



Town of Seabrook
Planning Board Minutes
December 3, 2019
Seabrook Town Hall, 99 Lafayette Road
Seabrook, NH 03874
603-474-5605

Members Present

Roll Call: Chairman; Francis Chase ,Vice Chairman; Jim Sanborn, George Dow, Max Abramson, Selectman Rep; Aboul Khan, Town Planner; Tom Morgan. **Others Present:** PB Secretary; Jen Hubbard, Building Inspector; Lacey Fowler, Town manager; William Manzi

Absent Members: Paul Knowles, Joseph Jones, Michael Lowry, Claire Knowles, Forrest Dow

New Business:

Case 2019-25 Proposal by SN Rental Nominee Trust, for a condo conversion at 69A and 69B Fogs Lane. Tax Map 3, Lot 3-610 and 3-611

Henry Boyd with Millennium Engineering speaks on behalf of the applicant. He states that this is just another simple condo conversion just like we have seen at the past two meetings- very straightforward.

Motion: Sanborn	To accept Case 2019-25 as administratively complete.
Second: Dow	
Result:	Unanimous

Motion: Khan	To approve Case 2019-25 Proposal by SN Rental Nominee Trust, for
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	a condo conversion at 69A and 69B Foggs Lane. Tax Map 3, Lot 3-610 and 3-611
Second: Sanborn	
Result:	Unanimous

Case #2019-26- Proposal by Ralph Welch and Sorin Ciobanu for a condo conversion at 77 Foggs Lane Tax Map 7, Lot 3-30.

Henry Boyd speaks on behalf of this condo conversion as well. He says it's a very straight forward case. Town planner, Tom Morgan has no issues with the plan.

Motion: Sanborn	To accept Case 2019-26 as administratively complete
Second: Dow	
Result:	Unanimous

Khan would like to know what type of fence is on the property.

Boyd states there is just a standard wire fence from DOT.

Motion: Khan	To approve Case #2019-26- Proposal by Ralph Welch and Sorin Ciobanu for a condo conversion at 77 Foggs Lane Tax Map 7, Lot 3-30.
Second:	

Sanborn	
Result:	Unanimous

Case #2019-21- Proposal by Port Lighting Systems for a site plan review at 24 London Lane. Tax Map 5, Lot 8-42

Wayne Morrill with Jones and Beach Engineers speaks on behalf of the client, Port Lighting Systems. He states they are proposing to add a 5,600 square foot addition for storage and a 1,500 square foot building to increase office space. The plans show a domestic water service outside of the building. They added an erosion control to the plan to make sure everything stays in control. Everything on the plan already exists, they are just replacing pavement with a building.

Morgan states that this went to TRC as a good plan and left TRC as a better plan. He also states that the Town engineer could not be at the meeting tonight so just to be aware of that.

Motion: Dow	To accept Case 2019-21 as administratively complete.
Second: Sanborn	
Result:	Unanimous

Morrill states that there is no new drainage system. They have also added to the plan that DPW, Sewer, and fire are allowed to enter the property anytime that they would like for maintenance.

Khan feels that since the town engineer cannot be here he feels that they should either ask the applicant to come back at another time or approve the proposal with conditions.

Chase opens it up to the public: Seeing none

Motion: Dow	To approve Case 2019-21 subject to the town engineers approval.
Second: Khan	
Result:	Abramson abstained

	4 in favor
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Case #2019-22- Proposal by C&J Seabrook, LLC for a subdivision at 13 Batchelder Rd. Tax Map 5, Lot 14-5

Dana Lynch from Civilworks New England speaks on behalf of his clients, C&J Seabrook. The proposed subdivision of the existing 40 acre site will create two new lots. Currently, the parcel is the site of the former Sam’s Club, which is now closed. Existing development on the site includes 135,667 square feet of retail space and approximately 900 parking spaces. The subdivision will create Lot 1, 8 acres, which will include the original retail structure plus a portion of the existing pavement including access off Ledge Road.

The remainder of the parcel, Lot 2, will contain 31 acres and includes a substantial portion of the existing parking lot, the entrance drive off Batchelder Road as well as a Conservation Easement granted to the Town in 1989. The re-use of the property includes: Lot 1 – Re-purpose the existing retail space as a warehousing/distribution facility with additional loading docks and employee parking; Lot 2 – Construction of a bus terminal/transportation facility with associated parking.

Motion: Sanborn	To accept Case 2019-22 as administratively complete.
Second: Dow	
Result:	Unanimous

Khan would like to know if the run offs are existing or are they going to create those.

Lynch states they are existing.

Morgan reminds the board that they need to vote on two waiver requests that they have applied for.

Lynch states that there are two waiver requests:

Section 6.116 Lot Lines and Section 7.090 Redevelopment

Chase opens it up to the public: Seeing none

Khan would like to know what entrance they will be using.

Brent Cole states that they will use the Ledge Road access.

Chase would like to know why they are not asking for a bond on the cul-de-sac and Tom Morgan states that usually bonds are requested when the taxpayers may be liable to pay but at this time they would not be liable.

Khan would like to know who is going to maintain the cul-de-sac after the project. Khan also states that the Town Manager is in the audience if anyone would like to ask him questions on behalf of Mr. Starskey.

Morgan states that tonight they are only dedicating the circle to the town and it will be up to the selectman to vote on if they will accept it or not.

Motion: Abramson	To grant the waivers: Section 6.116 Lot Lines and Section 7.090 Redevelopment
Second: Sanborn	
Result:	Unanimous

Motion: Abramson	To approve the case 2019- 22 subject to approval by the assessors lot numbers
Second: Sanborn	
Result:	Unanimous

Case #2019-23- Proposal by C&J Seabrook, LLC for a site plan review at 13 Batchelder Rd. Tax Map 5, Lot 14-5

Dana Lynch from Civilworks New England speaks on behalf of his clients C&J. They are proposing the construction of a 4,000 square foot bus terminal, where there are currently 187 parking spaces, and continued use of approximately 561 parking spaces all within the existing parking lot. Parking spaces lost to the new terminal and its surrounding circulation pattern for busses and pick-up/drop-off will be replaced by construction of approximately 169 parking spaces in an open grass area which was designed and approved for parking in the original site design and approval from 1990. In addition, 66 spaces will be built for valet/overflow parking on

the area of the abandoned septic system leach fields to the west of the existing access drive off Batchelder Road.

The proposed project will be served by sewer connected to an existing sewer main located in Ledge Road and by water connected to an existing water main looped around the structure on Lot 1. Gas, electricity, CATV will be brought in from Ledge Road. Lighting will consist of continued use of the existing poles with upgraded LED fixtures, as necessary, in the re-used portion of the parking area; several relocated light poles which will also be fitted with upgraded fixtures, and new lighting on 20 ft. poles along the bus service access and surrounding the new terminal and security cameras will be installed. Landscaping in the existing parking lot will be retained and a full Landscaping plan has been prepared for the area surrounding the new terminal and valet/overflow parking area.

Khan would like to know what they are doing for drain water since this is in an aquifer protection area.

Steve Heights talks about the drainage. He states that the storm water mitigation will be going through porous pavement. There will be no water running off directly to the wetlands.

Morgan states that he has received an email from the town engineer asking if they would be willing to in cooperate an oil water separator into the plan.

Heights said he would have no problem with that as long as it fits for elevation. He also states there is no servicing of vehicles at all at this location. The vehicles will just be transit.

Motion: Khan	Accept case 2019-23 as administratively complete
Second: Dow	
Result:	Unanimous

Robbie Woodburn presents the landscaping plan for C&J. She states that the landscaping needs to be hearty to live in this environment. Their plant list runs about 50% native and 50% not. They need to make sure that the plants they put in the parking lot are tough as nails and that they are salt tolerant.

Rob Harberson with market square architects speaks on the terminal itself. He states it has a very modern feel and a stone based with lots of windows, a long glass façade. He shows pictures to the board.

Morgan would like Mr. Lynch to speak on behalf of Cimarron.

Lynch states that there are two constraints in the roadway that they cannot do anything about. One constraint is that they can't widen the pavements and there is not enough room to do that without encroaching into wetlands. Second constraint is from a safety perspective. If a crosswalk

was put in it would be 50-60 feet of pavement. This would be setting up a hazard for pedestrians, a false sense of safety for pedestrians. There is not enough room for a 5 foot sidewalk. They are going to restripe the lanes and make them 11 foot lanes.

Khan asks if they are expecting any pedestrians to the location, he states that maybe they can put an elevated walk way for the pedestrians.

Lynch states that they cannot step foot in that wetland at all. He speaks about all the drivers that remove the snow. He says that all drivers are green work certified.

Khan would like to know if they are disposing the snow or pushing it.

Mike Lapoint says they will do something similar to the C&J in Portsmouth. They will put silk fencing around the snow piles so no debris will leave the piles. He and his team are green certified through the state of New Hampshire for removal of snow.

Khan would like to know if there is any plan to improve the intersection at 107.

Lynch says they will work with public works to restripe and repaint the island and intersection.

Sanborn would like to know how close to the road the entrance sign will be

Lynch states that it is 30 feet off the edge of the pavement and about 8-10 feet off their driveway sitting into the embankment.

Khan would like to know if we sent out the abutter notices for this project.

PB Secretary States “yes” they did send out abutter notices.

Chase opens it up to the public: Seeing none

Khan asks how many new jobs will this project create and when will it be done

Jim Jalbuert owner of C&J says probably 12 jobs directly in Seabrook and another 10 to 12 in the rest of the company. He states that they are hoping to get the shovel in the ground in the beginning of April and be open by the end of October.

Lynch talks about the waivers that they are asking for tonight:

Section 5.010 Copies of all applicable State & Federal Permits

Section 8.090 Curbing Mandatory: Curbs shall be Vertical Granite

Section 9.055 Non-conforming Outdoor Lighting Fixtures

Section 11.020 Parking Dimensions

Section 13 Landscaping

Section 6.116 Lot Lines

Section 7.090 Redevelopment

Motion: Abramson	To accept all 7 waivers on the Town Planners memo
Second: Dow	
Result:	Unanimous

Motion: Khan	Approve Case #2019-23- Proposal by C&J Seabrook, LLC for a site plan review at 13 Batchelder Rd. Tax Map 5, Lot 14-5 with the conditions that the plans are satisfactory to the Town engineer and Town planner.
Second: Abramson	
Result:	Unanimous

Case #2019-24- Proposal by Amber Seabrook Associates, LLC for a site plan review at 13 Batchelder Rd. Tax Map 5, Lot 14-5

Brent Cole speaks on behalf of Amber Seabrook Associates. They are proposing a change of use from Retail use to a warehouse distribution use. The applicant would love a tenant to take over the whole building but that is a rare thing to find since the building is so big. If the tenant can find that then he would keep the plan the way it is. In order to keep his options open and maybe finding two tenants, he would like to create two units. They would have to cut in for loading docks and they would be moving an axis aisle. They would also like to add trailer truck parking area. They will revamp up the existing parking lot. They will also add additional rain guards to the property. Access to this parcel will be from Ledge rd. They will be asking for almost identical waivers as C&J.

Motion: Sanborn	To accept Case #2019-24 as administratively complete
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Second: Dow	
Result:	Unanimous

Tom Morgan reads two comments from the Town Engineer and Tom suggests that the two engineers (Chris Raymond and Brent Cole) get together to talk about these issues more in depth.

Andy Polem an attorney for Amber Seabrook speaks about the renaming of Ledge road. He says they are happy to go in front of the selectman to rename the road. He talks about what they are going to do when new tenants come in as far as making sure they know that they are in an aquifer protection area. He states that there will be a clause in their application about the aquifer protection area and any new tenant will have to comply with section 16. The entire clause will be put into the lease. Also, there is a “new business license” application and any new tenant will have to fill it out prior to moving in the building. They are not proposing any offsite improvements at this time.

Chase would like to know when there is a tenant how do we know what is coming in and out of the building.

Building Inspector Lacey Fowler states that the new business license allows them to go in and do their due diligence on the property. This helps to make sure they are maintaining anything from the planning board and the zoning. There is also a questionnaire that goes out to each applicant from the water department and they must notify them of any hazardous materials that are leaving the building.

Khan states that this is a unique situation because you are asking for approval before you even have a tenant. He believes that there should be a condition put on the project that they need to come in front of the board before they grant them the lease. He would like to know who is doing business in the town beforehand.

Andy Polem states that they are just requesting for a change of use tonight from retail to wholesale. His only concern is that the process is too long that it will scare off tenants.

Chase opens it up to the public: Seeing none

Dow believes they shouldn't approve anything until they know what is exactly coming into the town.

Sanborn is in favor of having Lacey and Tom approve which tenants will occupy the building.

Khan believes we need to make sure we use the correct language in the conditions so we don't have any other issues in the future. He has full confidence in Lacey and Tom to do their due diligence.

Khan asks if abutter notices have been sent out for this project.

PB Secretary states, yes they have.

Motion: Khan	To approve the 6 waiver requests presented to the board
Second: Abramson	
Result:	Unanimous

Motion:	To approve case 2019-24 with two conditions: * Once a tenant is found for the property the owner immediately contacts the building department and the town planner to assure that it is low impact. *If a bond is needed on behalf of the detention pond, per the town engineer, the applicant will fill that request.
Second: Sanborn	
Result:	Dow Abstains 4 in favor

Tom Morgan and The board discuss the two warranty articles that are up for discussion.

Chase respectfully resigns from the Chairman position. He states that he no longer lives in the town of Seabrook.

Khan thanks the chairman for all his work he has done throughout his time on the board. He truly appreciates it.

Motion: Khan	To approve the minutes from 11/19/19
Second: Sanborn	
Result:	Abramson Abstained 4 in favor

Motion: Khan	To adjourn the meeting
Second: Abramson	
Result:	Unanimous

*** Chairman Francis Chase adjourned meeting at 10:15**

Respectfully submitted by Jen Hubbard