

**SEABROOK PLANNING BOARD
MAY 6, 2003 – 7:00 P.M.
SELECTMEN'S MEETING ROOM**

MEMBERS PRESENT: Chairman Robert Brown, V-Chair Susan Foote, Paul Garand, Peter Evans, K Fowler and Selectmen's Rep. Karen Knight. Other Present: Town Planner Thomas Morgan, CEO Robert Moore, PB Engineer Michael Fowler and Secretary Emily Sanborn.

MEETING OPENED: Chairman Brown opened the meeting at 7:00 P.M. with a quorum present.

MINUTES: Paul Garand made a motion to approve the minutes of April 15, 2003 as written. S. Foote 2nd. Vote: 3 in favor, K. Knight and K. Fowler abstained. Motion Carried.

CASE #3-7 – PROPOSAL BY DAVID & CHRISTINE LANGIS AND TERRY AND DEBORAH SLIKER FOR A CONDOINIUM CONVERSION AT 15 & 17 ELEPHANT ROCK ROAD, TAX MAP 16, LOT 11-4 – FORMAL CONTINUANCE: Henry Boyd of Millennium Engineering requested to have this case continued to June so the applicants can make the revisions that were recommended at the previous meeting.

P. Garand made a motion to continue this case to June 17, 2003 at 7:00 P.M. S. Foote 2nd. Vote: unanimous

PRELIMINARY REVIEWS:

PROPOSAL BY PHANTOM FIREWORKS TO RE-CONFIGURE THE BUILDING AT CHEVY CHASE ROAD: Patrick Carlon & Holly of B. J. Alan Company along with store manager April Walton at Phantom Fireworks presented a proposal to remove the existing building and reconfigure the allowed footprint of the new building. Henry Boyd of Millennium Engineering presented a conceptual layout of what they want to do. Mr. Boyd said that Patrick and Holly came from Ohio to get a view of the site and place the new building where it would look the best

P. Carlon presented color copies of the new building and went over the history of the Phantom Fireworks Companies. He said that the old building would be torn down and the remodel would insure safety. R. Moore inquired about the parking. H. Boyd said that having looked at the ratio this will work. R. Moore reminded the group that this new building would have to have the same square footage. H. Boyd said that the storage containers now on site would be eliminated. K. Fowler asked

if the problem with the drainage on Chevy Chase Road had been taken care of. R. Moore said that the State had fixed the problem. April Walton confirmed that it has been alleviated. P. Garand said that the snow storage and open space should be on the plan. H. Boyd said that the new plan would have less impervious surface. P. Evans asked about fire safety. P. Carlon said that the sprinkler system would be by State code and that the new building would cut down on the distance to emergency exits. T. Morgan reiterated that the building would have to be the same square footage. R. Moore said that it could be the same or less. Carlon assured the board that it would not be bigger. S. Foote asked if the square footage included the storage containers. R. Moore said no that it was just the existing building that has the square footage on the tax card in the assessing department. In response to P. Evans question as to height of the building, Carlon said it would be according to code.

Chairman Brown and S. Foote agreed that the proposed building was much better looking. Boyd asked about signage and stated that it was important that they keep the existing sign for visibility to the site. S. Foote said that if the existing sign was more conforming the board would not be against it. S. Foote discussed the placement of a Liberty Elm tree and that it should not be more than 50' away from Route 1. Chairman Brown said that the lighting has to be according to regulations, wall packs, etc. R. Moore suggested an American flag would be nice as long as it was not higher than 35' and did not have advertising on it. When asked about the time schedule for this project, Holly said that the demolition of the existing building would take place around September 10th.

Boyd and the group for Phantom Fireworks thanked the board for their time and input.

PROPOSAL BY BRAD KUTCHER FOR A 3-LOT SUBDIVISION OFF OF ADAMS AVENUE: Real Estate Agent Scott Mitchell and Eric Saari of Jones & Beach presented a plan for a 3-Lot Subdivision off of Adams Avenue for the boards input. Scott Mitchell went over the history of these lots and a drift way that was in question. Mitchell said that he had been to the ZBA and received a variance to have 3 units and to use the drift way. He told the board that an abutter to the drift way had filed an appeal, the appeal was heard and the decision was upheld.

Mitchell said that he then applied for a wetland permit and that he had to get the abutters within 20' of the drift way to sign off. The abutter would not sign off and the DES would not give permission to fill the drift way because of ownership. R. Moore said that the drift way in question was most likely owned by the town.

Mitchell went over the limited access off of Rte. 286 and that the state would not allow anymore accesses. Mitchell said that Bruce Brown had an access and they had tried to get it relocated. The D.O.T said no. Mitchell said that three years later he got a denial letter. He then said that land was purchased from Doyle and Brown to eliminate the use of the drift way. T. Morgan asked if it wouldn't be better to condo the units? Mitchell gave him three reasons why they were doing it this way and said that there would be 6 dwelling units using a common driveway for access. S. Foote said that there were lots of wetlands on this plan. Mitchell said that they would put lots of notes on the plan as requested. M. Fowler addressed the 14' wide common driveway with overhead utilities. T. Morgan asked how much fill would be required for the wetland crossing and when and what were the changes that he would get it. Mr. Mitchell said that his percentage for getting the permit was good

M. Fowler went over the number of water lines for the six units and shutoffs if down the road these units were turned into condo units. T. Morgan and M. Fowler explained the complications of common driveways with no garbage pick up and snow plowing. Mitchell said that this could be addressed in the deeds. M. Fowler asked if the sewer would be gravity fed. E. Saari said yes and that they would have to go through some ledge. Saari also went over the runoff and the decreased drainage would go where it does now into the marsh.

T. Morgan said that with the proximity of these homes to the wetlands, how are you going to keep these owners from intruding into the wetlands. S. Mitchell asked how was it being enforced presently. S. Foote said that it should be put into the deed and make sure that the perspective buyers know about the wetland regulations.

S. Mitchell thanked the board for their input.

PUBLIC HEARING: Chairman Brown read the following Public Notice: The Seabrook Planning Board will hold a public hearing on Tuesday May 6, 2003 at 7:00 P.M. at the Seabrook Town Hall in order to consider the following:

- 1) Add the following to Article III Section D of the Subdivision Regulations:
"Revised plans shall include revision blocks that detail every revision to the plan."
- 2) Replace the dimensional requirements in Article V Section F of the Subdivision Regulations with the following:

"In Zones 1, 2 & 3:	125 feet by 125 feet
In Zones 2R & 5:	100 feet by 100 feet

3) Amend the Planning Board application form so as to not require the submittal of a mylar until an application has been reviewed and accepted by the Planning Board.

S. Foote explained the reasons for these amendments to the public in attendance.

S. Foote made a motion to adopt the Subdivision and Site Plan amendments as proposed. K. Fowler 2nd. Vote: unanimous

OTHER BUSINESS: K. Fowler made a motion to cancel the meetings for the following dates: June 3, July 1, Aug 5 and Sept 2. P. Garand 2nd. Vote: unanimous.

FRANCIS CHASE – Informal inquiry

Mr. Chase told the board that he would not be able to attend the scheduled continuation for his Condo Conversion applications and had some questions about what the board wanted. He said that he wanted to make sure that his representative Gerrit Crabbendam was prepared for the meeting. The board told Mr. Chase that on the Lighthouse Way plan that the detention pond is not to be impeded and this should be done by deed. T. Morgan told Mr. Chase that in regards to the South Main Street Condo that his attorney should get in touch with Attorney Simmons in regards to the responsibility of the utilities in the condo docs. Mr. Chase said that he had seen the agreement about the sewer signed by the other property owners and had no problem with signing the same agreement. Mr. Chase thanked the board for their time.

CAREY ASSOCIATES: Motel on Route 286

P. Garand informed the board that Patrick Carey had submitted a plan to Condo his proposed motel that was previously approved by the board. T. Morgan said that he had sent a copy of our condo and site plan regulations to Attorney Mitchell for his legal opinion and that he would be at the next meeting to go over this with the board. Chairman Brown said that this appears to be a ploy to circumvent our apartment regulations. R. Moore said that our regulations do not address timeshare.

PLAN LINK: S. Foote gave the members a summary of this service.

MEETING ADJOURNED: Chairman Brown adjourned the meeting at 8:30 P.M.

Minutes Taken By Secretary Emily Sanborn.

Secretary's Notations: Mylar recorded 4/25/03 D-30631, Docs #46436.

