

SEABROOK PLANNING BOARD
February 20, 2001 - 7:00 P.M.
Selectmen's Meeting Room

MEMBERS PRESENT: Chairman Robert Brown, Vice-Chair Susan Foote, Philip Stockbridge, William Cox, Keith Fowler and Selectmen's Rep. Asa Knowles.
Others Present: CEO Robert Moore, Town Planner Thomas Morgan and Secretary Emily Sanborn.

MEETING OPENED: Chairman Brown opened the meeting at 7:05 P.M.

MINUTES: S. Foote made a motion to accept the minutes of 01/16/2001 as written. P. Stockbridge 2nd. Vote: unanimous

**CASE #99:32 - MICHAEL MARSHALL - 537 LAFAYETTE ROAD - SITE PLAN
TAX MAP 8 LOT 22 - FORMAL CONTINUANCE**

Richard Janvrin, representing property owner Michael Marshall, submitted the letter from the D.O.T stating that they had received Mr. Marshall's request for a driveway permit as request by the Board at the previous meeting. He also submitted a letter from Warner Knowles in regards to water and sewer.

Chairman Brown asked Mr. Janvrin if he had revised the plans with the requested addition of the sidewalk and lighting. Mr. Janvrin referred the board to Surveyor Richard Parker, who was in the audience waiting for the presentation of another case. Mr. Parker told the board that he had done the first plan but had not been contacted by Mr. Janvrin to do any revisions. Chairman Brown said that the sidewalk and lighting need to be shown on the plan. R. Janvrin asked if the state plan showed the sidewalks wouldn't that be good enough. Chairman Brown viewed the state plan and said that it just depicts the land being taken not the sidewalk.

R. Parker said that normally the sidewalk is in the town or state right-of-way. He said that if Mr. Janvrin asked him to finish the plan where would they want them to be put. R. Moore said that it shouldn't be put on private property. S. Foote said that it doesn't have to be built physically now but it does have to be shown on the plan not in a footnote as asked by Mr. Parker and that the sidewalk should be lined up with Auto Zone next door.

The board asked about the discrepancy in the plan in regard to the boundary lines. Mr. Parker said that the plan done by Taki looks like it has addressed the boundary lines and that he puts strong reliability on Taki's work.

S. Foote made a motion to continue the site plan to March 6, 2001 at 7:00 P.M. for time for the applicant to get together with R. Parker to go over the curb cut being noted in drawing and the sidewalk and lighting shown on the plan. W. Cox 2nd. Vote: unanimous. T. Morgan told the applicant that the plans must be ready by March 2, 2001. There was a voluntary agreement to continue by the applicant.

**CASE #00-41 - KINGS SURF LIMITED/HAMPSHIRE INN - 20 SPUR ROAD - SITE PLAN
TAX MAP 7 LOT 81 - FORMAL CONTINUANCE**

Surveyor Richard Parker, representing the applicant, presented the site plan for an expansion to the Hampshire Inn at the corner of Rte. 107 and Spur Road for the board's review and approval. The board looked over the plans. Mr. Parker said that he had submitted the plan with colored in areas and had gone

over it with Engineer Michael Fowler. S. Foote noted that the plan did not have an engineering stamp. W. Cox noted that the only proposed lighting on the plan was the ones on the building and the existing lighting for signage. W. Cox made a motion to waive the photometric grid with the stipulation that only fully hooded light fixtures be mounted on the building. S. Foote 2nd. Vote: unanimous. It was also noted that the note that was required by the board from Warner Knowles in regards to the sewer pump had not been obtained by Mr. Parker and that the plan needed an engineer stamp. Drainage plan had been submitted as requested. Robert Moore stated that a standard bond of \$5,000 would be adequate for this project.

W. Cox made a motion to recommended that a \$5,000 performance bond be posted. K. Fowler 2nd. Vote: unanimous
S. Foote made a motion to continue this application to March 6, 2001 at 7:00 P.M. W. Cox 2nd Vote: unanimous.

CASE #00-42 - PAMELA KOPKA - 321 ROUTE 286 - CONDO CONVERSION - FORMAL CONTINUANCE - Attorney Peter Saari, representing the applicant, presented the condo conversion plans for the boards review and approval. Mr. Saari told the board that the fence to protect the well of concerned abutter Dennis Knowles had been added to the plan. He also said that the wetlands had been mapped and that the title block had been changed to reflect the rightful owner. Mr. Saari described the 50' wetlands buffer and the common area line. S. Foote said that Heather of the DES told her that she had no problem with the wetland delineation. She also said that a dredge and fill would be needed if the driveway was ever raised. P. Saari agreed that anything regarding the driveway should be put in the deed. T. Morgan said that the driveway condition should be added by note to the plan.

K. Fowler had a concern with the existing electrical connections and who would have to pay for the sewer pump for the extra unit. P. Saair said that it would be in the documents that each would pay half. Chairman Brown said that the plan needs to show underground connections. R. Moore said that the separation of water and sewer lines should be shown also.

S. Foote made a motion to continue the application to March 6, 2001 at 7:00 P.M. P. Stockbridge 2nd. Vote: unanimous.

CASE #01-01 - WILLIAM & MARY FULLERTON - 2 GREYSTONE LANE - TAX MAP 14 LOT 15-2 - CONDO CONVERSION - FORMAL - T. Morgan told the board that Attorney Mary Ganz, representing the applicants, had sent a letter requesting that this case be heard at the March 20, 2001 meeting. The request was granted.

CASE #01-03 - HOMES LLC & WILLIAM MCCLELLAN - 3-5 TROY WAY - TAX MAP 10 LOTS 29-3 & 29-30 - CONDO CONVERSION - FORMAL

Henry Boyd of Millennium Engineering asked that this case be heard before the Benoit application. The board granted his request. Mr. Boyd addressed the concerns of Town Planner T. Morgan in regards to the double electric meter and the road name references to the board's satisfaction. A question was raised as to the house being in two zones. Mr. Moore addressed this concern to the board's satisfaction.

Abutters Jean and Stephen St Pierre of 6 Troy Way said that their main concern is the puddling at the end of the Cul-De-Sac and that it floods out their property. They asked how and when this would be fixed. Mr. Moore

explained to the abutters that the town was holding a bond from the developer of the subdivision to complete the road. Ms. St Pierre said that her property is a foot lower than the road and that Mr. Tremblay had removed the top soil on her property. Mr. Boyd said that he would look at the plans. Asa Knowles said that the St Pierre's should set up an appointment with the town manager.

The board went over the review by Attorney Simmons in regards to the approval of the condo documents and conversion.

W. Cox made a motion to approve the condo conversion plans only for the purpose of certifying that it complies with the Town of Seabrook Condominium Conversion Regulations. S. Foote 2nd. Vote: unanimous

CASE #01-02 - DAVID BENOIT - LAFAYETTE ROAD - TAX MAP 7 LOTS 92-0 & 93-2 - 10 LOT INDUSTRIAL SUBDIVISION - FORMAL

Henry Boyd of Millennium Engineering presented the plans for a 10 lot industrial subdivision off of Lafayette Road for the boards review and approval. Mr. Boyd went over the letter of recommendations by T. Morgan as follows:

1) application fee submitted; 2) H. Boyd said that this would not increase the traffic volume therefore he did not believe that a curb cut was needed because this is an existing road. T. Morgan said that a letter would be needed from the D.O.T. in regards to whether a curb cut was not necessary. R. Moore asked if there was any documentation that this is a town road. H. Boyd said that there is a approved and signed mylar that had not been recorded (which he showed to the board). He said that because of the discoloration the registry would not record it.

Abutter George Coupounas and his attorney Chris Pappas were present and Mr. Pappas stated that this road was only to service the existing lots and that this proposal would be subject to curb cut for a public way and vehicle traffic to service extra lots. H. Boyd explained his view of the easement going to the Benoit lot in the rear. A brief discussion about the easement for the road took place with Attorney Pappas stating that this use of the right of way would be ser charging the intent of the easement which was the servicing of the four lots and that Mr. Benoit should have reserved the right to expand it. Mr. Coupounas said that this would effect the value of his property.

H. Boyd told the board that Mr. Benoit is proposing to give to the town for conservation 9.6 acres of land, 5.5 acres of upland and 4.1 marsh. S. Foote explained that this land would be set aside not to be developed. H. Boyd went over the present storm water drainage and said that he hoped this project would help clean up the untreated runoff from Market Basket in hopes of restoring the area of the clam flats. Mr. Boyd told Mr. Cox that the streams indicated were dry ditches. Chris York of Millennium Engineering spoke about the drainage. Mr. Boyd addressed the boundary marker being added; subdivision greater than 5 acres regulation; high light elevation and note FEMA map for future owners; and bond amount.

H. Boyd went over the comments of DPW Director John Starkey and Water/Sewer Superintendent Warner Knowles. H. Boyd said that he would have the type of generator for the next meeting.

W. Cox made a motion to continue the application for David Benoit to March 20, 2001 at 7:00 P.M. K. Fowler 2nd. Vote: unanimous
Asa Knowles left the meeting at 9:25 P.M.

INFORMAL PRESENTATION: PROPOSAL BY W. J. SULLIVAN FOR SUBDIVISION

Jason Page, Beach Building Inspector, Richard Maguire, Commissioner of the Beach Precinct and Attorney Peter Loughlin were in attendance for this presentation. Attorney Loughlin told the board that the Sullivan's have an existing 5 lot subdivision of the land done in 1998. He said that what distinguishes this from other projects is the road (Merrimac Street). The Sullivan's are proposing a private street for access for these lots. P. Loughlin said that they need to go to the ZBA for a variance for the road frontage. Mr. Loughlin said that he had spoke to realtor Patrick Carey and that he in turn had spoken to Robert Moore and Mr. Moore had discussed with Mr. Carey some ways to go about making this a feasible plan.

W. Cox said that the plan would also require a waiver for the 100'x 100' square in each lot and a waiver for the road width because there are more than 3 lots. T. Morgan suggested that it not be called a minor subdivision. Jason Page explained to the board that the Boddy's did away with their portion of Merrimac Street. Chairman Brown asked that the square footage be put on each lot. W. Cox and K. Fowler asked about a turn around and the accessibility of the fire apparatus. Attorney Loughlin said that there was a 20' easement on both sides of the road for a turn around. S. Foote went over the plan in regards to what was allowed by the DES Wetlands Board and how this limits the possibility of sidewalks and the road width. S. Foote, B. Cox and other members voiced their request that the public should have access to the water across this private road, at the least a foot path. B. Cox still had concerns about the width of the road and turn around and asked if it wouldn't be better by taking out a lot line with less lots.

Mr. Maguire said that he was at this meeting to carry back information of the planning boards discussion to the ZBA in regards to this project. He said that granting the access to the beach, fire and ambulance turn around, etc, is in the board's hands as to whether this project goes forward. K. Fowler said that they are asking for a 30' R.O.W. when every other road is 40' in this area. He also informed the board that this project would require two variances and five waivers. Mr. Fowler said that he did not like the plan. S. Foote said that our requirement for paved width and sidewalks would create more impervious surface. The board also discussed road maintenance. W. Cox said that the plan needs a signature box and the wetland needs to be delineated. Attorney Loughlin thanked the board for their input.

OTHER BUSINESS: W. Cox submitted the lighting plan furnished to him by Home Depot.

CORRESPONDENCE AND BILLS: T. Morgan distributed the correspondence and Chairman Brown signed the bills.

DRIVEWAY PERMITS: S. Foote made a motion to approve two driveway permits for Paul Lepere for Butland Avenue. K. Fowler 2nd. Vote: unanimous

P. Stockbridge made a motion to write a letter to the BOS and Town Manager to recommend joining the Rockingham Planning Commission. S. Foote 2nd.

Vote: unanimous

SEABROOK PLANNING BOARD

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FEBRUARY 20, 2001

MEETING ADJOURNED: Chairman Brown adjourned the meeting at 10:20 P.M.

Minutes taken by Secretary Emily A. Sanborn.