

Planning Board Members Present: Robert Brown (Chair), Sue Foote (Vice Chair), Philip Stockbridge, Karen Knight, and William Cox

Others Present: Bob Moore (CEO), and Tom Morgan (Town Planner)

Work Session on Capital Improvements Program (CIP): Chairman Brown called the work session to order at 6:00 PM. Foote speculated that construction on the desalinization plant could not commence any sooner than 2007 due to permitting requirements. She suggested scheduling that project for 2007 and setting aside \$500,000 per year (starting in 2003) in a Capital Reserve Fund to offset the cost of the plant. The board concurred. Cox commended the board for the well balanced scheduling of projects. The board concluded that they had no further revisions to make to the plan. The work session was adjourned at 6:59 PM..

Monthly Meeting: Planning Board members Keith Fowler and Paul Garand arrived, as did Town Engineer Mike Fowler. Chairman Brown called the meeting to order at 7:02 PM.

Wojicki Plan: The board reviewed a plan depicting revisions requested on November 19. Chairman Brown signed the plan.

Minutes of November 19: Foote moved to adopt the minutes subject to one amendment: Maple Ridge Road on page 4 should read "True Lane". Garand seconded the motion. All in favor.

Bylaw Amendment: Garand moved to limit hearings to 30 minutes per case. Stockbridge seconded the motion enthusiastically. All in favor.

Pride Development: Henry Boyd of Millennium Engineering presented the proposal for a condominium conversion. He noted that Morgan (in his December 1 memo) had found the proposal to be consistent with the Zoning Ordinance and Condominium Regulations. Morgan stated that we had not heard from Attorney Simmons regarding condominium documents. Cox & Foote commended Boyd for designing nice, square, practical, regular-shaped lots for this applicant. Cox moved to approve the plan only for the purpose of certifying that it complies with the Town of Seabrook's Condominium Conversion

Regulations. Foote seconded the motion. All in favor.

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Hannah Driveway: Henry Boyd of Millennium Engineering presented the proposal to construct a driveway through Oliver Carter, Jr.'s property to the Hannah salad factory off of Railroad Avenue.

The plans have been revised to reflect changes requested by the Planning Board and to incorporate recommendations from the board's noise consultant Harris, Miller, Miller & Hanson. The consultants recommended the installation of twelve foot high noise barriers. Boyd noted that the new plan depicts the driveway further away from the Hale residence.

As per the Planning Board's request, Note #6 was added relative to truck operations, however Millennium neglected to specify that the note should refer to "running" trucks. Boyd reassured the board that the note would be fixed.

Cox stated that he believed that this driveway constitutes an impermissible industrial use in the Residential Zone. Morgan replied that were the board to accept that argument, then the same could be applied to Hannah's existing driveway which has been in operation since 1987. Morgan cautioned the board that it is a little late for the Town to allege a zoning violation because Mr. Hannah has invested substantial funds in his salad facility under the belief that his operation complies with the Zoning Ordinance.

Chris York of Millennium stated that the proposed streetlights would be mounted on twenty-foot high poles. Cox stated that he was satisfied with the design of the lighting fixtures.

Foote suggested leaving vegetation to the discretion of the property owner. She advised against trees that shed needles.

Mike Fowler recommended a performance bond of \$85,000.

Stockbridge suggested that the South Access Road be pursued as an alternate access. Knight doubted that permission for the alternate route could be attained in a timely manner.

Chairman Brown opened the hearing to public comments.

Faye Gerrish objected to the driveway being moved closer to her home.

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Martha Suttles said that she is an abutter to both driveways. Her son-in-law's concerns have been satisfactorily addressed by Hannah. She stated that Mr. Hannah has been very cooperative and that he has given "110%" to make neighbors happy. She praised Hannah's generosity toward local civic organizations. She added that Hannah has been a much better neighbor than his predecessors.

In keeping with the newly adopted Bylaw amendment, Foote moved to extend this hearing an additional twenty minutes. Knight seconded. All in favor.

William Eagleston stated that he and his wife had just purchased a home on Railroad Avenue directly opposite the Carter property. Had he known of this proposal, he would not have bought the property. He is concerned about safety issues, and in particular, trucks and kids sharing the same space. He recommended that the Planning Board consult its legal counsel.

Attorney Peter Loughlin, speaking on behalf of the Borges who reside nearby, stated that he agreed with Cox's reservations about the legality of running an industrial driveway through the Residential Zone. His clients have opted not to pursue that issue. He is pleased that the board has required a noise barrier. Attorney Loughlin distributed a chart depicting a "noise thermometer". He noted that the sound level increases fourfold between 60 and 70 decibels. He requested that: 1) Hannah's existing driveway be discontinued; 2) noise mitigation be extended in the rear; and 3) vegetation be beefed up.

Chris Basti is concerned about the number of trucks. 24 trucks per day would drastically change their way of life.

Oliver Carter, Jr. stated that the school busses make more noise than the trucks. Speeding automobiles are the real danger on Railroad Avenue.

Foote asked Millennium for a clearer depiction of the noise barrier.

Foote asked if Hannah would consider restricting the use of the existing driveway to employee automobiles. Attorney Peter Shaheen, representing Hannah, stated that his client is unwilling to give up any rights he has on the existing driveway.

The board reminded Millennium to fix Note #6. The board further asked Millennium to add to the site plan a "no jake-braking" note as recommended by the board's noise consultant.

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Fowler moved to set a bond amount of \$85,000. Knight seconded. All in favor.

In order to permit a 22-foot wide driveway, Garand moved to waive the Driveway Regulations restriction that allows a maximum pavement width of 20 feet. Fowler seconded. All in favor.

Foote moved to approve the site plan, subject to the following: 1) Note #6 is fixed; and 2) Signs are erected (along the driveway and along Railroad Avenue) prohibiting jake-braking, and requiring truckers to drive slowly. Garand seconded the motion. All voted in favor except Cox who reiterated that the Planning Board has no jurisdiction to approve what he believes to be an industrial use in the Residential Zone.

Foote moved to authorize the chairman to sign the revised plan when it is submitted. Knight seconded. All in favor. Knight excused herself and left the meeting.

Public Hearing on the Capital Improvements Program 2003 - 2008: The Chair and Vice Chair explained the CIP to the public. The public responded favorably. Chairman Brown closed the public hearing. Foote moved to adopt the CIP. Fowler seconded. All in favor.

Correspondence from the Muffetts: Thomas Muffett submitted photographs depicting alleged discrepancies between the approved plan for Austin's Way and that which was actually constructed. He particularly focused on drainage infrastructure.

Mike Fowler examined the photographs and the approved plan, and stated that nothing could be remedied until the Spring. Foote was critical of the fact that the drainage infrastructure remains unfinished after homes have been built and sold. Cox recommended that in the future, an engineer be hired to monitor construction.

Driveway Permit for Trinity Church off of Folly Mill Road: Garand moved to deny.

Stockbridge seconded. Considerable discussion followed among board members who the Acting Secretary observed didn't seem to be listening to each other. The hour grew late. Garand withdrew his motion. Foote moved to approve. Fowler seconded. All in favor except for one dissenting vote who sounded like Eddy Wilson.

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Appreciation Dinner: Most of the board members agreed that Friday January 17th would be an ideal date to sit down for a modest dinner at taxpayer expense. Cox made a motion that people who can not make it that evening be awarded a gift certificate. Stockbridge seconded the motion. The motion was ignored. Cox declared "Point of Order Mr. Chairman!" A vote was then called. All in favor.

The board agreed that both the 1686 House and the Galley Hatch would be suitable locations for modest refreshments. The Chairman was directed to make reservations at either one of those fine establishments for 7:00 PM.

2003 Budget: Chairman Brown directed Morgan to prepare a budget for the board's consideration on December 17.

CVS Lights: Cox reported that Jones & Beach had not submitted the requested documentation. This matter was postponed to December 17.

Adjournment: Stockbridge moved to adjourn. No one seconded the motion. Board members dispersed at 9:22 PM.

T. Morgan
Acting Sec'y