



**Town of Seabrook  
Planning Board Minutes  
February 21, 2023  
Seabrook Town Hall, 99 Lafayette Road  
Seabrook, NH 03874  
603-474-5605**

Members Present; Paul Knowles, Jason Janvrin, David Davidson, Mike Lowry, Peter Sanborn and Aboul Khan

Also Present; Tom Morgan, Town Planner

Paul Knowles, Vice Chairman opened the meeting at 6:32PM with the pledge of allegiance.

Henry Boyd was not able to attend the meeting and asked for a continuance for cases 2023-03 and 2023-05. Knowles announced that these two cases will be continued to March 6<sup>th</sup>.

**Case 2023-4 – Proposal by Knowles Family Trust for a condominium conversion at 121 Farm Lane, Tax Map 12, Lot 40-0.**

Brian Knowles was present to present the case, he stated that they are looking to do a condo conversion so each family member can have their own lot, so they can get a loan from the bank for their own individual lots. Henry Boyd from Millennium Engineering drafted the plans for the applicant, the water and sewer were added to the plans, per Tom Morgans request on his memo. Tom Morgan asked where the water shut off valve is, Brian stated that the shut off is at the road, and the water department shouldn't have a problem finding it.

<b>Motion:</b>	<b>Knowles</b>	<b>To accept case 2023-04 as administratively complete.</b>
<b>Second:</b>	<b>Lowry</b>	<b>Unanimous</b>

Janvrin stated there is a shed that is crossing the property line, Brian said the person who owns the property is present and is fine with the shed being there. Janvrin said, that even if the neighbor is okay with it being there, its not in compliance with the zoning ordinance. Brian

stated that if it needs to be moved to be in compliance with the ordinance then they will move it, he stated that there is also a metal shed on the property also. Janvrin stated that the if the metal shed is like a storage container, then it needs to be removed off the property as storage containers cannot be stored on the property and would be in violation of the zoning ordinance, but if it's just a regular shed made out of metal than its fine.

<b>Motion:</b>	<b>Lowry</b>	<b>To approve case 2023-04 with the condition that both sheds be pulled in 10 feet from the property lines prior to occupancy.</b>
<b>Second:</b>	<b>Khan</b>	<b>Unanimous</b> <b>Abstain- Sanborn and Knowles</b> <b>Motion Passed</b>

**Case 2023-6 – Proposal by DG NH Seabrook, LLC for a 4.5-Megawatt solar farm at 626 Lafayette Road, Tax Map 7, Lot 110 and Map 11, Lot 2.**

**Case 2023-7- Proposal by DG NH Seabrook, LLC for a 2.75-Megawatt solar farm at 626 Lafayette Road, Tax Map 7, Lot 110, Map 11, Lot 2 and Map 12, Lot 26.**

Lina Saldarriaga from DG NH Seabrook LLC was present to present the cases to the board. She explained that they are looking to add two solar farms, which are projects 3 and 4. Project 3 is proposed as a 4.5-megawatt solar farm on about 15 acres of land and is currently used for storage for materials and equipment. Project 4 is proposed as 2.75-megawatt solar farm on about 13 acres of land and is currently used for materials from a previous excavation site. They explained that multiple environment studies have been completed and that there will be minimal tree removal which will be done in the winter. She also stated that they will be avoiding all wetlands and water resources, and have followed state and town required setbacks. During the operation the project will not produce any vibration, dust, debris, traffic and will not present safety hazards to the neighbors. The invertors may produce some noise but not louder than 38 decibels from 100 feet away, which is just approve a whisper. The projects will be operator remotely and have occasional maintenance visits, there will be signs around the properties with 24/7 contact information if needed.

Abutter Michael O'Connor, 3 Charlotte Circle stated that he lives off Dows Lane and that project 4 is directly behind his house. He explained that they have had a water issue over the past few years and that his back yard has been flooding, and it was never a problem until they started breaking the property down. He handed out pictures to the board to show how close this property is to his and his back yard flooding. The applicants explained that on the plans they marked that area as wetlands, O'Connor stated that it was never a wetland when he purchased his land in

1997. They stated that by the state, they are not allowed to impact that wetland, but they will be vegetating that area so there will a flow of water, and that wetland may shrink. O'Connor explained the way the grade is now and from where the quarry was, it tapers down directly into his property and when it rains it all flows down the quarry right into the his yard. Tom D'Aguiar from VHB is the civil engineer for project and he explained this project should benefit his property in some compacity just from the vegetation changed, and the runoff to his property should be reduced by 10%-20% of run off in the 100 year storm. Janvrin asked what is currently in there for drainage, D'Aguiar stated there is currently no drainage. O'Connor stated they could put drainage into that property to help with the run off into his, D'Aguiar explained that they could add something but the problem with that is that they would be discharging any treated stone water back into that area. He said that they may be able to reduce the peaks a little bit on how much run off is coming into his property but to say there still wouldn't be water would be incorrect. Tom Morgan, stated during the TRC meeting, John Starkey was very vocal regarding the stormwater issues and Nextera has not been maintaining them as well as they should be. As Tom recalls by his impression is that Nextera was going to work with John Starkey to solve some of these problems.

D'Aguiar stated right now the quarry is all dirt and gravel and there plan is to change it too a thick meadow mix, which will be a big tall grass field that gets mowed twice a year and leveling out the slope so into not going to be as steep as it is now. Janvrin asked if there was any way they could divert, treat and empty into the north wetland, D'Aguiar said there is a small section there but don't know if it would be enough to make a big difference.

Saldarriaga stated that Nextera and this solar project are two separate entities and they are here to present the solar project, and she can't speak on their behalf.

Lowry asked what the overall height of the solar panels, D'Aguiar said the panels themselves are 85 inches on each cell and there are two cells standing at a 30 degree angle, the racking is usually about 3-6 feet tall, so all together its about 7-8 feet. Lowry stated that they can put a buffer in-between the properties for the abutters. Saldarriaga stated there is already a natural buffer there, and she has been to the site in the summer and winter, and the summer you cant see into the property and in the winter there is some vegetation and its not a clear view. O'Connor stated that, that is incorrect and can see right into the property especially in the winter. Saldarriaga stated they can explore the options of installing a buffer. Khan wants to make sure the non-operating/used panels are not going to be stored on site and that they are removed right away, they stated that solar panels are being reclassified at universal waste and they have to pick them up once a year by law but they are looking to do it quarterly and will take them to a recycling facility.

Janvrin stated that he has a hard time moving forward with project 4 which is case 2023-7 and would like to have Nextera attend the meeting to discuss the problems being raised. Khan asked

if this case could back to TRC to address the issues. Lowry stated that he would like to know the cost of the project and how long the lease is for, Saldarriaga stated it is a 40 year lease.

<b>Motion:</b>	<b>Lowry</b>	<b>To continue case 2023-07 to March 20<sup>th</sup>, and be reviewed by TRC prior to that date.</b>
<b>Second:</b>	<b>Janvrin</b>	<b>Abstain-Knowles Motion Passed</b>

Janvrin had a few questions regarding Case 2023-06, which is project 4, he asked about the elevation and how much of a pitch is there on that property, D'Aguiar said there is about 2%-5% slope and most of the site flows north east. Janvrin said that these wetlands drain into tidal marshes and more wetlands just north of north access road, currently that area is occupied by multiple beavers and is making the water back up on north access road and it is going to continue to be an issue and wanted to make the applicant aware of the situation. Janvrin asked what type of control they are using the SCADA system for, Dave from Power Engineers explained the SCADA is used for monitoring the controls, temperatures, invertors and alarms.

Janvrin stated the State of NH purchased the right of way for the rail trail back in the 80's and when they did that, the drainage has not been maintained. Janvrin asked if the Town of Seabrook was to submit a letter to the State of NH, asking them too to fix their drainage, would the applicant join the town on that letter. Saldarriaga stated her team would have to have more conversations regarding that issue, Janvrin stated the planning board would have to get selectmen approval, as for that this concern can be addressed in the future. Khan asked if town council can look at the lease agreement and decommissions agreement to make sure everything is kosher. Khan asked if the panels were going to produce a glare to the abutters, Saldarriaga stated they have a coat on them that prevents the glare and if there was to be a problem with the glare they can plant vegetation to buffer it. There were no other questions or comments.

<b>Motion:</b>	<b>Janvrin</b>	<b>To accept case 2023-06 as administratively complete.</b>
<b>Second:</b>	<b>Lowry</b>	<b>No-Knowles and Sanborn Motion Passed</b>

<b>Motion:</b>	<b>Knowles</b>	<b>To approve case 2023-06 with the following conditions;</b> <ol style="list-style-type: none"> <li><b>1. Nextera work with the DPW directly on stormwater issues.</b></li> <li><b>2. Remove the name provident way from the site plans and replace it with south access road.</b></li> <li><b>3. Place the signature block and profession stamps on the</b></li> </ol>
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		<p>revised plan set.</p> <p>4. That the rail road be labeled as State of NH</p> <p>5. Review of lease agreement and decommission agreement by town council.</p> <p>6. Applicant agrees to mitigate any glare to any abutter</p>
<b>Second:</b>	<b>Khan</b>	<b>No-Knowles and Sanborn Motion Passed</b>

**Grant Application**

Tom Morgan stated to the board that they have been approved for the \$25,000 grant.

<b>Motion:</b>	<b>Janvrin</b>	<b>To approve the minutes from February 6, 2023</b>
<b>Second:</b>	<b>Khan</b>	<b>Abstain-Knowles and Sanborn Motion Passed</b>

Khan made a comment that he forgot that he wanted to put a condition in the motion for case 2023-06, that the solar panels are not stored on property for a certain period of time and would like to address it at the March 20<sup>th</sup> meeting.

Meeting was adjourned at 8:20PM