



Town of Seabrook
Planning Board Minutes
January 21, 2020
Seabrook Town Hall, 99 Lafayette Road
Seabrook, NH 03874
603-474-5605

Members Present

Roll Call: Chairman; Jim Sanborn, Vice- Chairman; George Dow, Max Abramson, Forrest Dow, Selectman Rep; Aboul Khan, Town Planner; Tom Morgan. **Others Present:** Building Inspector; Lacey Fowler, Town Engineer; Chris Raymond, Planning Board Secretary; Jen Hubbard

Absent Members: Mike Rabideau, Paul Knowles, Joseph Jones, Michael Lowry, Claire Knowles

Jim Sanborn opens the meeting at 6:35 pm with the pledge of allegiance.

Mr. Chairman is looking for a motion to accept the meeting minutes from the last meeting, 1/ 7/2020.

Motion: Khan	Accept the minutes from 1/7/2020
Second: Dow	
Result:	Abramson Abstained
passed	4-1

New Business:

Case #2019-29- Proposal by Robpat LLC. For a low impact proposal at 106 Ledge Rd Tax Map 6 Lot 7

Rob Pat LLC. speaks on behalf of his client. He states that they are looking to lease out a space from his warehouse at 106 Ledge Rd. The business will be shipping ammunition to customers. There will be no customers or traffic because everything is done on-line. The company is called Silver-Shield Ammo LLC. He states that there will be a small sign posted at the entrance with the address on it.

Motion: Khan	To accept case 2019-29 as administratively complete.
Second: Dow	
Result: passed	Unanimous

Khan would like to know if the neighbors were notified of this proposal. **Morgan** states that they have not been notified, if the property was in a residential area with surrounding homes then they would have been notified. **Khan** would also like to know if the tenant has spoken with the police chief about this business coming to the area. **The tenant** explains that they have filed for a federal firearms permit with the police department so they are aware.

Mr. Sanborn opens it up to the public for discussion. **Seeing none, hearing none.**

Sanborn asks if the building inspector has any thoughts or concerns on this proposal. **Fowler** states that she is all set. They talked about the business at the TRC meeting and she has no more questions. **Khan** would like to know if this is the tenant's first business of this sort, and the tenant replies that it is. **The tenant** also explains that they are working with a Seacoast Security firm to set up cameras and an alarm system for the property and that ATF will be coming out on Thursday to approve of the business location.

Motion: Abramson	To approve case 2019-29 with the following condition: Acknowledgement from the Police Chief that they are aware of the business coming to town. (Khan)
Second: Khan	
Result: passed	Unanimous

Old Business:

The board has a discussion about the proposed revisions made to Section 2 and 6 of the Zoning Ordinance which are as follows:

Section 2 Dwelling Unit: A ~~single-unit~~ building or portion thereof providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation. This use shall not be deemed to include such transient occupancies as hotels, motels, rooming or boarding houses.

Section 6

Add the following to the first paragraph: Uses that are not designated as permitted (by right or as a conditional use) shall be construed as prohibited.

***Sanborn opens the meeting up to the public for discussion on section 2:**

Resident Tom Willwerth speaks against the proposed revisions to section 2. He states that he is a licensed superintendent for the commonwealth of Massachusetts. First reason he is opposed is because one of the board members stated that there was no rush to put this on the ballot right now, so why rush it. He feels that this should go to a specific committee to hash this out. Don't send this to the voter because they are least experienced to vote on this. He states that everyone has a different definition on the word transient. His definition of a "transient" is different than what his father in-laws definition would be. He talks about the standards that are in the IRC and the provisions that are set forth by them. He states that the wording in the sections change around the code. He would really like to see a committee formed to write the code. He feels that if we adopt this there will be hundreds of people that are not complying.

Khan would like to hear from the Building Inspector and the Town planner on their thoughts.

Fowler understands where Tom is coming from. She states that he is looking at it from a code aspect. She believes we need to do something about this and she wouldn't mind being a part of the committee when that time comes.

Morgan doesn't agree with Mr. Willwerth, he believes that these are two separate entities. He states that the board is not proposing to change the code as they have no right to do that. He was simply asked to draft some language that would prohibit short term rentals in the area. He has full confidence that this language will do just that. This has been brought in front of the Supreme Court from the city of Portsmouth and they won using these same definitions. He states that the question at hand is if the board wants to regulate short term rentals in the residential area or not.

Khan would like to know that is it going to affect existing two or three hundred residents.

Morgan anytime you change the zoning you can have unattended consequences. Clearly the intent of this language is to make it more difficult for people to have short term rentals.

Resident Tom Willworth talks about his concerns with Section 6 as well. He would like to know if we have a database of the people who got conditional use and who didn't.

Fowler states that the code has always been a permissive code. She states that she looks at the zoning at that time and the building permit to see if it was approved.

Morgan states that in order to get a conditional use permit the applicant is required to come to the planning board and there haven't been lots of those in the past 6 years. He also states that Section 6 is just a clarification, that's all it is.

Fowler recommends that this should be put on the ballot. She has had a lot of complaints coming in on the issues of short term rentals.

Motion: Dow	To put the proposed revisions made to section 2 on the ballot.
Second: Khan	
Result: Passed	Abramson opposed 4-1

Motion: Abramson	Place section 6 on the ballot as written
Second: F. Dow	
Result: Passed	Unanimous

***Chairman Jim Sanborn closes the public meeting @ 8:00pm.**

Other Business:

Member Max Abramson discusses updates on what is going on in the legislator that may affect the planning board.

Correspondence:

Sanborn announces that there will be no scheduled planning board meeting for February 4th because that is the town meeting night.

Motion: Khan	Adjourn the meeting @ 8:11
Second: G.Dow	
Result:	Unanimous

*** Chairman James Sanborn adjourned the meeting at 8:11pm**

Respectfully submitted by Jen Hubbard