



**Town of Seabrook  
Planning Board Minutes  
Tuesday, March 15, 2016  
Seabrook Town Hall, 99 Lafayette Road  
603-474-5605**

**MEMBERS PRESENT**

Jason Janvrin, Chairman, Donald Hawkins, Vice Chairman, Michael Rabideau, Aboul Khan, Ex-Officio, James Sanborn III, Alternate, Tom Morgan, Town Planner, Rick Friberg, TEC Engineer, Steve Zalewski, Building Inspector, Maria Brown, Secretary

**MEMBERS ABSENT**

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

**MINUTES**

<b>Motion:</b>	<b>Hawkins</b>	<b>To approve the March 15, 2016 Minutes as written.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Approved: Hawkins, Janvrin, Sanborn, Abstain: Khan, Rabideau</b>

**Janvrin opened the meeting at 6:30pm**

**CORRESPONDANCE and ANNOUNCEMENTS**

Janvrin welcomed the newly elected Board Member, Mr. Michael Rabideau.

Janvrin stated that DDR should have all conditions met by the beginning of April.

Tesla has installed the knox box and security will be returned.

The April 23, 2016 training was postponed due to unforeseen circumstances. Money is available for any members who would like to attend.

The Planning Board will be holding a joint meeting with the Conservation Commission and the Selectmen at the Town Hall on June 7, 2016. They will be discussing the Master Plan and coastal hazards

Smokey Quartz Distillery would like to have a yearly Anniversary celebration ongoing approval. They are asking the Board of Selectmen for an entertainment permit. They wanted to know if the Planning Board would like to waive jurisdiction for this event. Hawkins asked if they would have tents. Janvrin believes they do put up tents and have live entertainment. Khan request that if this board approves that as a condition that it does not interfere with auctioneer.

<b>Motion:</b>	<b>Hawkins</b>	<b>To waive jurisdiction with one condition that the annual celebration does not interfere with the auctioneer.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Hawkins, Rabideau, Janvrin, Sanborn, Khan,</b>

The DOT notified the Town of Seabrook about two lots that are adjacent to each other and wondered if the Town has any interest in them. Those lots are on Route 286 and they are landlocked and will never have access.

**CASE #2014-17, Request for extension**

Jim Mitchell is requesting an extension for 6 months ending on October 7, 2016. The concerns are ongoing construction with the road ways and the applicant is still looking for tenants. Janvrin asked the applicant if he is willing to come back to answer questions regarding storm water and drainage. Mitchell would like to do it outside the hearing so to avoid cost. Hawkins asked if the Board has already granted the limit for extensions. The original approval was October 7, 2014 and Mitchell believes that the last extension was October 7, 2015 which he believes runs out on April 7, 2016 which is correct according to the minutes. Khan asked if this is the last one we can extend. Hawkins feels the applicant has made an effort to come to the Board each time before the extension runs out so he will make a motion.

<b>Motion:</b>	<b>Hawkins</b>	<b>To approve the extension for Case #2014-17 until October 7, 2016 provided that this is the final extension.</b>
<b>Second:</b>	<b>Khan</b>	<b>Approved: Hawkins, Rabideau, Janvrin, Sanborn, Khan,</b>

The applicant has the option to meet the conditions of approval. Khan believes the applicant should meet the conditions prior to October 7, 2016. Hawkins feels it is all paperwork at this point.

## **Tuna Striker – 5 River Street**

Henry Boyd is presenting the request to the Planning Board for Tuna Striker. Merrilee Eastman is the owner and is in attendance this evening. Boyd states she has a restaurant on water and he and his wife enjoys driving up with their boat and going in to get some great seafood. The State has encouraged the applicant to upgrade some things. The owner would like to do the updates. Boyd is asking that the board waive jurisdiction. The restaurant will not expand and the parking lot will remain the same. Merrilee would like to expand her season. The deck is very nice and she would possibly like to close it in at some point. The outer wall supports a shed roof. Step one the owner would like to enclose and expand to the south toward Captain Don's place. Step two will be a new cooking line and exhaust to handle it. They were originally planning to have it in the existing kitchen but the applicant felt it needed to be an outside structural wall. The third step is the bathrooms which are very small and doesn't accommodate for handicap patrons. A third bathroom is showing outside and it is used for the fishermen that come off the boat. The applicant would like to do step 1 and step 2 immediately. She is planning on completing step 3 in the fall and step 4 open longer in the season. At this time she has to close for the first week of October. Millennium had a firm go underneath the deck and take pictures. They created a plan of existing deck and it is on pilars to make sure it will hold any added load by the new wall structure. Janvrin has questions relative to seating and he doesn't see an expansion of the dining room. The applicant will not add any additional seating or parking. The applicant needs a bigger hood for quicker turnaround time for all the food she is cooking. The business has been there at least 31 years. Hawkins asked if the roof will be built right away and the shed roof will come down. They have 3 doors to exit the building. Boyd would tie into the existing slab the tubes of concrete were made to extend originally just nobody did it. Zalewski is fine with supervising the request. Koko would be thrilled with the new hood and things as of now are so outdated. Boyd stated it is the pearl on the beach. Hawkins the building has been there a long time he feels that sewer and water may want to look at it. He asked Friberg if he has any reservation about it. Friberg feels it is pretty straight forward. Zalewski feels it is out the of the Planning Boards hands. Boyd stated that he has a full liquor license. As far as sewer and water it is as modern as everything else in Town and he is not aware that there are any water issues. Hawkins feels the grease trap may be an issue and he would like to ask sewer and water for input. When these planning opportunities are bypassed we miss that opportunity to make sure everything is updated. The owner upgraded the grease trap recently and it is serviced weekly. They also have an outside bar sink and a machine that pumps direct in the grease trap. Boyd will visit with the sewer and water department. Rabideau asked what the time frame is. Boyd stated they would like to start right away.

<b>Motion:</b>	<b>Hawkins</b>	<b>To waive jurisdiction to the Code Enforcement Officer with the following condition; 1) Applicant gets input the Water and Sewer Department.</b>
<b>Second:</b>	<b>Khan</b>	<b>Approved: Hawkins, Rabideau, Janvrin, Sanborn, Khan,</b>

**SECURITY REDUCTIONS, EXTENSIONS, ROADWAYS**

Mr. Boyd represented Mr. Benoit this evening. Boyd was aware of the fence, the stone, and that he refuses to put in. The intention was to follow a reduction in sealed surfaces. It is a minimal amount of sealed surface. We can come back to the Planning Board to request that it be considered a field change or an amending site plan. Janvrin stated the paved area was supposed to have grass area for pedestrian safety. Can we accomplish the same goal by installing stop bars? At one point we had a 10 lot subdivision for that lot. If and when anything is done on that property he would think we would have sidewalks. Fridberg stated that one of the main reasons for the request was for pedestrian safety. Morgan agrees with Friberg’s comments. Hawkins asked why it wasn’t built to the plan. Boyd stated that he knew the Planning Board would have an issue as it was not in line with the original approval. Janvrin asked if some portable speed bumps would work. Friberg feels that the applicant could take out a few feet of pavement, plant some grass and add some type of barrier to resolve this issue. Morgan feels you may have better luck to take it back to Mr. Benoit as pedestrian safety. The separation of shared driveway and the road way is the important thing. Removable fence sections may be an option. Mr. Boyd will get back to the Board and asked if the security will be reduced. Hawkins is not in favor to reduce any of the security until the issues are fixed. Hawkins has driven down to the property and it is not a good set up. Boyd asked if it would be a field change. Hawkins feels that we need a solution. Boyd can bring back a solution and asked if it would require a public hearing. Hawkins feels it is a safety issue. The Board didn’t feel that the applicant needed to repost the whole case. Boyd can work with Friberg. The Planning Board can be updated in a few weeks.

**Janvrin recessed the meeting at 7:35pm**

**Janvrin opened the meeting at 7:45pm**

**ONGOING CASES**

**NEW CASES**

**CASE # 2016-01, Condo Conversion, 25 Brooks Road Extension, Map #10, Lot # 55-1**

Mr. Henry Boyd from Millennium presented this case. The lot meets the 30,000 sq foot requirement. They have 2 water shut offs that are adjacent to the Towns water with a 12" main. The Main comes back to Brook Road Extension between the two lots and the Town has access right to it. They have divided sewer services, which comes to one main. They have a gravel driveway that is 20'wide. Morgan asked why the common area doesn't add up. Does the Water Department have all year long access? Mr. Boyd believes it would be accessible through the cemetery and the water line goes through to Janvrin drive. Mary will send in attorney approval for condo docs. Janvrin asked if any monuments will be set. Henry stated they have been set. Janvrin stated that as of October 20, 2015 all condo conversions go the TRC. Boyd questioned whether or not existing structures that have already received all approvals from building permit and department as it is an existing building would have that requirement. It seems to be a waste to take this to TRC. Condo Conversion is a change of ownership and we already have the shut offs. Hawkins agreed with Boyd. Friberg would recommend the Board waive the TRC with this case. Khan agrees with Hawkins and Boyd. Hawkins our job is to make common sense decisions when common sense decision fits. It makes sense to keep the requirement and let the board waive the TRC when appropriate.

<b>Motion:</b>	<b>Hawkins</b>	<b>To waive the requirement meet with the TRC for Case #2016-01.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Hawkins, Rabideau, Janvrin, Sanborn, Khan,</b>

<b>Motion:</b>	<b>Janvrin</b>	<b>To approve Case#2016-01 as Administratively complete.</b>
<b>Second:</b>	<b>Hawkins</b>	<b>Approved: Hawkins, Rabideau, Janvrin, Sanborn, Khan,</b>

Janvrin asked if a driveway permit has been applied for. Boyd stated the driveway is located in the only place it can go.

<b>Motion:</b>	<b>Janvrin</b>	<b>To approve Case #2016-01 Condo Conversion for 25 Brooks Road Extension with the following condition; 1) Attorney Ganz certifies the Condo Documents, 2) Security is set at zero dollars.</b>
<b>Second:</b>	<b>Hawkins</b>	<b>Approved: Hawkins, Rabideau, Janvrin, Sanborn, Khan,</b>

**Case #2016-02, 103 Ledge Road, Proposed use - for personal auto storage and repair of vehicles, Tax Map # 5, Lot # 80/7**

Mr. Mitchell will be presented this case for applicant Gretchen Grasso. Morgan reviewed expedited conditions. Janvrin is concern about the impact this would have on the environment. Janvrin stated that zoning for zone 3 has changed and auto repair is a conditional use. Must meet a conditional use permit and the Planning Board can grant this at any time. Janvrin asked if there are any reasons that this would not be considered as expedited. The unit has been unoccupied. The new owner wrote a letter to the Planning Board explaining what he intends on doing. The proposed use will have no modification to the building and no change to the parking. They have 6 parking spaces and some guest spaces. Morgan stated that the father came in with a subdivision plan wondering if he has an update for that property. Mitchell does not know anything about that. Janvrin stated that they will have no changes to lighting, or parking, just the proposed use of Unit 7. The unit has a 12x12 garage door and a standard entry door both on the north east side of the building. The plan shows a rest room with sink, shower, lights, and a sprinkler. What is on the northern side of the property? Mitchell knows it is not currently developed. It is behind 118 Cimarron Apartments. This area is in the aqua fore protection area. Morgan's issue is whether it would cause issues with aqua fore guidelines. The last Town meeting we approved amendment that all waste must be no more than 5 gallons or it will require a spill prevention plan. Safety clean provides a drum within a drum 16 gallon. Janvrin stated that would have to have a spill prevention plan and have the fire department approval. Hawkins asked what use will this be from our use table. Janvrin stated that it is automotive repair and it was just changed to a conditional use. Zalewski stated that the Motor Vehicle category was added in Zone 3 as a conditional use. Morgan stated page 25 has criteria. Janvrin asked if there is a drain in the middle of the floor. The applicant stated there is no drain in the middle of the floor. The applicant waited for the vote before coming to the Board. What is the difference between auto motive repair and re-manufacturing? It is like comparing restoration to collision work. The applicant will be restoring porches from early 50's to 1998. Khan asked for Mr. Noonan explain to him what he will be doing. Mr. Noonan stated that he restores old cars to make them look

better. In 1971 one car raced in Daytona race. That same car that was worth \$125,000 is now worth \$750,000. Mr. Noonan's cars have 4 cars that were at the museum of fine arts. He has restored 4 cars that belonged to Ralph Lauren. Mr. Noonan had a shop for many years that has a long commute. Mr. Noonan will have a 12 mile commute to this location. Morgan thinks he should speak with Water Department. Janvrin stated that this is expedited but may warrant going to the TRC. Hawkins wanted to know what chemicals will be used in aqua fore area. Mr. Noonan will have a list on record so if they have a spill we will know what requirements would be needed for clean up. Mitchell will meet with Curtis. This case will go to TRC on March 22, 2016. The application does not meet the full site plan review but feels that the expedited requirements have been met. Hawkins asked a question in regards to the motor vehicle manufacturing. The board has to determine what use it is? Morgan read the definition of motor vehicle manufacturing and he feels it is motor vehicle repair. Khan asked what other businesses are in those units. Mr. Mitchell has helped Gretchen Grasso since her husband passed 1 year ago today. They may be another motor vehicle repair shop in unit 2 they have a lift. The CNC machine shop is a tenant that works with small metal parts that meets light industrial. Morgan's recommendation to the Board is to interpret the ordinance and decide whether you agree or not. Janvrin stated that this case came to us an expedited case.

<b>Motion:</b>	<b>Janvrin</b>	<b>To approve Case #2016-2, 103 Ledge Road Unit 7 as Administratively complete</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Hawkins, Rabideau, Janvrin, Sanborn, Khan,</b>

Janvrin Case 2014-02 is not an expedited case but there is enough evidence brought to the board to make a decision. Khan thinks Friberg will be able to help.

Janvrin continued the case until the April 19, 2016 meeting.

Route 1 Traffic Study

Baxter will update at our next meeting

<b>Motion:</b>	<b>Janvrin</b>	<b>To re-appoint Baxter as an alternate to the Planning Board.</b>
<b>Second:</b>	<b>Hawkins</b>	<b>Approved: Hawkins, Rabideau, Janvrin, Sanborn, Khan?</b>

Master Plan for transportation

April 5<sup>th</sup> will be a work session and the Board will go through the guide of the Master Plan to see where we are. The Planning Board is about 60% done with what we need to do with the Master Plan.

The subcommittee that is working on the coastal adaptation chapter meets the first Thursday of each month here at the town hall @9:00 am and the next meeting is April 7, 2016.

The subcommittee is working on impact fees and will meet with consultant on Thursday at the town hall.

Janvrin brought up that a Planning Board elected member has not attended any meetings since April of 2015. If you miss 3 meetings on Budget Committee you're replaced. The Planning Board has no such ordinance or statute. Janvrin would like the board to reach out to the board member and ask why he is not attending. Janvrin with the support of the board is going to ask why they have not been attending and if it is going to continue than a resignation will be requested. The elected member's term expires 2018. Janvrin stated that it is not a big deal if you miss a few meetings but absent for a full year is not ok.

<b>Motion:</b>	<b>Khan</b>	<b>To have the Chair reach out to the missing member.</b>
<b>Second:</b>	<b>Hawkins</b>	<b>Approved: Hawkins, Rabideau, Sanborn, Khan, Abstain: Janvrin</b>

Khan asked about car wash and if the new owners will honor the coupons that were purchased before Christmas.

The Planning Board put together a subcommittee to hire a new Secretary. Janvrin stated that a job description was complete, the Town Manager supported the Planning Board by posting the opening in an area newspaper, the Board accepted applications, and did interviews with all candidates. After all steps were complete the subcommittee unanimously made the decision that Maria Brown will be the permanent Planning Board Secretary.

**Janvrin adjourned the meeting at 8:43pm**

**Respectfully submitted,**

**Maria Brown, Planning Board Secretary**