



Town of Seabrook Planning Board Minutes

Tuesday, April 20, 2010

NOT OFFICIAL UNTIL APPROVED

Members Present: Chair; Donald Hawkins; Keith Sanborn; Robert Fowler; Jason Janvrin ; Robert Moore, Ex-Officio; Tom Morgan, Town Planner;

Members Absent: Sue Foote, Vice Chair; John Kelley; Elizabeth Thibodeau, Alternate Paul Garand, Code Enforcement Officer, Alternate; Barbara Kravitz, Secretary;

Hawkins opened the Public Meeting at 6:30PM, and said the Public Hearings would be first, and correspondence etc would be handled later. He noted that the Secretary was absent and that Morgan would fill in.

PUBLIC HEARINGS

#2009-25 – Proposal by Charles H Felch, Jr. and Vicki Felch, by means of lot line adjustments and subdivision, to expand three lots to six lots at 118 Centennial Street and Linda Lane, Tax Map 13, Lots 4, 8-6, and 8-7, continued from , 2010;

Appearing for the Applicant: Henry Boyd, Jr, Millennium Engineering;

Boyd said revised plans had been delivered; Hawkins acknowledged plans received on March 12, 2010. Boyd said Charles Felch was ill and could not attend. The case had first been presented about one month ago and was accepted and scheduled for Technical Review Committee. He noted that sheets 1 & 2 had been revised per TRC comments. Boyd used the drawings to go through the history of the lots were assembled. Boyd said a single wide mobile home had been removed, and a concrete pad is to be removed. One lot is very large – 28,500 square feet but because of the frontage there wasn't enough room so the lot is about double in size of what it needs to be. The home most likely will be on the back of that lot. There is an existing dwelling on Centennial Street/Linda Lane with water and sewer. Boyd noted the Sewer superintendent helped him put the location correctly for one lot, so instead of cutting the street again with the new service, they will tap into the existing service for that lot. Also, Sue Foote had wanted them to look at stormwater mitigation even though there is not a new road for this project, so some relief for the runoff is shown. If a rain garden is to be built it should not displace large trees. The new homes should be in line with the existing homes. Boyd said that Foote had also asked for the wetlands scientist to review the site and his report is in.

Boyd said that the subdivision regulations require that all points of curvature and departures have to be monumented. When Linda was done they did not set concrete monuments or stone bounds. But they did find iron rods. They have asked for a waiver from the stone bound requirements because two of the three monuments couldn't be set with stone because it would hit the manhole structure underneath. They would set railroad spikes or iron rods to be consistent. Additionally, Boyd said that Morgan had pointed out there needed to be a 100'x100' square zoning box. All of the lots are adequate in size and have the needed width and depth, but because of the irregular shape a couple of the boxes spill out and they are asking for relief. Morgan said that shows on the plan - sheet 2. Boyd said that the requested waivers are for insignificant amounts.

Boyd referenced discussions with Foote, the DPW Manager and Garand concerning sidewalks. The regulations say that sidewalks are needed for a subdivision when proposing a new road. Boyd said that he and Foote were in opposition to placing sidewalks on Linda Lane because it's a road that goes to nowhere and the right-of-way is so wide; sidewalks are more for the town to maintain and create more runoff. They had discussed whether it would be appropriate for Felch to put sidewalks along Centennial Street, but this would be impossible because of the placement of the existing poles, the water line, and existing hydrant. Boyd said that the TRC had suggested placing a sidewalk on the other side of the street, and if there have to be sidewalks they should be asphalt. On that side of



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the street a drainage catch basin presents more problems. Boyd said he has written a waiver request for no sidewalks. Boyd asked what the town's ultimate plan is for sidewalks. Moore said eventually the town hopes to go all the way through and match up with Railroad Avenue.

Hawkins asked if Morgan could speak to the TRC comments. Morgan said that Boyd had recounted the TRC conversation. The Board would have to decide whether to put sidewalks on one or the other side or to waive the requirement entirely, or to ask for a financial contribution for sidewalk construction in the future. Hawkins asked where the current sidewalks are located. Moore noted that cutting a sidewalk into an existing street is different from putting one in on a new road. Boyd said there is room for sidewalks but the hydrant and drainage cause difficulty; there would not be ADA compliance. Hawkins thought if the town's plan is to eventually put in sidewalks, it should seriously be considered. Sanborn said one homeowner shouldn't be asked to put in sidewalks for a whole street. Hawkins asked the purpose of the regulation. Boyd thought it was for large subdivisions like Beckman Woods that create new roadway frontage. He thought some sidewalks that have been installed could have had better engineering and design. Hawkins thought putting sidewalks across the street was not a good idea; if they are to go in it should be as a continuation of those existing.

Boyd said three lots are being added but this is not a new subdivision. Moore called attention to a sidewalk situation on Ledge Road. Morgan said it wasn't consistent and that made it confusing. The issue was similar but it was industrial, not residential. The Board was uncertain and thought it would make the drainage even more difficult. Moore said when a sidewalk goes in the water has to go somewhere. Boyd commented that people walk to the library and a shopping center so at some point a cross-walk would make sense. This needs a study; sidewalks now would be premature. Hawkins said it does make sense to be able to approach the library from both directions. Hawkins asked if the water line is under where a sidewalk would go. Boyd said the Water Department says it is, and pointed to the markings on sheet 2. If that's the case an easement would be needed from Felch to be ADA compliant. Janvrin said not to put a sidewalk in now. Morgan said maybe a fair solution would be to request an easement for sidewalks in the future. Boyd said that in lieu of building a sidewalk he thought that Felch might grant an easement. Boyd suggested using asphalt so the water department can dig right into the ground if there is a problem with a main.

Hawkins asked what the water department thought of a sidewalk over the main. Morgan said for that reason the discussion shifted to the other side of the street. Also, Boyd had indicated he would check in with the Selectmen for their thoughts. Boyd said the regulations generally talk about raised granite sidewalks with concrete; he recommended doing away with concrete as they are much more expensive and degrade. Pavement is rigid, easy to fix, and lasts. He reiterated that the water department never wants anything over the main. Boyd thought the sidewalks are the only thing in question. Hawkins said no one would be happy with sidewalks over the water line, however he liked sidewalks so kids could move up and down the street. He favored trading sidewalks now for an easement to be used in the future. If so, he asked if curbing would be necessary. Boyd said it would not. Hawkins asked for Morgan's view. Morgan thought the easement was the obvious, least expensive and most practical solution.



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MOTION:	Janvrin	to relieve the applicant for Case #2009-25 from the requirement for sidewalks in exchange for a six-foot easement that could be used for sidewalks in the future.
SECOND:	Moore	Approved: Unanimous

Morgan called attention to the TRC discussion concerning the sewers. Boyd said the Sewer Superintendent talked about the water and sewer lines, and wanted to extend the water lines graphically across Linda Lane because the main is on the other side of the road. Boyd pointed out the existing sewer services, and wanted the new service to be tied directly into the manhole and/or into the existing service so the road edge will not be disrupted. The only road cuts would be at lots B and E. Hawkins asked if more detail would be added to the drawing. Morgan said that Boyd had explained it satisfactorily. Boyd said waivers are needed for the boxes and the monumentation. The monumentation would be set flush with iron rods. Hawkins asked if stone monuments were specified for longevity. Morgan said they are a lot harder to pull out of the ground. Boyd said the monuments are to define the points of change in the road.

MOTION:	Moore	to waive the box dimension requirements for Case #2009-25.
SECOND:	Janvrin	Approved: Unanimous

MOTION:	Janvrin	to waive the required stone monumentation for Case \$2009-25 and replace this with iron spikes as requested in the letter of February 21, 2010.
SECOND:	Sanborn	Approved: Unanimous

Hawkins said a remaining issue was in re stormdrainage analysis. Boyd said that Foote had suggested using rain gardens and the detail is there. No waiver is needed. Hawkins asked if there were other items to address, and if a surety was needed. Morgan did not think so. He said that the Planning Board engineer would have addressed items that required surety, but this parcel was relatively flat. If fire hydrants or sidewalks were being put in, or other items the town would have interest in, a surety would be needed. He did not see that as the case, and there was no point in taking the applicant's money.

Hawkins asked for abutter comments; there being none.



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MOTION:	Moore	to approve Case #2009-25 – Charles H Felch, Jr. and Vicki Felch, by means of lot-line adjustments and subdivision, to expand three lots to six lots at 118 Centennial Street and Linda Lane, Tax Map 13, Lots 4, 8-6, and 8-7, conditioned on the applicant providing a six-foot easement for future sidewalk activity on Centennial Street.
SECOND:	Janvrin	Approved: Unanimous

Case #2010-01 – Proposal by Steven Carbone to construct an 11,000 square foot facility for the sale and storage of fireworks at 287 Lafayette Road, Tax Map 9, Lot 64. Foote referenced a letter from Wayne Morrill of Jones & Beach Engineers requesting a continuance for Case #2010-01. Hawkins understood from Kravitz that the applicant wanted a continuance. Hawkins continued Case #2010-01 to May 4, 2010 at 6:30PM at Seabrook town Hall.

NEW CASES

Case #2010-9E – Proposal by the Church of Christ and Seacoast Youth Services to expand their facility at 867 Lafayette Road, Tax Map 7, Lot 23;

Attending: Vic Maloney, Bruce Pierce

Hawkins asked Maloney to recap this proposal. Maloney said Seacoast Youth Services is located in the Church of Christ building which needs to be expanded. The program has expanded greatly and a little more space is needed. The proposal is for a small addition on the back of the wooden church building so the Minister’s office and the food pantry operation could be moved to give the Youth Services program more room. Part of the expansion would include a behavioral health program started in Nashua a few years ago for adolescents with substance and mental health problems. Maloney said the hope is to contract with NH Juvenile Justice Services to offer the program on the seacoast. This shouldn’t have a huge impact on transportation.

Maloney said the foundation would be a concrete floor, and not a full basement. Moore noted a 22” setback. Maloney showed the parking. Sanborn asked if this is the same group that wanted a facility on Stard Road. Maloney said it was not, and this is not a methadone clinic. Hawkins asked for the specifics of the service. This would be an after-school program serving kids with autism, substance abuse issues, behavioral issues and evaluation, family counseling; a very holistic approach, Hawkins asked about the geographic service area. Maloney said likely within a fifteen mile radius ie the Portsmouth Family Court area. Currently the substance abuse program has 28 individuals, of which 21 are from Seabrook.

It fills the void left for adolescents and families when Odyssey House closed. Moore said he’d visited the facility and been impressed with all of the volunteers working there. Maloney said the population has increased about twenty percent during the last couple of years. This expansion would make it easier for the Community Table as well.

Moore asked for Morgan’s view. Hawkins said that previously the Board had given the group a vote of confidence. He did not think other documentation had been submitted and asked if Morgan thought more was needed before going ahead with the expedited application. Morgan did not think so. Maloney said the Fire Chief as well as Garand had visited the facility. Hawkins asked about abutters. It was indicated the cemetery is one and a couple on Dearborn road.



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Hawkins said there did not seem to be immediate consequences with water. He said the only issue is that the expedited application was not really for building expansion which had not been considered. Moore said most of the expedited applications would likely be small projects. Hawkins said the Board's next work session would have to address that as well as other issues that have surfaced concerning the new expedited procedure. He did not see any reason not to move ahead in this case.

There being no abutter comments.

MOTION:	Moore	to approve Case #2010-9E – Proposal by the Church of Christ and Seacoast Youth Services to expand their facility at 867 Lafayette Road, Tax Map 7, Lot 23;
SECOND:	Janvrin	Approved: Unanimous

Moore said the food bank was really helpful. Maloney said they get food from the Food Bank of Nashua and emergency food programs. Hawkins asked if they were getting help from any big-box neighbors. Maloney said there is a little. A lot comes from the Power Plant, the Post Office, and Sams' Club. Home Depot and Kohl's help out with the Community Table.

SECURITY REDUCTIONS AND EXTENTIONS

There being none.

CORRESPONDENCE

Hawkins said **the final Report for the Housing and conservation Planning Program grant had been submitted along with the Town Manager's cover letter.** He called attention to the Rules of Procedure indicating there may be a need to update this. Hawkins wants a book put together for Board Members that can be added to from time to time.

Hawkins referenced the CEO's memo re Almena Road where new building has worsened the water flow. The recommendation is that no occupancy permit be issued until the storm water has been resolved. Moore said he'd viewed the situation within the week and it is a mess. There is no outlet in the low area to take the water flow out. Hawkins asked who was responsible for the detention pond. Moore said someone should have been called to task for the design. Morgan asked if this project came before the Planning Board. Moore said it had but what is there now doesn't work. With the rain, the pond will fill up and the water won't go where it is supposed to go. Hawkins said this is an enforcement issue.

Hawkins called attention to a Land Resources workshop.

Hawkins referenced a letter from Garand to an applicant that wants to put in towing on Lafayette Road. Garand advised that this must come before the Planning Board. Hawkins assumed the Board would wait until an application is filed.

Hawkins said questions re alternates would be heard at a later date.



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Hawkins referenced the Zoning Board of Adjustment Agenda that includes Hannah International and a Demoulas petition, and suggested it would be interesting to sit in on that hearing for informational purposes. Currently Mike Lowry, a Planning Board alternate, sits on the ZBA. Hawkins said he would be more comfortable if a Planning Board Member sat on the ZBA as well. Morgan said in re the Hannah matter, the ZBA is actually waiting for action at the Planning Board. The proposal is to have an additional residential lot on Railroad Avenue. This has not come to the Planning Board before. Morgan's understanding is that allowing the new lot would interfere with the Hannah driveway. He thought the proper sequence would be for the Planning Board to address the matter before the ZBA takes it up. Garand is well informed. Hawkins said this could be discussed at the next meeting. Moore thought Hannah would have someone drafting a plan. Hawkins' concern was that this would be heard at the ZBA first which is not a good solution. Morgan agreed.

Hawkins asked Morgan to comment on 920 Lafayette Road. Morgan said apparently there is a group from Massachusetts that organizes poker for charitable purposes. They are losing their current site and looking for a new location. Moore said the group has operated at the dog track. Morgan said this would be on the next agenda. He thought they could make their case depending on the time of day or night that they schedule events. Hawkins thought there was a large list of issues that are unresolved. Morgan said the property owner had a site plan approval in 2001 but he never did a lot of the improvements that were a part of that approval. There were a lot of lot-line adjustments involved. Garand has been talking with the owner to see what could get done, albeit there do not seem to be sufficient funds to complete the list. Seacoast Poker has nothing to do with the past. However, the regulations say that if conditions have not been fulfilled no additional proposals would be reviewed. Hawkins thought the regulations should be adhered to unless there were a good reason not to. He pointed out the last meeting's discussion about being consistent as to how the Board handles cases. Following the policy is a good place to start. Janvrin asked if this is the owner or the tenant. Morgan said that Tim Johnson is the owner; Seacoast Poker of Massachusetts apparently organizes the events, and there are a number of local charities that benefit.

Hawkins asked if the proposal would be for a change of use, and what information they would need to provide. Morgan said whatever is in the site plan regulations plus anything the Board thinks is relevant. Parking would be the issue as well as traffic. Moore asked how this use would be described. Morgan said his first question was whether this is a permitted use in the zone. There is a provision in article V of the zoning ordinance that says that theatres and halls are permitted. If this is considered a "hall" then it is permitted. If not, they would need to go to the ZBA. Moore thought if this is the group now at the dog track it attracts a lot of people.

Hawkins said the recommendation of an RPC commissioner would be on a later agenda.

Hawkins said the Master Plan Report would be heard at the next meeting or at a work session. He said at least one work session per quarter would be scheduled for organized discussion on planning issues. Although new cases have to be addressed re acceptance, they do not have to be discussed during work sessions.

Hawkins said the Minutes of April 6, 2010 would be tabled until May 4, 2010.



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Janvrin asked if there had been a Channel 22 listing about looking for a representative to the RPC. Moore said he would check this. Hawkins said Seabrook can have one more person on the RPC. The Planning Board nominates and the board of Selectmen makes an appointment.

OTHER BUSINESS

Hawkins adjourned the meeting at 8 PM

Respectfully submitted

Barbara Kravitz
for
Tom Morgan