explains the SGC is around the perimeter of the site and VGC is around the building itself. S. Foote confirms that everywhere it specifies SGC, it abuts up to dirt. W. Morrill - that's correct.

**ABUTTERS** - None

Paul Sturgis - 75 Washington Street explains corrective measures for curb integrity.

**MOTION:** *Michael Lowry* *To waive Article X, Item B of Site Plan Review Regulations concerning lighting requirements.*

**SECOND:** *Barrie Glidden, III* *UNANIMOUS*

**MOTION:** *Mark Preston* *To waive Article IX, Item E - Storm Water Discharge (Drainage Report).*

**SECOND:** *Paul Himmer* *UNANIMOUS*

**MOTION:** *Mark Preston* *To set Construction Bond for #4-15 - Proposal by Seabrook Holdings II, LLC to erect a Provident Bank office off the South Access Road, Tax Map 8, Lot 51-1, in the amount of \$21,000 to last for the term of two years and that the bond shall be an irrevocable, self-calling letter of credit, or cash, or passbook in a New Hampshire Bank or FDIC Bank that has offices in New Hampshire.*

**SECOND:** *Michael Lowry* *UNANIMOUS*

**MOTION:** *Peter Evans* *To approve #4-15 - Proposal by Seabrook Holdings II, LLC to erect a Provident Bank office off the South Access Road, Tax Map 8, Lot 51-1.*

**SECOND:** *Michael Lowry* *UNANIMOUS*

M. Huddell asks T. Morgan if waivers should be on Notice of Decision. T. Morgan - No, just put waivers in the minutes. List bond as amount and duration on NOD.

**#4-16 - Proposal by Jean K. Gove 1987 Trust for a 2-lot subdivision at 33 Gove Road, Tax Map 7, Lot 50.**

Wayne Morrill, Jones & Beach Engineers representing.

This piece of property left over from 15-lot subdivision. There is town 50 ROW through that 15 lot subdivision property.

Mrs. Gove is subdividing this lot for her son. The trailer will not be moved up to the front, he will be building a brand new house up front. It conforms to setback regulations; a sewer easement runs through one portion of this lot. The reason sewer easement is there is to avoid a well that services the existing house. Wetlands were delineated by Mark West - Note #9 states that all wetland boundaries will be clearly marked prior to the start of construction.

M. Preston questions that, when considering the first section on this, the reason that the sewer easement was to come through was, a) it would be easier and b) for future expansion of a 50 foot road.

He further states that by creating this lot, you won't be able to put the road in. W. Morrill - states he can create the road. He indicates on plans how it can be done. Scott Mitchell states that they made sure it tied in. W. Morrill - states that if there is further subdivision of this large lot sometime in the future, there are potentially several more lots if the house were to be demolished. M. Preston - states it would have been nice if you had brought that in with the original plans for subdivision. W. Morrill - Mrs. Gove would not allow us come in with that kind of design at this time. At this time, this is all she is allowing us to do. It will not interfere with the continuation of this road.

M. Preston questions if there is a possibility of subdividing Mrs. Gove's homestead property with the lot next to it, is there enough frontage to make two more lots. W. Morrill - No. S. Foote - questions the reason the sewer easement "kicks" out at an angle is because of well. W. Morrill - points out well and states they are trying to maintain the 10 foot separation with the sewer line, and ties in nicely with the road already there - does not hit any waterlines or hydrants. M. Preston asks how much frontage is on current lot onto Gove Road. W. Morrill - exactly 100 feet. M. Preston - questions again if there is 200 feet from corner boundary to her lot line on other side. W. Morrill - it is if you don't put a road in. What we have already said to the board is, this is being left open, we are not developing this. Right now there would be a little over 200 feet. M. Preston - so you could come back next week and state that she wants to give her other son a lot. W. Morrill - we could, but that would go against everything we told the last time we were in. S. Mitchell - states he told board they were going to do that the first time they came in. The abutter brought that up and we told you that was going to happen. We just couldn't make the submission date to change the plans for the subdivision, to include this. Nor did we want to. W. Morrill - states this ROW and easement is set up for future development. We told this board that we wanted to make sure that that was like that. It's lined up so that this lot can go in and tie into this roadway and not have a problem. M. Preston - questions that if you put a road through the middle of that property, it would open up the possibility of four more house lots on the other side. S. Mitchell - No. W. Morrill - states it only comes up with three.

T. Morgan - states that at last meeting you presented a compromise - running a 50-foot ROW to edge of the lot. He questions if there is any reason why they can't do the same tonight - running a 50-foot ROW all the way to Gove Road. S. Mitchell - I'm not going to do it. I really think you are overstepping your bounds on this. M. Preston - but subdivision regulations want roads to connect. S. Mitchell - states he understands that and that's why they set up 50 ft ROW on Gove subdivision. He further states he can't put 50-foot easement through somebody's property who doesn't want to develop it. S. Foote - questions isn't client already developing it, by developing the back. S. Mitchell - states the client wants to leave this intact. T. Morgan - states he's looking for lines on paper, not to get out there with a bulldozer. P. Evans - questions what assurances does the board have? T. Morgan - states they have is verbal assurances, but are looking for something in black and white. S. Mitchell - states the board cost him a lot by creating a 50 ft. ROW. M. Preston - points out that they added a couple of duplexes. P. Garand - the town wants connecting roads. S. Mitchell -states that at this point they don't want to develop it. they tried to convince them - the client doesn't want to kill the character of her house. T. Morgan - states he is suggesting lines on paper. Obviously the town is not going to build a street; they are going to wait for something to happen. But there should be some assurance to the board that there really will be a connection. S. Mitchell - states they have to come back to this board if they ever further subdivide this, they can't just subdivide it. He further states that if this piece ever has to be further subdivided, they have to come before this board and then the board can deny it if they're not happy with it. This lot meets the minimum lot size, meets all the requirements and there is no reason for the

board to deny it. He further states - I really think you are overstepping your bounds to ask us to do that Tom, I really do. And I know she is not going to do it...I've had that discussion. P. Garand - questions getting something in writing. S. Mitchell - if they come in and have another lot with 100 ft, like M. Preston stated, the board can deny it - we're fine with that, you guys have the power. P. Evans - you could make the same argument for the next 100-foot lot. S. Mitchell - they can't put a road through, there's not enough land to put a road through. M. Preston - reiterates that they could have the same argument coming back saying ...meets all the requirements, she doesn't want to develop it, we want another lot.

S. Mitchell - we are not going to come back to you for another lot. If we come back, it is going to be for the road to go through and there is to be five lots there. P. Garand - questions if the length of that road warrant five lots. W. Morrill - looking at the amount of land that Seabrook has left to develop and eventually someone is going to figure out that it probably does makes sense to put in a road.

S. Foote expresses concern that 50 foot ROW could be diminished to 30 foot ROW when developing lots. Major subdivision vs. minor subdivision road ROW requirements. Questions if there can be Note written. S. Mitchell - just say no further subdivision will be allowed - make it part of the condition.

Unless the road goes through. I don't have problem with that, but I am not going to give an easement.

S. Foote - I understand the reasoning for no easement. S. Mitchell - Restates he doesn't have a problem that any further subdivision on this land will not be allowed.

S. Foote - I would like to see some sort of note that would indicate that should there be any future subdivision, there shall be continuity of streets and there shall be a 50 foot right of way connecting Gove Road with the new road. My concern is potential manipulation of major subdivision vs minor subdivision. Saying that the lot where the house is, is facing Gove Road so that's not included. Then only three lots are being created and you're going to go from 50 ROW to 30 ROW. S. Mitchell - I understand. P. Garand points out that, at this time, they wouldn't even need to do a subdivision to put another house on that lot. They could condo it and leave it, without doing a subdivision on this property.

T. Morgan - have you discussed condo with your client? S. Mitchell - we don't want to do a condo. T. Morgan - but have you discussed it with your client. S. Mitchell - No. T. Morgan - are you willing to? S. Mitchell - No. It's something we don't want to do. She's going to look to me to advise her on that, and I don't want to do a condo, I want to do a subdivision of a lot of record that meets all the requirements of the town. T. Morgan - but she is the property owner. S. Mitchell - that's right. P. Garand - would you state that there won't be another structure at this other lot. S. Mitchell - can't do that - what if he wants to build another building - say a barn. P. Garand - he can build another structure, he cannot build a second dwelling structure on the large parcel. You say they want to preserve it, so that's one of the stipulations. If you subdivide it, there is nothing stopping you, with zoning laws, of going in and adding another structure to this lot. This way, if you want to do further development on this lot, you have to cut the road in. S. Mitchell - I don't think I can do that. I'd have to talk with her about that. But I don't have a problem with putting that if this is further subdivided, that it would require the streets to connect. I have no issue with that whatsoever.

P. Garand - again asks that there can be no other dwelling structures on this lot. S. Mitchell - I can't put that type of restriction on that. I would have to talk to an attorney about that. I think you are taking away peoples property rights. P. Garand - we gave her enough rights in the back, a cul-de-sac when she could have put the road all the way through. T. Morgan - addresses S. Mitchell that the regulation he is challenging, has been common practice all over the United States for the last 50 years. It is not a radical idea.

**Town of Seabrook                      PLANNING BOARD                      May 18, 2004**

S. Foote - the road doesn't have to be developed, she doesn't ever have to go forward and build it. S. Mitchell - I understand that. M. Preston - putting a second dwelling, without that stipulation, and there goes the road. S. Mitchell - poses the question, if there was another dwelling there, why would you care if there was a road. M. Preston - we wanted the road to come through. W. Morrill - why don't we add a note to the plan that says any further development of Lot 7-50 will require the dedication of a 50-foot right of way to the Town of Seabrook. That way if he goes in for another structure, at that time the road issue will be dealt with. S. Mitchell - I'm fine with that.

**ABUTTERS - None**

**MOTION:**        *Mark Preston*                      *To approve #4-16 - Proposal by Jean K. Gove 1987 Trust for a 2-lot subdivision at 33 Gove Road, Tax Map 7, Lot 50, with note added to plan stating that if Lot #7-50 should be developed in any way, there shall be a 50 foot right-of-way connecting Gove Road with Jean Drive to the west and to have chairman sign it.*

**SECOND:**        *Peter Evans*                      **UNANIMOUS**

**#4-17 - Proposal by Angelo C. Didio Building & Realty, Inc. for a condominium conversion at 10 Whitaker Way, Tax Map 4, Lot 19-20.** Wayne Morrill, Jones & Beach Engineers representing.

Site plan that was in front of this board some time ago for seven lots on Whitaker Way - now being condominiumized.

W. Morrill addresses T. Morgan's comments:

1.        Dashed Phase 1 - Phase 2 line is for the building itself. The first three units are going in as part of Phase 1. Phase 2 are Units 4 & 5. The parking lot is to the edge of pavement and can see "not yet complete" on the remaining part of the property.

**ABUTTERS - None**

**MOTION:**        *Peter Evans*                      *To approve #4-17 - Proposal by Angelo C. Didio Building & Realty, Inc. for a condominium conversion at 10 Whitaker Way, Tax Map 4, Lot 19-20, insofar that it meets the Seabrook condominium regulations.*

**SECOND:**        *Mark Preston*                      **UNANIMOUS**

**#4-18 - Proposal by Richard & Tammy Wright and John & David Tucker for a lot line adjustment at 65 Washington Street and 136 Walton Road, Tax Map 10, Lots 85 & 93.** Henry Harrison Boyd, Jr. representing.

Essentially the Wrights will be purchasing Parcel A from the Tucker piece.

H. Boyd, Jr. addresses T. Morgan's comments:

1. Has been addressed.
2. Property line location determination - has been trying for 2 ½ years to determine the westerly line of Mrs. Joyce Brown and continue to do so. It may have to be resolved with a boundary line agreement. Doesn't believe that this has an affect on the proposal before the board. There is an existing lot of record. A pre-existing non-conforming lot that is being made larger by adding three acres to it.
3. Asking for waiver for topographical contours. Tammy and Richard Wright do understand that if they try to further divide the parcel, or place structures on it, it would require topographical contours.

**ABUTTERS**

Robert Wright speaking for Joyce Brown - Confirms that Lot 10-86 is being surveyed and there is a discrepancy in the lot line.

Ruth Sturgis - questioned wetlands in back area and inquired if there was any way to get a road to her backland. S. Foote - explains that this doesn't pertain to this case but offers information concerning Town regulations. A short discussion ensued.

**MOTION:** Mark Preston To waive topographical contours.

**SECOND:** Michael Lowry UNANIMOUS

**MOTION:** Mark Preston To approve #4-18 - Proposal by Richard & Tammy Wright and John & David Tucker for a lot line adjustment at 65 Washington Street and 136 Walton Road, Tax Map 10, Lots 85 & 93.

**SECOND:** Paul Himmer UNANIMOUS

**#4-19 - Proposal by Carl B. Bergeron Jr. Trust for a 3-lot subdivision at 63 Collins Street, Tax Map 10, Lot 78.** Henry H. Boyd, Jr. representing.

H. Boyd states - The lot is oddly shaped due to some "jiggy-joggy" stuff.

H. Boyd, Jr. addresses T. Morgan's comments:

1. Recording fee has been paid.
2. Stormwater calculations - traditionally not submitted on minor subdivision roadway. Designed a mountable berm at the end that will direct stormwater through stone-filled swale.
3. Sewer pump station specifications - Superior Concrete is designing the pump station for the town, directly. It will be reviewed and approved by Warner Knowles. Will be going from

**Town of Seabrook                      PLANNING BOARD                      May 18, 2004**

single pump to duplex system placed within the town ROW. M. Fowler questions intent of road - public or private. H. Boyd, Jr. - it will be public. Note indicates proposed sewer easement to the Town of Seabrook.

4. Wetland boundary markers - Note #3 states locust posts with wetland shields affixed.
5. Fire hydrant - hydrant symbol was difficult to see, so labeled it proposed hydrant.
6. Street name - Bergeron Way has been approved by Fire Chief.
7. Streetlight - would prefer to seek Street Light Committee's suggestion on proposed streetlight.
8. Proposed 2A and 2B do not accommodate zoning boxes - Lot 2A is the worst because of the nature of the lot. Things that have happened in the past to these lots have created a hardship. Consider that structure is in place with no further expansion. Lot 2B spills into the turnaround area. Feels it does comply even though it does spill. May have to get waiver for this.
9. Lot lines perpendicular - Mr. Bergeron wanted to keep his garage - gave him one foot over the building setback required and away from wetlands.
10. M. Fowler suggests \$55,450.

H. Boyd, Jr. addresses J. Starkey comments:

Questions bituminous berm - wanted to keep water coming to that area away from abutter's property. Bituminous concrete berm not shown in section form, but details on Sheet 4. Bergeron Way will not have a sidewalk. The standard materials are 8 inches and 4 inches for a minor road, which is depicted on cross-section.

M. Fowler questions sheeting off bituminous concrete berm and concerned with abutting property. H. Boyd, Jr. will revise cross-section to indicate more clearly its intent.

P. Garand - asks how far down the road are next hydrants - going either way. H. Boyd, Jr. paced 325 feet and 225 feet respectively.

**ABUTTERS** - None

**MOTION:**     *Mark Preston*                      *To waive 100 foot zoning box for Lots 2A and 2B.*  
**SECOND:**     *Paul Himmer*                      **UNANIMOUS**

**MOTION:**     *Mark Preston*                      *Based on recommendation of Town Engineer - to set Construction Bond for #4-19 - Proposal by Carl B. Bergeron Jr. Trust for a 3-lot subdivision at 63 Collins Street, Tax Map 10, Lot 78, in the amount of \$55,450 to last for the term of two years and that the bond shall be an irrevocable, self-calling letter of credit, or cash, or passbook in a New Hampshire Bank or FDIC Bank that has offices in New Hampshire.*  
**SECOND:**     *Michael Lowry*                      **UNANIMOUS**

Town of Seabrook

PLANNING BOARD

May 18, 2004

*MOTION: Mark Preston*

*To set Maintenance Bond for #4-19 - Proposal by Carl B. Bergeron Jr. Trust for a 3-lot subdivision at 63 Collins Street, Tax Map 10, Lot 78 in the amount of \$5,545 to start when the Construction Bond is released, and shall remain in effect for two years.*

*SECOND: Michael Lowry*

*UNANIMOUS*

*MOTION: Peter Evans*

*Based on input from Town Engineer, propose to waive the Stormwater calculations requirements.*

*SECOND: Paul Himmer*

*UNANIMOUS*

*MOTION: Peter Evans*

*To waive Article VI, Section S of the Subdivision Regulations requiring lot lines to be perpendicular to the street.*

*SECOND: Michael Lowry*

*UNANIMOUS*

*MOTION: Peter Evans*

*To approve #4-19 - Proposal by Carl B. Bergeron Jr. Trust for a 3-lot subdivision at 63 Collins Street, Tax Map 10, Lot 78.*

*SECOND: Mark Preston*

*UNANIMOUS*

**SECRETARY'S NOTATION:**

- Copies of signed plans to be acquired for DPW and Water/Sewer. H. Boyd, Jr. asked to bring in more copies for Chairman to sign.

Henry Boyd, Jr. approaches board requesting to be put on agenda for June 1, 2004 for minor engineering modifications to Nicholas Way.

**#4-20 - Proposal by Tiki Trust and Edwin & Maureen Adams for a lot line adjustment at 337-359 Lafayette Road, Tax Map 9, Lots 62 & 238-1.** Wayne Morrill - Jones & Beach Engineers representing.

In reference to Lowe's plan - there was backland property owned by Mr. Adams. This lot is payback to Mr. Adams for his piece of land that was part of the Lowe's development. There was a set square footage and acreage that was needed to be given to Mr. Adams. They needed the correct frontage to make it a legal lot, but the land area was set as part of that purchase. That is why there are pork chop lots.

Their client has acquired the lease interest on Adams and Parker on the large portion that is behind this parcel, and now is in the process of trying to locate the 48 individuals that share a 1/3 ownership of a parcel out back.

The backland property will be a lot consolidation once he locates all 48 people to make this one parcel that has frontage on Route 1 for the larger property. P. Garand asks if there are any future plans for

**Town of Seabrook                      PLANNING BOARD                      May 18, 2004**

Boynton Lane to be an traffic lighted intersection at any time. W. Morrill - would have liked to, but Mr. Adams had stronghold because of land transfer. P. Garand states that it would have helped residents of Boynton Lane. S. Mitchell - we will look at that when we come back for Phase 2 - we hear what you are saying.

W. Morrill addresses T. Morgan's comments:

1. Lot configuration explained.
2. Licensed land surveyor stamp affixed.
3. Need waiver for wetlands delineation.
4. Acreage of land transfer is now noted.
5. Need waiver for topographical contours.

W. Morrill note that it has been added that they have granted themselves a 12-foot wide highway easement on Adams piece so that all highway improvements can be taken care of from the Lowe's development. A six-foot easement already existed on Tiki Trust, but has been expanded to 12 foot.

**ABUTTERS - None**

**MOTION:**     *Peter Evans*                      *To waive the wetlands delineation and the requirement for topographical contours.*

**SECOND:**     *Mark Preston*                      *UNANIMOUS'*

**MOTION:**     *Mark Preston*                      *To approve #4-20 - Proposal by Tiki Trust and Edwin & Maureen Adams for a lot line adjustment at 337-359 Lafayette Road, Tax Map 9, Lots 62 & 238-1.*

**SECOND:**     *Michael Lowry*                      *UNANIMOUS*

Wayne Morrill approaches board requesting to be put on agenda for June 1, 2004 for informal on London Lane. One plan with four applications. T. Morgan requests W. Morrill email him the list of applicants

**CORRESPONDENCE**

- Memo from F. Welch - Outstanding Incomplete Subdivisions. S. Foote states need to address with Public Hearing, Public Notice to the applicants so that we can wrap up outstanding issues on these subdivisions. P. Garand inquires if we have to do complete mailing to each of the abutters. S. Foote - No, just the applicants in charge of the subdivision. T. Morgan - refers to Atty. Mitchell's comment on Compliance Hearing - states that they would require same notification as any other Public Hearing. M. Preston notes that last inspection on these was in 2003. Maybe they need new inspection before we do Public Hearing. S. Foote - Compliance hearing is to finalize, put it to bed, or reject it. To discharge the bonds - even if there is no money left, the paperwork is still hanging. M. Fowler - Bills Way is going to resolve itself rather shortly. S. Foote - asks P. Garand what other things are outstanding, maybe work with Tom, Melanie and herself. P. Garand states he went through whole list of bonds from Suzanne and went through

**Town of Seabrook**

**PLANNING BOARD**

**May 18, 2004**

which ones were closed, which ones needed to be revisited, which ones needed to be finished and accepted by the Town. Will have for next meeting. S. Foote - would like to have this wrapped up by June or July.

- Memo - Stress Management for Women \$39  
**MOTION:**     *Mark Preston*                    *To approve Melanie Huddell to attend Stress Management for Women.*  
**SECOND:**     *Paul Himmer*                        *UNANIMOUS*
- Outstanding Planning Board Bills as of 4-30-04
- Memo from Christine Soucie - Planning Board Bonds

**DRIVEWAY PERMIT APPLICATIONS - None**

**OTHER BUSINESS**

Board member inquiry as to whether Planning Board has Selectman's Representative any longer. Yes - Asa Knowles. Additional inquiry as to whether there had been any resolution as to who would be alternate for Selectman's Rep. Not known.

**MEETING ADJOURNED** at 9:50 p.m.

Respectfully submitted,

Melanie J. Locke-Huddell

<b>MYLARS RECORDED ON 5/21/04</b>		
<b>#4-1</b>	John Colliander & Henry Imke move lot line and subdivide two lots to four lots on land situated between Chase Drive and Route 107, Tax Map 5, Lots 2 and 8-40.	D-31631
<b>#4-14</b>	Richard A. Adams Revocable Trust for a 2-lot subdivision off of 243 Lower Collins Street, Tax Map 14, Lot 43	D-31633
<b>#4-18</b>	Richard & Tammy Wright and John & David Tucker for a lot line adjustment at 65 Washington Street and 136 Walton Road, Tax Map 10, Lots 85 & 93.	D-31632
<b>#4-20</b>	Tiki Trust and Edwin & Maureen Adams for a lot line adjustment at 337-359 Lafayette Road, Tax Map 9, Lots 62 & 238-1.	D-31634

Town of Seabrook

PLANNING BOARD

May 18, 2004