



Town of Seabrook Planning Board Minutes

Monday, May 7, 2007

NOT OFFICIAL UNTIL APPROVED

Members Present: Sue Foote, Chair; Mike Lowry, Clerk; Aboul Khan; Robert Moore, Ex-Officio; Tom Morgan, Town Planner; Barbara Kravitz, Secretary;

Members Absent: Mark Preston; Peter Evans, Vice Chair, Paul Himmer; Betty Thibodeau, Alternate;

Chair Foote called the meeting to order at 9:10 PM.

CORRESPONDENCE

Foote read from a letter dated May 2, 2007 from **Attorney Jason Cotton of Peabody & Arnold, LLC, on behalf of Ramona Bieder, requesting release of the balance of the cash security held in escrow for Case #2000-14 - Elephant Rock subdivision.** Cotton acknowledged receipt of the cash security except for the maintenance amount, but argues that once the roadway has been accepted and a winter has passed, it should be unnecessary for the Town to retain any cash security. Further Cotton states, to his clients' knowledge, there was no agreement to retain [maintenance funds] when the cash was deposited, nor to the circumstances when any escrowed funds might be used by the Town. Cotton says his client is agitated by the unexpected retention of \$5800.00 and uncertainty of the terms. She does not understand why any retention period should be measured from the February date of road acceptance by the Town when the road work was completed the previous October. Cotton also referenced the length of time it took for the work to be done. Foote noted the Applicants reside in Rhode Island and Virginia where winters may not be as severe. Garand said the Board should stick by the regulations no matter how long it took the work to be done. That is a cost of doing business. It was a poorly run subdivision. Any problems concerning the construction period are a civil matter. The Applicant must comply with the Town's standard regulations. Lowry said to send a copy of the regulations. Moore said the Board would want to keep on with the normal practice.

Motion:	Foote	to send a letter, with a copy of the pertinent regulations, informing Attorney Jason Cotton re Case #2000-14 that it is standard Planning Board procedure to hold maintenance security equal to ten-percent of the original construction security amount for a period of two years from the date the Board of Selectmen accept a road, therefore, the two-year maintenance security in connection with Case #2000-14, will be retained accordingly.
Second:	Moore	Approved: Unanimous

POLICY AND PROCEDURES WORK SESSION

Copies of Evans' memo describing his recommendations for improving Board and meeting procedures were distributed to members. Evans' main objectives were to "keep meetings to a reasonable length while making sure the Board covers all relevant points". Specific recommendations included (i) one speaker at a time directing their comments to the Chair, (ii) recognizing abutters (one by one) and



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allowing them to complete their statement, (iii) avoiding Board member debate with abutters, or between abutters, (iv) stating the question before debate - primarily "administratively complete", "approval", or subsidiary, (v) considering one question at a time, and (vi) eliminating the practice of requiring that motions have a "second". Evans memo and the Discussion Points/Directional Review Agenda are incorporated by way of reference in these minutes.

Garand asked if the Board of Selectmen use a second for motions. Moore said they do. The consensus was to retain the "second".

Foote said the various items in the Discussion Points and Directional Review Agenda would be addressed in turn, and thanked Kravitz for coherently assembling and compiling the background material and discussion memo. The guidelines resulting from the work session will be compiled for a Public Hearing.

Foote noted the Planning Board files comprise both the Bylaws (1994), and the Rules of Procedure (amended through 03-01-95.) which substantially replaced the Bylaws. Items (i) clarifies this discrepancy.

Garand asked why the Board sees an application that is not complete. Foote said, statutorily, it is the Board's responsibility to determine whether an application is complete. The Board should do this at the first Public Hearing. For the benefit of abutters and Board Members, the Applicant should be allotted fifteen minutes at that time for an executive summary of the project. Then the Board should immediately decide if the case presentation and materials are administratively complete. If so, the case moves into the Tech Review process. If not, options are to continue the case allowing items to be submitted over time, or not accept it at that time because it is administratively incomplete and a premature submission. Moore said Kravitz & Morgan do the administrative review, the abutters are notified, and a case comes to the Board with Morgan's recommendation which should be accepted unless there is a glaring oversight. There is no need for premature discussion by the Board. Garand said if cases need to be continued, it should be for longer than the next meeting date. Morgan said the issue is whether the application is incomplete, and said the Beckman's Woods proposal is a good example of the engineer being pressured to get a plan on the agenda. Khan said discussion is a waste of time if an application is incomplete.

Garand asked if incomplete applications could be listed on the agenda and continued to a time certain. Morgan said all three applications at the last Tech Review meeting were deemed incomplete. Foote said partial submissions make for confusion, clutter and extra work for the Planning Board office. Condominium cases are particularly disruptive when floor plans and/or condo papers are submitted separately. Morgan noted a recent case that took months of back and forth communication before deeds and an easement were made correct. Foote noted the additional cost for Morgan's time during this process. Kravitz related a conversation with the Town Engineer who said one town tries very hard to dissuade potential applicants from leaving a package at all if it is not complete, but a case that is submitted must come before the Board within thirty days. Only administrative completeness is addressed at the first public hearing. Board discussion begins at the



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next meeting after all internal review is done; this preserves the Board's valuable time. Lowry said meetings should be two hours. Kravitz suggested the application package be revised to specifically spell out these details.

Moore distributed a draft form of revised application that shortens the paperwork, eliminates duplication, and provides more specification as to what is required and how to make a submission. Foote noted the "procedures" page is outdated. Among Moore's revisions are: directing submissions to the Planning Board "representative" so that the Town Planner can also receive a plan and coordinate with the Secretary. Foote noted in the past there had been one submission day - the last Friday of the month, and the Town Planner was in the office. There was also one monthly Planning Board meeting. Applications now are submitted on other days as well. Morgan noted engineers often deliver several plansets, comprising both revisions and new cases, at the same time. Kravitz said the engineers or applicants should allow time for the application to be checked when submitted before leaving the Planning Board office. The Board discussed Moore's draft which ties the application specifically to regulation provisions; additions/adjustments were suggested. Moore noted it is the Planning Board's function to get the applicant through the process but not to lay out the whole project. Foote said there is dedicated space for a short summary of the project, including key elements, and applicants should complete this section. Garand said the checklist and the need for a written executive summary should be inserted as a requisite in Article V.

Kravitz said one objective is to make the follow-up process systematic. For example, it would be efficient to use e.mail to communicate the results of certain correspondence items, or to make appointments to sign Notices of Decision, and the like. Moore said with that kind of follow-up, and Morgan's review, engineers would not have an excuse to provide incomplete revisions. Morgan asked how materials provided after the Application is submitted would be treated. Moore said the applicant would have to come back to the Board when the missing items are ready. Kravitz indicated Foote had suggested adjusting the timing of the Tech Review calendar. Foote said the idea is that Tech Review would not look at a plan until the Board had accepted it as administratively complete. Now when cases are sent to Tech Review important items like the stormwater report or traffic study can be missing. Additionally, revisions are allowed up until noon on the Friday before the Planning Board meeting, which does not give time for department review of revisions and comments made during Tech Review. Moore said that procedure would surface issues and omissions before the Board addresses a case. Kravitz thought this would actually get many applicants through the process in less time, and cases would reach the Planning Board once for administrative completeness and, if accepted, for approval at a subsequent meeting.

Moore asked if certain applications such as voluntary lot mergers could be approved in a shorter timeframe. Garand suggested the Board have the option to act sooner, if warranted. Kravitz asked Morgan if the procedure being discussed would better help Applicants understand what may be missing, and give the Board more flexibility. Morgan recalled that previously he did preliminary memos which department heads appreciated. Foote said they helped the Board, too, and asked if such commentary could be added at the end of the checklist. Morgan said this depends on the complexity. The proposed procedure sounds good, but asked what happens if an application is eighty percent complete and an item such as the drainage report is submitted after Tech Review. Garand



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said the case would not go to Tech Review until after the Board had determined "completeness". At "eighty percent" completeness, the case would go on the shelf until the first Board hearing. Kravitz said there needs to be enough time for department heads to review revisions. With the proposed schedule, a case accepted as complete on Tuesday could go to Tech Reviewers on Thursday. Foote said it is not fair to department heads to dribble the material in. Kravitz asked if Morgan would be comfortable changing Tech Review to the second and fourth Monday of the month. Morgan said that would be fine. Foote said this would also ease the minute schedule as currently both Tech Review and Board minutes are due in the same week. Kravitz noted that notices to abutters are also in that week. Right now the minutes must be done before anything else to meet the statutory timeframe a little more flexibility would help.

Garand asked if a case number is automatically given when an application is submitted. Foote said that is the only way to keep track. Kravitz said once the number has been assigned it can be put on revisions, which some engineers are already doing. Continuing with the draft application language, Moore said all submissions should be complete in accordance with the regulations, and included with the submission prior to acceptance by the Town Planner. Review by the "Code Enforcement Officer" replaces the "Town Manager" reference. Morgan said if there is agreement that case tech review occurs after the Planning Board has accepted jurisdiction, that language should be added. The members agreed. Foote said the Board will have to vote formally to change the sequence of events. Morgan confirmed this. Moore said, where appropriate, to clarify that early review is by the planning department. Kravitz noted that review by Planning Board counsel should replace "Town Counsel". Foote asked if the agent and owner's signature should be notarized.

Garand asked if there was a way to eliminate the confusion when there is an owner and agent. Kravitz said the agent's detail needs to be on the application for contact purposes. Morgan asked if owner/agent/applicant is too many entities. Foote said often the ownership is transferred before the case is done. Kravitz said a separate, notarized writing to show a change of ownership/title has been used. Garand suggested adding a line making the applicant responsible for notifying the Planning Board when ownership changes. Moore said the aim is to simplify the paperwork. Morgan said if someone wants to defraud they will find a way. Foote suggested including in subdivision regulations a phrase that says if a project owner/applicant/engineer changes before the Planning Board case is closed, the Planning Board must be notified and a new owner must accept responsibility for the process and, if approved, completing the conditions. Additionally, Garand said if a case is still active before the Planning Board, a subsequent case on the same parcel will not be accepted until the first one is approved and the conditions have been met. Waivers should be submitted prior to the acceptance hearing when they may be approved. Foote said waiver requests should have a full explanation. Moore said this discussion takes care of application et al review.

Kravitz asked if items discussed under A. Rules of Procedure are agreed. Members indicated that is the consensus. Foote said much of Item B had already been discussed including: (i) Foote redoing the schedule together with Kravitz & Morgan, (ii) moving Tech Review to the second and fourth Monday, and (iii) cases are not sent to Tech Review before the Board accepts jurisdiction. Garand



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asked about the review process. Foote said all comments should go to the Planning Board office to be collated

and sent to the engineer/applicant with the Tech Review minutes. This prevents confusion and continuous commenting and revisions. Garand said then everyone is on the same page throughout. Foote said this also serves to help control costs for the applicant. Garand reiterated that even if an applicant insists on moving forward, the Board doesn't go forward without a complete submission. Kravitz said the applicant has the option of waiting until the submission is complete. Foote asked Morgan what happens if an inadequate application is submitted. Morgan said State law says the Planning Board shall determine whether an application is complete within thirty days of receiving it. Kravitz asked if there is ever a time that more than one set of public notices has to be sent out. Morgan said the notice can be worded to indicate the Board will consider case acceptance and then on the merits, and he will revise the language. (676:4).

Foote said it is unnecessary for the Board to receive plansets in advance of the "acceptance" hearing, but should receive them prior to the approval hearing. The number of plans for Tech Review and for the Board, and whether distribution will be electronically and/or in hard copy will be detailed and added to the application information. Foote noted discs are being submitted in one layer rather than in AutoCad or the GIS suite with specific well-labeled data layers. Morgan said the planset can be submitted in pdf format, and said copies could be reviewed in that format. Garand said paper copies should also be submitted. Kravitz said most department heads want large paper copies, and there is no way to do this in-house. The plans are to be submitted to department heads before revisions occur, unless an engineer has made revisions after consulting with a department head. Foote said, in this case, a new set of revised plans can be delivered to the Planning Board office, and the original set reclaimed. Garand said when revisions are made after Tech Review, applicant/engineers will need to deliver enough plans for Board circulation sufficiently in advance of the Board meeting. Revised plans will not be accepted at a Board meeting. After Board approval, and final revisions, signed plans will be available for department heads.

Based on this discussion, Morgan said there appear to be four procedural stages:

1. submission of plans and review for completeness by Town Planner and Secretary/Administrator. (30 days begins)
2. acceptance hearing before the Board (65 days begins)
3. revisions after Tech Review and department comments; return to Tech Review with revisions;
4. evaluation on the merits at a Planning Board meeting

Three plansets are needed with the submission; ten for Tech Review; ten revised sets for tech review that reflect previous department heads' comments and that have been reviewed by them; ten current plansets for the Planning Board meeting on the merits. Engineers will be asked to provide CD/pdfs at the outset and when bringing in revisions. The Board will receive a status report and recommendation(s) as to whether cases are, or are not, complete together with the Agenda for the Planning Board's acceptance meeting. If the Planning Board declines to accept a plan because it is incomplete, a new application (and fees) would need to be submitted when ready. Alternatively,



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the Board may continue a case to a date certain or a case may be withdrawn. Garand said the revised schedule should work well, and Morgan said these process changes are an improvement.

Foote will revise the calendar to show new meeting and procedural dates. Additionally, applicants/engineers can be reminded that they may request an agenda date for an informal preliminary "concept" discussion. Clarifying this practice should help control the "correspondence" portion of the meetings.

Garand suggested tightening up best practices by stating no activity will be allowed on a site until approvals are in hand. Foote said once a plan is submitted to the Board, work is "frozen" until the Board has reached its decisions, except for dangerous situations where the Board has allowed the work to be done. Garand said if information, including studies and reports, are not in the door, the Board should not be hearing the case. Proof-of-permit applications are needed, even if the permitting process isn't finished. Kravitz said having experts present reports at a meeting before they have been submitted is not a good practice. Morgan said there is a disconnect between his checklist and the current status. Foote said to return to the detailed Tech Review checklist, perhaps organizing it by departments and noting the date each item is ok'd. Garand suggested that each department head retain his/her checklist until all the requested items have been delivered and the date noted. Kravitz asked if this approach works for Morgan. Garand said it may slow things down but this is necessary. Moore said to note the number of plans needed and the timing for delivering them. Foote said this can be explained in the procedures section. A guide to the process through the stages for the applicant is a good idea.

Foote said 90 days to complete conditions is unrealistic, and the Members agreed the Notice of Decision should be changed to 180 days. Garand suggested a short-form memo re the administrative process, including NODs and recording procedures, be handed to applicants or their representative at the time of approval. Foote said it should also explain that a waiver can be requested if more time is needed. It should also state that during the period between ten and twenty days after the date of approval, applicants need to stop by the Planning Board Office to submit the final mylar and arrange to pick up their approval package (NOD, Security packet and instructions for the pre-construction meeting (if required), signed plan, and/or recording procedures.) Garand said it should state that the approval is null and void after 90 days, if these procedures are not followed . Kravitz said while there has been some success in getting NODs signed, plans should not be recorded if this isn't done. Garand said there should be a penalty if plans, condo docs, etc are recorded by the applicant before Board approval. Foote noted the postage costs are changing; the fee schedule will be reviewed overall. Kravitz noted that applications need to account for the recording filing fees for more than one mylar, easements, etc. Foote said postage should be designated as the "current rate" plus our administrative fee. Foote noted that the Board of Selectmen must ratify the form of easement, deed, etc., and authorize the recording

All agreed the Board should instruct applicants to submit mylars with the final planset rather than up-front to recognize the likelihood of revisions and the need for additional mylars, thus lowering costs to applicants. Digitals of the approved plan, layered as required in the regulations, should be submitted with the mylars, and references to as-builts should be removed from subdivision



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regulations. Garand said because anyone can record documents at the Register, a line should be added to the application to the effect that the applicant agrees not to record documents pertaining to the case or property without Planning Board review prior to fulfilling the approval conditions. Not complying would be violation of approval and could lead to a possible revocation. Members agreed the title block should be as specified in the regulations ie: bottom right position with the revision block visible when the plan is folded; add a location for the Case # in the Title Block. The Board should remove the escrow policy as stated on the Application.

Foote asked Kravitz to summarize her recent conversations concerning Minutes. Kravitz said draft Planning Board draft minutes are placed in the book kept in the Assessor's office within 144 hours after the meeting. Alternate member, Betty Thibodeau believes once that first draft is in the book, no further work can be done on it until the Board meeting. With Planning Board meetings generally lasting more than four hours, and Tech Review meetings lasting more than two hours, much of the work-week is taken up with minutes. Because taking phone calls, doing research, organizing files and reports, sending correspondence, and general office work etc have to be done as needed, minutes are often being done during the weekend. Foote noted minutes generally take a minimum of three hours for each hour of meeting time.

At a recent legal issues seminar at the Office of Energy and Planning Spring Conference, participants raised many questions concerning minutes. In a conversation after the meeting, the attorney-presenter explained to Kravitz that RSA 91A requires that the draft that needs to be in the book within 144 hours comprises the demographics of the meeting, who attended, the agenda items, and actions taken (votes). Work can continue on the draft as needed until it goes to the Board where further revisions can be entered before approval. The draft can be worked on until it is provided to the Board. Even a draft #2 can be put in the book. Garand said he has heard the same interpretation presented at other seminars.

Kravitz said spreading-out the minutes processing timeframe as described by the attorney, could relieve the weekend pressure and related extra costs, and is also likely to enable faster follow-ups eg for NODs, and letter and telephone responses. It would also serve as a quick reference generally, much as the ZBA has. Planning Board minutes are distributed with the Agenda on Thursday before the meeting. Additionally, arranging to post the Agendas on the Website in advance of the meetings would be helpful as there are many phone and e.mail questions as to contents. Foote thanked Kravitz for the report and asked if the members agreed with the abbreviated synopsis of minutes and multiple drafts if needed. If a member has a question or wants more time for review, a request to table the minutes to the next meeting would be in order and doesn't present a problem. Garand commented that if there is a heavy agenda minutes can be postponed. The Members agreed with the proposed format.

Morgan asked if the members favor posting agendas. Kravitz said the Minutes do get posted on the Website after approval. Agendas are not posted in advance of the meeting. Garand said he has suggested to the Town Manager that it would be best if departments could do their own postings from a link off the home-page. The more information on the web, the less traffic in the offices. Moore said the Town Manager is working on how this could be funded; right now the Town is



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stretched. Morgan said most towns and businesses don't have the web server broadcasting out of their office because it is technically challenging. Foote said that also exposes everything else on

the server. Foote said the website is with GLOB-at! The Town needs an IT person. Kravitz said the Planning Board needs a dedicated web page. Kravitz noted the attorney at the OEP conference said tapes of meetings on Channel 22 are considered an archive, and not as a substitute for the written minutes that the Planning Board has looked at and approved. In a court situation, as a courtesy such tapes may accompany the minutes. Copies of a synopsis of State recent land use legal actions will be made available for the Board.

Foote noted several cooperative efforts with other departments. Building & Health, and Code Enforcement are increasing ongoing coordination. Systems are being developed with the Assessor for review of condo docs for compliance purposes in advance of recording them. This will be a big help in avoiding discrepancies with State law after a plan has been approved, because even when an attorney states that condominium papers comply mistakes are found. Applicants/engineers can also obtain project map, lot and street #s in advance of being submitted to the Planning Board. Foote said applicants/engineers should pay a separate fee directly to Assessing for these services. Garand said the Planning Board should receive a fee for extended research time. Also, it would be good for the Assessor to be involved with Tech Review because lot and street numbering is very important. Moore noted in prior years he had discovered improper descriptions in condo docs. Foote said this is best done by someone who can be familiar with a case. Garand said the documents should say nothing can be recorded while a case is actively before the Board. Morgan said that in the past attorneys have been reluctant to review condo docs for the Planning Board, looking to compliance statements from the attorney preparing the documents. The current process was arrived at after discussion with the Planning Board attorney. This will be discussed with the Assessor.

The DPW Manager requests that Stormwater Operations & Maintenance Manuals be filed at the Register. The Town Planner provides a memo to the Board of Selectmen when his review of Town deeds & easements is complete; further procedures will be worked-out with the Town Manager. The security reduction procedures are being coordinated with the Treasurer, who returns security only to the party that provides the funds. In this regard, it may be wise to require both the applicant and the provider of funds to sign the security agreement.

Foote introduced potential land use changes:

(i) *Morgan's comments on a revision concerning road standards distributed by the former Town Manager.* Moore said the original document needs to be the base, and he is addressing this. Morgan said there are conflicts between what the Selectmen adopted and the Planning Board standards;

(ii) *Driveway regulations.* Foote said there is a typo in the driveway regulations - driveways are to be no closer than thirty-feet not "300" feet. Morgan said dropping the extra "0" is ok;



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(iii) *the definition of "well-vegetated"*; Foote said this needs to be clarified to state the understood intent of the zoning regulation revision which referred to the density of trees and not an area of land. The provision was prompted by the Beechwoods project where a half-acre of wetlands was clear-cut and interpreted to mean only fifty-percent was impacted. Moore said it should state fifty-percent over the total area. Foote said the Shoreland Protection Act has a well-written standard for density of trees in the first fifty-feet of shoreland, and perhaps a reference to it might be added and applied to all wetlands and ponds and stream set-backs. Morgan agreed;

(iv) *"withdrawable" land, "convertible land" etc*: Foote said if such terms are introduced, justification as a definition in the Black Law Dictionary needs to be shown. Morgan commented the engineer said this was in RSA 356B. Garand said this should have been checked.;

(vi) *water department and Selectmen approval of water usage prior to final approval of plan*: Foote said Town permits, along with State permits, is an excellent idea for items like water and sewerage usage prior to acceptance. Garand said this should apply to industrial and commercial usage and include wastewater, etc, if applicable. Foote said some towns are applying this to stormwater discharge into the water or underground system, and the volumes could exceed the underground capacity;

(vii) *requiring Planning Board site plan approval before a building permit can be issued for a change of use; and revise definition of "change of use"*: Garand said "change of use" within a zone needs to be more closely looked at, and he is sending parties introducing a change of use to the Planning Board to determine if it wants jurisdiction; Moore pointed out some changes would trigger site plan review. Foote commented Verizon is doing a major addition now. Foote asked Morgan and Garand to develop the wording;

(viii) *require all new construction to use permeable pavement, thus reducing stormwater treatment requirements and increasing groundwater recharge*: Foote said because stormwater is an increasing issue in the Seacoast, DES is beginning to strongly recommend that Planning Boards require all new construction be permeable pavement. There are many new techniques available that would give direct treatment below and reduce the size of detention ponds. However, this may not work for additions to existing pavement because of maintenance issues. Garand said a report system for following-up on maintenance plans needs to be in place: eg: to DPW. Foote said there should be a regular maintenance report schedule eg: quarterly. Foote noted Natalie Landry has filed a complaint against DES (her agency) and DOT because of the abysmal detention pond at the rest area.

(ix) *require all construction and stormwater structures to be built with a minimum of 50-year projection for sea level rise and the ramifications of it's impact on the freshwater aquifer*: Foote said reports are that the ocean is rising at a more accelerated rate than expected, and if it continues, by 2025 two-thirds of Cape Cod will be gone. Moore said the ice pack is increasing at the South Pole, and at some point water will seek its own level. As



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fifty-six percent of Seabrook lives on nine square acres with lower than fourteen-foot elevation, Foote said new road elevations should be higher. Garand commented in a hurricane preparedness situation, Route 1 would close. Foote noted in the last storm two-hundred feet of South Main Street was under water. Foote is providing relevant research about ocean and sea levels rising that should be addressed in the planning stage. Developers should bear the cost of larger culverts. Garand said the standard of fifty-year storms should be higher. Foote agreed, but this doesn't address area flooding. Morgan said the regulations should say the Planning Board will consider elevations on a site-specific basis. Foote noted Beckman Woods is a good example. Garand said the Planning Board has the power to set the rate of growth, and asked if it can set limits on the number of housing units. Morgan said it can but would have to go to Town Meeting. Morgan said designating a project as "premature" is more practical, for example, based on impact studies submitted.

Foote said revising the Master Plan should be considered now, chapter by chapter, and not crammed into six months of 2009. Perhaps we should have Rockingham Planning Commission or another advisor take on some chapters. Morgan noted this will be a cost. Foote said some areas need updating sooner than others. OEP recommends roads, population and municipal services be done every five years. Morgan said for Seabrook the rising sea level is a priority. Foote said the Planning Board should hold a public hearing to adopt the recent Cains Brook Management Plan and the Beach Management Plan done several years ago, and they should be adopted as addendums into the Master Plan and the Capital Improvement Plan. Moore said voters turned down the Beach Master Plan. Foote said it wasn't complete, but the Beach Management Plan is complete. Foote said the work was dropped because of a lot of flack about the prospect of putting cross-boardwalks in front of all beach property to prevent intrusion into the town's property. Morgan said the Planning Board adopting the Beach Management Plan and the Cains Brook Management Plan as part of the Master Plan is a good idea. Foote said once adopted, going forward with the State so the Town doesn't need a new dredge and fill application at every stage can be accomplished.

Foote said work on impact fees should be addressed this year. Garand said they had been dropped for lack of time and should be in place. Morgan said he would need the Board's direction. Kravitz asked if attorney Walter Mitchell, who had substantial comments, should be asked to add his comments into the draft outline first. Garand said a study relating to the fees needs to be done. Foote said the Planning Board would have to pay for a study and cannot apply a surcharge. Garand asked if a business association could be approached. Foote said the Economic Development Committee, which paid for a capital improvement study, could be approached, and asked Moore to see if this is a possibility. Morgan said he would be willing to take it on but had not done such a study before, but knows of someone who specializes in impact fee studies. Foote asked Morgan to contact that person and find out details, fees and availability. Foote also asked Moore to work with the Town Manager and the Selectmen about reactivating the Economic Development Committee.

Foote said this work session worked really well and set the first meetings in August, October, December, and January, if necessary. Garand said these should be dedicated sessions. Foote said the July 3rd meeting should be cancelled.



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Foote closed the public hearing at 12:05PM and did a roll call vote to enter an Executive Session to discuss employee matters under RSA 91A 3:1 (a) (b) (c).

The Executive Session was adjourned at 12:20PM. Foote adjourned the Public Meeting at 12:21PM.

Respectfully submitted,
Barbara Kravitz, Secretary
Seabrook Planning Board