



**Town of Seabrook**  
**Planning Board Minutes**  
**February 16, 2021**  
**Seabrook Town Hall, 99 Lafayette Road**  
**Seabrook, NH 03874**  
**603-474-5605**

**Members Present**

**Roll Call:** Chairman; Jim Sanborn, Vice Chairman; Mike Rabideau, Members; Paul Knowles, 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:** John Kelley, Forrest Dow

**Jim Sanborn opens the virtual meeting at 1:03 pm with the pledge of allegiance led by Aboul Khan.**

**New Business:**

**Case 2021-04 Proposal by Stargazer Real Estate LLC. for a condo conversion at 463 New Zealand Rd. and 7 True Rd. Tax Map 2 Lot 11**

**Henry Boyd** speaks on behalf of his client Stargazer Real Estate. They are proposing a condo conversion at 463 New Zealand rd and 7 True Rd. Henry reviews Tom's comments and checklist. Henry states that he will include the updated water lines, boundary markers, and new flood maps on the updated plan along with the Mylar.

<b>Motion: Sanborn</b>	<b>To accept case 2021-04 as administratively complete</b>
<b>Second: Rabideau</b>	
<b>Result: pass</b>	<b>4 in favor</b>  <b>Knowles; Abstained</b>

**Chairman** opens it up to the board and the public for comments;  
Seeing none, hearing none

**Khan** would like to ask Tom Morgan if he agrees with what Henry Boyd just said. Tom Morgan states that Henry will amend the plan and he agrees that the plan looks good.

<b>Motion:</b> <b>Khan</b>	<b>To accept Case 2021-04 Proposal by Stargazer Real Estate LLC. for a condo conversion at 463 New Zealand Rd. and 7 True Rd. Tax Map 2 Lot 11</b>
<b>Second:</b> <b>Rabideau</b>	
<b>Result: pass</b>	<b>4 in favor</b>  <b>Knowles; Abstained</b>

**Continued Case:**

**Case 2021-01 Proposal from Ying Chuang for a conditional use permit at 131 Lafayette Rd. Tax Map 9 Lot 155.**

**Attorney Kerri Marshall** speaks on behalf of the applicant. She states that Mr. Chuang is in the process of resolving all the issues that code enforcement has cited. She states that the current issue is that of the 9 storage trailers that have been on the property for the last ten years. She also states that he uses those containers for furniture and such. Chuang would like to move the containers to the back of the property where they won't be visible from the street. **Marshall** states that they are asking the board to consider their proposal. **Morgan** states that the board is allowed to grant the approval of two storage containers for a maximum of three months, other than that, the board has no authority. **Morgan** recommends that Mr. Chuang go to the board of adjustments. Chuang states that this is a financial hardship for him and he has been there for 10 years. Building inspector Lacey Fowler speaks on the matter of this case. She states that there are several violations on the property. The storage containers have been there for a very long time. She has a violation that is dated back to 2003 for the same storage containers. He has been to the zoning board on three separate occasions and has been denied all three times. **Khan** asks about the wording in the zoning where it states "storage container" not "tractor trailer" He would like to know if there is a difference between the two. **Fowler** states that the use is the same because it is the body of the tractor trailer. **Sanborn** would like to know what **Fowler's** recommendation would be. **Fowler** states that she doesn't have a straight recommendation but she wanted to give the board a brief history of all the violations and all of the separate

denials this property has obtained from the zoning board throughout the years. **Ravi** would like to know if the planning board has any authority to have the trailers removed. **Morgan** states that the board doesn't really have the authority to remove them. The board can only act on two of the trailers and then code enforcement will have to act on the rest of the trailers. **Morgan** refereed the applicant to the board of adjustments back in the fall; they are the ones that will be able to grant all of Mr. Chuang's requests. **Chuang** states that he is having a financial hardship at this time and cannot move them. **Khan** makes a proposal to have the town attorney present at our next meeting and to table this case until then. **Chairman Sanborn** tables this case to the next planning board meeting which is on March 2<sup>nd</sup> at 1:00pm via zoom.

<b>Motion: Khan</b>	<b>Table Case 2021-1 until the next meeting so we can have our town attorney present.</b>
<b>Second: Rabideau</b>	
<b>Result: pass</b>	<b>4 yes</b>  <b>Knowles; no</b>

**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 speaks on behalf of his clients. He states that they are coming back to the board and he would like to talk about some changes that they have made to a few comments from the last meeting. He states that the comment about the project not complying with the Smithtown regulations has been resolved. They are planning to add an apartment to the smaller building on the second floor. **Eric Poulin** addresses comments from the last meeting and updates the board on the conditions of approval and the additional items that have been added to the plan. **Morgan** asks if they have been in contact with DOT. **Morrill** states that they have been submitted to DOT and they will be able to receive two driveways because they are individual lots. **Khan** is not satisfied with the parking for the second business. **Khan** would rather have one case presented to the board at a time. **Morrill** states that this is a unique situation because of the business that is already on the lot, which does good business. **Morrill** understands the problem with the parking and they are reaching out to abutters about overflow parking for employees. **Morrill** states that right now they are showing a dry goods store with an apartment on the second floor. He states that if they change the use then they would come back to the board for approval. **Khan** would like them to come back to the board for the second lot with a proposal. Rabideau asks if there is a time frame for breaking ground. They are hoping for a start time around April

depending on the weather. **Khan** would like to know how many new jobs the business will produce. They state there will be 4-5 new jobs in town from phase one.

<b>Motion: Sanborn</b>	<b>To accept the waiver request for the parking regulations</b>
<b>Second: Khan</b>	
<b>Result: pass</b>	<b>4 in favor</b> <b>Knowles; No</b>

<b>Motion: Khan</b>	<b>To approve Case 2021-03 Proposal by Rigz enterprises LLC. for a site plan review at 157 &amp; 167 Lafayette Rd. Tax Map 9 Lots 151 &amp; 152 with the following condition:</b> <ul style="list-style-type: none"> <li><b>The applicant will come back to the planning board when they are ready to bring in their tenant for the northerly lot and get planning board approval.</b></li> </ul>
<b>Second: Rabideau</b>	
<b>Result: pass</b>	<b>4 in favor</b> <b>Knowles; No</b>

**Wayne Morrill** speaks on behalf of **Case 2020-23** and the conditions that were put in place by the board members at the last meeting. **Morrill** states that there were some changes that they would like to make to the conditions and they are looking for the board's approval to these changes. **Khan** and **Sanborn** are really concerned that the Chairman's signature is already on the revised NOD when he really didn't sign on those yet. **Sanborn** has made two calls about this being forgone on his behalf. **Morrill** states that he is very sorry and it was a mistake on his part. **Morrill** apologies to **Sanborn** and assures him that it will never happen again. **Sanborn** is not in favor of changing any of the conditions at this time. **Rabideau** asks if the removals of the tanks are the

responsibility of the new owners or the old owners. **Fowler** states that DES does already have the permits for the removal of those tanks.

<b>Motion: Sanborn</b>	<b>To not approve the revised NOD from case 2020-23 as presented by Wayne Morrill. And to keep the original NOD at this time.</b>
<b>Second: Knowles</b>	
<b>Result:</b>	<b>All in favor</b>

**Morgan and the board members have a discussion about the zoning boundaries. The board decides to hold a work session on the zoning boundaries which will be held on March 23 @ 1:00pm.**

<b>Motion:</b>	<b>To move forward with the Master plan and allow Tom Morgan to begin the process under one condition:</b> <ul style="list-style-type: none"> <li>• <b>Authorizing the Planning board chair to write a letter to the selectman to see if they can allocate funds to start the process.</b></li> </ul>
<b>Second: Ravi</b>	
<b>Result:</b>	<b>All in favor</b>

**Khan** suggests that Tom Morgan draft the letter on behalf of the planning board chair to the selectman. Morgan suggests the amount is between \$5,000 and \$10,000 needed.

<b>Motion: Khan</b>	<b>Approve the minutes from 1/19/21</b>
<b>Second: Sanborn</b>	
<b>Result: pass</b>	<b>3, yes  Knowles, Rabideau; Abstained</b>

<b>Motion: Ravi</b>	<b>Motion to adjourn the meeting</b>
<b>Second: Rabideau</b>	
<b>Result:</b>	<b>All in favor</b>

**Chairman closes the meeting @ 2:50**

**Respectfully submitted by Jen Hubbard**