



**Town of Seabrook  
Planning Board Minutes  
Tuesday, February 20, 2018  
Seabrook Town Hall, 99 Lafayette Road  
603-474-560**

**MEMBERS PRESENT**

Jason Janvrin, Chairman, Michael Rabideau, Vice Chairman, James Sanborn III, Francis Chase, Theresa Kyle, Ex-Officio, David Baxter (Alternate voting member tonight), Stephen Zalewski, Code Enforcement, Tom Morgan, Town Planner, Rick Friberg, TEC, Maria Brown, Planning Board Secretary

**MEMBERS ABSENT**

Paul Knowles, Michael Lowry

**MINUTES**

<b>Motion:</b>	<b>Chase</b>	<b>To Approve January 30, 2018 minutes as written.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

**CORRESPONDENCE/ANNOUNCEMENTS**

Janvrin stated that the Annual spring Planning and Zoning Conference will be on Saturday, April 28, 2018. Registrations will be opening soon.

**SECURITY REDUCTIONS, EXTENSIONS, ROADWAYS**

**Case #2011-22, 99 Ledge Road, Dry Air Systems/Alternative Energy Mechanical, sidewalks, Security Reduction**

The request is for 99 Ledge Road for the release of the security held for sidewalks. Janvrin will keep case on for the first meeting in May.

**Case # 2016-14, Mr. Ken Sweet, 72 New Zealand Road, Close**

Janvrin will keep case on for the first meeting in May.

**Case #2016-12, 603 Lafayette Road, Seabrook Emergency Room, Waterstone, Close**

The full release was voted on and Friberg suggest that the Board close the case. The right turn only sign has been put on the fence.

<b>Motion:</b>	<b>Chase</b>	<b>To close Case #2016-12.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

**Case #2003-48, 443 State Route 286 East, Mr. Tony Rizzo, Security Reduction**

Friberg recommended that it is an older case. Looked at the sight Morgan will look to see if an as built was needed back then. Put on for the 1<sup>st</sup> meeting in May.

**Case #2017-01, 147 Lafayette Road, F.W. Webb Company and Seksea Sadie LLC**

Hold the close until the first meeting in May. Morgan stated that F.W. Webb will be coming in for Phase II. Morgan, Rabideau, and Zalewski will meet with FW Webb. Friberg will pull the case and review it. Put on the agenda for the 1<sup>st</sup> meeting in May. Janvrin would like a sub committee to review the cases with Morgan to close some old cases. Rabideau, Baxter, and Morgan will review the old cases to have them close.

Janvrin asked Boyd if he would like to make an announcement. Boyd stated that he is a part of a group formed in Seabrook that is fighting the opioid war particular helping children after their families have been blown up along with helping the addicts. They will hold a 5K run or walk starting at starting at the State Park going to Boars Head and back. The event will be held on April 15, 2018 and they will do a media blast. Boyd thanked Janvrin for letting him do what he can as the opioid crisis is destroying America.

**NEW CASES**

**Case #2018-1, Heirs of Mildred Knowles, C/O Gail Lowe, Patrick Randall, 183 South Main Street, Lot-Line Adjustment, Map #16, Lots #21 & 20**

Boyd from Millennium Engineering presented the case tonight. Millie and Levitt Knowles have a parcel that is 2.3 acres, Map 16, Lot 21. Gail Lowe will be conveying 16,500 sq ft to the Randall family. Typically a lot line adjustment doesn't go through TRC but because of the situation they heard the case.

Parcel 1 will be combined with lot 20 which is now 2,900 sq ft lot 41' of frontage. The frontage will not change it will be over 19,000 sq ft. Utility Lines go across abutter's parcels. Boyd will draft a cross easement for both parties for utilities including the neighbor next door. Boyd stated the only thing that came out of the TRC was to revise a note on the plan to say that existing utility lines servicing locus and other abutters appear to cross over the property lines. There was some comment that when a future owner would be put on notice that they should seek information from the Town Departments.

1. Boyd added Street address, map, and lot on plans.
2. Waiver request for topographical contours as neither lot requires them. This is a simple lot line adjustment.
3. The sight is challenging due to multiple buildings and utilities. Morgan sees a lot of effort went in to this plan and he recommends approval.

Rabideau stated that the original lot on the northwest side, it appears the mobile home crosses the property boundary. Boyd stated that they are not touching the line and it may be over the abutter's line but we are not doing anything with that area and this has nothing to do with what they are doing tonight. A 2,900 sq ft lot will be made in to 1/2 acre. Boyd stated this case was a court case and settled. The mobile home would seem that it is on lot to the rear on Millie's property and it will not be after tonight. The mobile home is on 3 different properties. Boyd all monuments have been set except for the one the mobile home is on as it would have to go through the roof of it and down through the floor. Janvrin stated the gravel driveway that goes up the hill is on Valerie's property. Boyd stated the other two properties share this driveway. The easement should capture the access and the utilities. Not knowing where they are they cannot document them and the amendment note on the plan will help. At least now all parties are on notice. Millie's house is 183 and the mobile home will stay 187B and the house is 187A is a different lot.

<b>Motion:</b>	<b>Chase</b>	<b>To Approve Case #2018-1 as administratively complete.</b>
<b>Second:</b>	<b>Baxter</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

<b>Motion:</b>	<b>Chase</b>	<b>To Approve waivers for Case # 2018-01 for wetlands and topographical contours.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

**Janvrin asked if any abutters wish to be heard**

Regina Emond asked for clarification about the lot line adjustment she couldn't see the plan. Boyd shared plan with the abutters. The existing gravel driveway will remain and an easement on note #3. Boyd suggested Easement and Mylar be recorded at the same time through us. Maria will do that. Boyd thanked Valerie Fowler for working with them on this case.

<b>Motion:</b>	<b>Chase</b>	<b>To Approve Case #2018-1 with the following condition; 1) The easement will be recorded through the Planning Board with the Mylar.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

**Case #2018-2, Henrietta E. Klefbeck, David Lyman P.O.A., 81 Foggs Lane, 6 Lot Subdivision, Map #7, Lot # 3-10**

Henry Boyd of Millennium Engineering will be presenting the case this evening. This subdivision is the division of the Klefbeck property before you in April of 2017. The 4.5 acre parcel in front of you is 30,000 sq foot or larger and they are very uniformed. The only thing odd is an existing bill board that is on the property. They have a driveway that is not traveled very often the easement will be relocated. Boyd stated the easement created is a 25' access and is centered right on the property line. The Subdivision Regulations require a 100' x 100' lots all are in access of 300'.

Boyd stated the applicants do not know what they are going to build. To meet the regulations they have shown 44x44 duplexes. They also show grading. Subdivision up to 5 lots is the only thing on the applications but we have 6 tonight and this should be reflected on the application. The grading on lot 4 has the most vertical relief from the back of the house to the front of the house. Boyd believes the surveyor missed the wetland area on lot 1 and he will look at it after the thaw. Route 95 has been draining on this property since 1954. They have 4 lots that have existing stubs but lot 5 and 6

will need a stub. They have a 10" water main on the same side of the road. Easement proposed has overhead wires and Boyd stated typical the electric company will want a 20' clearance. Boyd stated that they will add to the note that the existing billboard will remain. Each lot will have its own driveway but one will be centered on lots 3 and 4. The road proposed to move will be gravel right now it is hard packed grass. Chase asked where the electric meter is. Boyd stated he believes that it is on the sign and the pole will stay.

Chase asked if snow will be plowed for entrance to the sign. Boyd hasn't seen anyone going out there in the snow. Chase stated 10 years from today what if the bill board changes. Boyd stated it is a civil case at that point. The mylar will have the noted changes and monuments have been set. Janvrin stated it shows 15' at the end of the right of way on the second page. Is the right of way wider than the road? 50' right of way if the road was centered you would have 13' of right of way outside of the pavement.

<b>Motion:</b>	<b>Chase</b>	<b>To Approve Case #2018-2 as administratively complete.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

<b>Motion:</b>	<b>Chase</b>	<b>To Approve the waiver for the driveway regulations for Lot # 3 and 4 to allow a second driveway for Case #2018-2.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

**Janvrin asked if any abutters wish to be heard.**

Seeing none Janvrin called for a vote.

<b>Motion:</b>	<b>Janvrin</b>	<b>To waive the security for Case #2018-2.</b>
<b>Second:</b>	<b>Chase</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

<b>Motion:</b>	<b>Chase</b>	<b>To Approve Case #2018-2 with the following condition; 1) All wetland delineation will be done prior to a building permit being issued.</b>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

**Case #2018-3, Connor Thom, Ortrud Chase, 96 Folly Mill Road, Conditional Use Permit, Parking two vehicles and two trailers on secondary driveway, Map #221**

Mr. Connor Thom presented his case to the Board this evening. Janvrin stated that we would go through the definition of home occupation. Janvrin stated that Mr. Thom is looking to park his trucks on the property. Mr. Thom answered the following questions.

1. No
2. No nuisance
3. Yes
4. Yes
5. No
6. Nothing great than 5 gallon tanks. The gas will be on the client's property.
7. Yes correct
8. No dumpster
9. No erosion
10. No

Morgan feels the board and applicant should state the maximum number of trucks. Zalewski asked if the applicant is only allowed one driveway. Janvrin stated that it is pre-existing none conforming. They will have 2 trucks and 2 trailers with 1 driveway to the shed and the other to the garage.

Mr. Thom does see increase down the road but he will have no more than 2 trucks at the sight. No more than 2 personal vehicles replacing the trucks. The trucks are registered. Connor Thom and Grandmother Ortrude Chase live at this address. The setbacks are 10' for trucks and it meets that. The two driveways were in place when we adopted the driveway regulations so they are automatically approved. Rabideau asked if any wood would be stored on site. Mr. Thom stated that they will not be storing wood on site.

<b>Motion:</b>	<b>Chase</b>	<b>The Planning Board finds that the applicant for Case # 2018-3 has no adverse effects on abutters with the following condition; 1) maximum of 2 vehicles and 2 trailers' on the lot both remaining registered.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

**Janvrin called for a break at 7:35PM until 7:51PM.**

**CONTINUED CASES**

**Case #2017-26, Waterstone Retail Development, Seabrook Development Association, LLC, Sherry Cadell, 603 Lafayette Road and 20 Perkins Ave, Site Plan, The intent of the Plan is to construct a 89,770 S.F. retail building & future 200 seat restaurant, Tax Map #8, Lot # 1 & 8.**

Wayne Morrill and Eric from Jones and Beach presented the case tonight. Doug Richardson, Waterstone, Arliegh Greene, owner, and Stephen Pernaugh, traffic Engineer. Morrill took a moment to thank the Board for joining them for a site walk.

Morrill stated that they met with Seabrook Village and have an agreement. They will add a bus stop for the safety of the children. They will add signs to deter traffic from entering the park. They will have sidewalks starting at the intersection of Rout 1 and Perkins Ave going down to Seabrook Village. They will add a sound wall barrier 8' high and it will sit on a 2' earth berm.

The sound wall will be 10' in so that landscape can be added before the wall and at the wall itself. The people of the Seabrook Village will see greenery 3 different types of evergreen style trees in clumps in between the remaining trees, and the wall with the top of the building in the distance. As you stand at the Seabrook Village meeting house you can see Route 107 now but you will not once the wall is up. The loading will happen on the north side of the building so the building is a buffer for noise. They will add a 4' fence around the detention pond with a gate on the north side. The intersection itself will now be a 3 way stop. The sidewalks will run the entire southern side of Perkins all the way to Route 1, a cross walk added at Seabrook Village over to the pond entrance with a paved walk way. They added a Bus shelter so that the kids from Seabrook Village can cross the walk way to the bus stop. This will avoid the kids having to go all the way up Perkins Ave to Route 1 for a bust stop. The stop will look just like the one at Goodwill and will be lit. The stop sign on the side facing the

development will be a lit LED flashing stop sign. They didn't do it on the other two stop signs so not to have the light bother neighbors. They added a no thru truck signs on the right into the emergency room and one in the back for the emergency center into the development. They added a note prior to any construction that this lot will have cameras. Per the storm water maintenance plan the applicant will be cleaning the inlet culvert pipe at all times to make sure it is working.

They have a high water table. Plastic piping will be used around the building to the hydrant and from the hydrant to the building it will be a plastic line and the blow off one will be cast iron. The TRC discussed that the fire dept had a concern with having hydrant's freeze in Town and they will construct a dry hydrant that water can be drawn out of the pond. Deputy Perkins approved this. They added a sound wall detail, 4' high chain link fence, dry hydrant, propane fill and details submitted to the Fire Department, sidewalk detail and cross walk detail added. Perkins Ave is a Town Road and they maintain 600' and they will not change any maintenance for the Town. They added notation that existing road way being removed with go back to a graveled area and stonewalls added in entrance going in. Signs will be added stating no thru way and private property as there is no way to get out Seabrook Village unless you're a resident.

TEC commented on traffic and they answered them back today.

1. Right of way changed for Perkins Ave on the site plan now showing the new right of way is going right up to the intersection with a piece of land dedicated to the Town of Seabrook and another triangle piece dedicated back to Seabrook Village. They will be back for a lot line adjustment for lot 8 and give the new right of way to the Board for the new Perkins Ave.
2. Easement or memorandum of understanding for public use of the walk way around the pond will be submitted to the Town and will go through the Town legal counsel.
3. Add all the volumes added into the drainage analysis.
4. Discharge coming out going in on Stacey and they will maintain that.
5. Update landscape, sound wall
6. The duck line to the end of the projects line and dry hydrant noted on plan.

The Applicant submitted TEC review comments today. Rabideau the sidewalk going down Perkins Ave will be granite curbing and raised all the way to Route 1 intersection from Seabrook Village.

Rabideau asked about the detail of bus stop been worked out. How far back from the street and how will the lighting be. As part of the agreement the applicant agreed to put in a sidewalk on the south side in one clear spot to put in a bus stop. Rabideau would like a sketch showing where it will be. The new plans show the bus stop on the plan along the sidewalk on sheet C2-1. Janvrin stated that the conservation commission



prefers to that the species do not have to go over the vertical curbing. A 5' wide at grade sidewalk in the area near Birch Court for water flow and all the water from the new Perkins Ave will go into the pond. Perkins Ave is here as a pre-scripted road the right of way the Town is maintaining we do not own. Morrill does not know that off the top of his head. In the 1950's maintaining but doesn't say that the Town took ownership. Janvrin stated that he doesn't believe it was as it was pre-scripted. Morrill will work with Attorney Ganz on this and this is a paper street so they are working to give the other half to Seabrook Village. Janvrin stated that in the MOA 1-b 3 LED flashing stop sign. Only one will be installed to make sure the LED was facing the development. The LED will be facing the development with a 3 way stop. The camera survey has been agreed to.

Janvrin, Item G will get rid of paper street. Perkins is not a Street laid out by the Planning Board it was monumented by the Coop. The Planning Board doesn't need to do anything with that it will be part of the lot line adjustment. The school bus turn around will it be depicted on the plan and the school bus will have the ability to come in the plaza and turn that way and go back out. Janvrin knows for a fact that the bus company doesn't like to have the bus back up. Richardson agrees that the bus can turn around on paved service into the plaza not having to back up. Janvrin feels that this will have to have an easement with the schools. Janvrin asked about how a tractor trailer will enter and egress. They would come onto the site go along the back of the building and egress around and out. Morrill stated that delivery vehicles will not be allowed between 11:00PM – 7:00AM for this project. Janvrin stated that idling of vehicles is an issue and the neighborhood near home depot has deliveries made all hours of the night has no restrictions. Any deliveries should be on the North side of the parking lot. Add note that trucks are not allowed to idle during night hours.

Janvrin asked if the applicant could add a no engine brake sign as they should have no reason to be using it. They will put up a sign at the hospital drive and do not see this happening. Rabideau asked that a note be added for dumpsters and trucks 7:00AM – 7:00PM. Morrill will confirm adding the noise in residential areas also. Traffic memo from TEC and Jones and beach met with them and just got the memo tonight have not had a chance to review it. Friberg and Baxter talked just before the meeting and Baxter has the numbers for the exaction calculations. The applicant can meet with TEC and Baxter to go through the calculations either submit a response of theirs or agree to it. Followed by a memo back to the board updating this.

Richardson will agree to that but asked about traffic counts for what they are using now and the extra space in traffic review in back not be figured in. Baxter stated that the calculations are just for the 3 buildings on the plan. Friberg get a memo back to the Board regarding this. Friberg will draft site security by the next meeting.

Chase asked about the color of the fence determined? The fence will be similar to the Lowes and the residents are fine with the color. Chase asked if they would consider putting the sidewalk on both sides of the street. Not enough footage in the right of way.

Chase asked if the applicant will give an easement to the town in order to access the hydrant. The hydrant is privately owned and they will give the same permission to the Town as they always do for flushing etc. A 4' high was done so that if someone gets in they can get back out and the abutters are fine with it. Chase asked for a sign for residents only. Morrill stated that they would say private property no thru way and they will add residents only. Chase asked about the size of the pipe and if it is sufficient. Morrill stated the pipe is sufficient and has been submitted to AOT. Chase has real difficulty with the school bus turn around being a very busy place at 2:00 in the afternoon dropping the kids off. This needs to have a lot more consideration. Morrill will meet with the school regarding the bus turn around and come up with an acceptable route. Are you considering how you will get a unit out and will they make the swing. The turn will be 30' wide and a lot easier than Pine Street would be.

Morgan mentioned sending a camera down the culvert and if needs to be cleaned out they will do that but what if the pipe is structurally impaired. Richardson stated they don't own the pipe so why would they maintain and clean it. Richardson asked why should the applicant replace it. Morgan stated that you're changing the volume of the water. Morrill stated that the volume will be a 10% decrease. AOT first comments in and submitted back to them. The water quality has to wait until AOT needs to be 100%.

The wetlands permit figure has been agreed on a figure by Core of Engineers and they are working with the wetlands board to come up with final numbers. Should be finalized in less than 30days they will have the AOT followed by water quality. Morgan asked if AOT mentioned the tree removal. AOT did not mention tree removal. Entrance has to be removed and the skidder sank into the edge of wetlands must be rectified.

Morgan town regulations states that prohibits more trees be cut than necessary in event that it happens anyways the applicant needs to replace trees. Mobile home park pretty good job protecting the mobile home park but what about the rest of Perkins Ave. The only trees cleared was only what had to be modified for the project. Richardson stated that the height of the evergreen material will be 6'. Assuming based on the height would be a four year growth like Market Basket after 5 years.

Morgan asked about pedestrian on the site. Some employees may want to walk to work because they don't have a car. To access the building you would come down the sidewalk along Perkins Ave which goes the entire way down to the project.

Morgan if they are planning a cross- connect through Cigarette City.

Morrill would like to connect both businesses. Once the doors are open they will approach the abutters to ask about connecting after they see the flow is working correctly and not add additional traffic until they are sure Perkins Ave can handle it.

Morrill stated that as part of the emergency room opening they were told not to connect to the adjacent properties. Morgan asked what the applicant plans on doing for the three residents left. They have purchased one of those properties and this is a commercial zone. They have done mitigation and updates for the two residents within the Emergency Room project. Morgan stated that they should have ongoing conversation with the two abutters left as they are surrounded.

Janvrin stated that the elephant in the room is an issue as they have a letter from an abutter that lives in the Seabrook Village. An abutter sent an email to the Planning Board and Janvrin wonders if they have spoke to the resident yet. Mr. Bragg stated that they opened up the meeting and everyone in the park could show up and express and she didn't come to the site visit either. It was an open forum and he wanted everyone to speak as a mobile home owner and as a coop. They voted and negotiated. She is a voting member of the coop. She discussed the ponds and concerns and Mr. Bragg stated that is why the 4' fence is going around the pond. Janvrin stated that the letter was from February 1, 2018 before the 1<sup>st</sup> meeting and site walk. The reconfiguration of Perkins addresses many of the concerns. The abutter will pick up some great buffer area with this new plan. They met with 100 abutters and the kids will be able to play in that street area now. The 3 way stop will halt traffic from going in her area. The fence was done solely for her and they addressed the tree clearing also.

Janvrin the abutter is part of the cooperative and the coop owns all the property and they did vote to accept the MOA and this abutter was absent. Janvrin wants to make sure that with all the concerns she had that the changes has addressed all of it. Morrill the Seabrook Village shared and made changes for her concerns Rabideau stated that they actual added buffer for the bus stop also.

Janvrin one thing they discussed was the driveway configuration for the person on the corner across the street from her. The reason we brought him that way is they didn't want to bring in on Perkins Ave he needed a driveway adjustment. This is Lepere property. The one person was not a part of the coop and he had to have a driveway adjustment. He has access to the road but wanted to make sure he had a safe way into his house. Birch has a fence and that would have to be removed and Mr. Bragg does not believe the coop will agree to that. If they wanted to come off of Birch they would have to take down the fence and didn't want to do that. Chase stated that he doesn't own that land. The triangle dedicated to the village for this reason. Mr. Bragg would be uncomfortable if the property was sold to retail. He stated it was a strange scenario and it would be so much easier included to where the park is. Chase asked if we are

causing a problem in the future. Morrill will work with Mr. Lepere and it will make a better situation going into the road right next to him so his driveway doesn't go out on Perkins Ave. Baxter asked about the curb section where the bus stop could they add bollard's so no one can jump the curb. The applicant will add that so the kids are protected.

Richard Gazio the owner of 621 Lafayette Road. His concern is the people that mistake his entrance looking for Burger King or the new project and then they have to get back out his entrance. He is looking for more signage. Burger King is further down the Road. He gave a variance for a cross connection which he preferred to be in the back. The traffic on the weekend is a mess. Janvrin stated the Route 1 mess is spelled DOT. Janvrin stated that signage will be an issue as they are only allowed one sign which is at the hospital. Mr. Greene stated that the Board did not want cross connections that should go in.

Mr. Greene stated that once it is cross connected Cigarette city they will get a lot of increased traffic. Greene would like a cross connection but wants to see how the traffic flow goes. Greene likes the idea and thinks it could work for the future. They have a retention pond between the two lots that they could move if needed. Janvrin stated they can only have one sign per zoning. Some way a motorist will know how to get to the property without using the hospital. Chase asked if they have contacted the state to add a sign on Route 107 which is done in other places. Richardson has reviewed the regulations by NH DOT and they do not allow any type of pylon sign.

Janvrin is talking about a blue sign that is a state sign. They have McDonalds with directions on how to get to it. Richardson they have met with DOT and they are working to get a sign that says shopping mall and they wanted no part of it. Richardson stated they have asked twice and will ask again. They would like help from the Town via a letter of support for a sign and the Route 107 entrance. No access off of Route 107 at this time. Kyle will bring this to the Selectmen. Rabideau stated that they had a proposal in August that addressed this. Richardson stated they have a different path and time.

Zalewski asked about the growing issue with one of the neighboring shopping center. The area is becoming a truck stop overnight and they are clearly not delivering to the stores in that development. He has seen upwards of a dozen trucks. People are also parking campers in the parking lot staying for at least 2 months and another for 1 month. Janvrin stated that this is not allowed in Seabrook. Zalewski asked for signage for no overnight parking signs except employees and deliveries.

Janvrin stated that we have something that says no overnight sleeping in a vehicle in the Town ordinance. Zalewski has spoken to the Police Department. Morrill will put no

overnight parking in the parking lot on the light poles so it can be policed. Janvrin asked if they will be signing an agreement with the Police Department to police your parking lot. Morrill feels the signs are enough for them to police the area. Richardson stated they do not allow overnight parking and they will add signage to the light pole and it will need to be enforced.

**Janvrin asked if any abutters need to speak.**

The exaction fees calculations – The applicant will meet with Friberg, Baxter, and TEC traffic engineer. The site security calculation by TEC will be based on the plan submitted today. The School Bus issue- Maria gave a number to Morrill to call. Any questions they can reach out to Maria. The SAU will need to work with Morrill and the bus company for Seabrook and Winnacunnet. Deeds for the lot line adjustment will do a separate plan once they have site plan approval as a subdivision application. Once they have approval they will do all the lot line adjustments, which they don't want to do this until they know they have a deal. Chase and Baxter stated that a condition could be set for this. Morrill feels a lot of the things we are discussing could be added as conditions of approval. They have some wetland hurdles and they would like this project up and going. Morrill they have a tenant looking to build and open this year. Morrill asked if you have a way to grant conditional approval and get this project moving forward. Morrill good amount of jobs brought back in the Town where we had a large company close recently. Janvrin stated he has 3 things he would like in his hands which is the Traffic report and peer review, Exaction amount, and the site security all the other stuff can be a condition. Chase asked if Friberg sees any issues. He will look at vegetation; buffering, where the road swings in and they have addressed a lot of things. Friberg will work on these items. Friberg feels they have addressed a lot of things. Baxter will you have time to review for the next meeting. Friberg feels that we have to talk about whether or not Rail Road Ave and Route 1 should be in the traffic study.

Janvrin asked about the other Waterstone project and asked if they can give an idea when they will be done. Richardson stated that all the physical stuff has been done and it is now up to DOT in Concord to coordinate the lights.

Chase stated that another letter should be sent out by the Selectmen and Planning Board. Kyle asked what the Legislators are doing for Seabrook. Kyle asked what our Representatives are doing in Concord for Seabrook. Chase stated that this does not come before the legislators. Kyle asked when the last time was that someone came to the Selectmen for something to go to Concord. Chase stated that a letter went to the NH Department of Transportation from Mr. Manzi. Chase would like a letter created and sent out it has been 18 months since we have contacted them. Rabideau stated that the infrastructure is in place and now they need to give us an idea when the traffic lights will be coordinated. Home Depot to North Access road is all connected. Baxter

stated that the Planning Board sent a letter to the commissioner and Baxter and Chase met with the executive council. Baxter and Chase will meet again about Route 1 if the Board would like that. Chase feels that a letter should come from the Planning Board, Selectmen, and the Town Manager. Kyle stated that we should meet with the Selectmen and the Town Manager get together very soon like maybe Friday and get something going to Concord. Kyle is more than willing to harass people in Concord. Kyle stated in all fairness the Board of Selectmen are not aware of all the meetings and letters. Kyle will ask for a meeting on Friday afternoon regarding the signal coordination. Kyle stated this is ridiculous these people before us tonight are spending millions of dollars and these people don't even know if they can go ahead with the project with the signalization issues. Baxter the signals need to be fixed to see if Perkins sequence will work. The NH DOT is holding us up.

Chase asked if they will include Railroad Ave and Route 1 in the traffic study. Janvrin asked for Friberg's opinion. Stephen Pernaugh stated that adding an intersection this late in the game, he will paraphrase the list of intersections was established in August. They met with 15 people all had representation and Rail Road was deemed too far south. The impact was identified in the report and it showed Saturday had 52 trips at peek for Rail Road. The findings will be small.

Janvrin asked if the signals were all fixed would it make the traffic flow better and it would. Janvrin they will wait to hear from Friberg. Friberg stated August was the NH scoping with DOT and his traffic guy needs to look at it first. During peak they had 500 and 600 on Saturday so 10% were going south on Route 1. Chase stated we should wait for Friberg to get his traffic person to answer this.

Janvrin asked that they meet on Friday at 2:00PM. Planning Board, Selectmen, and Town Manager to meet on this. Baxter will give his thoughts to Chase. Jason will reach out to Mr. Manzi. They will have the engineering letter to the Board by Friday. Janvrin asked if we should hold approval until the next meeting and Chase agreed.

Kyle stated they should have conditional approval so the applicant knows whether they are going anywhere or not.

Janvrin feels they went out of their way to satisfy the abutters, the social media crap we have been reading, and they have went out of their way to satisfy the Town. Janvrin feels we are leaning to approve. Mr. Greene stated that the bank is not the issue the tenant is the issue they have a really good one. They want the store open by December 1, 2018. Rabideau feels we can vote on this as a conditional approval.

Kyle stated conditional means it is approved with conditions. Baxter stated we have substantial dollars here and the most important thing was the abutters along with the

legalities. The applicant did a lot to work with them. Conditions are conditions if not met they will not continue on.

Green welcomes the conditions based on occupancy. They know they have a few more hurdles with Friberg’s review. Friberg stated that with what they laid out the biggest thing was the question about Rail Road Ave. They have drafted conditions with flexibility for the board and TEC. It may be good to go through the conditions tonight. Mr. Greene is not saying the deal is dead if not approved tonight but it would help immensely. Mr. Greene has worked with the Town for 5 years and he is a resident and a taxpayer.

**Janvrin called for a break at 9:45PM until 9:55PM**

Janvrin stated that item 8 should add signal coordination. Mr. Green stated that this is DOT responsibility to coordinate the sequence of the lights. Baxter is concerned that the sequences will change from what it is today and asked if we will still be able to coordinate with Route 1 and Route 107. The sequence will change for Perkins and we need to have our peer review tell us that it is not too much and that it will work. Friberg feels the adjustment being made to Perkins will coordinate with Route 107 and he will follow up on this. Chase asked if any changes have been made to the MOU with the Seabrook Village. Morrill stated that it has not changed except for going with 1 illuminated stop sign instead of 3. Chase asked Morgan if he has anything to add. Morgan is a little uneasy about taking the big step before hearing from our own traffic adviser. Paragraph #9 assumes that the only off site traffic impact is on Perkins Ave. Strike the term Perkins Ave per Morgan so that it is broader to be any impact. Friberg’s reading of condition is covered in #8. Morgan is trying to anticipate in case a level changes. Friberg feels #8 fits that all. No performance bond, cash or letter of credit.

Angel asked if this will be the final approval and Janvrin stated it will. If there is some violation can a conditional approval be revoked and Janvrin stated that it can be.

<b>Motion:</b>	<b>Kyle</b>	<p><b>To conditionally Approve Case #2017-26 plan subject to the 16 conditions that will be incorporated into the decision as follows;</b></p> <p><b>1) Adherence to TRC recommendations: On January 9 &amp; 23, 2018 the Town of Seabrook’s Technical Review Committee (TRC) issued numerous recommendations. The implementation of these recommendations, to the Town Planner’s satisfaction is hereby made a stipulation of this conditional site plan approval.</b></p> <p><b>2) Compliance with Departmental Recommendations: Town</b></p>
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	<p>department managers issued several recommendations in regards to this proposed shopping center. The applicant shall comply with the recommendations, to the satisfaction of the respective department heads.</p> <p><b>3) Financial Security:</b> In order to ensure the timely and proper completion of utilities, landscaping, drainage, lighting, and other infrastructure improvements, Seabrook Development Associates, LLC shall provide cash or an irrevocable letter of credit issued by a New Hampshire Bank in the amount to be determined by the Planning Board’s consulting engineer, TEC. The above referenced letters of credit and other financial guarantees shall be subject to approval, as a form, and consent, by the Planning Board’s legal counsel and the Town Treasurer.</p> <p><b>4) Engineering Oversight:</b> The Town’s consulting engineer will monitor the installation of on-site utilities and other infrastructure improvements. Seabrook Development Associates, LLC shall reimburse the Town of the cost of this oversight.</p> <p><b>5) Reimbursement:</b> Seabrook Development Associates, LLC shall fully reimburse the Town for expenses incurred from the review of the Seabrook Development Associates, LLC application by the Planning Board’s professional consultants.</p> <p><b>6) Applicant Proceeds to own Risk:</b> Prior to the issuance of a Building Permit, the applicant shall submit a written declaration acknowledging that no site plan approval is final until such time as the conditions of final approval, enumerated below, are deemed completed to the satisfaction of the Planning Board.</p> <p><b>Final Approval:</b> The Applicant is also subject to final conditions of site plan approval, which will include:</p> <p><b>7) Other Permits:</b> Seabrook Development Associates, LLC shall obtain all applicable state and federal permits.</p> <p><b>8) Access/Egress:</b> The Applicant shall return to the Planning Board, and shall be subject to site plan review in</p>
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	<p>regards to all access and egress issues, as well as to all off-site improvements, and associated exaction fees (See Section 10 of the Site Plan Review Regulations) that the Planning Board deems to be necessary. No Certificate of Occupancy shall be issued until such improvements have been completed to the satisfaction of the Planning Board's Consulting Engineer, TEC.</p> <p>9) Perkins Avenue: No Certificate of Occupancy will be granted until final completion of off-site traffic mitigation for Perkins Avenue. This work includes but is not limited to the Perkins Avenue roadway upgrade, sidewalks and Route 1 improvements as part of the NHDOT Driveway Permit. Seabrook Development Associates, LLC shall be responsible for the cost of this work. Improvements will be completed to the satisfaction of the Planning Board's Transportation Consultant.</p> <p>10) Reimbursement: Seabrook Development Associates, LLC shall fully reimburse the Town for expenses incurred from the review of the Seabrook Development Associates, LLC application by all of the Planning Board's professional consultants.</p> <p>11) Compliance with the Memorandum of Understanding between Seabrook Development Association, LLC c/o Waterstone Properties Group, Inc. and Seabrook Village Cooperative, Inc. dated February 19, 2018. Including the changes to MOU going from 3 LED stop signs to 1 LED stop sign and two non LED stop signs item 1B and Mr. Bragg will supply a written permission for him to sign the MOU on behalf of the coop.</p> <p>12) Signage will be depicted on Plans for signs showing no overnight parking, idling or engine break usage on the property.</p> <p>13) The Lepere driveway must be to the satisfaction of Mr. Paul Lepere.</p> <p>14) The school bus easement to be worked on with the Seabrook School District and Winnacunnet High School</p>
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		<p><b>District through SAU 21.</b></p> <p><b>15) Lot Line Adjustment approved by the Planning Board and recorded.</b></p> <p><b>16) Conditions expire in 180 days unless extended by the Planning Board. If conditions are met prior to the 180 days this will be an automatic approval with no further action from the Board.</b></p>
<b>Second:</b>	<b>Rabideau</b>	<b>Approved: Rabideau, Kyle, Sanborn, Baxter, Chase, Janvrin</b>

Mr. Richardson from Waterstone thanked the Planning Board and the collaboration from all bringing these jobs to Seabrook.

Janvrin stated the Town Manager, Selectmen, and Planning Board will meet to send a letter regarding the coordination of the lights. The applicant will also do the same.

Kyle thanked Janvrin for putting up with all her nonsense and thanked him for all he does for the good of the Town.

Janvrin stated that they now have confirmation from Hawkins confirming the fees. The 10 year Plan Janvrin spoke in favor of it. They will all shaking their heads make sense and hope to be in line with 2 or 3 instead of 10. They started working on the bill today and we should know by tomorrow afternoon. Janvrin will be attending tomorrow to find out any changes he will email Maria. We may want to discuss it with Market Basket moving forward. Baxter feels we should get the votes first and we want to get the signal up for Rocks Road. It is for a 4 lane widening. Janvrin they will need 4 for 4. Baxter get the money approved is the first thing.

Chase feels that this is a great advantage. Are we able to get the pictures up? Chase stated that the Picture is shaking like crazy. The keyboard and mouse is what is driving it. Janvrin mentioned having a monitor available to the people sitting in the audience. The Town Manager said to tell him what you want and I will get it. Janvrin stated that we have \$500.00 in the line item and we could allocate some of the money toward it. Chase makes a motion that we advised the Town Manager that the Planning Board will take \$300.00 of the Planning Board money to purchase a monitor. Janvrin seconded the motion. They need an arm also that swings out and the Town Hall may have money available. Janvrin was told it was going to happen. Janvrin stated they need the new equipment. Rabideau asked what the difference is between new equipment or using

the screen behind us. Janvrin stated they can do split screen on 22 on the monitor. Rabideau is trying to figure out why we have this screen and why we are not using it. Rabideau stated that it seems like we have a lot of equipment that is not functioning properly. Rabideau stated that there is no reason the screen behind us cannot be split screened and projected.

Kyle stated the problem is we have to have the people to do the work and we only have one IT person to run the whole Town. Janvrin stated that when Morgan brought his laptop in we had a nice presentation. The keyboard and mouse can be brought to the table. Morgan pulls up google earth when we are chatting and he has GIS capability also. Run a cable from the laptop to the video port. Chase withdrew this motion and would like to have the IT guy update what we actually need. Chase has made other presentations to other Planning Boards with him being the applicant. The entire presentation was done sitting at a table and everyone could see. Chase would like us to talk to the IT guy and see what he can do with what we have. Rabideau stated it should be wireless.

Janvrin stated that the changing to the meeting room with proper chairs and the screen the Town did a heck of a job. Kyle stated the addition did not cost the taxpayers one cent and more to come with rental money totaling a million dollars over 10 years along with \$400,000.00 up front. Kyle stated this was not a bribe it was a gift and we are enjoying it.

**Janvrin adjourned the meeting at 10:15PM.**

**Respectfully Submitted,**

**Maria Brown, Planning Board Secretary**