



**Town of Seabrook**  
**Planning Board Minutes**  
**Tuesday June 19, 2018**  
**Seabrook Town Hall, 99 Lafayette Road**  
**Seabrook, NH 03874**  
**603-474-5605**

**MEMBERS PRESENT**

Roll Call; Chairman, Michael Rabideau, Vice Chairman Francis Chase, James Sanborn, Jason Janvrin, Town Planner, Tom Morgan, Acting Secretary Kelsey Lindgren-Bosco

**ABSENT MEMBERS**

Forrest Dow Jr

**Minutes**

<b>Motion:</b>	<b>Chase</b>	<b>To approve the minutes and non public minutes for April 3, 2018</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

<b>Motion:</b>	<b>Chase</b>	<b>To approve the minutes for April 17, 2018</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

<b>Motion:</b>	<b>Chase</b>	<b>To approve the minutes for May 1, 2018</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

<b>Motion:</b>	<b>Chase</b>	<b>To approve the minutes for May 15, 2018</b>
<b>Second:</b>	<b>Sanborn</b>	<b>ABSTAIN: Rabideau</b> <b>YES: Chase, Janvrin and Sanborn</b>

<b>Motion:</b>	<b>Chase</b>	<b>To approve the minutes for June 5, 2018</b>
<b>Second:</b>	<b>Janvrin</b>	<b>ABSTAIN: Sanborn</b> <b>YES: Chase, Janvrin and Rabideau</b>

**Case #2018-12 – Proposal by Constance Locke for a 2-lot subdivision at 138 Farm Lane, Tax Map 13, Lot 84**

Henry Boyd from Millennium Engineers and in the audience Constance Locke property owner of 138 Farm Lane presented a 2-lot subdivision for the parcel. The lot is just shy of one acre, no wetlands; both lots would meet frontage, size of the box and area requirements. There’s a barn on what would be lot two and an existing garage and structure on the newly created lot. The location of the proposed driveway and new dwelling are not predicted, but Henry did submit a waiver request for the future dwelling as he does not know the location, shape or size.

<b>Motion:</b>	<b>Chase</b>	<b>Accept as Administrative Complete.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

Chase had questions about zoning and if they are correct, Henry voiced that the zoning meets all requirements and did not have to go in front of the Zoning Board.

<b>Motion:</b>	<b>Chase</b>	<b>Approve waiver for not have to show the location of future proposed dwelling on plans request.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

<b>Motion:</b>	<b>Chase</b>	<b>Approve plan as presented, security set at \$0.</b>
<b>Second:</b>	<b>Janvrin</b>	<b>Unanimous</b>

**Case #2010-2 – Request by Joseph Forster and Dry Air Systems to release an escrow of \$8,635 in regards to improvements at 99 Ledge Road**

Jeff Brunelle from Dry Air Systems presented that he owns the building on 99 Ledge Road and is looking for the Planning Board to release the \$8,635 escrow. Jeff explained that they never put in a sidewalk and the Planning Board decided 6 years ago that if they did not install a sidewalk within 6 years that they can have the money released back to them. Janvrin asked Rick Friberg from TEC if he has reviewed this case and Friberg recommended releasing the money back.

<b>Motion:</b>	<b>Chase</b>	<b>To release the escrow amount of \$8,635, as the sidewalks were not constructed by the applicant or town within the allotted time frame, with a condition that we have received the as built and it is filed correctly.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

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**Case 2015-2 11 Groveland St., Len Boddy requesting the return of \$5,000**

Rick Friberg, TEC presented that he had this case about 6 months ago and brought it up at TRC with the department heads and there are no outstanding engineering comments or department head issues. The only issue is that the Planning Board has not received an as built plan and that Friberg will coordinate with him to make sure that gets filed.

<b>Motion:</b>	<b>Chase</b>	<b>To return the \$5,000 with interest for case 2015-2, considering that we receive the as built plan and is reviewed by Rick Friberg from TEC.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

**Case #2018-9 – Proposal by Waterstone Retail Development to construct a 400 square foot gas kiosk and gas pump station at 570 Lafayette Road, Tax Map 8, Lot 90-4**

Wayne Morrill from Jones and Beach Engineer presented proposal with Giles Ham, Traffic Consultant, Doug Richardson, Waterstone, Arlee Green, Land Owner and Nelson Cabral, BJ's.

Wayne presented to the Planning Board the changes after going to TRC which included the bathroom that was private will now be public and ADA compliant, Fire department said no sprinkler system inside kiosk, extend sidewalk from Hobby Lobby and Catch Basin for fuel spillage for drainage system. Wayne also mentioned that there will be an easement for the access of utilities and an easement to the rear for tying in a 1 inch water line into the existing water line.

Wayne addressed Morgan's comments which included the 1,000 ft radius distance from another gas station are now on the plans and indicate how far away each of the other stations are from the lot boundaries. The closest station is BP which is across the road and 1,024 ft while the rest are over 1,200 ft. Another comment from Morgan was the Zoning, Wayne said that the lot is a Zone 2 Commercial lot and a fueling station is allowed in the zone. Wayne also went over that he has put the Owners and Developers information into two separate blocks on the revised plans and that BJ's will be

responsible for the maintenance. Wayne has submitted the granted Variances to Morgan and listed them on the plan, which included having a lot with no frontage, having a lot with zero side set back and having a lot with zero rear set back. The sign will be on the actual canopy itself so customers won't be confused and go down the road. Wayne did mention there is a waiver for landscaping as they want to put a couple landscape beds in front the entrance. Janvrin mentioned that Jones and Beach will need a waiver for Light Trespass into adjacent lots.

Chairman Rabideau opened discussion to any abutters.

John Cronin, Attorney from Cronin, Bisson & Zalinsky Practice from Manchester, NH. He voiced that he is speaking on the behalf of Charles Mabardy, Scott Mitchell, Sharfa LLC, Provident Holdings, Istar LLC, Seabrook One Stop Inc which is an agent of Cross America Partners and O'Brien's general store. He had concerns about the measuring schemes for the 1,000 ft regulation, Ordinance of 6-200, there wasn't a known occupant proposed when the subdivision went in front of the zoning board, variances were granted from the ZBA and the 250ft and 500ft rule for private and public wells. He would like someone who is responsible to go over the notices, variances and lack of detail from the minutes for the ZBA, real traffic study from another BJ's in the region and a plan sheet from the engineers for the public and private wells if there are any.

<b>Motion:</b>	<b>Janvrin</b>	<b>The Planning Board finds LP 587 Lafayette Rd, Sharfa LLC, Provident Holdings, Istar LLC, Seabrook One Stop Inc which is an agent of Cross America Partners and O'Brien's general store, to be abutters in this case.</b>
<b>Second:</b>	<b>Chase</b>	<b>Unanimous</b>

Scott Mitchell has concerns that the application brought to the ZBA had no plans for the use for the subdivision and the variances that were granted.

Charles Mabardy had issues that he wasn't notified for the sub division and variances as he is concerned this right across the street from at 587 Lafayette Road.

Carmel O'Brien had concerns about traffic on route 1, especially on weekends and how much gas will be sold.

Nelson Cabral from BJ's spoke on how much gas will be sold and he is not sure how much will be sold and does not have a projection on how much will be sold. Morgan asked if he could come up with a projection.

Paula Wood had concerns if this proposal is going to affect the town's water, too many gas stations in town and that the intended gas station is going to be built on wet lands.

Arleigh Green voiced that the intended gas station is not going to be built on wetlands; as it has never been wetlands. Out behind southerly of the lot there was ¾ of acre of wetland filled in, which he deeded about 11-12 acres to the town.

Giles Ham, Traffic Consultant presented that this will not be a destination gas station, it will be for members only and a lot of the traffic will be coming from the members that are already out at BJ's across the street. He compared the numbers for the gas station to the retail store that was originally going to go there and the numbers were very similar for weekdays and weekends. He voiced its very comparable to what was expected on this parcel when it was approved for the retail.

Yvonne Colin had concerns on how Route 1 gets very busy, all the lights are backed up and there's a lot of road rage due to the fact Seabrook is a border town.

Rick Friberg had no concerns about the water and cross contamination. Chase would like the information that is necessary to adjust the plan accordingly to make sure the water is not contaminated. TEC did a traffic study that was very similar to the traffic study that was presented.

<b>Motion:</b>	<b>Chase</b>	<b>Continue case to July 17, 2018 that will be held at 6:30pm at the Seabrook Town Hall.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

**Case #2018-11 – Proposal by RGS Marble & Granite and RNG Properties to construct an 8,400 square foot light industrial building at 24 Whitaker Way, Tax Map 4, Lot 19-40**

Wayne Morrill from Jones and Beach presented new revised plans as he went to TRC and the department heads that had some comments and has applied them to his new plans. Wayne explained that the utilities are set, only change is that they are extending the water line. He also did mention that RGS is going to apply for a waste water permit from the sewer department when they are ready to open. Wayne went back out to the site and did see there is a sidewalk on Whittaker Way and they are going to extend it to the building. Janvrin has concerns about the turnaround for the trucks, Wayne voiced that there is a smaller box truck that backs into the loading dock and then back out of the lot. Wayne did bring up the two waivers that include the Cape Cod Berms and the Landscaping. Rick Friberg recommends that there be a sediment bay and the site security be set at \$45,000 total broken down to \$25,000 for Storm water, \$10,000 for Loam and Seed, \$5,000 for sewer and \$5,000 for water.

<b>Motion:</b>	<b>Janvrin</b>	<b>Approve the two waivers; 1.) Install Cape Cod Berms in lieu of vertical Granite curbing and 2.) Accept Jones and Beach landscape plan without stamp.</b>
<b>Second:</b>	<b>Chase</b>	<b>Unanimous</b>

<b>Motion:</b>	<b>Janvrin</b>	<b>Approve plan as presented with conditions and site security be set at \$45,000 total, broken down to \$25,000 for Storm water, \$10,000 for Loam and Seed, \$5,000 for sewer and \$5,000 for water.</b>
<b>Second:</b>	<b>Chase</b>	<b>Unanimous</b>

**Case #2018-13 – Proposal by Chili’s and Denuo Seabrook LLC to make changes to the exterior of the building at 403 Lafayette Road, Tax Map 8, Lot 46-1**

Janvrin voiced that this owner of parcel still has an open case and the Town of Seabrook has money to return to them. Janvrin explained when they built the building for Chili’s they set aside \$5,000 for landscaping but never got used. Heather Detco representing National Sign Company presented to install LED tube lights about 1 inch high around 3 sides of the Chili’s building. Zaleswki recommended that they come to the Planning Board because it’s considered as ornamental lighting and cannot be brighter than 100 watts. The board had concerns if it’s going to be brighter than 100 watts, Rick Friberg believes it is not going to be brighter than a 100 watts after listening to Heather present the lighting will be 60 watts for every 24ft.

<b>Motion:</b>	<b>Janvrin</b>	<b>Accept as Administrative Complete</b>
<b>Second:</b>	<b>Chase</b>	<b>Unanimous</b>

<b>Motion:</b>	<b>Janvrin</b>	<b>The Planning Board finds that the intent of Section 9-0-30 has been met and what has been presented to the Planning Board in the packet is acceptable.</b>
<b>Second:</b>	<b>Chase</b>	<b>Unanimous</b>

<b>Motion:</b>	<b>Janvrin</b>	<b>Approval for case 2018-13, site security set at \$0 with the condition that the applicant resolves the outstanding issues with the Town of Seabrook for the return of security in the closing of case.</b>
<b>Second:</b>	<b>Chase</b>	<b>Unanimous</b>

## **OTHER BUSINESS**

Dave Baxter sent an email to Rabideau regarding an email about the new TAP funding; after discussing the Planning Board is looking to appoint Tom Morgan to oversee the TAP grant application.

<b>Motion:</b>	<b>Chase</b>	<b>Appoint Tom Morgan to work with Rick Friberg to oversee the TAP grant application.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

**Chairman Rabideau adjourned meeting at 9:00pm.**