

**SEABROOK PLANNING BOARD
JANUARY 16, 2001 - 7:00 P.M.
SELECTMEN'S MEETING ROOM**

MEMBERS PRESENT: Chairman Robert Brown, Vice-Chair Susan Foote, Paul Garand, Philip Stockbridge, William Cox, Keith Fowler and Selectmen's Rep. Asa Knowles, Jr. Others Present: Planning Board Engineer Michael Fowler, CEO Robert S. Moore, Town Planner Thomas Morgan and Secretary Emily Sanborn. Alternate Ivan Eaton Jr. said that he would be leaving because there was a full board.

MEETING OPENED: Chairman Brown opened the meeting at 7:06 P.M.

MINUTES: S. Foote made a motion to accept the minutes of January 2, 2001 as submitted. P. Stockbridge 2nd. Vote: K. Fowler abstained. Motion Carried.

CASE #99-32 - MICHAEL MARSHALL - 537 LAFAYETTE ROAD - SITE PLAN FOR A TATTOO PARLOR - FORMAL CONTINUANCE

Richard Janvrin, representing the applicant Michael Marshall, presented the plans for a proposed tattoo parlor at 537 Lafayette Road for the board's review and approval. The board looked over the plans and went over the following concerns. Chairman Brown asked if they had a curb cut from the state. Mr. Janvrin said that he had spoken with Betty Pickering from the state and she told him that everything was on hold because of the state using this property to store equipment, etc., for the widening of Rte. 1. Chairman Brown said that Mr. Janvrin would have to get something in writing from the state for the curb cut. T. Morgan said that a change of driveway or business requires a curb cut.

T. Morgan asked about parcel A on the plan and stated that a 1986 approved plan shows that parcel A was to be donated to the town. R. Moore said that these are two conflicting plans with discrepancies. R. Moore explained the approved plan done by Dennis Small who had died before parcel A had been deeded to the town. Richard Parker, representing Mr. Janvrin, was asked about the discrepancies in the plans. Mr. Parker said that he had not done a survey but had instead used a survey for Mr. Janvrin's site plan done by Taki. Mr. Parker and the board agreed that this was a civil matter. Mr. Parker said that the previous plan was done by a surveyor who was no longer in business and he questioned his work.

R. Moore said that the parking spaces and signs are all right but the plan doesn't show the sidewalk. Mr. Janvrin said that the state is suppose to do the sidewalks but if they didn't he would. T. Morgan suggested that this be postponed until the sidewalks, the curb cut and the discrepancies in the surveys are gone over. Drainage was discussed between M. Fowler and Mr. Parker. W. Cox went over the lighting and said that the lighting information could be faxed. W. Cox also said that the photometric grid could be waived for this site. S. Foote said that the approval for the site plan should be for the review of the site plan only. A. Knowles said that it could be approved with no jurisdiction taken as the board had done on another plan. Chairman Brown asked if there were any abutters present. There were none. S. Foote made a motion to continue the site plan to February 6, 2001 at 7:00 P.M. K. Fowler 2nd. Vote: unanimous

CASE #00-41 - KINGS SURF LIMITED - HAMPSHIRE INN - 20 SPUR ROAD -TAX MAP 7 LOT 81 - SITE PLAN: Richard Parker of Parker Survey presented the plans for

an expansion to the existing Hampshire Inn on 20 Spur Road for the board's review and approval. He gave the board copies of the revisions done on the plan and went over T. Morgan's letter of review. #1) Erosion Control and storm water drainage not demonstrated on plan to be in compliance with Article IX of the Site Plan Regulations. Mr. Parker explained that was just a remodel and rebuilding of this portion of the existing motel and that they would be adding only 70'. S. Foote noted that there was to be more pavement. Mr. Parker said that they were increasing the impervious area by removing 3 large leach fields. He said that this would offset the paved area. He asked for a waiver of this requirement. S. Foote requested that the before and after grade elevations be shown. M. Fowler told Mr. Parker that they will be adding additional roof and pavement and that some type of drainage/catch basins should be done. Mr. Parker said that the removal of the leach fields would be a depression not a detention pond. Chairman Brown told Mr. Parker to make a note to come in compliance with Article IX. S. Foote suggested that the leach field area be made lower.

#2) Elevation views of the proposed building were presented by Mr. Parker for the board's review.

#3) R. Parker gave W. Cox the light formula for the building. Photometric grid would have to be waived.

#4) R. Parker said that the state took an excessive curb and that the parking spaces were existing non-conforming.

#5) R. Parker said that there was no existing curbing.

Chairman Brown said that the storm water drainage had to be calculated with zero net increase to abutters and that dumpster hours are not to be done between 11:00 P.M. and 7:00 A.M. M. Fowler went over Warner Knowles letter of review in regards to the existing pump station. Mr. Parker said that there would be no external changes and that they would be adding only 12 units. M. Fowler said that the existing pump should be ample to handle the extra units and that Mr. Parker should get Warner's approval that this is ok.

W. Cox recommended a bond be posted. Abutter Paula Chilsom of New Zealand Road asked to see the plans and the location of the expansion. She had no concerns with the location.

W. Cox made a motion to continue to February 6, 2001 at 7:00 P.M. S. Foote 2nd. Vote: unanimous

CASE #00-42 - C.A.T. FAMILY TRUST - 321 ROUTE 286 - TAX MAP 17 LOT 9-3 - CONDO CONVERSION - FORMAL

Attorney Peter Saari presented the plans for a condo conversion at 321 Route 286 for the board's review and approval. It was noted that the property no longer belongs to C.A.T. Family Trust and that the title box should reflect this with the new owners. The board discussed the following concerns: S. Foote said that the 100' shoreline protection buffer should be shown on the plan and be measured from the rack line; T. Morgan discussed review by Town Counsel and the depiction of shutoff valves for each proposed unit; and the driveway flooding concerns of abutter Dennis Knowles of 319A Route 286.

D. Knowles presented pictures to the board of the driveway taken after a high tide. Mr. Knowles said that if the driveway was built up the water would runoff onto his land and he did not want to be flooded out. Mr. Knowles also asked if the applicants could put up a fence because he has a well and he did

not know who would be renting these condos and he was concerned about protecting his well. The board recommended the following: change the owners name; depict the 100' shoreline protection buffer; fence to be shown and driveway not to be raised.

S. Foote made a motion to continue the case to February 6, 2001 at 7:00 P.M. P. Garand 2nd. Vote: unanimous

CASE #00-43 - SAGAMORE TRUST AND ROBERT & MICHELLE KENYON - 11-15 BORDER WINDS AVENUE - TAX MAP 2 LOTS 94-3 & 94-4 - LOT LINE CHANGE - FORMAL

Mr. Franciosa representing Sagamore Trust and Mr. Kenyon presented their lot line change for the board's review and approval. They explained that Mr. Kenyon would be purchasing a piece of property from Sagamore trust for frontage. T. Morgan's letter of review in regards to which lot was owned by who was corrected on the plan and the boundary marker for the intersection of the proposed lot line had been depicted. Chairman Brown noted that the 125'x 125' square requirement would have to be waived.

P. Stockbridge made a motion to waive the 125'x 125' square. P. Garand 2nd. Vote: unanimous

S. Foote made a motion to approve the Lot Line Change for Sagamore Trust and Robert & Michelle Kenyon. K. Fowler 2nd. Vote: unanimous.

CASE #00-44 - TIMOTHY JOHNSON/DAVID BENOIT - 896-920 LAFAYETTE ROAD - TAX MAP 7 LOTS 92 & 91-204 - LOT LINE ADJUSTMENT - FORMAL

Henry Boyd of Millennium Engineering presented the lot line adjustment for Timothy Johnson for the board's review and approval. H. Boyd went over the ownership of the parcels. He informed the board that Mr. Benoit had transferred his ownership in the parcels to Mr. Johnson. In regards to the two separate tax map #'s, Mr. Boyd said that he would take this up with the Assessing Department.

Attorney Chris Pappas and his client abutter George Coupounas were present and said they had seen a smaller version of the plan and asked to view the plans. They looked at the plans and said that it was a lot clearer to them. Mr. Pappas asked if this was wetlands. S. Foote there was none on the parcel to be conveyed.

S. Foote made a motion to approve the Lot Line Adjustment for Johnson. K. Fowler 2nd. Vote: unanimous.

(Reporter Angel-Jean asked if the board had anything to say about the Board of Selectmen's approval for an article of \$7,500 Capital Improvements funding to be placed on the Warrant?)

The board gave a favorable reply.

PUBLIC HEARING - AMENDMENTS TO THE ZONING ORDINANCE (SIGNS)

Chairman Brown opened the public hearing for the purpose of amending Article XIII of the Zoning Ordinance relative to signs in Zones 2 & 3 by reducing the maximum number of free standing signs from two to one.

S. Foote made a motion to recommend and send the amendment to Town Warrant. P. Garand 2nd. Vote: Asa Knowles, Jr. abstained. Motion Carried

CORRESPONDENCE: Michael Fowler gave the board his calculation of a bond amount for Home Depot as requested by the board at a previous meeting. P. Garand started a motion and P. Stockbridge 2nd. P. Garand withdrew his motion and P. Stockbridge withdrew his 2nd. S. Foote made a motion recommending that Home Depot be bonded in the amount of \$300,000. W. Cox 2nd. Vote: P. Garand & P. Stockbridge abstained. Motion Carried. Asa Knowles, Jr. left the meeting at 9:09 P.M.

DRIVEWAY PERMITS: P. Garand made a motion to approve the driveway applications for Border Winds Avenue & Randall Drive. P. Stockbridge 2nd. Vote: unanimous

OLD BUSINESS: WETLANDS SETBACKS

Henry Boyd, a member of the Conservation Committee, asked to speak on the wetland amendment that was recommended for town warrant at the January 2, 2001 public hearing. Mr. Boyd asked if existing lots would have to comply with this wetlands setback. He voiced his concerns with what this would do to existing lots and how this could make these lots unbuildable if this amendment was approved in March. T. Morgan said that the ZBA would be able to handle any of these situations. W. Cox said that he would prefer that it remained on the warrant but that he preferred a 25' setback for everyone. S. Foote said to give it a year to see what effect it will have. T. Morgan said that in the zoning ordinance (dimensional setbacks) new and old lots must be treated the same.

Keith Fowler made a motion to withdraw amendment 6 from the town warrant. P. Garand 2nd. Vote: K. Fowler & S. Foote in favor, P. Stockbridge & P. Garand opposed. W. Cox abstained. Chairman Brown broke the tie by voting in favor. Motion Carried.

Keith Fowler made a motion to meet jointly with the Conservation Committee and the Economical Development Committee to discuss a new wetland setback requirement. W. Cox 2nd. Vote: unanimous

A date for the meeting was set for the 1st Tuesday in March, 2001.

MEETING ADJOURNED: Chairman Brown adjourned the meeting at 9:45 P.M.

Secretary's Notations: Mylars recorded January 17, 2001 for Sagamore Trust C-28664 and Benoit & Johnson D-28665.