



**Town of Seabrook**  
**Planning Board Minutes**  
**Tuesday, March 21, 2017**  
**Seabrook Town Hall, 99 Lafayette Road**  
**603-474-5605**

**MEMBERS PRESENT**

Jason Janvrin, Chairman, James Sanborn III, Paul Knowles, Theresa Kyle, Ex-Officio, Michael Rabideau, David Baxter, Alternate, Tom Morgan, Town Planner, Rick Friberg, TEC, Maria Brown, Planning Board Secretary

**MEMBERS ABSENT**

Mike Lowry, Francis Chase, Paula Wood and Robert Fowler, both Alternates

**Janvrin opened the meeting at 6:35pm.**

Janvrin announced Francis Chase, Paul Knowles and James Sanborn as newly elected members. Janvrin stated that 2 of the 3 members elected were alternates. Robert Fowler Alternate appointment expires in 2018.

Janvrin stated that the Planning Board has had several request to fill alternate seats they are in order per request as follows with 4 openings;

Mr. Joseph Jones, Mr. David Baxter, Mr. Donald Hawkins, Mr. Rio Tilton, Mrs. Paula Wood. Rabideau suggested the Board appoint Mr. Baxter tonight and hold off until the next meeting for the other request.

<b>Motion:</b>	<b>Knowles</b>	<b>To Appoint David Baxter as a Planning Board Alternate for a 3 year term.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Kyle, Knowles</b>

**The Planning Board will have the Reorganization of the Members at the next meeting.**

**Other Updates**

Tech advisory commission opening has a meeting on March 24, 2017. Francis interested in resigning so to let someone else fill in. Baxter would like to serve as they are very involved with Route 1 widening. Kyle need 24 hours notice to post the meeting

and she will follow up for as an agenda item for the Board of Selectmen. Baxter can attend the meeting and would not be able to vote. Morgan and Janvrin encourage Baxter to attend the meeting.

Rockingham Planning Commission current members are Janvrin, Hawkins, Chase, and they have one more opening if anyone is interested. Please forward a letter of interest to the Planning Board Secretary.

**Letter of Credit**

Member Don Hawkins was asked by the Board to work with Attorney Mitchell to update the Letter of Credit and other forms. After working with Attorney Mitchell, Mr. Hawkins gave his recommendation for LOC to Treasurer, Mr. Carter.

The Planning Board Secretary suggested that the Seabrook Treasurer, Mr. Carter come to the meeting tonight to clear up the confusion regarding LOC. Mr. Carter explained that they have had 3 different Letters of credit since his time as treasurer. He also has seen self calling LOC and the problem is the Planning Board extends it. Self renewing letter of credit automatically renews and the Board has 60 days to act on it. Mr. Carter believes that Self Renewing LOC is the best one for the Town to use. ISTAR was the last one and the Self Renewing old format was the one used. Janvrin asked which one the Board wanted to use. Rabideau stated the timing was wrong on the most recent LOC issue we had and would like our attorney to review LOC suggested by Mr. Carter. Janvrin stated the Board will use the old format ISTAR as an example that Mr. Carter suggested. Baxter stated one form makes it simple.

<b>Motion:</b>	<b>Kyle</b>	<b>To Adopt the Self Renewing Letter of Credit as suggested by Mr. Carter.</b>
<b>Second:</b>	<b>Janvrin</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Knowles, Kyle, Baxter</b>

**Coastal Resilience, Marsh and Sand Dunes Workshop** March 27, 2017, Monday, 4:00 pm -7:00 pm at the Seabrook Beach Precinct Building. This workshop will include a field trip to visit the restoration area. A second presentation will be on April 18, 2017 at the Seabrook Library from 2:00pm – 4:00pm.

**Office of Energy and Planning** will be held on April 29, 2017 please get your request to attend to the Planning Board Office and reserve online.

**NH Municipal Association** will be holding a seminar on May 23, 2017 from 9:00am - 4:00pm. They will also supply a “Knowing the Territory Book”, for free.

**Right to know update seminar** will be some time in August in the North Country and the September seminar will be on the Seacoast and may be here in town. We will have many changes coming for that law.

**MINUTES**

March 7, 2017

<b>Motion:</b>	<b>Rabideau</b>	<b>To approve the March 7, 2017 Minutes as written</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Abstained: Kyle, Baxter, Knowles</b>

March 16, 2017

<b>Motion:</b>	<b>Rabideau</b>	<b>To approve the March 16, 2017 Minutes as written</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Kyle Abstained: Baxter, Knowles</b>

**Non Public sealed Minutes – Allen Felch vs Town of Seabrook Planning Board**

Non public meeting minutes were sealed due to case pending in Superior Court. The case has been dismissed looking for a motion to unseal the minutes to make them public at our next meeting.

**CIP**

Rabideau will follow up tomorrow to get the full copy.

**CASE # 2017-3, 239 Walton Road, Site Plan Review, Light Industrial (manufacture of recycling containers) Premier Recycling Equipment, Rebecca J. Nash c/o Nash Group, Carolyn Mowbray, Tax Map # 13, Tax # 47**

Mr. Henry Boyd, Millennium Engineering presented to the Board. Carrie and Mike General Manager’s were both in attendance. The applicant went to the Zoning Board of Adjustments a month ago and they have a wonderful business coming to Seabrook. They recycle raw steel bring it in cut it, paint it, and sell it. Back in the day it was Spherex that came to town. This is smack dab in the middle of a residential area how

did it get here was the real question. Seabrook School is across the street. This request is a simple change of use as far as Boyd is concerned. Simply have the right to move forward to get approved use for the financing. Always was an industrial building for many years. They have silos in the back that will be removed. Pavement sealed surface will remain as is. Significant amount of traffic caught on ariel from current tenants it is a retail use at this time. This new use will reduce the traffic. A small strip of property that goes along the area of Halls Way and Coleman Court is so narrow it would have no feasible use. This property has no record of ever having a site plan must have came in when zoning was out. This company did the survey for everything which was never done. Sheppard's Brook is on the plan, the utilities both sewer and water are on the plans. The building doesn't have a sprinkler system in. The applicant will put in a sprinkler system for the 50,000 square foot building and it will be expensive. The building will be cleaned up and the landscape will be redone. The office area will be redone. They have a 10" water main currently and the hydrant needs work. The 10" line should be fine. No drainage on site as it is all sheet flow. They may be able to identify area for the future. Storm water calculations should not be needed at this time. They will need to store containers once they are built. Applicant will be coming back to show an area with grading for storage containers.

The applicant will need a shoreline permit and will need a wetland permit. They will have 40,000 square feet of disturbance. The outlet drain is a direct shot to the brook and they will remove loading dock and the site will have no more drainage from that area.

Any areas of pavement that are not needed will be removed. The applicant will add 40' feet of stone to treat drainage which was not mandated. The culvert was installed from State and Federal Grants it is a substantial culvert it is 11'wide x 4' foot high box culvert. The culvert is structurally sound. The road way surface above it has slightly failed. They will have to notify DES but it is premature at this point. They have 3" force main for sewer with a pump station which drains into sewer man hole on Walton Road.

Hours of operations for current Business at this time is all night and day. The applicant's hours will be Monday – Friday 6:30am – 3:30pm with no deliveries until 7:00am or later. They may be open a half of day on Saturdays.

The applicant will have 1 Tractor Trailer delivering 3 x per week. Smaller truck deliveries like Fed Ex will be 1 x per week. Premier truck makes 2-4 trips per day. They have 25 employees may add jobs. No lighting added at this time.

Janvrin stated the sign will remain the same applicant will change message only. Janvrin questioned the weight limit on the bridge and would like to know what it is.

This was an industrial facility at one time and the trucks now will be much lighter. No noise other than dropping of the steel everything else is done inside. They will not be any emissions everything done inside. The closet house is 500' away.

Janvrin asked if the applicant will have enough electricity to weld. Boyd stated that they will. Flow test was 1100 and that sounds sufficient for fire suppression.

Building Inspector Zalewski, Mario, Curtis, and Koko went through the building.

They found 2 gas services all propane they would prefer one. The brush and growth needs to be cleaned up and removed it is a fire hazard. Sprinklers post indicated valve is outside. The building has no sprinkler system. They found where the water comes in to the building on a 2" domestic line and an 8" riser that was capped off which may have been for anticipated sprinklers. PIV should be added to plan. The water pipe was teed. The outside valve services both fire and domestic although the PIV may be ok.

Boyd stated the gate valve is on Walton road. The Town may need an easement to turn off domestic if issues arise. Zalewski stated that Fire hydrant is old and should be replaced.

The applicant asked Zalewski how the business is allowed to operated now and why hasn't something been done with all the issues that are known by the Town. The applicant asked who would be responsible for making the current business owners operate with all the deficiencies known. The applicant has run a company for 20 years and they were inspected by everyone they could never had run that facility with those kinds of issues. The fire hydrant needs to be replaced and no sprinkler system the applicant would have assumed someone would have shut them down already. The new proposed owner wonders why the current owner was allowed operate the way they are.

Janvrin stated that the business currently no site plan approval. Boyd stated they had various buildings and things were not done right. At this time the business has a lot of solvents onsite and the new applicants will only have steel.

Easement mentioned on plan and Boyd stated it is for the power lines. It was a parker plan.

Zalewski stated the bridge and water flow box culvert seems to be in good condition what it is rated at for weight is unknown. Material is being lost on both ends of culvert. The corrugated culvert is getting some sand. Boyd stated they will armor the slope will get load rating.

The guard rail is just wooden and generally in good shape and it would take an amazing event to have culvert full. The failure on record occurred when the water level was 3' high on Route 1.

They will not put additional lighting and hours of operation are on plan. Boyd had such a reduction in traffic he didn't feel traffic count necessary.

Friberg stated that there is no proposed work shown on plan. Approve with conditions. Hours of operation are on plan and Friberg does not see a need for traffic study for this type of traffic. DES will have 75 day to review. Morgan is good with Henry's proposal to take this in two stages. Noise nothing outside the building and the way Morgan measures the noise is by a person cannot stand at property line and hear anything. Applicant stated no noise outside the building other than unloading the steel. Boyd stated he cannot assure nothing at all will be heard. Traffic definition will be reduced a great deal we should set a bench mark.

Kyle asked what time deliveries will start. Kyle stated all deliveries should be after 7:00am. Normally the steel deliveries are 12:00pm – 1:00pm. They would be willing right turn only when existing on Walton Road. Boyd stated residents were really upset with current traffic in an out all hours of the day and night. Where the current applicants are now they hear the birds no banging steel everything is enclosed nothing is done outside. It takes a total of 35 minutes to unload trucks for an entire day. They will not have trucks idling overnight. The applicant has operated this business for five years in another town without issues.

The applicant is making a waiver request for permanent boundary markers. Boyd stated that this is 24 acres of land. Most of the boundary is in the creek. As a land surveyor he doesn't see the need. The applicant will use existing lights and will have a storm water update, and a wetland scientist stamp for next plan.

Morgan Phase II after approval tonight will be early next week. The applicant will start on drainage and design within the next 2-3 weeks. They will be closing on May 31, 2017. The applicant's current operation is in Georgetown.

<b>Motion:</b>	<b>Sanborn</b>	<b>To Approve Case #2017- 3 as Administratively Complete.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Kyle, Knowles, Baxter</b>

**Janvrin called for abutters who would like to speak.**

Steve Nelson from Coleman Court is an abutter. Mr. Nelson is very encouraged by Mr. Boyd and what the Premiere folks have said tonight. They realize the town is the decider, no problem with Dumpster, it is at the very rear of all of the houses. The abutters feel at some point in the future the new owners may elect to sell this land. They feel if the new road goes in it would have a major impact on abutters. They would much rather have Premier instead of 40 more houses. As a condition the abutters are requesting that little strip be prohibited from having a road in return that will protect all abutters' property on Coleman Court. Janvrin stated they didn't want Beckman Woods when it went in.

Janvrin suggest when they come back we may asked that some of that property be put into conservation. Janvrin stated they cannot require request from the abutter. Janvrin shares the concerns and they cannot get it to it from Walton Road.

Bruce Brown is an abutter to the west side of the property and they share a long boundary line and it appears that it will be an improvement he has no objection.

<b>Motion:</b>	<b>Kyle</b>	<b>To Approve Case # 2017-3, with the following conditions; 1) Water shut off for domestic needs to be separated from the fire suppression shut off and an easement to the shut off must be prepared, 2) Fire Hydrant must satisfy the Fire Department, 3) Site Plan revisions must meet approval of the Town Planner and Engineer prior to occupancy, 4) Weight restriction on the bridge must be submitted before occupancy, 5) No manufacturing noise to the abutters 6) All invoices must be paid prior to occupancy.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Kyle, Knowles, Baxter</b>

**Janvrin recessed the meeting at 8:18pm until 8:28pm.**

**Case #2017-01, 147 Lafayette Road, Site Plan, F.W. Webb Company and Seksea Sadie LLC, Tax Map # 9, Lot # 153**

Corey from Altus Engineering presented a revised plan. One concern was 35' wide driveway and the applicant is proposing to keep it that width. This design was sent to DOT. The trucks are using the full driveway width coming in off Route 1. Janvrin suggest that the applicant give instruction for trucks to come off exit 56 in Salisbury. That area is Rated E for services and a much better route to take.

Janvrin stated that the applicant does need 30' at the apron but it doesn't appear you need 30' wide down the entire length of the driveway. Tractor trailers will park on the sides of that driveway if it remains that wide. Janvrin is concerned that he doesn't want the tractor trailer parking in that area at any time. Janvrin felt that if we were to restrict it to 24' it will guarantee no tractor trailers will park on driveway.

The hours of operation is on plan 6:30am - 9:00pm. No trucks deliver until after 7:00am. Rabideau ask if DOT widening along Route 1 would impact the driveway. DOT will be repaving only this summer.

Rabideau asked that if in the future the driveway would have to be redesigned if widening to Route 1 happens. The applicant would prefer to have a waiver for width and keep it the way it is. Sight distance sign on Route 1 is good and they will clear all vegetation all the way back on curb area. Janvrin stated that Southern NH services were required to give a visual easement. DOT requested all vegetation be removed. Friberg stated they have appropriate setbacks.

Landscaping plan originally had 4 red maples due to lot soils they have replaced with red cedar, green western red cedar, and white spruce all with varying heights. The fence was moved back and they added red cedar max 20' high, middle cluster will be white spruce 50' in height, and red cedar will have 30' height. They will provide a winter buffer. Evergreens white spruce shown in front of existing shed, some were added in between the two buildings and they screened the fence by adding junipers 5-6' high and it will soften the look. Sign relocated and they added some landscaping around the sign consisting of junipers 5'- 6' and continued blooming roses 3' high. They added oaks and maples and liberty elm in the front. The applicant added landscape around the base of the building. Janvrin said it looks really good.

Elevation view from the driveway was added. The fence was moved back. They added non climbable fence and would like to go with black to include black post. The fence will not have slates but will be a tight fabric. Building vertical elements didn't work with windows and doors or major entrance. They raised the front wall so they will have 4 different heights which will show depth. Middle one may be a bit high and cause snow drift issue would like to bring that down a bit. Sign functions a lot better for Webb. They

kept the masonry break up including a big stripe. Janvrin stated that the new plan shows landscape coverage. Rabideau stated that they have some latitude to drop the roof elevations to a 4' max it would eliminate many issues and still look good. Janvrin stated the roof change will cut down on the noise from the roof top equipment.

The construction Manager stated that not everyone at Webb has seen the sign change due to short time since last meeting. They lowered the sign from 19' to 17' and encased the post also adding landscaping at the base. The sign is a little bigger 44 vs 55 the sign goes out over the post. Rabideau stated they would prefer the 2<sup>nd</sup> design. Janvrin likes both signs and they are acceptable under the ordinance so he will leave decision at owner's discretion. Rabideau stated all lighting is led and down lighting.

Janvrin asked about park bench and stated that the sidewalk is fully on Webb property. Rabideau asked if this is a free standing sidewalk and it is. Janvrin stated the wetland set back is 50' from stream shown on plan. Friberg stated lots of utilities and drainage work so he would suggest \$275,000.00 for security. Baxter look at setbacks has the Board considered the long distance. Morgan stated we can make a motion to grant a waiver. Rabideau stated that they have shown the effort. Baxter stated the distance from Route 1 and unusual shape of lot is something to consider. The applicant provided a landscape buffer. AOT gives applicant until March 13, 2022 to send an amended copy to the Planning Board.

**Driveway Waiver**

Janvrin stated we did this for Market Basket South they demonstrated the need and so have the applicant before us tonight. Janvrin has a tough time going with the full width all the way down the driveway. Janvrin stated they should have as less pavement as possible. The water will be treated where at this time it is not. Only curbing will be for water collection. Morgan stated the drawing also does well to show need. Calculations are done on pervious area and are on plans. MS4 requires this to be done and it helps to have them on the plan. It is also in the AOT application.

Janvrin asked which sheet will go to registry. Sheet 6 will be the one being recorded and it has storm water management on the plan.

<b>Motion:</b>	<b>Janvrin</b>	<b>To Approve the waiver for a 30' driveway for Case #2017-1.</b>
<b>Second:</b>	<b>Kyle</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Kyle, Knowles, Baxter</b>

<b>Motion:</b>	<b>Baxter</b>	<b>To Approve the waiver for Case #2017-1 to grant relief of section 14 of the Site Plan regulations for the following reasons; 1) Distance from Route 1 is 250', 2) Unique shape of lot with limited road frontage of 81', 3) Landscaping coverage that applicant provided.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Kyle, Knowles, Baxter</b>

<b>Motion:</b>	<b>Janvrin</b>	<b>To Approve Case #2017-1 with the following conditions; 1) The rendering of the sign and landscaping be erected as shown on the signed plan, 2) The impervious surface areas be noted on Sheet C6, 3) Final Plan be acceptable to the Town Planner and Engineer, 4) All invoices be paid prior to occupancy, 5) Security set at \$275,000.00 breakdown per Friberg's memo.</b>
<b>Second:</b>	<b>Kyle</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Kyle, Knowles, Baxter</b>

**Janvrin was contacted by a landowner off of Rocks Road Case # 2003-23.** A hammerhead was constructed to service 2 lots. The lots were subdivided and both lots have been sold. Janvrin shared a letter dated April 14, 2014. It has been 12 years and no road has been built. Janvrin stated we can cease the money and build the road 40' deep 30' wide or we can revoke the subdivision. The lots could be involuntarily merged back to one. Morgan feels we should discuss with Henry Boyd. Janvrin asked Henry Boyd about surveyor EJ Cody who is no longer in service.

Morgan would like to meet with Henry Boyd first. Mr. Hershey claims he has a \$10,000.00 in escrow which Janvrin checked with treasurer and it totals \$11,000.00. The applicant is asking that the entire amount be released. Janvrin stated if they voluntarily merge the two lots back to one the Planning Board could release the security but they will meet with Henry Boyd first. Morgan feels it would be helpful to all to hear Henry Boyd's take on this project. Friberg will follow up on this request and come back to the Board with a recommendation.

Baxter gave a Route 1 update to the Board. They have had a little break through. DOT asked that the Planning Board and Board of Selectmen write a letter to commissioner of DOT for approval.

<b>Motion:</b>	<b>Janvrin</b>	<b>To write a letter from the Planning Board advocating for the light at Rocks Road.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Kyle, Knowles, Baxter</b>

<b>Motion:</b>	<b>Janvrin</b>	<b>To recommend that the Selectmen write a letter to the Commissioner of the DOT advocating for a light at Rocks Road.</b>
<b>Second:</b>	<b>Baxter</b>	<b>Approved: Janvrin, Rabideau, Sanborn, Kyle, Knowles, Baxter</b>

**Janvrin Adjourned the meeting at 9:35pm.**

**Respectfully Submitted,**

**Maria Brown, Planning Board Secretary**