



**Town of Seabrook**  
**Planning Board Minutes**  
**March 2, 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; Forest Dow, Paul Knowles, Alternate member; Srinivasan Ravikumar, Selectmen; Aboul Khan, Town Planner; Tom Morgan. **Others Present:** Attorney; Kerriann Roman, Building Inspector; Lacey Fowler, Town Engineer; Chris Raymond, Planning Board Secretary; Jen Hubbard

**Absent Members:** John Kelley, Max Abramson

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

**New Business:**

**Case 2021-05 Proposal from Torrington Properties Inc. for a site plan review at 9 Batchelder Rd. Tax Map 5 Lot 14-2**

**Erik Poulin** from Jones and Beech engineering speaks on behalf of the applicant. Torrington properties propose to convert several parking spaces to a truck stacking area. They are also looking to construct a second driveway onto Sam's Drive which is a private way. **Poulin** replies to the comments made by Tom Morgan. He states that they will label the wetlands on the plan and at this time they are not proposing any lighting changes and they will resubmit the storm water maintenance plan for review. **Ravi** asks if this would solve the truck parking issue. **Poulin** believes that it will.

<b>Motion:</b> Sanborn	<b>To accept case 2021-04 as administratively complete</b>
<b>Second:</b> Rabideau	
<b>Result: pass</b>	<b>5 in favor</b>  <b>Knowles; Abstained</b>

**Chairman** opens it up to the board and the public for comments;

**Khan** would like to know what kind of business is at this property. **Poulin** states that it is an industrial business that does coating for mechanical components. **Khan** states that they really need to know the exact business because this is in our aquifer protection area. **Poulin** states that he can get some more details from the company. **Khan** thinks that this case should go to TRC. **Building Inspector Fowler** knows the business and states it is a storage and shipping place, they don't do any manufacturing on site. **Khan** asks if **Fowler** is ok with the business and she states yes she is. She hasn't been to the business in over a year though. **Khan** states we don't want any more drainage into our water system that we already have. **Poulin** states that he made an effort to make sure the water going to that area will be at a minimum. The business will stay as it is. **Khan** asks if they have had a discussion with the property owners of C&J. He states that C&J got a hold of Torrington properties and asked them to take the stacking of the trucks out so they are well aware. **Sanborn** asks Fowler her thoughts. **Fowler** suggests that this case go in front of the technical review committee for further discussion. **Rabideau** asks if the staking will be used during off hours as well as on hours. **Poulin** doesn't recall them saying they needed off hour stacking. He will make a note of that and clarify for the board. **Rabideau** would like to know where the semi trucks will turn around. **Poulin** states that are able to nose in and turn around right back onto 107. **Attorney Kerriann Roman** would like to know if there is a site plan for this property already on file and is this just an amended site plan. **Poulin** states that the original approval they have is from the year 1997. **Khan** requests this go to TRC because having the trucks there can be a safety issue. **Sanborn** asks Fowler if she remembers what business was in that building before this one. **Fowler** states Corium Cooperation which did leather finishing for books. **Sanborn** believes that those two businesses are completely different and they should go to TRC.

<b>Motion:</b> <b>Khan</b>	<b>Send case 2021-05 to an expedited TRC meeting.</b>
<b>Second:</b> <b>Knowles</b>	
<b>Result: pass</b>	<b>All in favor</b>

**Chairman Sanborn continues Case 2021-05, Proposal from Torrington Properties Inc. for a site plan review at 9 Batchelder Rd. Tax Map 5 Lot 14-2 to be heard at the March 16<sup>th</sup> planning board meeting at 1:00 pm**

**Ravi** would like to request that the board put a process in place for businesses to show they are following all the rules and regulations that are required for the aquifer protection area. **Sanborn** believes that any new business that comes into the aquifer protection area should come before the planning board and state exactly what solvents, if any, will be on site. **Fowler** says that that question is on the business license form and every business is required to fill out a new business license and renew it every year. She states they do rely on the applicants honesty of what is being stored on the property. **Khan** thinks that the aquifer protection area businesses should have a different color form than regular businesses with more questions and more in depth form.

<b>Motion: Ravi</b>	<b>Request that the selectmen modify the business license form for the aquifer protection area with questions that will further ensure that the aquifer protection area is protected.</b>
<b>Second: Khan</b>	
<b>Result: pass</b>	<b>All in favor</b>

**Continued Case:**

**Case 2021-01 Proposal from Ying Chuang for a conditional use permit at 131 Lafayette Rd. Tax Map 9 Lot 155.** Chuang speaks on his own behalf. He states he is looking to get a conditional use permit for two tractor trailers that are on his property. He states that he is having a financial hardship and needs the containers to stay on the property for a while longer. He states he has never had any complaints from any neighbors about the trailers. **Rabideau** states that there are violations from 2003 and he is wondering what effect, if any, they will have on this matter. **Attorney Keriann Roman** states that all the board is voting on today is a conditional use permit for two tractor trailers for 90 days. As for the remaining seven, that is a code enforcement violation. Sanborn would like to make a motion to deny this extension. **Morgan** states that the board needs to make reference to Section 8 of the zoning ordinance and state why they are denying the permit. **Attorney Keriann Roman** reads the zoning ordinances:

- Does not have an adverse effect on surrounding properties or on environmentally sensitive areas;
- Does not at any time of day decrease the existing level of service of roads and intersections servicing the property and any other road or intersection to be determined by the Planning Board;

- Implements mitigation measures that retain the existing and/or improve the level of service of roads and intersections servicing the property including other affected components of the roadways network identified by the Planning Board;
- Does not cause erosion, or discharge of chemicals or other pollutants into stormwater;
- Does not emit odors, noise, dust, vibration, smoke or fumes which travel beyond the boundary lines of the subject property; and
- Does not interfere with or decrease safety and access for motorists, bicyclists, pedestrians and residents.

The board has a discussion on the criteria in section 8. **Rabideau** asks how the members would actually know if there have been complaints or not about 131 Lafayette Rd. **Attorney Keriann Roman** states that someone would make a complaint to the building inspector or the abutters would have come forward once they received their letters. **Sanborn** feels that with those nine trailers sitting on the property that they are bringing down the value of the other businesses surrounding that property. **Forrest Dow** feels like those trailers are a safety issue if children are playing around them. **Rabideau** asks Fowler what the penalty would be for not removing the trailers. **Fowler** states they follow the RSA 676.17 under civil penalties, \$550.00 for each day. **Khan** would like to know the two options for denying or approving. **Attorney Keriann Roman** would prefer that they go through each six sections and talk about why all the factors are not met. **Rabideau** believes that these trailers do affect the surrounding area due to safety issues of the tractor trailers being there. **Ravi** believes that the board should deny the permit due to the fact that it does have an adverse effect on surrounding properties or on environmentally sensitive areas. **Rabideau** and **Sanborn** agree. **Mr. Chuang** states there have been no complaints what so ever. **Rabideau** states there is no fence, no signage, and it is a safety concern. **Attorney Keriann Roman** understands the applicants concern. **Khan** states that the board has very limited access and everything needs to go through the zoning board if he wants to leave them for longer than 90 days. **Ravi** agrees with Khan and he believes that the only thing we can do is deny it on the adverse effect and safety concerns and have Fowler follow up with the code enforcement. **Chuang** states he has a financial limitation because of Covid-19. **Attorney Keriann Roman** states that the planning board cannot look at a financial hardship but the zoning board can if you request a variance. **Morgan** believes that the board had some great conversations and they are ready to make a motion. **Khan** believes we should add more criteria to the motion. **Rabideau** states that the board has no idea what is being stored in those containers. There could be something harmful in there that we don't know about. **Chuang** states it is just hotel furniture.

<p><b>Motion:</b> <b>Rabideau</b></p>	<p><b>Deny the conditional use permit for case 2021-01 proposal by Ying Chuang for a conditional use permit at 131 Lafayette Rd. Tax Map 9 Lot 155. The proposal failed to satisfy three of the requisite criteria specified:</b></p> <ul style="list-style-type: none"> <li>• Has an adverse effect on surrounding properties or on environmentally sensitive areas;</li> <li>• Would cause erosion, or discharge of chemicals or other pollutants into stormwater;</li> <li>• Interferes with or decrease safety and access for motorists, bicyclists, pedestrians and residents</li> </ul>
<p><b>Second: Ravi</b></p>	
<p><b>Result: pass</b></p>	<p><b>All in favor</b></p>

**Chairman states that the conditional use permit is denied and no cargo containers are allowed on the property right now.**

<p><b>Motion:</b> <b>Rabideau</b></p>	<p><b>Approve the minutes from 2/16/2021</b></p>
<p><b>Second:</b> <b>Sanborn</b></p>	
<p><b>Result: pass</b></p>	<p><b>4 in favor</b> <b>Knowles ,Dow ;Abstained</b></p>

**Chairman takes a minute to thank Max Abramson for all his years on the planning board.**

**Khan: Selectmen approved the \$10,000 for seed money for the Master plan he would also like Tom Morgan to make sure each member gets a Master Plan book. Tom Morgan and Lacey Fowler will work together on making up the new business licenses for the aquifer protection area.**

**Chairman closes the meeting @ 2:51**

**Respectfully submitted by Jen Hubbard**