



## Town of Seabrook Planning Board

Meeting called to order at 6:07 PM June 7, 2005. Members Present: Susan Foote, Chair; Mark Preston, Vice Chair; Paul Garand, CEO; Mike Lowry, Peter Evans, Paul Himmer, Keith Sanborn, Tom Morgan, Planner, Patricia Welch, Secretary.

Susan Foote, Chair, requested that she be excused from serving in that capacity during this meeting for personal reasons.

**Motion:** Sanborn To allow Vice Chair Mark Preston to conduct this meeting.

**Second:** Lowry Unanimous

**Preston:** everyone have a chance to look at the minutes from the previous meeting? Any corrections, comments?

**Motion:** Lowry To accept minutes of May 17, 2005 as written.

**Second:** Sanborn Unanimous

Public Hearing opened.

**Item#1: Conditional Approvals:** to add to the Sub-division regulations as follows: Article III, Letter M "conditional approvals shall expire 90 days after date of said conditional approval if ALL conditions are not met and the plan shall be revoked at that time; the applicant may request one extension for an additional (60) sixty days by written request stating specific reason(s) for extension to the Planning Board not less than 30 days prior to the original expiration date." Subsequent items shall be re-lettered accordingly.

**Preston:** anyone on the Board have any questions on this?

**Foote:** I think you'll note in our agenda it's been rephrased a little bit. It actually incorporates RSA 676:4I(i) that specifies exactly what a conditional approval is. I don't know if we need to put the full wording of that in, but I think we definitely need to add a reference to the State RSA as to what a conditional approval is.

**Morgan:** I would suggest you add that reference right after the second word.

**Preston:** I don't have a problem with that.

**Evans:** after the semi-colon it says the applicant may request one extension. I would like to suggest that it's the Planning Board may grant an extension upon a request. I don't think it should be a foregone conclusion that we approve any and all requests.

**Preston:** anyone in the audience have any questions on the change in this regulation? Pro, Con, nothing?

**Motion:** Garand To approve addition to Subdivision Regulations with addition of "consistent with RSA 676:4I(i)" after the word approvals and rewording "the applicant may request" as "the Planning Board may grant" and inserting "of the applicant" after the phrase "written request".

**Second:** Lowry Unanimous

**Foote:** and that will be effective immediately.



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**Preston:** Has everyone gotten a chance to at least receive the Appledore Report on the Border Winds situations? We're releasing that today as of this meeting, to the Public. And I would suggest, and a couple of the engineers have requested to get together on it, and have a work session with the Planning Board before any changes are implemented if there are any. I don't know what your feeling is on that?

**Garand:** would the work session be during the day or at night?

**Preston:** it would be at night. 6:00. I was looking at a date of...and this would probably assist Wayne in four of his presentations that he'd have tonight because I don't think we can act on those without acting on the Appledore Report. So we could do a Work Session at some point down the road, not too far down the road.

**Preston:** does anyone on the board have anything to say on this?

**Garand:** not at this time. We have to set a date.

**Preston:** anyone in the public?

Audience member: (believed to be Jason Page): is there going to be a copy of that report that's being released to the public?

Secretary: yes. Proceeds to hand out reports to audience members.

**Foot:** what the secretary is passing out is all the correspondence we have received to date from Appledore and the Engineers.

**Preston:** we don't need a motion on this so we're going to schedule a Work Session to with the Planning Board, Millennium Engineering, Jones and Beach Engineers, and Appledore Engineering for Tuesday, July 12, 2005 at 6:00 PM in this room.

Audience Member (Wayne Morrill, Jones & Beach Engineers): is that for both industrial and residential or is that...?

**Preston:** I think that report is wrapped together.

**Morrill:** so you're going to handle both issues on one night?

**Morgan:** they're joined at the hip Wayne.

**Preston:** Wayne, are you representing Case #04-59, 60, 61 & 63?

**Morrill:** just so the Board knows, I understand that these are all going to be tabled. You probably saw the correspondence we sent to the Town and Appledore. And since then, there have been things about site specific. We talked to Site Specific today. We're actually submitting the site specific report to them so everything is clean so that they can review it as of the four lots that were just done, the last application that came before the Board, that was approved by site specific. So they were up-to-date up until these last three applications. Just wanted to inform the board of that. We're going to try to have a site-specific permit in hand prior to July 12<sup>th</sup>.

**Preston:** so these four cases, are you requesting a continuance?

**Morrill:** I believe I need to because I don't believe the Board is going to act on them until after the work session.

**Preston:** are you going to need extension letters on that also?

Secretary provides letters for extension to Morrill.

**Motion:** Garand                      **Motion to continue hearings on Case #04-59, 04-60, 04-61 and 04-63 until August 2, 2005 at 6:00 PM.**

**Second:** Lowry                      **Unanimous except Evans who abstains because he is an abutter.**



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**Preston:** Next case is **#05-17** - Proposal by Mark Sullivan for a condominium conversion at 54A & 54B Foggs Lane, Tax Map 7, Lot 50-140.

Wayne Morrill, Jones & Beach Engineers sets up easel with plans. These are condo conversions. This is one of the lots that was part of the Jean Drive, it was the one lot that was on Foggs Lane. We've been hired by Mr. Sullivan to put two condos on there. They are pretty much constructed at this point. When it went in front of the TRC (Technical Review Committee), it was missing all the utilities on the plan. Unfortunately we did not get it down to the Board on Friday afternoon. We do have all the plans with all the utilities on them at this point. Basically I went in front of Mr. Bartlett and got the right tax map numbers for both of the units so everything is up-to-date as far as the Assessor's Office is concerned. And the utilities took care of the TRC issues that were on the checklist on these sites.

**Preston:** so are you going to be looking for a continuance?

**Morrill:** I believe he needs a continuance because we didn't have the plans in front of the Board by Friday. I do have the plans with me that I can submit to the Board tonight or tomorrow.

**Preston:** I would suggest that you submit them and ask for a continuance.

**Morrill:** then I'd like to have a continuance please on this site

**Garand:** is that the same also for 67A?

**Morrill:** 67A is the same thing. It's right across the street, Mausoleum site, all the utilities were missing. They're on the plan now. I'm going to submit both plans tonight. Basically, that was the one thing that was missing on that plan. No wetlands on this site. Wetland markers have already been set as part of the Jean Gove subdivision on lot 140.

**Morgan:** I have some additional comments if you'd like to consider them tonight.

**Morrill:** I'd like to get them done so it's a one-shot deal.

**Morrill:** here are the two copies of 10 plan sets for each one and if there are any changes I'll have them in the next Friday before the Planning Board meeting. When was it continued to?

**Preston:** June 21<sup>st</sup> at 6:00 PM

**Motion:** **Lowry** **To continue case#05-17 and #05-18 until June 21, 2005 at 6:00 PM**

**Second:** **Garand** **Unanimous**

**Preston:** **Case #05-19** - Proposal by Jeffrey Morgado for a condominium conversion at 122 & 124 Blacksnake Road, Tax Map 3, Lot 5-5. Plans are distributed.

For the record, I am Henry Harrison Boyd, Jr., Millennium Engineering. This is a simple straightforward condominium conversion plan. These are existing structures. We performed a survey, created areas without any necessity for common areas, both LCA. There was one comment, that the service for the utilities should be placed in an easement. Typically, when condominium plans are drawn, the easements that are necessary, because the property is jointly owned are not shown as an easement as you would do on a piece of privately owned land that you may have done because it crosses somebody else's property, but they are taken care of in the condominium documents. Attorney Ganz highlighted out of the condominium documents the appropriate clause within her declaration that provides easement rights for just this thing. It's more properly done and legally more acceptable to do it within the declaration. (Board reviews Attorney Ganz's letter and the condominium documents.)



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**Foote:** if Attorney Ganz says it's proper, our regulations defer to the responsibility that falls to the attorneys.

**Boyd:** she even signs.

**Preston:** (to Board) you guys want to look at this?

**Boyd:** Tom mentions that the Flood Plain Map on note #2 is the old one. That can be redone. Underground Utility. I believe there is a note on there that says UGU. For electric utilities. Everything else is specified on the plan—the sewer and water.

**Evans:** does that include the gas?

**Boyd:** no. Gas is shown as gas.

**Evans:** and that only goes to the one dwelling?

**Boyd:** actually there is an overhead wire for the first unit and then the underground utility runs through here. It's underground electric utility.

**Evans:** I meant from the propane tank? It only services 124?

**Boyd:** yes. And if you want me to update that note, I can change that underground utility and resubmit that to you.

**Preston:** anything on the board got anything on this?

**Evans:** I'm all set this time.

**Preston:** any abutters or residents or anyone who wants to speak on this plan?

**Owen Latham:** Mark, define a condo conversion.

**Preston:** take a duplex and cut it right down the middle with common areas on either side or back yards or driveways and documents are drawn up that you have separate ownership for each side.

**Latham:** you're actually taking an original dwelling of some sort and setting it up so two individuals can independently own it without a lot of trouble to each other if they're good neighbors.

**Morgan:** it's that last part that's important

**Boyd:** it could be a hundred units, Owen. There's no limit of numbers. You're just changing the form of the ownership of the unit itself, is all you're doing.

**Preston:** in this Town though you're not going to have a hundred units

**Boyd:** Cimarron

**Morgan:** Grape Hill

**Preston:** I think it can be given an approval pending the changes.

**Motion:** Himmer                      To accept plan #05-19 as complete.

**Second:** Lowry                      Unanimous

**Motion:** Garand                      To approve plan #05-19 once the Flood Map Reference is updated and the underground utility is identified and to be signed by the Chairman.

**Second:** Himmer                      Unanimous

**Preston:** #05-20-Proposal by Spearman International Real Estate Acquisitions LLC for site plan review to increase size of Seabrook International LLC, 15 Woodworker's Way to 25,325 square feet, Tax Map 6, Lot 17-3.



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Good evening. I'm Wayne Morrill from Jones & Beach Engineers on behalf of Spearman International. When we were here in front of the Board last month, subdividing out this piece of land for this piece of development as I explained to the Board before. Part of this development is retaining this part of the parking lot from Dinsmore Communication for the parking for the proposed edition that we're presenting tonight. The utilities and access come in the same way it is right now, but they need more room for machine shop and things like that. That's what we're showing here on the site plan. We're basically adding about 25,000 square feet of industrial building, no more parking, the parking is going to stay the same. Spoke with Warner this afternoon about 5:00 PM went over some of my utilities and water uses. I know I have a few things I have to change on that. It's pretty much evident from the TRC review. We did submit a drainage analysis with this subdivision with the site plan, which handled the 50-year storm. So some of the TRC comments on that we handled with the original submission. But one of the things we're doing is creating a pond out behind and as far as I'm aware, the wetlands permit application will be coming in front of the Conservation Commission on the 13<sup>th</sup>, so at this point the wetland permit has not been submitted. The rest of the plans are all detailed. The original did not have any architectural elevations. We are putting architectural elevations in the plans. We are not putting any more lights out under the site, there are only going to be lights around the buildings so I'm going to be asking for a waiver on that. And the sign itself, we're going to be using the sign that's out here on the corner from the old Dinsmore Communication so that will be shown on the next site plans.

**Garand:** how much time do you need to get that done?

**Morrill:** If I could have two weeks, I could have the whole thing done. I've already talked to Warner. I've got my utilities all taken care of. So in two weeks I think I could address the comments. Because the wetlands permit will be in front of the board on the 13<sup>th</sup> and I think the board will have a lot better picture of what we're trying to do.

**Motion:** Garand To deny Case #05-20 as a complete application and continue case #05-20 until June 21, 2005 at 6:00 PM

**Second:** Lowry Unanimous

**Preston:** Wayne, are you done for the night?

**Morrill:** yes I am.

**Preston:** before you leave, I just want to let everyone know that the secretary is on vacation June 13-17. We're going to try to find a pool secretary to fill the office hours for receiving plans and applications only on June 16<sup>th</sup> and 17<sup>th</sup>, from 8:30 to 12:30 in case you have anything you want to get in those days.

**Preston:** #05-21 Proposal by Allen & Cathy Felch for a lot line adjustment at Acorn Drive, Tax Map 12, Lots 20-20 & 20-30.

Allen Felch presents mylar to secretary for case #05-21. Plans are distributed.

**Preston:** any comments on this plan?

**Motion:** Garand To accept this plan, case #05-21 as complete.

**Second:** Himmer Unanimous

Audience members want to look at plan. Garand points out where the lot line is being changed.

**Preston:** are there any other abutters that would like to speak about his plan? Or see it?



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**Motion:** Himmer                      To approve case #05-21 with change to correct flood map reference and chairman to sign once corrected.

**Second:** Lowry                      Unanimous

**Garand:** Allen, I have those numbers in my office if you need them.

**Preston:** have him change that and as soon as you get it in Sue can sign that.

**Foot:** you do realize we hold that for thirty days before we record it.

**Evans:** and you have ninety days to get the change in.

**Morgan:** and come back and see us next year.

**Preston:** the next case is #05-22 Proposal by Robert Lago, Grape Hill Associates LLC for site plan review at 60 Black Snake Road, Tax Map 3, Lot 4.

**Motion:** Garand                      To withdraw the application for case #05-22 as requested by the applicant per letter from his attorney.

**Second:** Lowry                      Unanimous

Question from audience member as to what the withdrawal means. Told he has to resubmit and start all over.

**Preston:** on to case #05-23 Proposal by Nextel Communications to build a 232 square foot equipment shelter and place 12 flat panel antennas on the catwalk of the water tower at 26 Collins Street, Tax Map 15, Lot 4 (allowed by the Town of Seabrook by passage of Warrant Article 59 on March 8, 2005.)

**Josh Delman,** Nextel Communications. Nextel has found the existing water tank suitable for coverage in this area of Seabrook. The installation that they are proposing is a total of twelve panel antennas located on the catwalk of the existing water tank. Those antennas will actually be mounted to the façade of the cat-walk and they'll be cabled right down the side of the tank on the leg to our 12 x20 foot equipment shelter back in the southeast corner. This will all be located within the existing fence compound that's there today. That shelter is un-manned, it will only be housing the radio equipment that will function the antennas. For utilities, the under ground utilities run from an existing pole on the property that's located in the northeast corner of the property and will run underground to the un-manned equipment shelter.

**Preston:** hopefully get rid of the dead spot on 286

**Motion:** Garand                      To accept case #05-23 as a complete application

**Second:** Himmer                      Unanimous

**Preston:** anyone on the board have any comments on this?

**Evans:** can you tell me what the net radiated power from this antenna array will be?

**Delman:** the power itself? We have not done any type of study of what the power will be in that specific site. But what I can tell you is that the FCC regulates us and we will comply with all FCC regulations. We fall under the power range that the FCC sets for us

**Evans:** fair enough. And what frequency is that at?

**Delman:** this will be in the 850-megahertz band.

**Morgan:** I have one comment from Warner that he'd like me to pass on. Warner says there is an empty four inch conduit running to the tower and available. He thinks it will be preferable than the route you propose.



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**Delman:** we need power for power and telephone run, so based on code, if they can be run in the same conduit, I'm not sure if they can or not

**Garand:** no, I don't think they can because they might interfere with each other

**Delman:** so we could utilize one of those for either power or telephone that would be fine.

**Preston:** anyone else on the board? Any of the public have any comments or want to check out the plans?

Owen **Latham:** what effect is this going to have on the maintenance of this water tank? Because it says clear panels upon the lathing of the catwalk? Is that the idea?

**Delman:** that's true

**Garand:** would you like to see them up close?

**Foote:** the inside of the tower needs painting

**Latham:** both inside and out

**Preston:** this is a lease deal with the Town, right?

**Delman:** that's correct

**Preston:** so obviously anything that they put on it, they're going to have to maintain it.

**Delman:** everything's staying and as far as our equipment, Nextel will be responsible to maintain it

**Latham:** so if it's required for Seabrook to repair any part of this thing, and it has to be removed, then Nextel will have to take it down.

**Delman:** that will be something that we have to address in our lease agreement and we have to come to some type of agreement on that

**Latham:** has there been any to date lease agreement as such as to what the Town would gain in finances?

**Delman:** there is not a signed, executed agreement as yet.

**Latham:** so what we've got here basically is just a conceptual, functional idea of whether it will work or not and that it fits the spot to transmit and that's as far as its gone.

**Delman:** that's correct.

**Foote:** it's just another step in the process of making this come to fruition. First the Town voted on approving it, now it requires Planning Board approval and then it's up to the Board of Selectmen to negotiate the rest of the contract in making it happen.

**Preston:** any other comments?

**Motion:** **Garand** To approve case #05-23 as drawn.

**Second:** **Lowry** Unanimous

**Preston:** #05-13 Proposal by GRA Real Estate Holdings, LLC, for a site plan review to expand site at 27 & 39 Stard Road, Map 4, Lots 9 & 11.

I am **Henry Boyd**, Millennium Engineering. Obviously the Board was very concerned the last time we were here. We have not provided revised plans at this point because of the concerns that the Board did have and obviously you wanted some investigation. We have spent the time to look at the site, consider the concerns that were made and discuss with you this evening what we would like to do and get your input. As I stated last time, we think the use for the site is very, very good. There were some concerns that Sue had, I think mainly because of any hydraulic fluids or hydrocarbons or something like that whether they would be leaching from the trucks and onto the ground and running. Mr. Lavin who should be here had discussed with you and I have verified that there are not hydraulic lines on these



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trucks at all. They're airbrake systems. There are however, grease fittings up and under the vehicle that would grease and lubricate the wheels and those things. They are well under the sides of the vehicles and I can't see how the grease could run off and liquefy and get to the ground.

**Preston:** the same grease fittings that are on any axle, right?

**Boyd:** same grease fitting. And if you were to spray it with a hose it doesn't dislodge. If you had solvents or something that you were spraying it with, obviously it would dissipate and go down. One of the reasons I feel that you couldn't have a better site, as these trailers are extremely clean and there's nothing in them. One of the things that I really would like the Planning Board to do is because they have grave concerns and I understand those concerns completely. They were supposed to come back here and they didn't. Having said that, I think if they did, they'd be okay and what they have now would be acceptable to everybody because I still stand firm that it's a great use. I would like to have the Planning Board come up and walk the site and see what's going on there. The grading that was done on the site was excellent. It was done per the plans and what it would do would give everybody the opportunity to see that there is no leakage from these vehicles. They're very, very clean; they're very environmentally friendly. And also what I would like everybody to see, especially Sue is that what they have out there already the side slopes have started to vegetate. There has been no migration of siltation except on that one end I talked to you about, Sue and I told Rusty about. Mrs. Fogg was here last time and she was very concerned because there was some material, actually she wasn't here, she was at the Zoning Board Hearing. And I wanted to bring that up. She had shown some pictures where there actually were some of the material had run off in a heavy rain and down into the woods road on her property. The silt fence at this point has been restored and what has gone over there actually is a minimal amount. There is a section that is about 110 feet long that material did come out, it looks like at one source point, and did simply flow down the roadway that is significantly lower than the other site. What I would like to do and I still cannot quantify a need to treat this water because we don't see that there is a need to remove pollutants because there are no pollutants to remove. However, what we would like to do is I have talked to Rusty already and Arliegh possibly about pulling some of the trailers back and planting a vegetative grass bench there so that if we do get some migration of the water then it will filter through. Where we do things for site specific, Rich Mark usually likes 75 feet of grass out to have unmitigated Stormwater or Stormwater come out before it gets into a brook or a tributary. The land beyond the discharge point toward the well field area actually comes up from where we are. And the other thing that we've done, because of the grading, it's about six feet high at the back above the existing grade; we've actually slowed down the time so it doesn't run off at such a fast pitch. However, gravel obviously has a higher run-off co-efficient than loam and natural topsoil so there's a trade-off. Another thing it would enable you to see if you go to the site is you will see all the topsoil that has been removed and stored on it. He hasn't removed it from there so you can get a feeling for how much was there. It's really the only way that I can get you to understand what is happening here. If you don't feel that you need to go, what we are proposing that we will put grass on the back and a swale and a berm on the Fogg side to be able to catch that run-off and make sure that it doesn't go on to here property. But the site as I said is stabilizing. The edges of the filled slopes are actually vegetating. So I





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honestly don't see anything wrong with this site at all. I think it's a perfect site. They've done a great job. But they were in violation of the site plan and that's why they're here. But, at this point

**Preston:** are all the utilities in now?

**Boyd:** all the utilities are in. I'm glad you brought that up. I checked on that today. There was a security gate that was proposed. That's in place. The only thing that's not in place, Rusty (turning to Rusty Lavin in the audience), I think, is the sign.

**Lavin:** the sign went in today.

**Boyd:** other than that, we are proposing that we do some drainage situations. We are also awaiting letters from PSNH and Exeter and Hampton. I don't know whether those have come in.

Lavin: provides letters

**Boyd:** I also had Rusty take a series of pictures of the site, but it really needs to be seen. You guys, if you could see it, and see the benign nature of the use of the site, I think it's perfect, I really do. One of the things I noticed out there is how secluded it is. This does not bother wildlife at all. They have the ability to come right to the edge of the site and probably through it at night. Has no impact on anything that I can see that's detrimental to flora, fauna, ground water or anything. I can't think of a better use.

Discussion ensues of pictures and letter provided by Rusty Lavin. Secretary makes copies of letters from Unitil and PSNH.

**Morgan:** I can't recall were you planning to file for a site specific.

**Boyd:** well, I wanted to get the information from the Board whether they thought it was something we should do. We're certainly willing to talk to site specific and see if they want us to do an after the fact type of thing. That may be a prudent thing to do. I guess that's at the Board's discretion as to what they'd have us do.

**Morgan:** will the State require you to file?

**Boyd:** they may. I think it would be good if we called them at least and see what they want us to do. They certainly would want to walk the site. But as I stated, the State is really looking for siltation running off the site. If you go up there and see what they have done, it's not running off that site because they own another 600 feet that way.

**Preston:** have you got plans now showing that the water and sewer lines are in?

**Boyd:** no. They were just put in the other day. We should have after plans showing that. We have decided not to do anything until we have talked to the Board. We did get a stay of execution if you will from the Zoning Board. But they are really looking for your input on this as how we are to proceed. They are hoping to leave the trailers in place so that we don't have to haul 300 out onto the road again. And I think one of the abutters spoke clearly to that, that doesn't really make any sense. We are hoping to implement some of these other changes, show all of the utilities that are in, the gate and sign, plant the strip and whatever else you'd like us to do. One last thing. I did speak with the fire chief about the layout of the trailers and he was okay with it and I actually removed one that he didn't even require because he said he wanted 24 feet and I saw that at one point I had 21 feet of clearance. He said that it was okay, but I still removed it. The other thing to mention and this may have to do with site-specific activity. There was never a whole crew up there. Rusty did this work on his own so it had to be done very slowly and small portions at a time.



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**Foote:** from a conference that I had with DES about site specific, they said there is sometime confusion and misconception about site specific and alteration of terrain. In excess of 100,000 square feet disturbance, alteration of terrain requires a site specific, not only because of having the potential of 100,000 square feet open to natural forces but also because of the potential impact of Stormwater run-off. And where Seabrook is now kicked into EPA Phase II, that's one of the issues we have to address as far as storm water run off. While this Board I think has been extremely lenient in not demanding site specifics in the past, I think it's something we have to become more cautious about, not insisting that it be something—it's not up to us to say it's not needed. It's up to the State to say it's not needed. So I think that the application has to go in and either a) the permit be approved with the plans or hopefully b) a letter back saying it's not needed in this situation.

**Boyd:** and I honestly think and I told Rusty that this was going to come up. I really think that we should call the State. I guess what I'm saying is I wanted to hear from you that question answered. We don't have a problem contacting the State. I think it should be done. I think in the end everything is going to be okay but I think from your perspective and ours we want that in hand as well. So I don't have a problem doing that. The only snag that we have at this point is that we have to show progress to the Zoning Board. I have to go back the fourth week of this month and give them an update. Their stay of execution is good for two months essentially. Now I may get them to extend that if we do go ahead and apply to site specific, but and I don't even know if you are in a position to do this, whether you can accept the application pending the thing being submitted or what you can do or what you want us to do. Obviously we're at your mercy and I understand that.

**Foote:** I think our standard in the past has been proof of application, not evidence of permit.

**Boyd:** okay.

**Foote:** we know that sometimes applications can take a long time to be processed to a permit and that's why we do conditional approvals.

**Boyd:** okay. Well, do you believe that we are on the right track because I have to report to the Zoning Board something?

**Garand:** the issue at hand is the number of trailers that were approved on site. I'm not sure that we can change that number at this meeting or if we have to have a public hearing. But the cease and desist is in place and I'm not sure that the Zoning Board has the right to extend it or put conditions on that. That's what the Town's looking into at this time.

**Boyd:** I know that they did and I would hate to think that the Town was going to spend their money to have these trailers moved off site just to have them back on site within a three-month period. I understand that they violated their order and that wasn't right and I'm not here to defend their actions. I'm here to defend a good site.

**Morgan:** Henry, are you looking for the Board to say that progress is being made.

**Boyd:** yes, essentially.

**Morgan:** maybe a couple people can say that for the record.

**Preston:** well I've seen they put the gates up. I saw the hole for the water and sewer and apparently Warner okayed that or signed off on it.

**Boyd:** yes he did.

**Garand:** I did the electrical inspection and that has been installed. The sales trailer has been leveled and is in place.



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**Foote:** I think the main issue with this Board is that our regulations don't allow us to consider another plan on the same parcel of land until the previous is either complete or withdrawn. So the first plan has to be completed as far as the utilities, the trailer, the lighting, the signage and then we can go forward with this plan.

**Boyd:** okay. But you still. And that's okay because the timing will work out right because that means that I can potentially give you an as-built of what was done and date that.

**Foote:** and notify us that as far as you are concerned the plan is complete and you'd like to close that case as complete and open this case.

**Boyd:** and in the meantime we'll make contact with site specific and hopefully if we put the application in that will allow you to take action on the plan next meeting.

**Motion:** Himmer                      **To deny case #05-13 as it is an incomplete plan.**

**Second:** Lowry                      **Unanimous**

**Garand:** What's the date you'd like to continue this to?

**Boyd:** I'd like to have it a month from today if I could.

**Foote:** Would two weeks from today be too soon.

**Boyd:** no, that'll be fine, even better. I thought the meeting was stacked, but if it's available that's good.

**Motion:** Garand                      **To continue case #05-13 to June 21, 2005 at 6:00 PM**

**Second:** Lowry                      **Unanimous**

**Preston:** that looks like that's it for the public hearings. Move on to correspondence if we have any besides what we've been given. No correspondence.

**Evans:** did I miss something? Are you the chairman now?

**Preston:** she turned it over to me tonight. Not in the right frame of mind. If there is no correspondence I'll open it to other business. Anyone in the audience who has anything?

**Sanborn:** did we do this one, Request for Security Reduction?

**Secretary:** we didn't have any.

**Motion:** Garand                      **To adjourn meeting at 7:04 PM**

**Second:** Lowry                      **Unanimous**

Respectfully submitted,  
Patricia R. Welch, Secretary