



Town of Seabrook Planning Board Minutes

Tuesday, June 19, 2012
NOT OFFICIAL UNTIL APPROVED

Members Present: Donald Hawkins, Chair; Dennis Sweeney; Roger Frazee, Aboul Khan, Ex-Officio; Francis Chase, Alternate; Tom Morgan, Town Planner; Barbara Kravitz, Secretary; Paul Garand, Code Enforcement Officer;

Members Absent; Paul Himmer, Alternate; Jason Janvrin, Vice Chair; Paula Wood, Alternate, Albert (Max) Abramson; Robert Fowler; Michael Lowry, Alternate; Sue Foote, Alternate;

Hawkins opened the meeting at 6:35 PM.

Hawkins announced that there would be no meeting on July 3, 2012 in anticipation of July 4th vacations etc.

MINUTES OF JUNE 5, 2012

Hawkins tabled the Minutes of June 5, 2012 until the July 17, 2012 Planning Board meeting.

SECURITY REDUCTIONS; EXTENSIONS

There being none.

CORRESPONDENCE/ANNOUNCEMENTS

Hawkins called attention to the Coastal Adaptation Work Group meeting on June 28, 2012, at 6pm at the Hampton Falls Town Hall. The public is invited. This is the last of three meetings concentrating on analyzing what could happen during the next 50-100 years. The presentations have included LIDAR simulations to model the damage and costs that could result from sea level rise and/or storm surges. Hawkins thought it interesting to learn of the potential inundation that could occur throughout the Harbor that likely would result in substantial back flooding. Towns need to become informed about steps that could be taken for preventive or corrective action.

PUBLIC HEARINGS

Hawkins opened the Public Hearings at 6:37 PM.

NEW CASES

Case #2012-15E – Proposal by Anthony Montisanti and Salisbury Winnelson Co. to establish a wholesale distribution plumbing and heating supply business at 72 New Zealand Road, Tax Map 7, Lot 55.

Attending: Ed Benvie, Mike Shrushan, Robert Vibert; Tom Monteranti;

Benvie said the company is moving from Salisbury, MA to a larger facility in Seabrook. The parent company is a \$2.5 billion located in Dayton, Ohio. Benvie's location is in Hingham, MA. Hawkins asked if the building would be split down the center. Montisanti said the Applicant would occupy 22,000 square feet. Benvie said they would use a small pick-up for deliveries from Ohio and Connecticut twice a week. Morgan commented that the existing pavement would be sufficient. Hawkins asked if there would be outside changes. Montisanti said they would make one drive-in door on the route 95 side. Hawkins noted that would be on the south side of the building. He asked for Morgan's view. Morgan had no issues. Garand asked about the signage



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and the hours. Benvie said this would be 7Am to 5 PM Monday through Friday, and 8AM to 4PM on Saturday. Khan wanted to hear from abutters, but none were in attendance. Benvie said they would have a sign; Garand said if it was complaint, there would be no issues Khan asked about deliveries. Benvie they arrive at about 7AM. Hawkins asked for other questions. Chase knew of the Company and thought this a good use of the building and would be an improvement.

MOTION:	Khan	to accept Case # 2012-15E as substantially complete for jurisdiction and deliberation.
SECOND:	Sweeney	Approved: Unanimous

MOTION:	Khan	to approve Case #2012-15E – Anthony Montisanti and Salisbury Winnelson Co. to establish a wholesale distribution plumbing and heating supply business at 72 New Zealand Road, Tax Map 7, Lot 55, conditioned on the signage being compliant with town regulations.
SECOND:	Sweeney	Approved: Unanimous

HEARINGS/WORKSESSION REVISE TOWN ZONING MAP

Tom Morgan, Town Planner

Hawkins said the town zoning map being used was outdated and did not reflect some of the current zoning. The Board's goal is to have the Rockingham Planning Commission make the zoning changes already in place for a version that could be used as the most current map available. Subsequently, Morgan would work with the RPC and Board to depict a permanent map based on being as close as possible to the lot-lines, which could be presented to the Town Meeting for approval. For example, the Yankee Fisherman's Coop should be in Harbor Commercial and on the ground boundary lines that that ago through lots should be adjusted. He asked Morgan to explain the process.

Morgan said that state law requires the Town Map to have been approved by the voters. A 2002 map now being used is out of date. Morgan then did a lengthy and detailed explanation of the detail that should be made current e.g. adjusting various lot lines at the Beach, along the sea wall, correcting the beach commercial lines, reflecting land actually in the conservation zone, or which is currently in that zone but would be better designated as residential or commercial, and changing parcel boundaries where a zone cuts across lot-lines. He noted that the RPC depiction of the new Smithtown Village had been done very well. Hawkins said the objective is for the map to reflect what had been approved by the voters at Town Meeting. For the next meeting, Morgan will work with RPC to get the "on the ground" map ready for the Board.

In the subsequent mapping changes, Garand wanted to define the exclusion zone overall and show the Beach Harbor Commercial correctly. Hawkins wanted the dunes to be conservation and to show the rail trail. Garand wanted to call out historical property. Khan wanted to see the



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municipal properties depicted. Chase wanted to see the wellheads depicted, and suggested considering a Wellhead zone. Similarly the forest land near Kensington and South Hampton should be looked at. He asked that hatching be removed. Also, a few lot-lines near his residence might need changes. Morgan said that wells are usually protected; he will check the Master Plan and the Zoning about this. Perhaps more than one map e.g. would ultimately be the result. Garand wanted to see residential and commercial. Hawkins wondered if it would make sense to recognize that Home Depot goes back 1500 feet, and wondered if any of the DDR property should remain industrial. Garand wanted to see separate maps for commercial and residential property. .

Hawkins asked to see the new map digitally. Morgan said the lot boundaries should make sense according to what is actually the use. He can ready the map for computers and for the website. Once it is on the screen, overlays can be done as well as the lot-lines. The most difficult zone, Zone 4, had already been done with the Board. Morgan said the map scale is not critical enough, and that is the work to be done in the next mapping phase, that has to go to the voters. Hawkins asked Morgan to send the map as a pdf, and for the members to write down their questions.

CONDOMINIUM REGULATIONS

Hawkins said the discussion should focus on the role of the Planning Board in re the condominium processing. He suggested that reasons for the Board to consider condominium conversions included water meters, parking allocations, when multiple owners or tenants complain and the town has to resolve an issue. He thought the question was what the Board should care about, and how to protect the Town, recalling that Morgan had been asked to review this topic and make recommendations to the Board. Morgan wanted advice from the Planning Board Attorney, as contact with the LGC, did not result in much clarification. Hawkins asked about other towns. Kravitz said that Hampton was also reviewing its condominium policy. Chase asked about floor plans; Morgan said that comes from state law.

Hawkins said that parking was not much of an issue for residential, but commercial parcels were more involved. He wondered if use or other specifics should be looked at. Garand also wanted the Planning Board Attorney's advice on issues, for example, on what to do about complaints. The Town has to be protected in re water lines and other utilities, and what about moving buildings after they were placed and the plan approved. Another issue was to define convertible land and in re common areas and utilities. Kravitz noted that abutters may be upset if a building is moved close to their lot-line. Morgan said to draw an envelope and address setbacks. Hawkins wanted a general clarification as to the state requirements, and what should be addressed in the site plan review regulations. Morgan will consult with the Planning Board Attorney.

DISCUSSION RE FILING CERTAIN SITE PLAN PAGES AND/OR NODs AT THE REGISTRY

Hawkins wanted to discuss the benefits to the Town, the State and the Applicants of recording site plans, and asked Morgan to query the Planning Board Attorney for guidelines. Morgan said the operations and maintenance plan can be recorded. Garand asked if the conditions of approval would be recorded. Hawkins was concerned about how to follow up on approvals. Garand's concern was enforcement procedures, and noted that a couple of attorneys had recommended filing pages and/or the NOD. Hawkins said certain planset pages could be filed. Morgan commented that the surveyors know that the Rockingham Registry of Deeds can be



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difficult, but the engineers for a site plan don't have the regulations in mind. Kravitz suggested that Morgan might ask the Planning Board Attorney for his thoughts at the same time he discussed condominiums. Hawkins said to keep both items on the next Agenda.

PROPOSAL BY THE PLANNING BOARD TO ADOPT AN ACCESS MANAGEMENT AGREEMENT WITH THE NH DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROMULGATING POLICIES GOVERNING ACCESS TO ROUTES 1, 286 & 107.

Hawkins reported that the Memorandum of Understanding between the Town and the NHDOT would be on the Board of Selectmen's agenda the next day. The current document includes the "boiler plate", and an Appendix in re Route 1. He noted that Steven Ireland of NHDOT favored cooperating with the Town on an overall map showing what driveway cuts or cross-connects should be planned for the long term. Khan suggested addressing this in a worksession. Hawkins wanted to develop this in the Master Plan Steering Committee, as was done with the MOU, before bringing it to the Board. He thought the Route 1 Corridor Study map would be helpful. He noted that this could become a model that developers could use in the future. Kravitz noted that Ireland indicated he could issue a temporary permit for a project, and adjust it to a shared-drive when an application is submitted for the adjacent parcel. Hawkins noted that Khan would be present at the BOS meeting and asked for other Board members to attend.

OTHER BUSINESS

Khan announced that he, Morgan, Kravitz and their spouses had attended the Rockingham Planning Commission Annual meeting where he [Khan] received a 5-year service award. Khan is a member of the RPC Executive Board.

Hawkins asked for additional other business; there being none.

Hawkins adjourned the meeting at 8:05PM.

Respectfully submitted,

Barbara Kravitz, Secretary
Seabrook Planning Board