



**Town of Seabrook**  
**Planning Board Minutes**  
**Tuesday April 16, 2019**  
**Seabrook Town Hall, 99 Lafayette Road**  
**Seabrook, NH 03874**  
**603-474-5605**

**Members Present**

Roll Call; Francis Chase, Chairman, James Sanborn, Max Abramson, Aboul Khan, Tom Morgan, Town Planner, Kelsey Lindgren-Bosco and Julie Thurlow, Secretary

**Absent Members**

Forrest Dow, George Dow, Mike Lowry and Joseph Jones

**Chairman Chase opened the meeting at 6:32PM with the Pledge of Allegiance.**

<b>Motion:</b>	<b>Sanborn</b>	<b>Approve the meeting Minutes from April 2, 2019</b>
<b>Second:</b>	<b>Khan</b>	<b>Yes: Sanborn, Khan and Chase</b> <b>Abstain: Abramson</b> <b>Motion Passed</b>

**-Case 2019-1 – Proposal by MacKenzie Properties, LLC to construct a 3,200 SF Building and parking at 28 London Lane, Tax Map 5, Lot 8-43.**

Wayne Morrill from Jones and Beach Engineering presented to the board that the applicant previously came in front of the Planning Board in 2013 and 2016. In 2013, they were approved for 6,000 Square Foot building but after approval they weren't ready to build. In 2016 they came back in front of the Planning Board and were approved for a 3,000 Square Foot building but were also never constructed. Morrill is back tonight with intentions of constructing a 3,200 Square Foot building with a 6 inch drop for containment to store 5 oil trucks inside that facility. Morrill explained that the building is for only storing trucks and there will be a bathroom for the drivers to use and no retail will be taking place. He said that they will be adding a sampling man

hole just in case for testing. Morrill stated he is asking for 5 waivers tonight which one of them is for the curbing; no curbing is anticipated as it is all sheet flow into the existing drainage. John Starkey made requests at the TRC meeting last week, that the detention pond is taken care of, Morrill stated he gave a manual to the owner Scott Mackenzie on to maintain the pond. Morrill said mostly everything is existing because of their past approvals from 2013 and 2016, the lighting and landscaping is also existing. The building will be mental pre fab and the garage doors will face London Lane. He asked if the site security could be set at \$5,000 as everything already exists and that, that was the site security requested last time. Chris Raymond, TEC had no issues with site security being set at \$5,000 and all of his other requests and comments were taken care last week during the TRC meeting. Morrill addressed Tom Morgan's comments and everything was satisfied as he did submit a waiver to keep the datum in NGVD 1929 which was one of Morgan's comments. Abramson asked what if one of the tanks leak or the oil spills out, Mackenzie said that the trucks all have double layer walls and the truck are never known to leak.. Chase asked if they cracks in the floor in the future will be maintained, Morrill said yes they will be sealed. Koko Perkins, Deputy Fire Chief was present at the meeting and stated to the board, he has met with the applicant and has a safety plan in place and Mackenzie has private team that is available 24/7 to clean and pump the facility if that were to happen. Chase asked if the building will be sprinkled Koko stated the facility will be sprinkled with a 6 inch line. All board members, Tom Morgan and Chris Raymond were satisfied.

<b>Motion:</b>	<b>Khan</b>	<b>To accept case 2019-1 as administratively complete.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

<b>Motion:</b>	<b>Abramson</b>	<b>To accept waivers;</b> <ol style="list-style-type: none"> <li><b>1. Lighting Specifications, Site Plan Regs, Section 9, Sub Section 9.040.</b></li> <li><b>2. As-Build Plans, Subdivison Regs, Section 9, Sub Section 9.303.</b></li> <li><b>3. Curbing, Site Plan Regs, Section 8, Sub Section 8.090.</b></li> <li><b>4. Landscape Stamp, Site Plan Regs, Section 5, Sub Section 5.030.</b></li> <li><b>5. Wetland Stamp, Subdivision Regs, Section 4, Sub Section 4.513</b></li> </ol>
<b>Second:</b>	<b>Khan</b>	<b>Unanimous</b>

<b>Motion:</b>	<b>Khan</b>	<b>To approve case 2019-1 with the following conditions;</b>  <ol style="list-style-type: none"> <li><b>1. Site Security is set at \$5,000.</b></li> <li><b>2. As-Built Plan is reviewed by Town Planner, Tom Morgan.</b></li> </ol>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

**-Case 2019-5 – Proposal by Jason Sears requesting a Conditional Use Permit for a small business run from his home at 105 Blacksnake Road, Tax Map 3, Lot 8.**

Jason Sears presented himself to the board that he would like to run a small business at his home at 105 Blacksnake Road. Sears stated his passion and hobby is to restore fire arms. He explained that this business would just be himself in his basement as he is fully equip for the business, as he has a gun safe bolted to the ground and work bench he would be working from. There will be no hazardous and power tools as he works. This business will be provide services to all serious inquiries and would like to touch base with our local police department and offer his business free of charge as thank you to our local police department. He will install a high quality alarm system that eventually the police department will have access to, he also stated that all the doors around his house all have dead bolts on them including the door going into his basement. Sears stated he obtained a 2 year degree from a school in Pennsylvania that allowing him to work on all types of fire arms. He said the process he will go is to obtain what he needs from the planning board and then he will apply for a Federal Fire Arms License through ATF, Bureau of Alcohol, Tobacco, Firearms and Explosives. Sears said each client will fill out a 4473 form, which sears will fax for a background check to make sure they are clear to receive their fire arm back. Khan requested Sears goes to the Police Chief and have a conversation and letter from him stating this business is okay to run from his home.

<b>Motion:</b>	<b>Khan</b>	<b>To approve a condition use permit for case 2019-5 with the condition that the applicant obtains a letter from the Police Chief and the letter is submitted to the Board of Selectmen and the Planning Board.</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>

## **Storage Containers**

Paul Himmer, Building and Code Enforcement officer said that he had a meeting with the Town Manager about this concern and they have come to the conclusion that they will handle this situation case by case. Chase asked how many are on this list, Himmer stated the list has not been drafted yet but roughly 100+. Members held a discussion on the topic of setting a daily fee if the containers were not removed, conversation had no conclusion.

## **Recoupment Fee Schedule**

Abramson suggested setting up a recoupment fee schedule, Chairman Chase asked Abramson to gather his information and come up with a fee schedule and present to the board at a later date.

## **Pedestrian and Road Safety**

Abramson stated that there are issues with the town roads being too wide and cars speeding and the sidewalks being an issue. Chairman Chase recommended that Abramson have a conversation with John Starkey or write a letter to the Board of Selectmen, Police Department and Public Works regarding this concern.

## **Mylars**

Tom Morgan explained to the board that the Registry of Deeds is getting particular on what is submitted for Mylar's, Morgan suggested that we record 8 ½ x 11. Board members and Chris Raymond agreed. .

## **Plans Submitted with Applications**

Chairman Chase recommended that Morgan review the application as the Planning Board receives way too many plans that aren't used, as it is a waste of paper. Chase said the Conservation Committee will take there's by PDF from here on out. Tom Morgan and Kelsey will sit down and determine how many paper copies that applicant will need to submit for TRC and the Planning Board.

## **Change of Use Criteria**

Tom Morgan stated that the town needs clear criteria, so the applicant knows where to go, meaning the ZBA or the Planning Board or neither. Chairman Chase recommended that the board takes out the sentence "should a use cease for one year, any subsequent use shall be subject to site plan review". Chase explained that the fees are too much and the building was constructed with conditions when it first came in front of the planning board and they shouldn't have to come in front of the board again if unit has been unoccupied for a year. Khan stated that he disagrees and the Planning Board has the right to know what and who is coming to town in the unoccupied facility. Khan strongly recommends not removing the sentence, as Jim Sanborn agrees with Khan. Morgan stated the letter Khan Read from the Board of Selectmen at the April

2<sup>nd</sup> meeting ties into the matter, as the BOS feels the criteria is not strict enough. Board members held a discussion regarding a conclusion for this matter, and came to the conclusion that Building Inspector Paul Himmer will guide the applicant in the right direction whether they have to submit an application or not. If a person comes to the Planning Board Meeting asking for a waiver of jurisdiction and the board feels as they need more information on the change, the Planning Board will have them submit an application.

**Folly Mill Road**

Morgan asked the board if Henry Boyd should go in front of TRC for a new case at 139 Folly Mill Road, as it was a warehouse working with computers and is proposed to be a coffee and tea distributing facility. Board members recommended the case goes in front of TRC.

<b>Motion:</b>	<b>Abramson</b>	<b>To adjourn meeting at 9:19PM</b>
<b>Second:</b>	<b>Sanborn</b>	<b>Unanimous</b>