



Town of Seabrook
Planning Board Minutes
Tuesday, January 19, 2016
Seabrook Town Hall, 99 Lafayette Road
603-474-5605

PUBLIC HEARINGS

MEMBERS PRESENT

Francis Chase, Donald Hawkins, Jason Janvrin, Aboul Khan, Michael Lowry, Tom Morgan, Town Planner, David Baxter, Stephan Zalewski, Building Inspector, Rick Friberg, Town Engineer, Maria Brown, Planning Board Secretary

MEMBERS ABSENT

John Kelley, Ivan Eaton III, Paula Wood, Alternate, Robert Fowler Alternate

Janvrin opened the meeting at 6:34pm

MINUTES

Tuesday, January 5, 2016

Motion	Lowry	To approve the January 5, 2016 Minutes as written
Second	Hawkins	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

CORRESPONDENCE AND ANNOUNCEMENTS

- *Feb 9th Presidential Primary at the Recreation Center
 - *Seabrook School Deliberative Session Feb 1 at 7pm
 - *Town of Seabrook Deliberative Session Feb 2 at 7pm
 - *WHS Deliberative Session Feb 3 at 7pm
 - *Town of Seabrook, Election Day March 8th from 7am-7pm at the Recreation Center
- The Board will have
- *Candidate Night is on February 18th 6:00pm and will be live on Channel 22
 - *Town of Seabrook elected official Sign ups January 20, 2016 – January 29, 2016

John Mathews represented Market Basket regarding improvements and possible renovations. Baxter thanked John for coming and this is the first step forward for the possible Route 1 North expansion. Morgan stated that this time around we can clear up the unknowns. Mr. Mathews feels that the footnote added by the Planning Board will be very helpful. Baxter stated that ideally the committee would like to see another lane going north. Chase asked if we were under the impression it will be 1 lane up and 2 lanes down. Hawkins stated original the plan was for 5 lanes but we came back in our Master Plan and said we didn't want five lanes. We wanted to keep this end of Town at 3 and the other end at 4. Hawkins stated we are pushing the bottleneck north stopping at Hampton Falls. Hawkins feels the highway traffic coming on Route 1 to avoid tolls is a problem. Baxter feels sometimes on a Friday afternoon in the summer you will still have back up but if we move that bottleneck $\frac{3}{4}$ mile north it will help. Baxter feels that until the State stops traffic from coming off of Route 95 to avoid tolls the problem will never truly be resolved. Janvrin stated closing one side of the tolls really helped. Baxter stated Charlie is available for the next meeting should we try to bring him in. Khan asked if we are asking Market Basket make improvements in front of their property only. Hawkins stated the last time the State tried to have Market Basket improve all of it and the State was very aggressive with them. Everyone should make an equal contribution. Janvrin and Baxter discussed that it would be a two step process one being the Rocks Road light. The good thing is the committee has very few properties to work with in the area that the lane would be added. The Hotel and Baxter has already signed off on 12 feet of frontage. If they could get the nuke plant and the two other property owners to join in it would be great. Baxter stated the lane will be going north to the front door of Dearborn Ave and tapering back around 920 Lafayette Road. Market Basket will be one of the biggest user next to the dollar store. Baxter feels Charlie may have already given some property and we would need Kara to join in. Baxter stated that it is a 12' easement not like they are taking the property. Mr. Mathews stated the center was discussed this am and they are looking for tenants and work on a new development plan. Baxter stated if we get lucky with the State and everything moves forward would it be a possibility that Market Basket would commit to the plan in its early stages. Morgan the advantage with Market Basket being on board in the early stages is that it would give quite a bit of certainty to the project. The scope of the project is clear this time. The project plans completed ahead of time will be advantage when they are presenting to DOT. Khan stated that we have already done this successfully and we can use the Route 1 South of 107 improvements as a footprint for the north project. Hawkins stated that we would move up on the list if we have the financing taking care of through exactions. Janvrin stated we would be doing all the leg work and before we present to DOT. Janvrin stated a light at Rocks road is a necessity. Baxter stated that a signal at Rocks Road would help the residents, the fireworks store, and it would be much safer. Janvrin stated it would be similar to Pine Street and the

Railroad Ave lights. Baxter stated we can only turn in at Rocks Road. Morgan asked that we touch base with DOT. Baxter envisions that once he has all the businesses on the same page he would go to DOT. Baxter would like to present the simplest project possible. Baxter will confirm with Charlie and get hold of Kara to see if we can meet at the next Planning Board meeting. Mr. Mathews will present the plan to management and it sounds much more feasible than what we had before.

Update on \$6,200.00 Grant

Jason filled out the application and submitted the form. Janvrin need to set up dates to meet. Hawkins thinks Thursday morning was a good meeting day. RPC has accepted the application. The sub-committee needs to work on this. Morgan, Janvrin, and Hawkins will work on this project. Janvrin will see if Julie is available in February. Hawkins suggested Thursday, February 4, 2016 at 9:00am. They anticipate that the process will be done some time in August.

Verizon – follow up agreement

Janvrin is facing an issue. Verizon was approved with a condition of a \$10,000 site security. Verizon provided insurance bond which is not accepted by the Planning Board and Verizon doesn't do cash. Tom Hildreth presented for Verizon. They are asking the Planning Board to waive their regulations for this project. The site security surfaced after the fact. The firm has looked for examples of bond use. Hawkins stated that every developer that comes in wants their own contract and it makes it easier for them. Hawkins stated that the board has made small changes so long as the Town doesn't lose protection. The agreement that the Planning Board used was written and approved by the Town Attorney. Hawkins would like the agreement sent to Town Council to see what he says. Hawkins feels that the Town Manager should be overseeing this. Hawkins if the treasurer sees anything changed he says that he will not accept it and sends it back to the Planning Board. Janvrin stated the sticking point is that the Board will not accept Insurance Bonds and if accepted it must be on the site plan. Hawkins states that Verizon should not be moving forward until the security is in place and the agreement is approved by council. Baxter feels they are some questionable things in this agreement and it should be reviewed by our Attorney. Chase asked where the company was from. The company is from Pennsylvania. Hawkins stated financial institution must be from the state of NH so we don't have to go outside the State to hire lawyers. Morgan asked about the letter of credit. Attorney Hildreth stated that Verizon is getting mixed signals and he is certain the company has agents in NH. Chase the letter of credit is scratched out is there a problem with them. Attorney stated they do not use letter of credits. Attorney Hildreth is looking for guidance if you have a bunch of bonds sitting in the treasurer's office than that is fine and they will go by that. Chase stated they have all letter of credits or cash. Attorney Hildreth needs to know what it is

that we need. Janvrin stated that we need to have a conversation with the Town Treasurer so he can show you examples. Janvrin will have the Planning Board Attorney reach out to the Attorneys representing Verizon. Hawkins has no problem with the Chair pushing this through the system. The Treasurer's position has always been that he needs the Planning Board approval. Morgan cited the regulation sections pertaining to this project.

Motion	Khan	To authorize Chairman and Vice Chair negotiate the security for Verizon
Second	Chase	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

SECURITY REDUCTIONS, EXTENSIONS, ROADWAYS

Knox box for Tesla

Deputy Chief Perkins is working with the applicant on this matter.

Case #2007-11, Security Reduction, Beckman Woods Subdivision, 11 Beckman Woods Map 13, Lots 50, 51, 52, 53, 54, 67, 71, 90, 91

Michael Green presented the case. Janvrin cited list of Department Head issues. Mr. Green stated this was all discussed at the last meeting. Friberg believes the only issue at this time was the street lights. Item 3 the loam and spread has been seeded and hayed. Abutter issues were addressed by Mr. Green. Hawkins asked to be refreshed on when we should be accepting roads. Morgan stated the acceptance of the Road relies heavily on the Engineer. Morgan stated we reduce the security bond to 10% and hold until two years from date of vote of the reduction of security. Khan asked that the peer engineer get all sign offs and everything was resolved at the last meeting. Friberg believes everything was resolved. This is a Kerivan case and many items may have already been done. Friberg will get the sign offs. Lowry stated that we went over this whole plan and punch list at our last meeting.

Motion	Hawkins	To return security and hold 10% of the original bond for a two year period with the following condition; 1) That all Department Heads have signed off
Second	Khan	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

ONGOING

Case #2014-01, Security Reduction, Atomic Fireworks Inc. – 287 Lafayette Road

Steve Carbone was present for Atomic Fireworks. Janvrin stated that all department heads have signed off. Steve stated that the Elms have been planted, all departments signed off, and sidewalks are complete. Janvrin believes that the security amount was around \$10,450.00 plus interest. Hawkins asked if we had any reason to hold anything back.

Motion	Chase	To return entire security for Case # 2014-01
Second	Lowry	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

Motion	Janvrin	To close Case # 2014-01
Second	Khan	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

Case #2015 – 29, Road Acceptance, 82 & 84 Farm Lane – Tax Map 13, Lot 62 & 62-1

Janvrin cited the original letter that Starkey was happy with the road and sidewalks. An email dated January 13, 2016 from Starkey stated that he would put off on the Town accepting the Road until the spring. Mr. Boyd was disappointed that he didn't get the letter regarding the change concerning the Road. Mr. Boyd would have spoken with Starkey if he had known. Mr. Boyd left the meeting almost a month ago and everything was all set. He has no maintenance bond. Janvrin stated the applicant gave a strip of land deeded to the town outside of the roadway. The deeds need to be presented to the Town.

Motion	Khan	The Planning Board recommends that the Selectmen accept Bern's Way as a Town Road with the following conditions; 1) Deed be presented to the Board of Selectmen
Second	Chase	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

Motion	Chase	To close Case # 2015-29
Second	Lowry	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

Janvrin updated the Board about the Rail Trail Project. February 11, 2016 the Town Manager and Jason will be meeting to discuss the memorandum of agreement. Rick Friberg has done a lot of work for free for the Rail Trail Project. Janvrin asked that we authorize one or two members to speak on behalf of the articles. Chase asked why it is taking so long. Chase feels it is a timing issue and he doesn't think the Budget Committee would have voted the way they did if they were fully informed. Khan stated that there were not enough people to explain the Rail Trail Project. A board member changed his mind and it went to the Budget Committee last night. Janvrin stated that this project started out as something in the Master Plan and then in the Capital Improvement Plan. The Board would like to have two members speak on article 68. Chase asked what happens to the \$25,000.00 if the article is defeated. Khan stated the Board of selectmen would not release any of the Rail Trail money until they came back to the Planning Board. Khan feels that the Town needs to know that the Rail Trail is for everyone and the area has problems for our youths and has since been cleaned up now and it is much better. Khan said we need to say it is a Town project. Hawkins stated we need to be clear that \$25,000.00 is not nearly enough to complete this project but it will get things started. We will look for grants. Khan stated some members were very supportive. Khan also recognized and thanked Rick Friberg for donating \$10,000.00 worth of time for this project.

Motion	Hawkins	That the Planning Board recommends Article 68
Second	Khan	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

Motion	Khan	To have Chair Janvrin and Vice Chair Hawkins speak on behalf of the Planning Board at the Deliberative Session regarding Article 68
Second	Chase	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

Motion	Chase	To place a note under Article 68 that the Planning Board recommends this Article
Second	Lowry	Approved Janvrin, Hawkins, Khan, Baxter, Chase, Lowry

Janvrin had a conversation with Waterstone regarding signs. They received a variance and Jones and Beach asked if they are required to come back to the planning board for approval. Morgan stated to let the Planning Board make that call. Hawkins asked if the sign meets the town ordinance. Zalewski stated that it looks ok. The new sign will go in front of the new Wendy's. Chase questioned if Zalewski can take care of it. Zalewski has no problem with it being a minor field change. Hawkins asked how far back it is. Chase noted the sign is 30' back.

Motion	Janvrin	That the second pylon sign to be located at the driveway access for Staples entrance be considered a minor field change and the Planning Board will not take jurisdiction
Second	Lowry	Approved Janvrin, Hawkins, Khan, Chase, Lowry Abstained - Baxter

OTHER

Site Plan/Subdivision Regulations – number of plans submitted – technology update

Update on the Planning Board Secretary Position

The committee, Hawkins, Chase, Janvrin and Khan will meet after the meeting tonight to discuss further.

Non-Public

Janvrin adjourned at 8:24pm

Respectfully Submitted

Maria Brown, Planning Board Secretary