



Town of Seabrook
Planning Board Minutes
Tuesday, April 18, 2017
Seabrook Town Hall, 99 Lafayette Road
603-474-5605

MEMBERS PRESENT

Jason Janvrin, Chair, Mike Rabideau, Vice Chair, Mike Lowry, Paul Knowles, Theresa Kyle, Ex-Officio, James Sanborn III, Francis Chase, Tom Morgan, Town Planner, Rick Friberg, TEC, Joseph Jones (Alternate nonvoting member tonight), Maria Brown, Planning Board Secretary

MEMBERS ABSENT

Robert Fowler, Alternate

Janvrin opened the meeting at 6:37PM.

MINUTES

Motion:	Rabideau	To Approve April 4, 2017 minutes as written.
Second:	Kyle	Approved: Janvrin, Rabideau, Sanborn, Kyle, Chase, Knowles Abstained: Lowry

CORRESPONDENCE/ANNOUNCEMENTS

April 29, 2017, Energy and Planning Training, deadline to sign up is April 21, 2017

May 18, 2017, Training will be at the Grappone Center, more information coming soon

RPC training will be held in Brentwood date to be announced soon.

Recent Sand Dunes presentation – Morgan stated that it was a good presentation from the UNH scientists studying the dunes and Seabrook is the 1st Town to launch this program. Kyle stated that they addressed the issue of concerns regarding the dune grass which keeps the sand dunes in place. This is a program that the community can get involved in. The group shared several ideas and concerns such as the human impact on the dune grass, wasting away of sand, and the dredging of the Harbor also

how useful that material is. Kyle also found it interesting to see a map that only showed Cross Beach and the entire east side of the Beach was all water.

Janvrin commented that Julie LaBranche did a lot of work regarding flood insurance along the beach and ways to lower the high cost of that insurance. Morgan stated that Hampton has a new flood plain ordinance.

SECURITY REDUCTIONS/EXTENSIONS/ROADWAYS

Case #2004-22,23,24,25, London Lane, Bulbman Holdings, LLC, Release of Security and close

Friberg will follow up and ask that the applicant submit an updated electronic as-built. Morgan will look into this case as it goes back 13 years. Friberg also added the security may have been tied to the storm water. Friberg also has concerns that many things seem to not been done as they should have been such as; curb cuts, sidewalks, and water connection which he will follow up on. Friberg recalls the security being somewhere around \$27,000.00. Morgan will draft a letter and notify the applicants of the Planning Boards concerns with this case and they will attend the May 9, 2017 TRC Meeting.

Chase asked how many securities we have in place. The secretary will request from the treasurer an updated list for the Board to review.

Mr. Hersey, 2 & 4 Hersey Lane, Rocks Road

The Planning Board gave Mr. Hersey the following options to resolve the security matter at hand; The Road shall be built or the Planning Board will revoke the site plan approval and report it to the Rockingham Registry of Deeds. The Planning Board could cease the security and use it to build the Road themselves. Janvrin also stated that Mr. Hersey could voluntarily merge the two lots together and get the security returned.

Mr. Hersey will come back to the Planning Board after he discusses the matter with his sister. He did call the Planning Board Office to let us know he is still working to resolve the matter. Continue this Case until the May 2, 2017 meeting.

OLD CASES

Case # 2016-27, 18 Stard Road, Site Plan Review, to construct a 10,147 sf warehouse and office building

Ambit Engineering updated the Board and sent a letter requesting a 60 day extension.

The use will be for a general storage and no hazardous waste. Chase stated that the applicant came before the Conservation Commission and they had recommendations

and positive support. The plans have been updated since the Conservation Commission meeting. The Zoning Board of Adjustments has granted a variance for a non-conforming lot.

Morgan had a memo with 6 comments. 1. Met with the Conservation Commission, 2. Zoning Board of Adjustments granted Variance, 3. Storm Water Volume meets all requirements, Building size has been reduced, 4. Test pits recently performed showed requirements were met, 5. Updated architectural plans, 6. High voltage will be going underground with a transformer in front of the building.

Applicant will request a waiver for landscape requirements and architect review would pose a serious burden on the applicant.

Friberg stated that the intent tonight is to simply update the Board. The applicant will go before the TRC on May 9, 2017. They will provide the Planning Board Office with updated plans by May 2, 2017 for the TRC review and the same updated plans will be used by the Planning Board due to time constraints. Applicant will submit the ZBA variance approval after he receives it from the Secretary along with the minutes from the Conservation Commission.

Chase asked about the valve for the oil. This was only talked about the Conservation Commission. The applicant had the gate valve put in but only has a 6" lip and it may need to be higher. Friberg will follow up on this matter and commented this would be similar to US Foods.

Plans are substantially complete. The applicant stated that the Landscape Architect is 6 weeks out as far as scheduling. Janvrin stated that the same waiver requested tonight has been granted for 2 or 3 other Industrial properties. The Building was originally 10,700 square feet and has been reduced to 8,960 for the footprint only.

Motion:	Chase	To waive section 5 of the site plan regulations for Case #2016-27 and to add Conservation Commissions recommendation to plans.
Second:	Lowry	Approved: Janvrin, Rabideau, Sanborn, Kyle, Chase, Lowry Abstain: Knowles

Motion:	Janvrin	To Approve the 60 day extension until June 13, 2017 for Case #2016-27.
Second:	Chase	Approved: Janvrin, Rabideau, Sanborn, Kyle, Chase, Lowry Abstain: Knowles

Janvrin recessed the meeting at 7:19PM until 7:30PM.

NEW CASES

Case # 2017-6, 549 Lafayette Road and 2 Smalls Ave, Site Plan Review, to construct a 2,886 sf Restaurant

Wayne Morrill from Jones and Beach presented the case this evening. He is joined by Ian – Engineer, Steve – Traffic, and Jeff- Architect. The building will house a Burger King and the restaurant will be 2,880 square feet. The case was presented to the TRC last Tuesday. The lot is 33,957 square feet total .78 acres with 144’ of frontage on Route 1. They have over 200’ of frontage on Smalls Ave. The applicant will remove both structures on the lots along with the removal of all utilities. The property is located in Zone 2 and Smalls Ave was accepted in 1954. They have 25 proposed parking spaces and they will be angled. The existing driveway will be changed to a right in only and the duplex existing driveways on Smalls Ave will be removed. They will have a pavement increase on Smalls Ave as it will be widened with 2 lanes coming out. The traffic will go counter clockwise entering right in off Route 1 and existing onto Route 1 from Smalls Ave. They will add landscape buffer and a white vinyl fence on the west side of the property facing the abutter. They will add signs onsite and painted arrows on how to exit site.

They will have a 5’ wide sidewalk connected to the Route 1 sidewalk and the applicant was notified that they will have to maintain the sidewalk. An agreement can be worked out through the Town Manager’s office regarding the maintenance and liability. The Town may delegate the maintenance to the landowner. The contractor working on the sites for snow removal or maintenance would have to maintain the sidewalks. Morrill expressed his concerns and he will need to discuss this with his client. Morrill asked who would be liable. Janvrin stated that the property owner will be liable if someone gets hurt. Morgan stated that F.W. Webb had to do this.

They already have a drainage easement in place. They have added 3 rain gardens, 1 on Lafayette side, 1 in the rear of the property, and one on Smalls Ave side. They will have a 1200 gallon grease trap tank and some Board members shared concern about the location of the grease trap being at the drive thru. They are working with the Fire

and Water Department and may replace the 2" line along Smalls Ave with a 6" or 8" line stopping at the owner's property line. After that point it will drop back to a 2" water line. This plan is in place of crossing Route 1 for water service. The lighting will be LED shoe box style all pointing into the site with a dim down timer. Hours of operation will be 6:00AM – 12:00AM closed down for 6 hours. The Board explained that they must comply with Town Ordinance regarding noise and cannot have dumpster pick up or noise before 7:00AM. The architect Jeff explained that the building will be 18' high, will have thin brick veneer on the lower 3' of the building front, they will not put advertising on the building, and they will have a lollipop sign 6' feet in diameter. Morrill stated the height of the sign will meet the Town requirements.

DOT would only allow a right in and exit from Smalls Ave. Morrill also felt to make Smalls Ave a right out only would not be fair to the residents. The way the lights are now it creates a gap which will help with exiting Smalls Ave. Another idea was some people may take a right if signage was added and go onto Pine Street exiting back onto Route 1 at the lights. Some shared the concerns of safety taking a left out of Smalls Ave.

A bike rack has been added to the site plan. They will have no outside dining. Janvrin stated that a pocket park was supposed to be built across the Street. Morgan stated that the plan is administratively complete.

Motion:	Chase	To Approve Case #2017-6 as Administratively Complete.
Second:	Lowry	Approved: Janvrin, Rabideau, Sanborn, Kyle, Chase, Lowry, Knowles

Rabideau asked if the applicant will have parking for grab and go. Morrill stated that they will have a back door. Janvrin stated that Applebee's has parking spaces for takeout. The parking requirement is 15 and the applicant has 25 spaces depicted on the plan. A few spaces in front of the dumpsters will be for employees only. Janvrin stated that the lights show trespass to the abutters on the plans. It was suggested to have shorter lights with covers.

Janvrin asked how much money DOT has to maintain the drainage system that the applicant will be draining into. Janvrin stated that DOT has no money allocated for the maintenance of the drainage system. Morrill stated that the property behind the front site has 18" loam which will be removed to help with drainage. Morrill stated that they have an easement agreement with the State in place. Janvrin stated we are a MS -4

Town and any water leaving a site must meet certain standards. Morrill stated with all the upgrades the drainage water will be much cleaner due to upgraded drainage system. Janvrin stated the applicant will add a new dip down on Smalls Ave for the sidewalk. Morrill stated that this will allow drainage to come onto the applicant's property and the update will stop the increase in drainage otherwise the flow would be too high.

Janvrin stated that snow storage will is shown on sheet C-2. Morrill stated the applicant will have 3 parking spaces on the northwest corner, some will go in the drainage area near drive thru, and some will be stored out front but must keep a good visibility. It may need to be hauled away depending on the storms. Janvrin stated that they show stop bars on the plans and asked if they will remove them in the winter for plowing. Morrill stated that they may have to depending again on the winter storms. Rabideau stated that this site is very close to the Road and he feels the Route 1 plowing will place big piles of snow on the front of property which will affect the rain garden and plantings. Morrill stated that it will be an ongoing maintenance issue. Janvrin asked about the location of the Liberty Elm and asked the applicant to consider placing one somewhere else in Town where they couldn't find room on the Route 1 side for the tree. Morrill stated that the Liberty Elm will be placed in the back due to power lines and the applicant feels this tree would better serve the abutters so they would prefer to keep it onsite. The tree along with a few others will be planted against the fence on the abutter's side. Rabideau asked about the concrete pad shown on plan and Morrill explained that is on abutter's property.

Janvrin cited the serious concerns from DPW about the left out of Smalls Ave as noted in the TRC minutes. Janvrin asked if the cross connection behind NBT could be connected to Smalls Ave. Morrill stated the drop off in between the properties was about 4' or more and he feels it is not feasible. Rabideau had concerns if that cross connect was connected to Smalls Ave he would be concerned that the other end at the car wash has vacumes on both sides of the cross connect. Janvrin stated the white vinyl fence on the abutter's side would be installed right at the pavement edge with some type of stopper. Morrill stated they left green space on abutter's side. Janvrin stated that granite curbing should be used per regulation. The applicant has a waiver for slope granite curbing. Chase commented that in regards to the granite curb stop he would like to see a knee wall or jersey type barrier with a fence on top on abutter's side. That is an option but they were trying to have a nice visual look and the jersey barrier would be 2' or more. The current site is 6" higher than the abutter's property. Rabideau would like to see something instead of vinyl fence for the noise factor.

Janvrin had concerns with the grease trap being in the drive thru area. Morrill had to have the grease trap and other things in certain areas due to site. Janvrin asked if it could go toward the dumpster area. Morrill stated they have transformer and gas lines

in that corner. The clean out for the trap will be done by corporate standards. Janvrin reminded the applicant that they must not make noise before 7AM. Hours of operation will be 6:00AM – 12:00AM closed for 6 hours. Janvrin asked about the water main and fire suppression. Morrill stated that they are still in negotiations with the Fire Department on this matter. Janvrin cited the fire Burger King had in the hood that was not suppressed he would like to make sure they avoid fire hazardous as much as possible. Morrill stated they may upgrade on Smalls Ave to at least the lot line of their property. They discussed many ideas and directional drilling was not an option. The DOT will be overlaying the pavement along Route 1 soon. They are looking hard at the Smalls Ave line for water.

The traffic study was presented by Steve. They started the study by having a scoping meeting with DOT in January. The study showed a 1%-2% increase during peak time. The right in and right out was not an option after showing all access possibilities the DOT agreed on a right in only and an exit at Smalls Ave. They will add two approach lanes exiting Smalls Ave. The level of service visibility was poor for any left turns out of Smalls Ave which is why they are adding two lanes. Chase asked who represented Seabrook at the scoping meeting. Morgan represented Seabrook at that meeting. Janvrin stated that the in and out table shows 86 arrivals and 83 departures per hour at peak. Friberg stated that he can see the break for traffic due to lights along Route 1. Friberg stated the fee would have been \$142,800.00 but has been reduced to \$78,000.00. Morgan likes Morrill's idea that you should exit right out of Smalls Ave and go to Pine Street coming out of the Route 1 lights to reverse direction. Signals both North (Wendy's Light) and South (Railroad Ave Light) do make gaps of 7 1/2 to 14.9 seconds to exit out of Smalls Ave at this time. Janvrin stated that light gaps may help today but keep in mind they have not been coordinated yet so the gap time may change. The secretary will have Mr. Richardson from Waterstone attend our next meeting to provide an update on the coordination of the lights.

Janvrin asked if any abutters wish to speak.

Mr. Sonny Small an abutter stated that there is no way he is going to be able to get out of Smalls Ave and he will not go right he has always turned left. He feels the only they stated it would be around 115 cars per hour. He also feels we have enough hamburger places in Town in fact one across the Street. He is also concerned with just a 6' vinyl fence between him and a restaurant. Mr. Small also stated that his home will be lit up like a church. Mr. Small asked why they will only hot top Smalls Ave to the plot line of there site and not the whole Road. Janvrin stated the exaction fee can pay to hot top the entire Road but that is up to the Selectmen. Mr. Small also asked why the water line upgrade will stop at the business and not go down the entire Road. Mr. Small wanted the Board to be aware that he cannot get out of his Road now and asked that the Board shoot down the project.

William Knowles a Town resident asked if he could speak on the project even though he is not an abutter. Janvrin stated that he could speak. Signs could be added to encourage directions to exit and reverse direction. Rabideau stated that dead end sign should be added. Morrill stated they will have arrows on pavement and signs to show flow of traffic. They also added some area off of right turn in and exit to avoid the large trucks from damaging grassed areas. They are anticipating 3 deliveries per week. The speaker for the drive thru will be facing the residential abutter on the back side of the building. Chase added that some area turnouts can be made very attractive. Friberg will get a written response and will work with traffic engineer.

Janvrin continued the hearing until the May 2, 2017 Planning Board Meeting.

OTHER

Route 1 Update and light coordination

The Rockingham Planning Commission meeting was updated by David Baxter. He stated that Seabrook has two project ranked #'s 4 and 5. The State only picks from a list of 1-46. Janvrin is floored that Seabrook has 2 projects close to the top of the list. Baxter also stated those projects from Seabrook could move up and be done sooner if other projects are not feasible. Don Hawkins along with DOT commissioners were also at the meeting. A letter will be sent from the Selectmen to the DOT Commissioners and executive counselor Russell Prescott. Kyle will remind the Town Manager to get that letter drafted. The 4 Lane or 5 Lane will be an impact on what Market Basket does also. Janvrin reminded Morgan to have the letter from the Planning Board and the State Representative in support of Rocks Road light. Kyle stated Selectmen approved the letter and she will follow up on it with Mr. Manzi.

Janvrin will have Waterstone attend the next meeting to update all regarding the light coordination. Baxter will follow up with the Developer for Market Basket.

Janvrin adjourned the meeting at 9:08PM.

Respectfully submitted by,

Maria Brown

Planning Board Secretary