



Town of Seabrook
Planning Board Minutes
January 19, 2021
Seabrook Town Hall, 99 Lafayette Road
Seabrook, NH 03874
603-474-5605

Members Present

Roll Call: Chairman; Jim Sanborn, Members; Forrest Dow, Max Abramson, Alternate member; Srinivasan Ravikumar, Selectmen; Aboul Khan, Town Planner; Tom Morgan.

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

Absent Members: Vice Chairman; Mike Rabideau, John Kelley, Paul Knowles

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

New Business:

Case # 2021-03 Proposal by Rigz enterprises LLC. for a site plan review at 157 & 167 Lafayette Rd. Tax Map 9 Lots 151 & 152

Erik Poulin from Jones and Beech Engineering presents the case to the board. The site plan application is for the rendering of two new buildings at 157 and 167 Lafayette Rd, just north of the Town Hall. The intent of the application is to raise all structures and propose retail use for lots 151 and 152. A 2,743 square foot retail building on lot 151 and a 5,480 square foot retail building on lot 152. The lots will remain as two lots. The intent of the project is to construct the bigger building first and to keep the other business still running until the new building is up and built, then they will tear down the old store. **Poulin** talks about the drainage on the property and states that it is directed to the back of the property. Jones and Beech is planning on submitting architectural designs at the next meeting. The building will fit in well for Smiths-town such as the design goes. Traffic report indicated that they were well below 50 percent of the traffic flow to and from the building. They are also considering tapping into fresh services as far as water and sewer go. **Poulin** states that they have submitted a letter to Mr. Morgan in regards to a potential apartment above the retail building on lot 151 making this a mixed use zone.

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| Motion: Khan | To accept case 2021-03 as administratively complete |
| Second: Sanborn | |
| Result: | 5 in favor Abramson; Abstained |

Morgan talks about the traffic report. **Poulin** states that there will be 29 parking spaces on the lot, total. The bigger building will have 21 and 8 for the second one. **Khan** asks how many curb cuts, **Morrill** states there will be two. **Khan** would like to know why they don't do one project at a time. **Morrill** states that it was easier to show the interconnectivity of two buildings at once. **Khan** would like to make sure that they know in the future that the second building has enough parking spots. He would also like to know why are there going to be two curb cuts. **Morrill** states that each property has a curb cut at NH DOT; they share a parking lot, so it will make it easier to go back and forth the two properties. The sidewalk is on the developers land and the developer will be maintaining the sidewalk. **Khan** asks if there is any space for overflow parking on site. **Morrill** states that there is not overflow parking in the back. **Khan** wants to make sure that they are following the guidelines of Smithtown Village. **Morgan** states that this business is going to be getting a lot of traffic so they need to use that information to come to an agreement about what the exaction fee will be. **Ravi** asks what happens after the project is done with the traffic report, do we do an additional study. **Morgan** states that has never been done before. **Morgan** asks where in the process of the DOT permit is and **Poulin** states it was submitted. **Khan** suggests that the board members have a meeting about the zoning maps at the next meeting. **Morgan** suggests that the board uses form based codes for Smithtown. **Poulin** states that they will come back to the board with a new traffic report, details on signs, architectural details, and all waiver requests in writing. **Khan** would like Jones and Beech to return to the board when they are ready to start on the second building. **Abramson** would like to know if the sidewalk will be bicycle friendly. **Poulin** states that the client will take responsibility for the sidewalk. It is a five foot wide sidewalk and it will be ADA compliant. Their proposal is to do some low line shrubs and it will be grassed with bushes and shrubs. **Khan** would like to make sure that they make sure those 8 parking spots are enough for the second business.

Mr. Chairman states that **Case # 2021-03 Proposal by Rigz enterprises LLC. for a site plan review at 157 & 167 Lafayette Rd. Tax Map 9 Lots 151 & 152** will be continued until February 16th 2021 virtual meeting at 1:00pm.

Continuance;

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

Wayne Morrill from Jones and Beech engineering presents the case. He states that he has been in touch with the building department and the Fire Station to come up with the following numbers for the property; 30 Perkins Ave building #2 and 28 Perkins Ave. They are proposing a 12 position fueling station for the BJ's wholesale club. He states that there have been no changes to the plan since the last time they were in front of the board. No changes to lighting or landscaping. It has been put on the plan that the DPW is granted access to the site as well as the water and sewer department. **Sean Kelly** goes through the comments from TEC.

Morgan asks how the permit is coming along from DOT. **Kelly** states that they have the initial permit that was submitted but they haven't gone back to DOT yet. **Khan** is concerned for the residents of the town and how they are going to be affected by the traffic. **Kelly** states that they did studies on the current traffic. **Khan** asks if there is anything else besides BJ's, the gas station, and the restaurant that will be on the property. **Kelly** states that they did take into account a Hotel and possibly a self storage business. They looked at the full maximum build out for the property. **Khan** asks that even with all of these possible businesses in there, that one entrance will be enough so the residents will not be impacted by the traffic. **Kelly** states that the residents will not be impacted. **Khan** would like to know the status of the second entrance. **Kelly** states they are still in the process but it could take up to two years for that second entrance to be open. **Ravi** would like to know if there are a set of lights at Perkins. **Kelly** states yes there is.

Chairman opens it up to the public:

John Cronin, an attorney representing Mr. Mitchell and Mr. Lombardi speaks on their behalf. He would like to know if the independent traffic study that was supposed to happen, did happen? He would also like the board to take into consideration that there is a pending lawsuit against the closing of the BP gas station, which he is not involved in. He also adds that he agrees with Abramson's comment that they should consider keeping the BP station open instead of creating a new, bigger, gas station with only one curb cut.

Attorney Ari Pollack from Gallagher, Callahan & Gartrell law office speaks on the comments made by Mr. Cronin. He states that there was in fact an independent traffic study performed from Tec Engineering. He also states that he appreciates Mr. Cronin and his consideration, but the town does not recognize tenancy as a landowner therefore he is not an abutter. RSA 672;3 they challenge the standing of Mr. Cronin and his clients on being abutters.

Chairman closes public comment:

Khan would like someone from TEC to speak on the traffic study and its effect on the Seabrook Village community. **Sam Gregorio** from TEC speaks on their behalf. He states that TEC did a traffic study review for Perkins and Lafayette. Under the assumption that BP closes, this shows **no change** of traffic from the original approvals. He believes that their numbers are over conservative, and they are showing more traffic than what would occur. **Khan** asks in the case of an emergency and Perkins Street is blocked off is there another entrance for an emergency vehicle to gain access to the BJ's site? **Morrill** states that there is a driveway from the hospital that will be connecting to the BJ's site. **Khan** asks **Morgan** how many conditions of approval he thinks would be good to put on this case. **Morgan** does not give much credit to either traffic studies he suggests that the BP and the 12 pumps are not equivalent. **Kelly** states they did not compare the two gas stations. **Morrill** states that any business that comes back to the BP site will have to come back to the planning board for approval. **Khan** would like to know if they gave credit to the trip generation from the BP. **Kelly** states that they are taking credit in the sense that the BP station will be closed for the project to advance. **Khan** suggests that they do not ask for any credit from BP. **Kelly** states then we would be counting double traffic.

The board has a discussion on what they believe the exaction fee should be for BJ's site. The members conclude that they will approve this case with the following conditions stated in the below motion:

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| <p>Motion: Khan</p> | <p>To approve Case 2020-23 proposal from Seabrook Dev. Ass. LLC and BJ's wholesale club Inc for an amended site plan review at 30 Perkins Ave. Tax Map 8 Lots 1 & lots 1-2 with the following conditions:</p> <ul style="list-style-type: none"> • Traffic engineers, the Town Planner, and Town Manager to agree upon the amount of the exaction fee and the site security fee. • Receipt of DOT permit • Receipt of DES permit • Assurance that the BP station will not come back into use, said assurance to be legally binding • Applicant to return for Site Plan Review of the 4,900-sf retail/ restaurant pad proposal. |
| <p>Second: Abramson</p> | |
| <p>Result:</p> | <p>All in favor</p> |

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| Motion: Khan | To accept the meeting minutes from 1/5/2021 |
| Second: Ravi | |
| Result: | 4 in favor Abramson; Abstained |

Khan would like to discuss the zoning boundaries at the next meeting.

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| Motion: Abramson | Motion to adjourn the meeting |
| Second: Sanborn | |
| Result: | All in favor |

Chairman closes the meeting @ 3:15

Respectfully submitted by Jen Hubbard