



Town of Seabrook Planning Board

Minutes of October 19, 2004

Planning Board Members Present: Sue Foote (chairman), Mike Preston (vice-chairman), Paul Himmer, Peter Evans, Mike Lowry (alternate), Asa Knowles (selectmen's representative), Tom Morgan (town planner), Paul Garand (CEO)

Meeting Opened at: 6:08 pm Tuesday Oct 19, 2004

Minutes: Motion to accept minutes of October 15th

Motion: Paul Himmer To approve minutes of October 15th
Second: Mark Preston
All in Favor

Correspondence:

1.) The Board reviewed and discussed a draft Public Notice for a proposed Public Hearing scheduled for November 16, 2004.

- Add the line cause erosion or the discharge of chemicals and other pollutants from stormwater to Zoning Article VII Section A
- Add a new Article XVIV - Pollution Control
- Amend Article XII Section B by adding . . erosion, the discharge of chemicals and other pollutants from stormwater runoff. . .
- Add new section D to Article XII regarding inspections
- Add definitions to Article II of Subdivision Regulations:
 - Best Management Practices (BMPs)
 - Stormwater
- Add new section M to Article III of Subdivision Regulations - M- Pre-Construction Meeting required
- Add to Article V Section E (Required Exhibits and Data) a reference to meeting the EPA's NPDES general permit
- Add new sections to Article V of Subdivision regulations
 - M - Stormwater Pollution Plan
 - N - Erosion And Sediment Control Plan



Town of Seabrook Planning Board

Minutes of October 19, 2004

Sue Foote suggested an additional zoning change to add: lots must contain a minimum of 7,500 square feet of contiguous buildable uplands. The Board discussed the recent submittals that provided limited buildable area. It was agreed that Tom Morgan would prepare this for a public hearing.

3.) Tom Morgan provided an alternative to implementing impact fees

T. Morgan Proposed a zoning change by adding Article XVIII Off-Site Impacts of Developments. Tom informed the board of Off-site improvements limitations to highway, water upgrades, sewer and drainage.

Motion: Mark Preston Schedule to review on Nov 16th

Second: Mike Lowry

All in Favor

Tom Morgan submitted a draft inspection form to be used for submittal of bond reductions. The board reviewed and discussed changing specific names to department head. Tom will make corrections and have ready for approval during our next meeting.

Driveway Permit Applications:

1.) Rose A. Bowden - Ava Mae Lane

Motion: Mark Preston

Approve Driveway Permit

Second: Mike Lowery

Unanimous

2.) Bruce A. Felch Sr. - 10 Bills Way

Motion: Mark Preston

Approve with condition of bond clearing for

site sub division

Second: Paul Himmer

Unanimous

3.) Mark Potvin _ 135 Farm Lane

Motion: Mark Preston

Approve per approved site plan

Second: Mike Lowery

Unanimous



Town of Seabrook Planning Board

Minutes of October 19, 2004

4.) Bulbman Holdings, LLC - 24 London Lane

Motion: Mark Preston Approve per approved site plan

Second: Paul Himmer

All in Favor

Public Hearings:

#4-46 - Proposal by Suzanne Griggs and Genessa Carrillo for a 2-lot Subdivision at 32 Adams Avenue, Tax Map 15, Lot 148;

Derek Griggs submitted the site plans for a 2-lot subdivision.

Mr. Griggs stated to the board that he had obtained a variance from the town in 1988 to allow a 2-lot sub-division as well as a variance to waive the required 100 ft frontage requirement. In 2003 the wetland survey was completed. September 2004 the Conservation Commission had reviewed the Dredge and Fill application and found no objections to the proposed plan. He also added that the Dredge and Fill application was accepted by NHDES as a valid application.

Addressing T. Morgan's comments - S. Foote stated that the topography of the area varies less than several feet. P. Garand concurred that there was probably less than 3 ft. difference in topography.

Motion: Mark Preston To waive topographic survey

Second: Paul Himmer

All in Favor

Scott Follansbee, abutter, questioned if a lot sub-division should precede an approved wetland permit. He was informed that the applications could run concurrent. Mr. Follansbee asked if the proposed driveway could be relocated to the other side of the lot. P. Evans informed him that the driveway must take the route of least disturbance, which it does on the plan.

Margaret O'Leary, abutter, inquired about the proposed location of the home on the lot, and if there were sufficient uplands to support a home. Mr. Griggs indicated on the plan the location and size of the upland area.



Town of Seabrook Planning Board

Minutes of October 19, 2004

Motion: Mark Preston Approve Plans with conditions of - obtaining stamp of licensed soil surveyor. Allow the Chairman to sign the plans when the corrected mylar and plans are submitted.

Second: Mike Lowry

All in Favor

#4-47 - Proposal by David & Helen Downs for a Condominium Conversion at 6 Linda Lane, Tax Map 13, Lot 8-2;

Henry Boyd of Millennium Engineering presented on behalf of David & Helen Downs.

T. Morgan's memo noted a difference in the area totals. H. Boyd explained to the board the reason was due to common area, limited common area and the actual building's area.

Motion: Mark Preston To approve the condominium conversion

Second: Mike Lowry

All in Favor

#4-48 - Proposal by R.W. Jacobs Enterprise LLC and Alison and Richard Caram for a lot line adjustment at 68 Collins Street and 18 Fowlers Court, Tax Map 15, Lots 60 & 66;

Henry Boyd of Parker Survey spoke on behalf of, R. W. Jacobs and Alison and Richard Cram.

Henry Boyd conveyed to the board that a comment by Tom Morgan that the applicants proposing to reduce the frontage of lot 60 from 178 ft to 78 feet and would take a conforming lot and make it non conforming and in the absents of a variance the planning board has no legal right to approve this plan. Boyd continued that he did not feel this was true, the prior deed did not mention Rt. 286, and that the frontage was only on Collins Street, the lot never had frontage on Rt. 286.

Paul Garand agreed that the limited access high way has never been considered frontage.



Town of Seabrook Planning Board

Minutes of October 19, 2004

Motion: Mark Preston To waive topographic survey
Second: Mike Lowry

All in Favor

Motion: Mark Preston To approve the plan and allow Chairperson
to sign Mylar upon receipt of fees
outstanding

Second: Mike Lowry

All in Favor

#4-49 - Proposal by John & David Tucker for a 5-lot subdivision at 136 Walton Road and Washington Street, Tax Map 10, Lot 93;

Henry Boyd presented on behalf of J&D Tucker.

After numerous problems were brought to Henry's attention it was postponed to next month after site modifications had been made.

The town would like to see a cul-de-sac. Henry stated that it would cut more of the wetlands and he would not like to have to fill anymore of the wetlands than necessary.

Assessing had submitted that until the deed is re-written to include the fact that a section of the parcel was transferred from the Tuckers to the Whites it would be illegal to accept this plan. Henry stated that he did not know why they had not recorded this as of yet but they are compelled to do so.

It was also suggested that the lot number be reduced to a minor subdivision so it would meet the town's requirement for roadway access. Henry asked if they went with a 3-lot subdivision would it allow duplexes. Tom stated that it would not. It was suggested that the site modifications be made and the board revisit it on November 2, 2004.

Motion: Mark Preston To continue this case to November 2, 2004
Second: Mike Lowry

All in Favor



Town of Seabrook Planning Board Minutes of October 19, 2004

#4-50 - Proposal by Paulo & Lisa Cabral and Cheryl Wills for a 5-lot Subdivision at 94 Blacksnake Road, Tax Map 3, Lot 4-1;

S. Foote informed the board that one of the applicants, C. Wills, requested that this application be postponed to November 2, 2004.

Motion: Mark Preston To continue this case to November 2, 2004
Second: Mike Lowry
All in Favor

#4-51 - Proposal by Ekta Patel and Ekta Realty Trust to establish a Tobacco store and a Convenience store at 5 Main Street, Tax Map 10, Lot3- 14 & 15;

Henry Boyd of Millennium Engineering presented plans for a tobacco store at 5 Main Street.

The board voiced some concerns over the connecting crossover to the abutting property in Salisbury mass, as well as the entrance and exit on a one-way road. Henry volunteered the information conveyed to him from the D.O.T that there was plenty of room as far they were concerned and the road way need not be enlarged to make safe travel of turning traffic. He also added that it was the plan of the applicant to have a crossover connector to the Salisbury abutter and volunteered to hand deliver a letter to the Salisbury planning board the intentions of the Seabrook planning board and the applicant.

Motion: Mark Preston Approve lot line elimination
Second: Mike Lowry
All in Favor

Motion: Mark Preston For \$10,000 Bond, \$5,000 for landscaping and \$5,000 as built drawings and digital plans
Second: Mike Lowry
All in Favor



Town of Seabrook Planning Board

Minutes of October 19, 2004

Motion: Mark Preston Approve site plans with conditions; side walks with vertical granite edging, crosswalks, and signage, Architectural drawings, and a cross connect to the abutting lot in Salisbury. Upon completion and submittal of corrected plans, allow chairperson to sign.

Second: Mike Lowry

All in Favor

#4-52 - Proposal by Jean K. Gove 1987 Trust for a 5-lot subdivision and lot line adjustments between Foggs Lane and Gove Road, Tax Map 7, Lot 50;

It was brought to the board's attention that this plan conflicts with other plans previously presented and approved on this parcel. The ownership of some of the original parcel has changed and this plan cannot alter land no longer owned by the applicant.

Motion: Mark Preston
Second: Mike Lowry

Continue to Nov. 2, 2004
Unanimous

#4-53 - Proposal by Douglas & Janet Stoddard and Janice Rogers for a lot line adjustment at 16 & 20 True Road, Tax Map 2, Lots 10 & 6-19 Henry Boyd of Millennium Engineering presented the lot line adjustment for 16 & 20 True Road.

H. Boyd explained that the intent of this plan is to provide more back yard to one lot and reduce the severe angle of the shared side lot line.

The site plan was in compliant with town regulations.

Motion: Mark Preston

To approve the proposed lot line adjustment

Second: Paul Himmer

All in Favor



Town of Seabrook Planning Board

Minutes of October 19, 2004

Other Business:

There was a discussion regarding the recently ratified new fees. There has been a bit of confusion on the amount due for plans submitted. Several of the plans reviewed at this meeting had fees outstanding, which were paid during the review of those plans.

Sue Foote informed the board that from this point on any plan not complete at time of submittal will not be accepted for review.

Meeting Closed at: 9:05 pm

Minutes respectfully submitted by:
William Fowler, secretary

MYLARS RECORDED		
#4-7	10/15/2004 Proposal by Jean Gove 1987 Trust for A 15 lot Subdivision between Foggs Lane and Gove Rd, Tax map 7 lot 50	D-32059
#4-28	10/25/2004 Proposal by Fred Attalla for a lot line adjustment at the corner of Rocks Road and Lafayette Road, Tax Map 7, Lots 98 & 99	D-32092
#4-36	10/25/2004 Proposal by Jean K. Gove 1987 Trust for a lot line adjustment and a 2-lot subdivision off Foggs Lane, Tax Map 7, Lots 51 & 51-2	D-32093
#4-47	10/25/2004 Proposal by David & Helen Downs for a condominium conversion at 6 Linda Lane, Tax Map 13, Lot 8-2	D-32094