



Town of Seabrook
Planning Board Minutes
Tuesday, November 21, 2017 @ 6:30pm
Seabrook Town Hall, 99 Lafayette Road
603-474-5605

MEMBERS PRESENT

Jason Janvrin, Chairman, Michael Rabideau, Vice Chairman, Teresa Kyle, Ex Officio, Francis Chase

MEMBERS ABSENT

Michael Lowry, James Sanborn III, Paul Knowles

Janvrin called the meeting to order at 6:33PM.

Janvrin moved the Zoning Amendments public hearing at the end of the agenda.

MINUTES

Motion:	Chase	To Approve the November 7, 2017 Planning Board Minutes as written.
Second:	Rabideau	Approved: Chase, Kyle, Janvrin, Rabideau

CORRESPONDENCE/ANNOUNCEMENTS/ INFORMAL HEARING

Wayne Morrill from Jones and Beach Engineering sent in a request today to share the update for 24 Batchelder Road. The Fire Department would like to have gravel roadways installed around each building for safety. The buildings do not have sprinkler systems so this is the plan that the Fire Department, Zalewski, and the applicant all agreed on. They will add 22' wide gravel roadway's around every building. They will take out existing soil 12" deep adding appropriate ground, have a yearly review of gravel, and they will be adding 4 hydrants. Morrill is asking that the Board consider this a life safety situation.

Rabideau asked if they will place blankets under soil and they may have to do that. Morrill stated they will do whatever is needed to make the added roadways strong enough to hold the Fire Engines.

Janvrin stated that this request falls under the Planning Board jurisdiction. Janvrin asked if Morrill could meet with TEC between now and the next meeting. They are meeting with the Fire Department to put down the right gravel for safety right away. Janvrin feels he should meet with Friberg. Morrill met with the Fire Chief after the Planning Board Decision. Morgan suggested Morrill come to the Board and let them know what he will be doing. Chase asked how come the Deputy came in at the last minute and decided this was need as we approved the case awhile ago. The applicant cannot put in sprinklers so they need to do something to make these buildings safe. Zalewski stated when the building plans arrived he and the Deputy went through them. The buildings are existing and were put in many years ago when zoning was not in. Zalewski stated that these are 4 story buildings so they were making the gravel road ways all around the building for fire safety. Chase asked how they are going to enforce it if they don't plow the roadways. Kyle if they don't maintain the building the way they should fine them. Morrill stated they have to maintain the new roadways and old as they have always done. Morrill will meet with Friberg.

Chase asked if the entrances were brought before the Planning Board. Chase stated entrances were not talked about. Morrill stated that they did let the Planning Board know quite some time ago that they would be seal coating the entire parking lots and other things. Janvrin would like notes on the plan to memorialize all the work that is done. Janvrin would like to have Friberg review the access and egress with the Fire Department. Chase asked if Zalewski has any concerns.

Zalewski stated as long as the Fire Department is ok with the upgrades he will be fine. Zalewski stated that they have found a number of things on the plan that have been taking care of. Morrill stated that the Deputy stated that we have to add 22' roadway all around the buildings. Rabideau feels that this is an upgrade and a safety matter that he would like left in the hands of the Deputy Fire Chief. Chase asked if stone dust is going on top. Morrill stated that it is State spec gravel as it has to support a fire truck. Rabideau asked that the roads be added to the as built.

Chase asked if someone else was doing this would they have to come before the board. Rabideau stated they have made no changes to drainage strictly replacing what is there and improving it. Morrill would rather be proactive and meet with the Planning Board to be sure it is ok to move forward. Morgan stated the Board can waive jurisdiction or reopen the public hearing. Chase asked can we waive jurisdiction with conditions.

Janvrin asked if we can request that TEC oversee the upgrades. Morgan stated that Zalewski will ask Friberg to oversee the upgrades. Morgan stated that we want to make sure the 22' gravel is plowed. Zalewski stated the Planning Board gets a chance to sign off on the CO.

Motion:	Chase	To have the Planning Board meet with the Zoning Board of Adjustments at 7:00PM on November 29, 2017.
Second:	Kyle	Approved: Chase, Kyle, Janvrin, Rabideau, Sanborn

Janvrin finds that this is a minor field change. Morgan stated you may waive jurisdiction. Rabideau would like to leave this in the hands of the Fire Department and Zalewski. Chase asked what they would do if the Board doesn't waive jurisdiction. Morrill stated they would have to have to meet with the Planning Board which would be delayed until January. Chase stated that the closing wouldn't take place in November which is what he heard was the date. Morrill stated without an approved site they can close on they will not close off. Morrill stated that we need the Fire Department to sign off and they will meet with Friberg also to make sure everything is done safely. Kyle feels that this is a huge deal and the Fire Department is looking out for the safety of the people.

Motion:	Chase	To waive jurisdiction considering the fact that it is a fire safety issue for the roadways to be installed which will be left up to the Town staff to handle.
Second:	Rabideau	Approved: Chase, Kyle, Janvrin, Rabideau

Morrill will add the roads on the site plan, work with Friberg, the Deputy Fire Chief, and Zalewski.

SECURITY REDUCTIONS, EXTENSIONS, ROADWAYS

CASE #2004-22,23,24,25, 24 London Lane, Bulbman Holdings, LLC, Close.
 Janvrin continued the closing of this case until December 5, 2017. All outstanding invoices must be paid.

CASE #2016-12, 603 Lafayette Road, Seabrook Emergency Room, Waterstone,
 Requesting a security reduction
 Janvrin continued the security reduction until December 5, 2017 which was
 recommended by Friberg, TEC.

CASE #2003-23 and CASE #2017-19, 4 Hersey Lane

Janvrin stated that the 2 lots have been merged back into one lot. The changed has
 been recorded at the Registry of Deeds. The Board voted to return the security.

Motion:	Chase	To close Case #2003-23 and Case #2017-19.
Second:	Janvrin	Approved: Chase, Kyle, Janvrin, Rabideau

Janvrin stated that some cases may or may not have electronic as built in the files for
 the cases on the security list from the treasurer. Chase would like to contact the
 applicants regarding the outstanding securities we are holding to ask how they would
 like to move forward.

CASE #2017-24,

Ann Westervelt, the applicant and owner presented this case to the Planning Board.
 Pastor Minnerella mentioned that he would like to have space to help those with
 addiction. Janvrin stated that if it is a change in use from retail to office space.

Zalewski feels it needs clarification. If it is an apartment it makes it a mixed use. The
 commercial side has to be at least half of it. A guest house doesn't not have those
 rules. Ms. Westervelt would like it considered as a guest house as it may not be used
 365 days it will be used as needed. She would like to have a bathroom, bedroom,
 kitchen and a living room with an open area. The convenience store which is the book
 store is actually a larger space.

Pastor JD Minnerella, Healing Rain Ministry spoke to the director of Team Challenge.
 When the persons in rehab come out they have nowhere to go. They look for
 placement, help getting a job, and get on their feet. Kyle stated that the owner has
 listed several things in the request that they want to do. Is the proposal for a one
 bedroom transition type house? Minnerella will use the space for missionaries and if
 they have space they may place someone in need also. Kyle asked if anyone will be
 with them. Ms. Westervelt will be on the premises as she lives there in her home.

Minnerella stated that it could be used for someone coming out of rehab in need of help finding an apartment. Zalewski asked if the people going in there will be transient. Minnerella stated everyone would be transient. Zalewski feels this would be a guest house as no one would be permanently living at this location. Zalewski stated that it is a permitted use and you can use more than 50% of the building as a guest house.

Kyle asked if Ms. Westervelt has her own bathroom and kitchen and she does. Morgan stated the Board can go with a guest house or a mixed use. Kyle asked if this would be a transition site for Seabrook residents only as the application stated. Ms. Westervelt stated that it will be opened up to guest that go through Pastor Minnerella. Kyle asked if the owner will look to be tax exempt as a church. Pastor Minnerella stated they had not discussed that. Ms. Westervelt asked if the Board would consider decreasing the fees charged for this case. Chase stated that the applicants pay at least \$800.00 every time they need to come before the Board. Zalewski felt it looks like a mixed use at first and now he feels it falls under a guest house.

Janvrin asked if any abutters wish to be heard hearing none he asked for a motion.

Morgan stated that he reviewed the case and felt it was a low impact application. Morgan feels the case is administratively complete.

Chase feels the Board needs to work on the fees and having to spend \$650.00 to do something internal in the building should not have such a high fee.

Motion:	Janvrin	To Approve Case#2017-24 as Administratively Complete.
Second:	Chase	Approved: Chase, Kyle, Janvrin, Rabideau

Motion:	Janvrin	To determine the use is that of a guest house.
Second:	Chase	Approved: Chase, Kyle, Janvrin, Rabideau

Motion:	Janvrin	To Approve Case #2017-24 as presented.
Second:	Chase	Approved: Chase, Kyle, Janvrin, Rabideau, Sanborn

Motion:	Janvrin	To refund the \$300.00 application fee and 100.00 of the Administrative fee for Case #2017-24.
Second:	Chase	Approved: Chase, Kyle, Janvrin, Rabideau

OTHER

CIP

The Board received the 2007 CIP from Morgan. Janvrin finds it interesting to look at the vehicles in here and the vehicle in the CIP today. Chase feels the Planning Board should send a notice to all the other Boards that we don't adopt the CIP this year.

EMAIL all department heads that the Planning Board will not adopt the CIP 2016-2022.

Motion:	Janvrin	To have the Planning Board notify all Department Heads and Committees that the Planning Board has declined adoption of the CIP fiscal year 2018-2023.
Second:	Chase	Approved: Chase, Kyle, Janvrin, Rabideau

Janvrin stated the CIP has become a wish document and they don't want it to become a wish list. They would like it to become a planning document. Chase the residents see that the CIP is approved by the Planning Board, Selectmen, and Budget Committee so they vote for it. Chase feels that it is a Planning Board document and the Planning Board should have to answer to it. Friberg and Chase will continue to work on the CIP and update the Board.

Janvrin stated that the Sustain X, Stard Road, Site Plan for go kart's fell through. They have an outstanding invoice for \$90.00. Every month the statements are returned due to no such person at address.

Motion:	Chase	To strike the entire \$90.00 invoice.
Second:	Rabideau	Approved: Chase, Kyle, Janvrin, Rabideau

See attached Public Notice

Janvrin read the public notice for the public. The Public Hearing was continued until the December 5, 2017 meeting.

Morgan stated that Planners have changed things a bit over time and he explained how they got here today. They have added many ordinances.

Chase feels we need a visual for next Wednesday's meeting and Morgan will provide that via overhead projection. Morgan stated that we caution too many zoning amendments on the warrant. 1. Motor Vehicle Repair Sections 2 and 6 of the Zoning Ordinance in Zone 3 – will change the wording conditional use to prohibited for Zone 3, 2) Mixed Use – Section 6, Change mixed use in 2R from Conditional use to prohibited, Change residential mixed use with no more than 5 dwelling units in 2 and 6R from prohibited to conditional use. Morgan feels we should leave the residential zone alone and restrict 2 and 6M, conflict is in 6R and 2 and 4. Zalewski pointed out that 2R is not just residential it has a couple allowed uses, 1 a retail business less than 1000 square feet, it doesn't say that it has to be part of the residential building and Zalewski is ok with that being a standalone business. You also have manufacturing as a subordinate use the wording sounds a little funny in 2R. Janvrin relocates that if someone is a crafter and they want to use a garage they could. Zalewski feels that is more like a home occupation. Zalewski raised the question due to someone asking if they have a 4 acre lot is they could break them down to 15,000 square feet and put little businesses in. Zalewski ask if that was what the Board envisioned for 2R. 3) Cargo Containers – leave as is, 4) Opaque Fences – Zalewski questioned the word in general it throws an uncertainty in. Kyle stated that may be just taking out "in general", would help and Morgan agreed. Janvrin stated that our intent was only adding the word however. Chase asked if we are defining the word structure. Janvrin asked after the word pavement why are don't we add to provide site along the road ways. Morgan suggested site distance along the roadway and it qualifies to why the exception is made. Zalewski stated that it causes issues when a fence goes out to the Road. It blocks views. Kyle

stated that streets vary in width and asked if the Town owns so far in. Janvrin stated that we do not own but have easement rights may vary in some areas. Morgan asked if 15' would be enough for two people to see each other and he references pavement. Janvrin stated that owning property under the road the town doesn't own but rather the right of way. Kyle wasn't talking about the land underneath. Morgan stated the site distance is the concerns for two people to see each other. Kyle asked if we should include shrubs or bushes as many blocks view. We are defining structures here. Janvrin agrees it should be somewhere it is definitely an issue. Rabideau stated some stop signs have trees right next to them. In that case the Town could ask that it be removed. 5) Lots of record-this came up due to the funny lot of record footnote. The Board asked that this be moved so that it only refers to single family dwellings. Basically we moved it from the first line and put it on the second line. Janvrin stated that it only applies to the two subsections. 6) Motivate applicants to pay Fees properly. Janvrin wondered if we shall add interest will accrue at a rate approved by the planning board. Zalewski states we should put a rate in. Janvrin stated we could add as allowed by state law or 12% annually. Chase has a little issue that the applicants should pay all fees promptly. What is the date we are starting to charge? Janvrin stated date of invoice is the start date. Chase has a statement with a note on the bottom and he will forward the verbiage. Janvrin stated we cannot take fees in advance. Janvrin stated the only fees that can be collected are actual cost. We cannot take in escrow. Zalewski thinks it is unfair to the charge interest what if someone forgot and then they get this big interest bill. Kyle stated we are running a business and are they referring to interest or the actual fee. Chase stated interest and fees. Chase would like to see interest and note that after 30 days interest will be charged. Janvrin once the regulation is in place we add a blurb to the invoice or bill. The applications fees are paid up front. Morgan will forward the public notice to Jeff Brown.

Chase asked about scheduling further meetings for the Holidays hopes we are not meeting on Christmas. December 5, 2017 Planning Board Meeting is fine but he would not be here on December 19, 2017. Janvrin stated if we do not have any cases we will not meet on that evening. Morgan wonders if we should save the meeting for the public hearing. Janvrin needs the ordinances ready by February 1, 2018.

Christmas Tree Lighting is this Saturday at the Town Hall at 5:30PM.

Scout Troop fundraising at Applebee's on December 1, 2017.

Janvrin thanked Chase and Baxter both for opening the group home on December 3, 2017. The parade is on December 3, 2017.

Janvrin adjourned the meeting at 8:12PM

Respectfully Submitted, Maria Brown, Planning Board Secretary