



Town of Seabrook Planning Board Minutes Draft

April 4, 2006

Members Present: Sue Foote, Chair; Mark Preston, Vice Chair; Peter Evans, Aboul Khan, Paul Garand, CEO; Robert Moore, Ex-Officio Selectmen's representative; Tom Morgan, Planner; Patricia Welch, Secretary.

Chair Foote identified all newly elected members of the Planning Board: Peter Evans, Aboul Khan, Bob Moore, Ex-officio member from the Board of Selectmen, and herself. She then identified all currently serving members, Mark Preston, Paul Himmer, Keith Sanborn and alternates, Mike Lowry and Emily Sanborn. Paul Garand, Code Enforcement Officer attends in his capacity as a Town official and is also an alternate to the Board.

First item was election of officers.

Motion: Preston To nominate Susan Foote as Chair of the Planning Board

Second: Evans Unanimous

Motion: Foote To nominate Mark Preston as Vice Chair of the Planning Board

Second: Khan Unanimous

Next was acceptance of the minutes from March 21, 2006, the joint meeting with the ZBA.

Motion: Evans To accept the minutes of March 21, 2006

Second: Preston Unanimous with Moore abstaining as he was not present.

There were no requests for security reduction.

In correspondence there was a letter from Peter Saari, attorney for Charlie Bagley the developer, requesting an extension to meet the conditions of approval within 90 days. After discussion the Board granted an extension.

Motion: Preston To extend the date to meet the conditions of approval on Case 05-42 to June 15, 2006.

Second: Evans Unanimous

Another case, 05-47 G&D Realty Trust also received a notice to either meet the conditions or request an extension of the conditions of approval by April 4, 2006, and has not complied with the Board's request. Although a representative came to the Planning Board office on Monday, April 3, 2006, no other action was taken by the applicant.

Motion: Foote To extend the date to meet the conditions of approval on Case 05-47 to April 18, 2006 or the case will be closed.

Second: Preston Unanimous

At the Board's request, CEO Garand will speak with the applicant at the site to make sure he understands what is expected.

Public Hearings opened at 6:17 PM. First case #2006-18 Proposal by Isabel & Tony Morgado for a condominium conversion at 2 & 4 Elephant Rock Road, Map 16, Lot 11-7, 11-70.

Henry Boyd represents the applicant. Foote asks about the cluster of water shut-offs. Boyd says he would notify the water department of what shut-off goes with which residence. Boyd also expressed his disagreement with having water shut-offs in the town's right-of-way. He states he prefers an easement. Chair Foote polled the Board for questions and comments. Preston asked if the condominium documents were



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in order and was assured they were with a certification from Attorney Mary Ganz. Audience members were polled for input. There was none.

Motion: Evans **To accept case 2006-18 as a complete application for deliberation and to approve it insofar as it complies with the Town of Seabrook Condominium Regulations.**

Second: Preston **Unanimous**

Case #2005-58 Proposal by Stephen Nichols and ARC Source Inc. to connect two buildings and establish a welding supply store selling nitrogen, oxygen, argon, carbon dioxide, acetylene, propane, propylene, and helium, and equipment such as welding machines, electrodes, gloves, and helmets, power tools, and grinding wheels at 609 Lafayette Road, Tax Map 8, Lot 3.

Henry Boyd represented the applicant, Stephen Nichols of ARC Source, who was also in the audience. Mr. Boyd stated that all abutters were re-notified on this case to allow them opportunity to know what type of business was being established. Boyd stated that the applicant had met with Fire Chief Jeffrey Brown, also in attendance, and discussed the types of gases, the amounts, where they are stored and how they are accessed (by hand truck, no fork lift). Based on this discussion, the Fire Chief sent a letter to the Planning Board. An architectural rendering of the building Mr. Nichols hopes to build was presented.

Boyd added that there would be no tractor trailers on the site; deliveries will be made by 24-foot box truck and the loading bay is lifted four-feet above the concrete pad. Foote polled Board for comments and questions. Morgan asked if any gases would be stored in the section labeled "Warehouse" on the plan and Boyd said no. He added that there would be special doors between the buildings that would help contain the gases. Morgan asked about the tenants in the back building labeled "service businesses". Mr. Nichols named New Image Auto, Imperial Paint, and Richards Wholesale Auto as current and future lessees. Morgan asked if the parking spaces indicated on the plan would impede access to the buildings. Boyd indicated there was more parking than the ordinance requires so it should not be an issue. Garand asked how many cars the auto dealer would have on site. Boyd answered 15. Garand asked that the number be limited to 15 so commercial needs are met. Evans asked about the parking requirements for the New Image Auto repair facility. Boyd stated there were sufficient to meet the requirements.

Garand stated the area needed to be cleaned up, that there be no parking on the green space and that the lighting conform to the ordinance. Garand also indicated he had received a complaint of "band-like" music/noise and suggested a fence along the adjacent property that would screen noise and sight was warranted. The hours of operation also need to be added to the plan. Boyd said a chain link fence was on the plan. Garand posited that chain link does not block the view of cars. Boyd countered with the fact that there are trees between the two properties. Garand still requested a fence that protects the abutters from hearing and seeing activity on the ARC Source property. Garand then asked if lighting was going to be lowered after hours. Boyd said that was indicated on Sheet 2, note 5. Evans asked if the dumpster was on a pad. Boyd said it was not proposed and that the dumpster did not leach into the ground. Garand asked if there would be filling or transfer of tanks of gas or just sales. Nichols stated just sales and that he had a maximum number of tanks allowed at the site.

Fire Chief Brown's letter Re: Arc Source, was read by Chair Foote:

March 30, 2006

To: Planning Board

From: Fire Department



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RE: Arc Source, Lafayette Road

The Fire Department has reviewed a proposal by Arc Source to locate on Lafayette Road. This review included a specific inventory and location of the products that will be stored in the structure.

The Fire Department finds that the quantities proposed meet guidelines found in the fire codes, specifically NFPA (National Fire Protection Association) Code 1, chapter 63, and NFPA 55 Compressed Gases.

Recommendations have been made that the sprinkler system be extended to the new structure and throughout the rest of the building and that the current fire alarm system be upgraded. These issues will be dealt with further during the building process.

The Fire Department has no other concerns related to this proposal and finds that it complies with the current fire codes.

Jeffrey Brown
Fire Chief

Garand mentioned that while the plan shows the new connection "to be sprinklered" the whole building needs to have a sprinkler system. Foote asks about the warehouse, which is not allowed in the commercial district. Garand says it can only be an accessory use. Evans asks if the parking lines will be painted? Boyd says that can be part of the approval if the Board wishes. Evans also asks the Fire Chief about oxygen being non-flammable. Chief Brown states it is an accelerant, not a flammable gas.

Foote polls the Board for comments and questions. Khan asks how far from the site is the nearest fire hydrant? Boyd replies there is one across Route 1 and another 300-400 feet away on Perkins Ave. He also reiterates that the whole building will have a fire-sprinkler system.

Jeff Brown, Fire Chief talks about the hydrant locations on Route 1, which are all on the east side. He states that large developments are required to put in their own hydrants. Morgan asks the chief if he will have occasion to inspect the building? Brown says that with hazardous materials quarterly inspections are conducted, a Knox box will be on the building and the EPA requires a two-tier report annually.

Foote polled the audience for questions and concerns from abutters. There were none.

Nichols asked about the business license procedure. Garand explained the application was available in the Code Enforcement Office. Foote noted that the BOS signs the business license application after all the department heads have approved it.

Motion: Preston To accept case 05-58 as complete for deliberations.

Second: Evans Unanimous

Foote notes that although there is no indication on the technical review checklist that a site security is required, Planning Board regulations state a minimum security of \$5000 for site plans. Morgan asks what that covers? Discussion ensues of what the \$5000 security encompasses and the importance of indicating that on the notice of decision. In this case maintaining the granite curbing, landscaping, and drainage infrastructure are being secured.

Motion: Preston To approve case 05-58 and set site security at \$5000 to cover landscaping, drainage infrastructure, and to maintain the existing granite curbing.

Second: Evans Unanimous

The next case is #2004-50 Proposal by Paulo & Lisa Cabral and Cheryl Wills for a 5-lot subdivision at 94 Blacksnake Road, Tax Map 3, Lot 4-1. Case #2004-50 is continued to June 6, 2006 at 6:00 PM because it is being heard at the ZBA on April 26th and must wait for the expiration of the 30-day appeal period.



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#2005-13 Proposal by GRA Real Estate Holdings, LLC, for a site plan review to expand site at 27 & 39 Stard Road, Map 4, Lots 9 & 11. Boyd offers an update on this case. They need a site specific and they met with Frank Richardson of DES last week and are currently designing the ground water specifics DES required. Case **#2005-13** is continued to June 6, 2006 at 6:00 PM.

The last case is **#2005-50** Proposal by Clayton P Gould and Anthony & Dorothyann Genna for a two-lot subdivision at 8 & 16 Adams Avenue, Tax Map 15, Lots 132 & 133. Henry Boyd represents the applicant. A notice of decision from the ZBA granting a Variance on Article 6, Table 2 Dimensional Requirements was granted on February 22, 2006. This was a variance to the required lot width and is noted on the plan. Garand noted that the existing lot was to be cleaned up and the material could not just be moved to the newly created lot. Boyd agreed. Foote reviewed the technical review checklist items. It was noted that the shed setbacks could be addressed by the CEO through the building permit process.

Foote polled both the Board and the audience. There were no comments or questions from either.

Motion: Foote To accept case #2005-50 as complete for deliberations.

Second: Moore Unanimous

Motion: Foote To approve case #2005-50.

Second: Moore Unanimous

The Board then addressed administrative issues. First was a request by the Chair to re-title the secretary's position to administrative assistant to alleviate the grilling by the Budget Committee on the wages requested by the Planning Board for this part-time position, and the notation in the Town Report that the PB Secretary was a "Committee Clerk". Considerable discussion followed on what the PB would gain, why the PB couldn't just tell the Budget Committee that under RSA 673:16 that they can hire and pay as they decide and the need for a job description for now and in the future for this position. Foote also requested a plan for performance evaluations for this position. Evans stated this was becoming much more complicated than warranted and that in the future the Planning Board might have a volunteer in the position and in any case the Planning Board needs to pay the market rate to get the help it needs. Preston says the Board needs to.

Motion: Preston To reassess the job description for the Planning Board secretary, get it on paper and vote on it

Second: Moore Unanimous

Foote next brings up the need for a contract for both the Town Engineer and the Town Planner as requested by the auditors. This was originally discussed in December and got tabled. Moore states it protects both parties. Evans feels a contract is an employment at will. Preston states that what you expect is just a job description. Evans feels a job description could be fluid. Morgan distributed a re-written job description, which he says only differs in two respects: that the planner reports exclusively to the Planning Board; that regional planning authority is replaced by Rockingham Planning Commission. Morgan also indicated that the minimum qualifications should be Masters degree and five years experience. The Board felt that the minimum qualifications should remain as in the original to keep things more fluid. Morgan felt having less than a Master's degree lowers the standards and there is no reason to do that. Khan asks if the changes to the job description change the pay rate. Foote states Seabrook is competitive in this area.



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Motion: Preston To adopt the job description for the Town Planner as amended by the Town Planner.

Second: Evans Unanimous

Morgan then presented a contract he had drawn up. Preston feels we could staple the job description to the contract the auditors have requested. Evans suggested we submit the job description as our contract.

Motion: Evans To submit the Town Planner's drafted contract for the Town Planner to the proper authority for review.

Second: Preston Unanimous

Preston stated the need to get a similar job description and contract from the town engineer identifying his past and essential duties for the Planning Board.

Lastly, Foote brought up the re-appointment of a Planning Board member as an ex-officio Recreation Committee member.

Motion: Preston To appoint Susan Foote as the Planning Board's ex-officio member to the Recreation Committee.

Second: Khan Unanimous

Kahn raised the question of a landmark or historic commission and/or district in Seabrook and his concern for the house being demolished on Railroad Avenue. Morgan points out that the state requires a district, and one house does not comply with that regulation. He adds that since most other historical properties have already been demolished, a district probably isn't possible in Seabrook any longer.

Morgan advises the Board that the Rockingham Planning Commission will be bringing the draft of the corridor study of Route 1 to our meeting with DDR on April 18th.

Meeting adjourned at 8:05 PM.

Respectfully submitted,
Patricia R. Welch
Planning Board Secretary

MYLARS RECORDED		
D-33643	Morgado, Cook & Pierro Lot line adjustment	2006-14
D-33644	George & Donna Eaton Condominium Conversion	2005-56
D-33645	Town Fair Tire Lot line adjustment & Site plan	2006-03