



Town of Seabrook
Planning Board Minutes
Tuesday April 2, 2019
Seabrook Town Hall, 99 Lafayette Road
Seabrook, NH 03874
603-474-5605

Members Present

Roll Call; James Sanborn, Aboul Khan, Max Abramson, Francis Chase, Forrest Dow, Tom Morgan, Town Planner, Kelsey Lindgren-Bosco, Secretary

Absent Members

George Dow, Mike Lowry and Joseph Jones

Chairman Francis Chase opened the meeting at 6:30PM with the Pledge of Allegiance.

Chairman Chase requested adding the alternate members in the "Absent Members" in the minutes for the sure, if they are absent from the meeting.

Motion:	Khan	To approve the minutes from March 5, 2019.
Second:	Sanborn	Yes: Khan, Dow, F, Sanborn Abstain: Chase

Motion:	Khan	To approve the minutes from March 19, 2019
Second:	Dow, F	Unanimous

Rockingham Planning Commission

Chairman Chase announced that someone needs to volunteer as a representative for the RPC. Conversation was held if Don Hawkins was still the representative and when his term is or was up. Tom Morgan said he will call him and figure out if he is still a representative. Conversation was tabled until April 16th.

Case #2019-2 – Proposal by Bruce & Cynthia Brown to construct a self storage facility at Batchelder Road, Tax Map 5, Lot 13-1.

Henry Boyd from Millenium Engineering presented to the Planning Board that this case has gone through the Conservation Committee and there will be a letter from them submitted to the Planning Board and had no issues. Boyd said that the two variances they received from the ZBA were for relief and change of use to self storage. He stated that the final plans will be stamped by wetland specialist, Mark West and have a note stating the sign will follow the town's regulations. Boyd said they are asking and submitting three waivers for curbing, architectural elevations and runoff volume control. He will work with Angie Silva, Assessor to come up with a street number as the property does not have one.

Aboul Khan stated that on the April 1st Board of Selectmen's meeting they approved to create an application that goes with the business license for hazardous materials in the Aquifer Protection District.

Conversations were held about hazardous material being stored on site inside the storage units, Boyd asked if the board would be fine if there could be signs placed around the property saying no hazardous materials. Members and Boyd agreed to have small signs saying "No Hazardous Materials On Site" placed on the inside of each storage unit and the main office building. Paul Himmer, Code Enforcement Officer recommended also putting a sign on the main sign to the facility or build stating this building is in the Aquifer Protection District.

Motion:	Abramson	To accept case 2019-2 as administratively complete.
Second:	Khan	Unanimous

Motion:	Khan	To accept waivers; Runoff Volume Control Sub Division Section 7.080, Curbing Site Plan Section 8.090 and Architectural Elevations.
Second:	Dow, F	Unanimous

Motion:	Khan	To approve case number 2019-2 with the following conditions; <ol style="list-style-type: none"> 1. Inside every storage unit there is to be a “no hazardous materials” sign. 2. The office will have a sign stating that this property is in the “Aquifer Protection District”
Second:	Abramson	Unanimous

Case #2019-3 – Proposal by Tullson Reality LLC to merge 2 vacant lots and construct a 10,800 square foot building at 8 & 10 Chase Park Road, Tax Map 4, Lots 16 & 16-1.

Henry Boyd from Millenium, with Nick Tully in the audience presented case 2019-3 with revisions that were requested from the March 19th meeting. Boyd stated this lot was previously sub divided but now plans to merge them, as he will submit a lot merger form. Boyd said that the sewer will tie into the existing sewer stub and added a note stating the sign will be in the corner and will work with the Building Inspector to make sure the sign is in code with the regulations. Boyd explained that half of the building will be used for Nick Tully and the other few units will be leased to similar construction business like painters and plumbers. He also said the 100 year storm water was updated as on the plans it was only 50 and has also added landscaping details.

Chris Raymond from TEC (The Engineering Corp), the towns civil engineering company asked about the Elevations and if they were submitted. Henry said he has submitted and they are in the file.

Conversation was held between board members, Boyd and Nick Tully about adding “No Hazardous” signs to the property, similar to the case before as this property is in the Aquifer Protection District. Tully was agreed to add signs to the property stating there is “No Hazardous Material” to be stored on site.

Motion:	Abramson	To accept case 2019-3 as administratively complete.
Second:	Sanborn	Unanimous

Motion:	Khan	To accept waivers; Runoff Volume Control Sub Division Section 7.080 and Curbing Site Plan Section 8.090
Second:	Sanborn	Unanimous

Motion:	Khan	To approve case number 2019-3 with the following conditions; <ol style="list-style-type: none"> 1. Lease agreement with the tenants will state hazardous material will not be allowed to be stored on site. 2. Business sign will have an Aquifer Protection District sign on it. 3. Each unit that is leased will have a “No Hazardous Material” Sign on it.
Second:	Dow, F	Unanimous

112 Lafayette Road

Scott Tobey presented to the board that he is interested in purchasing property at 112 Lafayette Road, which was recently a Loan facility. He would like to have a used car deal ship as it was previously a used car dealer ship before it was Loan facility. He is asking what steps he should take and if he should submit an application for a change of use as it was a used car deal ship before and he plans to keep the building and property as is and would not be changing anything exterior or interior. Paul Himmer said the only this that would change is the sign and that would be up to code per the Building Department. Chairman Chase asked Tom Morgan if Tobey is allowed to ask for a waiver of jurisdiction instead of submitting an application to the Planning Board for a change of use, Morgan said yes he is allowed to. Himmer added that he would do a site walk with Koko Perkins, Deputy Fire Chief to make sure everything looks good and up to code. Tobey asked the Planning Board to waive jurisdiction for 112 Lafayette Road to have the facility be a used car business.

Motion:	Abramson	To waive jurisdiction for a used car lot at 112 Lafayette Road.
Second:	Dow, F	Unanimous

1 Walton Road

Jim Scally presented to the board that he is looking to put a guest house at 1 Walton Road, but there is confusion if this matter should go through the ZBA first and then Planning Board. Paul Himmer stated that the ordinance is not clear about the prepared food and if the owner would have to prepare all meals. Scally said the use for the facility would be 10 rooms 3 bathrooms with showers and the guests are not allowed to use the kitchen. Tom Morgan recommended sending them to the ZBA because he does not comply with the zoning ordinance states;

“A building in which bedrooms are rented to semi permanent guests whose meals, when consumed on the premises, are prepared only by the proprietor or his employees.”

Morgan’s understanding to the ordinance is that the guest is to have no meal or any food on the premises. Conversations amongst board members and Scally took place about understanding the ordinance, Scally asked the board whether he should go to the ZBA. Chairman Chase said that decision is not up to them and is up to Scally. Scally stated he will go to the ZBA and play it safe and ask for a variance and take it from there.

Chairman Chase recessed the meeting at 8:40PM and reopened it at 8:45PM.

Case #2006-16 – Ronald Fudge requesting the release of his bond.

Tom Morgan explained to the board that this case was developed at 99 Lafayette Road in 2004 and we have not been able to contact Ronald Fudge to return his security back. Town Treasurer Ollie Carter located Fudge and he has submitted a letter asking for his security to be released. Chris Raymond from TEC did some research and site walk last week and has discovered some issues with the property. The amount of security held is about \$11,300, it was about \$22,000 but the sidewalks were never constructed. Raymond asked who’s responsibility is it to fix the issues, is it Ronald Fudges or the current owner as the property was sold a couple years after constructed. Members discussed what process this should go through to solve the situation of who should fix and pay for what.

Motion:	Chase	For the Town Planner Tom Morgan to have a meeting with Ronald Fudge and Current Owner to come to a conclusion and solution of the raised concerns from TEC’s evaluation.
Second:	Sanborn	Yes: Chase, Sanborn, Khan and Dow, F Against: Abramson

Board of Selectmen Letter to the Planning Board

The Board of Selectmen submitted a letter to Planning Board, Aboul Khan read the letter to Planning Board which stated that there needs to be change in the current policies that have been interpreted as allowing substantive changes to occur to parcels without the benefit of Planning Board review, in conjunction with the building inspector. Chairman Chase tabled this topic for discussion until April 16th's meeting.

Public Hearing; To change “Impacted Area” to “Impervious Surface” in Site Plan Regulations Section 3.

Tom Morgan stated to the board members that they keep granting waivers for impacted areas, and if we change the phrase “impacted area” to “impervious surface” it will reduce the amount of waivers and requests we receive. Khan requested in the future that we hold a public hearing first and have it on top of the agenda. Abramson requested that “net increase” be added before the impervious surface. Morgan and members agreed.

Chairman Chase opened the Public Hearing to the Public for comments at 9:07PM, no comments were made, and therefore Chase closed the hearing at 9:09PM.

Motion:	Abramson	To accept the proposal to change the verbiage in Site Plan Regulations Section 3.100 from “Impacted Area” to “Net Increase Impervious Surface”
Second:	Khan	Unanimous

Motion:	Abramson	To adjourn meeting at 9:11PM to go into Non Public under RSA 91-A:3,11(c)
Second:	Khan	Unanimous