



# Town of Seabrook Planning Board Minutes

Tuesday, May 15, 2007

NOT OFFICIAL UNTIL APPROVED

Members Present: Sue Foote, Chair; Peter Evans, Vice Chair; Mike Lowry, Clerk; Aboul Khan; Paul Himmer; Robert Moore, Ex-Officio; Paul Garand, Code Enforcement Officer, Alternate; Tom Morgan, Town Planner; Barbara Kravitz, Secretary;  
Members Absent: Mark Preston

Chair Foote called the meeting to order at 6:04 PM, and announced that due to holiday conflicts, the Planning Board Meeting scheduled for July 2, 2007 and the Technical Review Committee Meeting scheduled for July 3, 2007 have been cancelled. Additionally, Foote announced that as a result of Planning Board's May 7, 2007 meeting, the Board will be restructuring its schedules and certain procedures. The changes will be scheduled for a Public Hearing.

### **MINUTES of May 1, 2007**

As one member did not receive the minutes electronically, Foote tabled approval of the minutes to the next Planning Board meeting.

### **INTRODUCTION OF TOWN MANAGER**

Scott Dunn introduced himself to the Board and said it is an honor to be chosen by Seabrook. He appreciates the work of the Planning Board, noting several large projects, and said he will be helpful any way he can. Foote said in a meeting last week Dunn offered good ideas and suggestions to support the Board.

### **SECURITY REDUCTIONS**

Foote read a letter from Corydon Perkins requesting return of \$500 held in connection with a minor subdivision off Pine Way. Perkins will keep Bowley Avenue as a private road.

<b>Motion:</b>	<b>Moore</b>	<b>To release the security held in connection with the Perkins minor subdivision.</b>
<b>Second:</b>	<b>Lowry</b>	<b>Approved: Unanimous Absent: Evans</b>

### **CORRESPONDANCE**

**Case # 2006-32** Foote summarized an e.mail from Jim Grafmeyer indicating **DDR is not in a position to meet on May 29, 2007**; negotiations are not finished and some complex issues remain in connections with the traffic plan. DDR meetings with DOT and RPC are to take place. An alternative date of June 12 is requested with a revised traffic study to be provided by June 1. [Board members were provided with a copy of the letter.] Lowry said that doesn't give two weeks. Foote said a specific date should be given to avoid confusion, and noted this may be a very different proposal. Morgan said June 12 was the alternative date but it is necessary to confirm that our attorney and traffic consultant to be available, and suggested coming up with a backup date. Morgan favored a special dedicated meeting. Kravitz said Grafmeyer knows a waiver is needed. Garand asked what would happen if the Board waited to receive the Traffic Study before setting



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the agenda date. Foote said the case was continued to May 29, and the rescheduling or continuance would have to be done on that date; the Chair and the Secretary would attend. [The discussion of the Unitil cut review is scheduled for June 5. (see below)].

The extension granted by the Board of Selectmen ends on June 5. Foote said if the Traffic Plan is here by May 25, June 12 would be ok, subject to consultant availability. Morgan said tentatively to plan for June 12 or 26 and the plans would have to be here by May 25 or June 12 respectively. Kravitz suggested checking the attorney and consultant availability first. Khan said the Traffic Study should be in first so Board members can plan their time predictably. Lowry thought the Board would not have more special meetings.

To simplify scheduling, Foote said after the Traffic Study is provided, the Board would schedule the meeting at the earliest availability of its legal counsel and traffic consultant. The chair and the Secretary will appear to open the May 29 meeting and continue the DDR cases. Morgan will inform Attorney Walter Mitchell and traffic consultant Steve Pernaw that their services are not needed on May 29.

Foote referenced a **letter to the Code Enforcement Officer from Thomas Broderick, Jr. of Milton, MA concerning the boardwalk at 11 Haverhill Street, Map 22, lot 25.** Previously the Board had expressed concern that the boardwalk had apparently been restored. Broderick said the boardwalk is constructed of composite material and expressed dismay that complaints had been filed by the Seabrook Planning Board and/or Conservation Commission with the Code Enforcement Officer and the Department of Environmental services. The letter discussed the situation at length. Foote said the Conservation Commission did not contact DES, and that this would be a Board of Selectmen matter. Garand understands Frank Richardson of DES would rather see the Boardwalk remain until the Town decides on a policy for all boardwalks; although give property owners the right to cross the dunes to get to the water. The Planning Board has no jurisdiction ; no follow-up is needed.

Foote referenced the **Zoning Board of Adjustment Agenda for May 23, 2007 when two developers are requesting to remove more than fifty percent of trees, saplings, or shrubs from wetlands zones.** This is a density, not an area issue. As Chair of the Conservation Commission, Foote has been asked to attend this meeting to respond to questions. Evans indicated he will also attend.

Foote referenced a letter from **Ridgely Mauck of the DES concerning the amending of the DDR Seabrook LLC Alteration of Terrain permit for building demolition to apply to building construction based on a revised plan.** Foote said the Planning Board receives notice of approvals but does not know how plans may have been changed. Garand said this item should be notated on the **Case #06-32/DDR** plan. Evans asked for a copy of any revised plan to be submitted to the Planning Board.

Foote referenced a memo from Garand to the Town Manager concerning certain **aged Planning Board plans now in Town Hall attic storage which should be better archived.** Foote said there



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are four boxes which have been water damaged. A file cabinet that was recently purchased to make room for current files in the Planning Board office is full. Moore noted files are being microfiched. Garand said the Town Manager agrees to find a suitable place for another file cabinet if the Board will purchase the file.

<b>Motion:</b>	<b>Evans</b>	<b>To authorize the purchase of another file cabinet to house Planning Board files now in storage.</b>
<b>Second:</b>	<b>Lowry</b>	<b>Approved Unanimous</b>

**Case #2006-32** Foote read a letter from Attorney Malcolm McNeill conveying an as-cut plan completed by VHB delineating the cutting at the DDR site by Unitil, and stating this should bring closure to the issue. Foote said this is not at closure, if only because the Conservation Commission received a different package, including different drawings and the DES notes, which she will bring to the Planning Board office. Morgan said this should be scheduled for discussion in May or June. McNeill's submission will be provided to Mike Fowler for review. Board Members can review both submissions in the Planning Board office. Foote scheduled this item for the Planning Board meeting on June 5, 2007 at 6PM at Town Hall. Himmer said such information should not be delivered piecemeal and asked that a site walk be set up for Board Members. **Members agreed to meet at 5 PM on June 5<sup>th</sup> at the Rocks Road Transfer Station Gate for a site walk to view the Unitil cut.**

### **PUBLIC HEARINGS**

Foote opened the Public Hearings at 6:50PM.

### **ONGOING CASES**

**Case #04-19. Mike Bergeron requesting a further extension on his project,** continued from December 6, 2006.

Attending Mike Bergeron, developer and provider of site security; Carl Bergeron, Applicant; Owner; Foote referenced Carl Bergeron's letter opposing the extension, and wanting the Town to call the security and finish the road and deal with problems at the pump station. Garand said this was a family subdivision. The time frame has been extended several times and Carl Bergeron wants to see it come to completion. Evans asked if there is a cost estimate for completion. Mike Bergeron said the security balance is about \$25,000. There have been difficulties with the subcontractors and even a court judgement in his favor with money outstanding. He may have to do the work himself, and has already fixed the pump station. Foote asked about the remaining work. Mike Bergeron said grading, rough and undercoat gravel, binder coat and top finish remain to be done. He will make sure it gets done. Garand said a compromise is needed. Carl Bergeron said he wants this over; the road should have been done before the house was built. Foote noted there wouldn't be enough time to complete the road before the asphalt plants close, if the Board has to take over the project in September. Also, there has been conversation that this may stay a private road. Carl Bergeron said to get the work done.



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<b>Motion:</b>	<b>Garand</b>	<b>to grant an extension for Case #2004-19 as requested by Mike Bergeron until July, 17, 2007 at 6PM at Seabrook Town Hall.</b>
<b>Second</b>	<b>Lowry</b>	<b>Approved: Unanimous</b>

**Case#1997-42/Border Winds/Benoit**, continued from January 16, 2007

**Case #1999-24 Benoit/Randall Drive**, continued from January 16, 2007.

**Case #2006-46 David Benoit for an amendment to the Border Winds Subdivision**, continued from January 16, 2007;

Evans recused himself from this case.

Attending: Henry Boyd, Millennium Engineering;

Footo said Altus Engineering compared what was built to what had been recommended and has estimated the cost of the items it believes should be completed at about \$200,000. Boyd said he provided the Altus cost estimate to Mr Benoit's daughter, and tried to contact David Benoit, but has had no response. He has been unable to reach Benoit who has been out of the country. Garand noted Benoit is expected back in a couple of weeks and suggested continuing the cases to mid-June. Jason Page said three independent engineers stating that the plan favored by the neighborhood would work, and only the engineer hired by Benoit saying it won't work, and asked why the Board can't order the work to be done.

Footo said if the original first approved plan is chosen, the utilities go above ground, the sidewalk goes on the other side of the street, drainage gets changed, and the offsite drainage to solve problems on Ledge Road goes away. To change to a different plan requires concurrence from Benoit, who has had Millennium bring forth an option he is willing to do. Yet several engineers say there is no reason not to do granite curbing. The Board can't apply the bond to the original plan because it would involve hundreds of thousands of dollars. Page said if Benoit doesn't return he will still be billed for the plowing and the street lights in accordance with the court order, and asked how long work must be delayed before bringing the Planning Board back into court. Waiting until June 19 is ok. Morgan commented that the prospects of the neighborhood getting what it wants are better if Benoit is here and agrees to do it. Demarais said Benoit planned the project and isn't here. The owners bought and paid for their homes and the problems are Benoit's fault.

Footo said the understanding is the only action open to the Planning Board would be to take steps to inform the Treasurer that the remaining site security is to be used to for the work. This means deciding what is most important that can be done under the original Planning Board approval; because funds would be expended until they are extinguished. The current discussion is in hopes Benoit will do the right thing including repairing the sidewalks and putting in the granite curbing. Desmarais asked if a penalty can be assessed to Benoit. Footo said the Board has no rights to Benoit's other property. Moore said there needs to be a compromise, especially if putting in granite curbing means ripping out the underground wiring.



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Robert Kenyon said when he purchased the property from Benoit and Mr Colliander, granite curbing, town water and sewer, underground utilities, protective covenants, sidewalks were offered. Foote asked why the abutters weren't going after Benoit is they feel he broke promises, rather than expecting the Board to enforce the promises made to purchasers. Kenyon said the expectation is eventually the Board will make Benoit fulfill the promises to purchasers/taxpayers. Morgan said there is a misunderstanding of the Planning Board's limited enforcement authority. Foote repeated that all the Board can do is insist on building to the original Planning Board approved plan. Kenyon asked what town agency can do force Benoit to do the work Foote believed no town department that can make Benoit do anything that is contrary to the approved plan. Kenyon asked who let Benoit put in underground utilities in that development. Page said waiting to June 19 is ok, but if Benoit decides not to do anything, the Planning Board should consider suing the engineering firm hired to oversee the work. Boyd said Benoit hired Millennium at his expense to watch the construction to make sure the road was built right. All the engineers said both scenarios would work and the road is fine.

The Board discussed the issues and heard the concerns of abutters. Foote continued the case to June 19, 2007 at 6PM at Seabrook Town Hall and said Benoit would be invited to attend. Boyd said he would contact Benoit's attorney to for information on Benoit's intentions.

Peter Evans said the applicant pays for engineering expenses even if when they are directed by the Planning Board, and asked the Selectmen's representative for his view on what the Town wants to see to accept this road. Moore said the available money is not enough to put in granite curbing and completely redoing the drainage system. Probably the sidewalks and straightening out some drainage, but not putting in granite curbing and completely redoing the drainage system. Country drainage works is fine; city drainage would mean each lot drains to the street and lots would have to be built-up to pitch the water into the road to follow the granite curbing to the catch basins. Trees are the last. The only thing actually lacking is correcting the sidewalks, and granite curbing which requires more money than the security amount. You'd need a speedbump at every driveway for the water streaming down. Going after Benoit is a civil matter for the homeowners. Kay asked about the Attorney General. Page said the Association is still a party in interest with the Superior Court case, but wants to see if Benoit has had a change of heart.

Since Benoit was not in attendance, Boyd again said Millennium was hired by Benoit after the Planning Board supposedly allowed him to do away with the granite curbing. One big problem for the Town and the homeowners is that there is not enough money to do what homeowners think needs to be done. The bond is only \$75,000 which Boyd said he talked Benoit into renewing because it was about to expire; the sidewalks were never built right. Boyd asked if all of the Border Winds homeowners think the same way, or if it is only a small number. Page said the Board never gave permission to do away with the granite curb. Rather there was an option to bring in a plan to show country drainage swales would work, and abutter property owners would have been notified. Foote continued Cases #2006-46, 1999-24 and 1997-42 to June 19, 2007 at 6PM at Seabrook Town Hall. An invitation to attend the meeting is to be sent to Benoit, or his daughter as a representative. Morgan asked Boyd to continue with efforts to have Benoit attend. Boyd said he will contact the attorney. Foote asked Boyd to learn if Benoit intends to continue towards a resolution.



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Evans returned to his Planning Board seat.

**Case #2004-51 Request from Millennium Engineering on behalf of E Patel and Patel Realty Trust for a 360 day extension at 5 Main Street, continued from October 17, 2006.**

Henry Boyd said Millennium Engineering had not made a request. Kravitz said the reference is to the original extension request for purposes of the continuation. Foote said a six month extension was granted. Morgan asked if Boyd still represented Patel. Boyd said he hasn't been contracted, but some work has to be fixed. Garand expects the loam to be delivered within the next few weeks. Patel is working toward completion. Garand recommended carrying the case forward for a month. Foote continued Case #2004-51 to June 19, 2007 at 6PM at Seabrook Town Hall.

**Case #2007-08 - Proposal by Microvision Inc. and Northeast Concrete Pumping Corp. for a 16,650 square foot industrial building at 20 London Lane, Tax Map 5, Lot 8-41; continued from April 17, 2007**

Attending: Leonard Kastrilevich, President

Appearing for the Applicant: Wayne Morrill, Jones & Beach Engineers;

Morrill said is purchasing the 1.59 acre parcep. Since 1998 it has been located on Folly Mill Road. The proposal is for a 92x180 square foot building with 39 parking spaces, loading docks in the rear, and landscaping to be added. The retaining wall has been extended and ties into the headwall; the guardrail is extended around London Lane to get protection for the headwall. The previous approval for this lot allowed for 69.7 percent impervious; this proposal is for 66.2 percent impervious. The grading and drainage is as before. The pond will be expanded, a small retaining wall added to protect the wetlands. The proposal includes overhead electric, a small pump station with a force main tied to a sample manhole and existing sewer service so as not to rip up London Lane, a six- inch water line for fire service, and a one-inch domestic line into the front of the building. There are two lighting poles; other lights are wall-mounted. Windows and doors are on the front of the building and the covered loading dock with garage doors in the back.

Morgan asked what Microvision does, and how long it has been in business. Morrill said the company supplies laser eye surgery equipment which it processes in a sanitary clean room, and then assembles the product for distribution. There are fifteen employees and the company plans to grow. One side of the building is for the sanitary operation and the other side is for mechanical production. Kastrilevich said Microvision designs medical products, sources the parts from outside vendors, and assembles them on site. Since its start in 1998, It has operated at a Folly Mill road location. Garand asked about the retaining wall. Morrill said it is being designed by a structural engineer and will be submitted with the building plans.

Foote said the case has been accepted for deliberation on April 17. Waivers for the placement of revision block, and for a stormwater discharge plan as this analysis was prepared for the Border Winds development in September 2004. the proposal provides for a reduction in the impervious area and a larger detention pond. Foote said after checking prior plans, the detention pond is larger and there is less impervious surface. Garand asked what security is recommended.



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<b>Motion:</b>	<b>Moore</b>	to grant the requested site plan regulation waivers for Case#2007-08 concerning the location of the revision block and the Storm Water Discharge drainage study.
<b>Second:</b>	<b>Himmer</b>	Approved: Unanimous

<b>Motion:</b>	<b>Lowry</b>	to require site security for Case #2007-08 in the amount of \$50,000.
<b>Second:</b>	<b>Moore</b>	Approved: Unanimous

<b>Motion:</b>	<b>Moore</b>	To approve Case #2007-08 - Microvision Inc. and Northeast Concrete Pumping Corp. for a 16,650 square foot industrial building at 20 London Lane, Tax Map 5, Lot 8-41, subject to the posting of site security in the amount of \$50,000.
<b>Second:</b>	<b>Lowry</b>	Approved: Unanimous

**Case #2007-09 - Proposal Waterline Industries Corporation and Borderwinds Development LLC to construct a 12,800 square foot industrial building at 7 London Lane, Tax Map 5, Lot 8-10.**  
continued from April 17, 2007.

Evans recused himself from this case.

Attending: Ralph Dumke, President;

Appearing for the Applicant:

Wayne Morrill, Jones & Beach Engineers

Morrill referred to the plan set and described the 4.67-acre lot with usable space up front; the balance has drainage easement and wetlands, a one-hundred foot no-cut buffer to the residential area, and a fifty-foot no-cut area to Ledge Road. An 80 x 160 square foot industrial building with 37 parking spaces for visitors and employees is proposed with a sidewalk to the building and a gate to the back for truck delivery is proposed. There is one curb-cut on London Lane and none on Ledge Road. After Technical Review, a six-inch water line was added to the building; the sewer tie in is to the stub which was part of the Seabrook sewer project with a sample manhole at the front of the building. The wetlands impact is 3,293 square feet and the proposal is going before the Zoning Board of Adjustment. Parking lot and roadside swales sheet-flow goes into the detention pond, through a multi-stage discharge outlet and then into the catch basins and the pond. A snow storage area has been moved to around the parking lot. A lighting waiver is requested as there are wall-mounted shielded lights only. A stone walkway to get to the front of the building as requested by the Fire Department has been added. No windows face the residential area. The building is two floors up to the loading area, with offices on the second floor as well as some below.

Dumke said Waterline builds water and wastewater treatment plants for communities and has been operating on Bachelder Road for seven years. The firm is growing. This facility is primarily a warehouse for equipment until it can be moved to a site. Morrill said low buffer vegetation will be



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planted in no-cut areas. Foote noted Waterline is requesting a wetlands cutting variance from the ZBA. Morgan suggested accepting the plan.

<b>Motion:</b>	<b>Moore</b>	<b>To accept Case #2007-09 as substantially complete for deliberations.</b>
<b>Second:</b>	<b>Lowry</b>	<b>Approved: Unanimous</b>

Evans asked who takes over detention pond maintenance. Morrill said Waterline wouldn't have responsibility. Morrill to get letter of responsibility for detention pond maintenance. Foote noted there are waiver requests for the revision block placement and the low-impact lighting illumination levels. Morgan asked what assurance there is for no other outside lighting in the back. Morrill said that would be a code enforcement matter as none are shown on the plans. Morgan asked for this to be stipulated in the plan. Garand noted the exception for emergency egress. Foote noted the Town Engineer has recommended site security of \$35,500 and reviewed the Tech Review recommendations, including filing Stormwater Maintenance Plan at the Rockingham Register of Deeds. Morrill listed the changes made, including adding hours of operation to the lighting plan.

Foote polled the Board. Garand noted the second story windows in the rear and asked if there is a mezzanine in that area. Morrill said there is none; if Waterline wanted offices in that space they would need to return for Board approval. Garand asked if the parking is sufficient. Morrill said it is enough for future needs. Lowry asked if there is a dumpster. Dumke said there is a small one at the back for paper products. Moore said to show the pad on the plans. Morrill will add a concrete pad in the far corner. Lowry asked if there is outside storage of tractor-trailers. Dumke said this building is for inside storage space which is insufficient in their current building. Lowry asked the plan notate no outside storage. Dumke agreed. Foote asked for Morgan's comments. Morgan said Tech Review was thorough.

Foote asked for comments from abutters. Evans asked if there might be increased impact to the detention pond if granite curbing was installed at Border Winds, and also about responsibility for maintenance of the detention pond. Morrill said the original Border Winds detention pond was calculated for granite curbing. Once the town takes over the road, it would do the maintenance for the detention pond. Evans said the Town has not, and may never accept, the road; currently Ledge Road Realty Trust or its successor is responsible. Morrill said Dumke isn't taking over the responsibility for a Border Winds residential subdivision detention pond. Morrill said he will check for the entity that is responsible. Evans said it appears the building will impact the no-cut area and that trees will be very close to it raising concerns that they might fall. Evans also asked if the fence could be made opaque, and expressed appreciation for "no outside storage" and planting of low ground cover in the no-cut area. Morrill said before building the area will be clearly staked. The only fence proposed is at the gate area to prevent people from entering the back area, and not surrounding the property. Dumke noted the considerable landscaping at his present location, and that a well had been installed when there was a water ban. Garand asked if there would be a well on the new site. Dumke said probably a small well for landscape irrigation.



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Foote said any action the board might take would have to be conditional as a ZBA variance is pending. Morgan said the responsibility for the pond maintenance should be determined. Foote said Mr Colliander and Border Winds would be responsible for that run -off. Morgan noted Morrill would do the research and respond to the Board in writing, and also to bring a copy of the easement. Morrill suggested returning when the research is done and the ZBA decision known. Foote continued Case #2007-09 to June 5, 2007 at 6PM at Seabrook Town Hall.

Evans returned to his Planning Board seat.

**Case #2007-10, a proposal by New American Homes LLC for a condominium conversion at 14 & 16 Jean Drive, Tax Map 7, Lot 50-100, continued from May 1, 2006**

Appearing for the Applicant: Wayne Morrill of Jones & Beach Engineers;

Foote noted the Technical Review Committee recommended this case be tabled for easement and condominium document revisions and/or review by the Town Planner and Town Counsel. Foote continued Case #2007-10 to June 19, 2007 at 6PM at Seabrook Town Hall.

### **NEW CASES**

**Case #2005-41A - Proposal by Stard Road Realty Trust to amend a site plan for property off Stard Road, Tax Map 4, Lot 19-22. (see Cases #2000-23 & 24)**

**2000-23 Proposal by Eugene Dean for site plan review on 22 Stard Road, Tax Map 4, Lot 19-2, continued from May 1, 2007**

**2000-24 Proposal by Scott Mitchell for site plan review on 22 Stard Road, Tax Map 4, Lot 19-2, continued from May 1, 2007.**

Appearing for the Applicant: Wayne Morrill, Jones & Beach Engineers;

Morrill said this Case#2005-41A would be withdrawn and resubmitted as an amendment to Cases #2000-23 & 24. Foote said the case is closed.

**Case #2007-12 - Proposal by CBAN, LLC to erect a 30,600 square foot industrial building at the corner of London Lane and Ledge Road, Tax Map 5, Lot 8-50.**

Appearing for the Applicant: Wayne Morrill, Jones & Beach Engineers;

Morrill said a Zoning board of Adjustment variance is needed. Foote said Tech Review recommended not hearing this case until the draft deeds are submitted, they should include the original wetlands permit requirements. Foote continued Case #2007-10 to July 17, 2007 at 7PM at Seabrook Town Hall.

**Case #2007-11 - Proposal by Frank H. Beckman, Jr., Bruce & Cynthia Brown, and Sunk Rock Real Estate, LLC for a 54-lot subdivision between Farm Lane and Causeway Street, Tax Map 13, Lots 50, 51, 52, 53, 54, 67, 90 & 91.**

Attending: Bruce Brown, Michael Green of Green & Company; Attorney Stephen Ells;

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

Foote noted the Tech Review Committee said this submission is premature and the case should be continued. Many studies and the wetlands permit need to be submitted. This case is not ready for deliberation. Boyd asked for permission to present the scope of the proposal as abutters are present. Foote said an Executive Summary would be allowed.



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Boyd referenced the drawings and said this property is about thirty-six acres of which six would be conservation land. About seven parcels, each owned by Brown or Beckman, comprise the property. The 54 single-family lot subdivision will have about 3800 feet of roadway; the main road is about 2700 feet. The property was once known as Halls Farm. The Zoning Board of Adjustment gave relief for frontage on lot #39. Frank Richardson of the Department of Environmental Services wants the cul-de-sac redesigned to create larger building envelopes to keep out of the 100-foot tidal wetlands setback. There are uplands areas separating the wetlands from the private ownership. Mark West is the wetlands consultant. Boyd described working with Richardson and the Conservation Commission to protect the salt-marsh as much as possible, the drainage and stormwater treatments, and attention to tree-cuts and water quality. The site specific permit has been sent. The drainage is treated with lawn swales. Boyd noted Garand's concern about adding maintenance to the Department of Public Works. Country drainage is coupled with deep-sunk catch basins that flow into a drain manhole and eventually along a very long treatment swale. Fresh water is being introduced into the fresh water wetlands so the habitat can exist as is, and then is slowed by dilution through the organic layers before entering the salt marsh. Boyd said John Starkey agrees with the system provided the town has access easements to inspect and maintain or redo if necessary.

Boyd said Ellis is attending to understand what is needed in the deeds and easements. There has been some discussion about which trees would be cut for view easements. The right-of-ways and the property lines will be staked in advance allowing as much of the mature trees to be kept. Steve Pernaw will do the traffic engineering study. The sewer pumping is adequate. A letter is expected from the Water Superintendent on water supply; usage is about 21,000 gallons/day.

Footo said abutters can view the plans at the Planning Board Office, and suggested the Board might indicate the studies it wants. Evans asked if the School Board could speak to the impact on schools. Footo said the SAU 21 Superintendent could be contacted. Boyd said the drainage report will concentrate on water quality as the run-off goes to the ocean. Boyd said it is important to learn what studies the Board wants. Footo said impact studies would include traffic, schools impact, conservation, environmental, municipal facilities and services, parks and recreation. Morgan said he has been contacted by Steve Pernaw about the scope of traffic study and referenced Pernaw's memo. Board members asked for the impact at intersections at Washington & Walton Road, Centennial & Walton, Walton & Route 1, Washington & Collins, and Washington & Route 286, be included in the traffic study. Morgan said he would apprise Pernaw. Morgan said if needed Rockingham Planning Commission could be asked for advice or review. Moore said this should have been done years ago.

Footo said the revised and complete proposal should first come before the Board for an acceptance determination. and go back to Tech Review thereafter. Boyd asked for guidance on a non-conforming lot where the proposed frontage makes it "less" non-conforming. Garand said this requires a ZBA variance. Boyd said the lot is being made more conforming by creating the frontage; it is not a new lot. Moore asked if the size of the lot is reduced. Morgan asked if the lot is bigger or



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smaller. Foote said the lot-line dimensions are being changed. Boyd said Ells agrees no variance is needed. Boyd said if this issue persists, a fifty-foot span will be added to one of the lots and restricted with an easement for a future right-of-way. Ells said the lot is non-conforming because of the lack of frontage now; adding fifty-feet of frontage does not create a new lot. Moore said if a lot is buildable the minimum frontage applies. Garand asked how much of the surrounding lots are owned by one person. Boyd said he will use the easement route. Foote said the Conservation Commission would want covenants re drainage of fertilizer into the shoreline protection zone. Boyd said there would be easements to the Town. Moore asked if the ponds will be used noting they want to clean Franks pond and keep at some high water level. Foote said the Conservation commission needs to discuss the public pond part of the watershed and brook system and whether private ownership can maintain it. Boyd said all sewers will gravity drain. Garand said if snow is stored in the center of the cul-de-sac, who is responsible for mowing the grass.

Foote asked for abutter comments noting that no further public notice will be given. Donald Felch said the traffic study should consider sidewalks to school etc.. . Moore said sidewalks are important; there are a lot of walkers. Morgan said an impact fee is not needed to get items like sidewalks. Joan Knowles added her concerns about sidewalks. Robert Flanigan was concerned about the narrow causeway, and if there would be a water impact on his property. Foote said the impact cannot be more than it is now. Foote continued Case #2007-11 to June 19, 2007 at 7 PM at Seabrook Town Hall.

Foote noted the Planning Board is revising its Calendar so that all cases will come to the Board first for an acceptance determination and, if jurisdiction is accepted, then be assigned to Tech Review. Cases will return to the Board after Tech Reviewers have had a chance to review revisions. Among the reasons for this scheduling change is to give the Town Planner and department heads complete plansets to analyze together with required documentation as well as sufficient time to review revisions, and to prevent incomplete submissions from being presented to the Board for deliberation. Moore noted there is a great deal of redundancy now.

Foote described the Planning Board Policy and Procedures work session as very productive. A public hearing is required for the procedural changes. One objective is to start at 6:30PM and end earlier than has been the case generally.

Foote closed the Public Hearing at 9:35PM.

Foote announced a request for her participation on the Hampton River Bridge Task Force.

<b>Motion:</b>	<b>Lowry</b>	<b>To appoint Sue Foote as the Planning Board representative to the Hampton River Bridge Task Force.</b>
<b>Second:</b>	<b>Moore</b>	<b>Approved: Unanimous</b>

Foote closed the public meeting at 9:45PM.

Respectfully submitted,  
Barbara Kravitz, Secretary  
Seabrook Planning Board