



Town of Seabrook
Planning Board Minutes
November 17, 2020
Seabrook Town Hall, 99 Lafayette Road
Seabrook, NH 03874
603-474-5605

Members Present

Roll Call: Chairman; Jim Sanborn, Vice Chairman; Mike Rabideau, Members; Max Abramson, Paul Knowles , Selectmen; Aboul Khan, Town Planner; Tom Morgan.

Others Present: Building Inspector; Lacey Fowler, Town Engineer; Chris Raymond, Planning Board Secretary; Jen Hubbard

Absent Members: John Kelley, Forrest Dow

Jim Sanborn opens the virtual meeting at 1:06 pm with the pledge of allegiance.

New Business:

Case # 2020-23 Proposal from Seabrook Development Associates LLC. And BJ's Wholesale Club Inc. for an amended site plan review at 30 Perkins Ave. Tax Map 8 Lots 1 & 1-2.

Motion: Rabideau	To accept case 2020-23 as administratively complete.
Second: Khan	
Result: All in favor	All in favor

Wayne Morrill from Jones and Beech Engineering speaks on behalf of the applicants. He states that BJ's Wholesale and Seabrook Development Associates propose the construction of a 12-position gasoline fueling station adjacent to the BJ's Wholesale club at 30 Perkins Avenue. In addition to this, the applicants agree to forgo construction of a nearby 7,520 square foot retail store, and to cease gasoline sales at the former BP station at the corner of Lafayette and Perkins. The applicants also attended a meeting with the Technical Review Committee on November 10, 2020. Morrill proceeds to share his screen with the board and explains the plans.

Traffic Engineer Shaun Kelly speaks on behalf of the traffic impact assessment that has been done on the property. He states that using trip-generation statistics published by the Institute of Transportation as well as empirical data collected at operational BJ's fueling facilities, the project is expected to generate no notable change to peak-hour traffic generation. He also states that the applicant is committed to implementing all approved off-site mitigation measures associated with the project. These include the widening of Perkins Ave. to provide a two lane approach to route one as well as the construction of a new southbound right turn lane on route-1 to serve as an entrance to the site.

Khan would like to know if Mr. Kelly has visited Perkins Ave personally. **Khan** would like to know if they studied how the gas station is going to impact the residents that live there. **Kelly** says they did take the residents into consideration and they are offering a second lane to provide additional capacity on Perkins Ave for the residents to access route one easier. **Khan** also asks **Morrill** what the proposed status of the entrance from route 107 looks like. **Morrill** states that they are still pursuing that. **Fowler** asks about the 11 foot wide road into Perkins, is it wide enough for the fire trucks to get through if there are cars waiting at the light. **Morrill** will get in touch with Koko to make sure the road is wide enough for the fire trucks to pass through. **Morgan** is a little skeptical of the numbers from the traffic study. He feels that BJ's is not a very busy gas station that they have proposed. **Morgan** suggests that the board should take on their own traffic study. **Abramson** suggests that the BP station remain open instead of adding the new gas station. **Morrill** believes leaving that BP station open would cause more problems on route one with traffic. **Khan** agrees that the board should have their own traffic expert conduct a study. **Knowles** asks who is going to be paying for that. **Morgan** says the applicant will pay for it. **Morrill** states they will pay for that third party review. **Khan** asks if we are still keeping the pond. **Morrill** states yes. **Khan** asks that the applicant should reach out to Seabrook Village about the change in plan. **Sanborn** asks if **Morrill** has been in touch with Terry about the gas station. **Morrill** states they have not gone through the gas station with Seabrook Village but he will get in touch with them. **Morgan** asks **Morrill** to explain the sound wall. **Morrill** states that they are looking to move the sound wall further away from the property line, move the sound wall to the top side of the detention pond. **Khan** likes the idea. They will be saving lots of trees this way. **Khan** asks if there is anything else that can be done to improve Perkins Ave. **Morrill** says that they have changed Perkins Ave to a dead end. They also made a dedicated turn just for the Seabrook Village residents and a bus stop. They also added a sidewalk and expanded Perkins Ave. **Khan** asks what the plan will be for the BP station. **Morrill** states that once the new gas station gets approved the BP will be shut down and won't be a gas station any longer. As for right now they don't know the plans for the building. **Rabideau** asks if there are going to be any ballads over by The City store to prevent people from driving over the grass and such. **Morrill** says there will be something temporarily so people don't cross there. **Rabideau** asks if there will be signage on the North side as well as on the South side of the proposed canopy. **Patrick** states yes there will be signage on both sides.

<p>Motion: Rabideau</p>	<p>Request that the Town Planner coordinate an independent traffic study for the BJ's gas station focusing mostly on Perkins Ave.</p>
<p>Second: Sanborn</p>	
<p>Result:</p>	<p>All in Favor</p>

Khan would like to ask Tom Morgan, the Town Planner, and Chris Raymond from TEC to confirm that the gas station in question isn't in violation of the 1,000 foot zoning ordinance. **Raymond** states that he brought that question up at TRC and Morrill presented a whole separate plan to show the proximity of the gas stations in regards to the proposed BJ's gas. **Morgan** was interested in **Morrill's** methodology and how he came up with the 1,000 feet. **Morrill** explained the methodology behind the plan and states that it is measured from property line to property line. **Morgan** would like to know if there is a professional stamp on the plan. **Morrill** states they will do whatever it takes to be compliant. **Morrill** also says that he will send a formal written statement back to the board regarding Tom's comments and any issues that arise from TRC. **Morgan** asks if there is any new signage being proposed. **Morrill** states that the only new signage are the ones on the canopy, everything else stays the same.

Chairman opens it up to the public @ 2:10 pm;

John Cronin speaks on behalf of his clients, Mabardy and Mitchell. He states that Mr. Mabardy feels that he has rights to continue his current gas station at BP. He doesn't feel that the application meets the requirements of 676.4 and believes there should be a condition of approval. He believes that a variance would be required in order to operate this gas station. **Cronin** asks to take a better look at the traffic plan because he believes that the gas station that is being compared to is not an appropriate comparable. **Cronin** asks if the applicant will be abandoning the gas station near Hobby Lobby. **Morrill** states for the record that they will not be abandoning the Hobby Lobby proceeding. Once they receive approval for this new gas station, then they will stop that. **Morrill** also states there are no drinking wells on the property and they will locate any irrigation wells on the plan. **Khan** would like to inform Morrill that the board has taken out the 30 day policy so they need not wait the 30 days for recording purposes.

Chairman continues case 2020-23 to December 15th @ 1:00 pm.

Wayne Morrill speaks on behalf of the plan referenced to moving the sound wall that was originally approved by the board as case 2017-26. He states that they are moving the wall further away from the property line. He states Seabrook Village has sent a letter to the members stating that they are on board with the new plan.

Motion: Khan	To approve the amended site plan for the sound wall from case 2017-26 and the Town will waive jurisdiction.
Second: Rabideau	
Result:	All in favor

Chairman is looking for a motion to approve the proposed revisions to the zoning ordinance and subdivision regulations relative to FEMA's new floodplain map. He opens the meeting up to the public at 2:26 pm for any questions or comments. **Seeing None.**

Motion: Rabideau	To approve: Section 24.120 of the Zoning Ordinance Section 4.230 of the Zoning Ordinance Section 6.115 of the Subdivision Regulations related to flood hazards in the town of Seabrook. This is based on an updated change of date on the map and doesn't need to go to Town meeting.
Second: Abramson	
Result:	All in favor

Other Business:

Release of the bond in the amount \$20,000 from Robpat/Midway 106 Ledge Rd. from the prior planning board case 2018-16

Chris Raymond suggests that the board release the site security and has added a letter stating his recommendation to the board.

Motion: Khan		To release the bond in the amount of \$20,000 to Robpat/Midway @ 106 Ledge Rd. Tax Map
Second: Sanborn		
Result:		4 in favor Abramson; Abstained

Discussion of the CIP with the Town Manager has been moved to the December 1, 2020 planning board meeting at 1:00 pm.

Chairman reads a letter from Frank Lanzillo to the board. He states that Mr. Lanzillo has built his addition 5 feet larger than what it was approved to be. Mr. Lanzillo is looking for approval from the board for the extra 5 feet. **Morgan** states that the board has two options; Waive jurisdiction or have Mr. Lanzillo go back in front of the board for an amended site plan. **Rabideau** doesn't have an issue with the over build but he believes that the board needs to set precedence so it doesn't keep happening. **Fowler** recommends that the applicant re-submit a new site plan to the board. Khan will step down as a member because he is an abutter of the property in question. He would like to ask a question to Fowler as a resident. Khan states that the North of their property there is a strip of land that is owned by the town, it abuts their parking lot. Fowler states that there is a stop work order on the approval right now. **Khan** would like to know if the extra five feet is granted to the applicant at the next meeting will the restaurant still be in compliance with the number of seating inside. **Morgan** states that they don't know what their plans are for extra seating so we would need to ask the applicant those questions at our next meeting. **Rabideau** would like to know what the proposed parking is going to be. Sanborn stated that he remembers Henry Boyd saying it was only 15 or 16 spaces.

Motion: Rabideau		Mr. Lanzillo shall come before the board to answer the questions that the board members have in terms of the addition that is already built and to review the proposed usage and additional parking required for the addition.
Second: Knowles		
Result:		3 in favor Khan; Abstained Abramson; No

Motion: Sanborn		To approve the October 20th meeting minutes as published
Second: Rabideau		
Result:		3 yes Khan abstained, Abramson abstained

Motion: Khan		Deny the request for 9 Batchelder Rd. to add more asphalt. The board would like them to apply for a site plan review.
Second: Knowles		
Result:		All in favor

*** Chairman James Sanborn adjourned the meeting at 3:01pm; All in favor**

Respectfully submitted by Jen Hubbard