



Town of Seabrook Planning Board Minutes

Tuesday, August 7, 2007

NOT OFFICIAL UNTIL APPROVED

Members Present: Sue Foote, Chair; Peter Evans, Vice Chair; Mike Lowry, Clerk; Aboul Khan; Paul Himmer; Robert Moore, Ex-Officio; Paul Garand, Code Enforcement Officer, Alternate; Elizabeth Tibodeau, Alternate; Tom Morgan, Town Planner; Barbara Kravitz, Secretary;
Members Absent: Mark Preston

Chair Foote called the meeting to order at 6:00PM.

Minutes of July 17, 2007

Motion:	Lowry	to accept the Minutes of July 17, 2007 with the closing time for the Public Meeting at 10:16PM.
Second:	Himmer	Approved: Unanimous

Conversation with Clay Mitchell - energy and land use consultant

Mitchell described how during the last five years the Town of Epping has become a fast growth center with more than 1,500,000 square feet of commercial space, and about 600,000 square feet of industrial space and about 600 residential lots. It has incorporated energy conservation requirements in its regulations. Mitchell, the Epping Town Planner, worked with the State OEP on the design of the ordinance. This initiative emerged from that Town's desire to lay out its future without slowing growth, and was adopted at the Town Meeting in March of 2007. The ordinance mandates energy saving measures for new commercial and non-residential development and is anticipated to apply to residential development some time in the future. Mitchell noted that energy costs are rising faster than other building costs. If it takes less energy to build and maintain a development, the cost to taxpayers will also be less.

Morgan asked about the customers. Mitchell said TDBankNorth is the first building constructed under the ordinance, and their plan actually exceeds the compliance standards. Additionally, certain energy saving measures, including new windows, insulation, and co-generation units for heat and electricity, are voluntarily being incorporated into the Town Hall. Greenhouse output is expected to be lowered by 50%, and the cost to run the buildings lowered by 35%. Moore asked about the equipment. Mitchell said the type of equipment installations exist and can include windows, co-generation units, dual flush toilets, and the use of rainwater for irrigation. Foote noted that Seabrook has a perpetual water ban, and asked if the ordinance addressed water consumption issues. Mitchell said a water and sewer commission collects impact fees; a water tower was installed through an exaction fee negotiated with and paid for by developers.

Morgan asked about the LEAD certification. Mitchell discussed voluntary incentives such as LEAD point certification, energy Star standards, and tax credits. Moore said this is good business for the Town. Mitchell noted this is about behavioral change, not just regulation. Morgan asked what improvements in the ordinance Mitchell would change after it's first experience with TDBankNorth. Mitchell said the Planning Board should have more flexibility to award points for innovation, and would have 20 percent biodeisel or an ethanol mix at one gas pump. Khan said having gas stations covered by the ordinance is very commendable. Khan asked about the added cost, initially, for



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TDBankNorth over conventional construction. Mitchell said the mandated costs amount to between \$10,000 - \$25,000, but the bank added other items. Khan asked about the cost differential with a conventionally constructed building. Mitchell said if the lowest LEAD level were done at the beginning of construction, the cost difference could run up to 1.6%. If the energy saving costs are significantly more than building conventionally the ordinance should be changed. Khan noted the "green" work in the Portsmouth library, that is costly but is expected to bring savings over the long run. Mitchell said this installation way above the standards of the Epping ordinance, but that was the decision of the city. Kravitz asked about the approach to citizens. Mitchell said the outreach included one Planning Board meeting/month with experts making presentations. Also, information and data was posted on the website.

Mitchell said TDBankNorth will be very proud of this location and the WalMart CEO is promoting renewable energy saving items for its stores. Mitchell noted that WalMart uses more energy in its stores than Argentina. Evans said WalMart must have sound business reasons. Mitchell said because often towns have several energy accounts with differing rates, a municipal buying grid is being discussed. The objective is looking forward to tax stabilization. Henry Boyd, of Millennium Engineering, asked if this is the direction for residential building. Mitchell said not at this time, but residential contractors can orient the buildings to the outside environment for lower cost. Mitchell said one technique that is being used by developers is a "blower-door test" to find the energy leaks because a tight seal envelope is cost effective. Foote said a blower test is like a sewer pressure test. Moore noted that codes are more efficient, but building inspectors are overloaded. Mitchell said many people are already doing more than what the codes require, and recommended looking at how the codes can reflect this.

Garand said anything above and beyond the building code is a good thing. Kravitz asked if there were documentation for applicants. Mitchell said not at this time. Foote noted the Planning Board could make requests of applicants, or offer incentives, but some of this would be at the building stage. Evans said education is important, but there are economic considerations that should be up to the homeowners. He asked about companies that do energy audits. Mitchell said he would supply a list. Foote said this would work well with commercial/industrial, and noted that Planning Board influence would be at the developer stage. Moore noted during the last several years many technical advances, such as insulation, are in home use now, often as replacement items. Firms that install plumbing, electrical etc are licensed and know the codes and the options. Foote thanked Mitchell for the conversation.

Conversation with Eric Steltzer, Rockingham Planning Commission

Foote said Steltzer is the RPC liaison to Seabrook. Steltzer has been asked to introduce himself and to speak about the RPC services offered to dues paying members, as well as additional contract offerings. Steltzer said his special interests are alternative and renewable energy which he studied in the University of New Hampshire masters program. He has an undergraduate degree in natural resources. The RPC offers land use consulting services to communities including transportation, GIS, hazards mitigation, land use and land conservation, and energy efficiency measures. Among the innovations being considered are aggregate groups where municipalities pull together to compete



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for pricing, a tidal energy committee to spread information, and working with the Carbon Coalition in an advisory capacity. Steltzer is working with Portsmouth on a "green" energy program similar to what Mitchell described, and on the energy portion of the regional master plan which can be adopted by municipalities. Identifying parcels suitable for wind energy on the Seacoast, and exploring a framework on the State level that would be suitable for municipalities, are being explored. Moore noted that wind turbines can be noisy.

Steltzer described other RPC member services including ordinance review, telephone support, grant preparation, informational mailings, and standard website maps. Preparing planning documents or elements of a master plan would be by contract. Foote said the Town had purchased GIS pictometry and asked if RPC is knowledgeable about this system. Steltzer said he would inquire, but PC uses EZRE. Foote said police intend to use the system on laptops, and the cost is affordable. Steltzer said the UNH Granite program is useful for floodplain and conservation views. Foote said it is not useful for zooming in, and noted the benefit to the Planning Board of seeing individual parcels and their surroundings. Morgan said EZRE and Pictometry complement each other. Morgan noted that the sea is rising. Foote said the floodplain regulations are being reviewed. For example, the Board is looking for ways to address rising sea levels. Steltzer said a mitigation plan for better culverts is a big issue in coastal areas - insurers are pulling out. Foote noted that FEMA is making drastic changes in the floodplain maps with drafts available next year. Evans asked about the Route 1 Corridor Study. Steltzer said the draft should be released this fall. Morgan asked if Seabrook can influence the final version. Steltzer said David Walker would get the input on the draft study. Morgan asked if there would be opportunity for public comment. Steltzer said there would be when the draft is out. Foote said the Town and the Planning Board have expressed disappointment that the study scope doesn't address the influence or impact of Routes 95 & 107 on Route 1. The boundaries for other towns along Route 1 seem considerably wider.

Foote said there is interest in seeing how Seabrook's Master Plan can be better aligned with RPC. The Board wants to begin addressing the sections before 2010 when it is due. Foote said seeing how the town and RPC views complement each other, and how RPC can support the Town's growth would be of value. Evans said big developers tweak traffic studies to their advantage. Knowing the 50-100 year growth limitations and how to sustain growth would be very helpful. He asked if RPC can get involved with a traffic study. Steltzer said a planner can do a review, but the methodology is for an engineer. If a development is of regional impact, the RPC can be advisory and hold hearings for public reaction. Foote thanked Steltzer for the conversation.

PUBLIC HEARINGS

NEW CASE

Case #2007-15, a proposal by the Town of Seabrook and James & Jessica Walsh for a lot line adjustment and public right-of-way relocation at 10 Timber Court, Tax Map 9, Lot 110.

Attending: James Walsh

Appearing for the Applicant: Henry Boyd, Millennium Engineering.



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Foote explained that the Walsh house is too close to the road. A warrant article authorizing a transfer of certain town land to the Walshes was approved. This case is for the lot line adjustment to effect that change. Foote read the Tech Review comments, and asked about driveway paving. Boyd will provide the mylar. Moore said the Board of Selectmen is satisfied. Foote asked if this lot was grandfathered. Boyd said the house was in the town right-of-way. The Adjustment is needed because the boundary lines weren't picked up, and so the owners can obtain a mortgage. Foote asked if said this is a two-family duplex or a single home with a family apartment. Boyd said it is a two-unit dwelling; any issue would be for the Building Inspector. Garand said this case is only addressing the lot-line adjustment. Morgan said the lot is being made larger so there is no problem. Thibodeau noted the zoning requirements were increased after the house was built.

Motion:	Evans	To accept Case # 2007-15 as complete for jurisdiction and deliberation
Second:	Moore	Approved: Unanimous

Motion:	Evans	To approve Case #2007-15 - the Town of Seabrook and James & Jessica Walsh for a lot line adjustment and public right-of-way relocation at 10 Timber Court, Tax Map 9, Lot 110, conditioned on the mylar being provided by Millennium engineering.
Second:	Lowry	Approved: Unanimous

CIP Package

Scott Dunn, Town Manager, presented a new CIP Package for Planning Board Review. Dunn said there is a new format for requests for the Board's consideration. Morgan said there has been confusion when the same request is presented year-after-year. Dunn differentiated between the administrative role and the planning role. Foote said there has been a disconnect between what is approved and what has been fulfilled. Dunn said that can be fixed within the new format. Foote said the Planning Board should be looking at the "big" picture, and a way to prioritize. For example, how long a department has been waiting for a particular item. Dunn said he will be submitting his recommendations as well, doing the homework and evaluating needs and budget. The Board and Dunn then discussed several procedural CIP items.

Motion:	Foote	To enter a Non-Public Session under RSA 91A:3 II A to discuss personnel matters at 8:30PM.
Second:	Moore	Approved: Roll Call vote - Unanimous

Foote resumed the Public Hearing at 9:10PM

Foote said the Board has designated the first meeting in October and December, and possibly January 2008, for public hearings dedicated to zoning and regulations, although zoning matters cannot be taken up before the 2nd week in September.



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The Board discussed various administrative and regulatory items including changing the time period for completing the Notice of Decision conditions to 180 days; investigating GIS capacity in Town Hall and the submission of discs with the required layers; eliminating waivers for title block position; removing reference to an up-front escrow; limiting Planning Board meetings to 6:30PM to 9:30PM and enforcing a fifteen minute rule for presentations; submitting waivers in advance (with application); referring to road construction standards to the board of Selectmen; require the use of shoreland protection standards; limiting further subdivisions after a condo conversion has been granted; fix the "50 foot typo in the driveway applications; automatic update for local codes as applicable when State regulations are updated; determine adequate water usage for Tech Review; insist there is more recharge into soils rather than run-offs; discuss elevations with RPC in light of sea rising; planning a session on Master Plan; adopt the Cains Brook & Beach Management Plans in the Master Plan; Town Planner to research cost of impact fee study, and upgrade Planning Board website capacity.

The Town Planner will draft proposed changes to the regulations based on the Board's consensus. Additionally, Kravitz will continue drafting the *Guidance and Procedures Manual for Applicants*. Foote said Seabrook is a Beta site for the MuniSmart planning board module which she is helping to effect. The entry will be map and lot number and will coincide with the Zoning data. The discounted purchase cost is \$2995, and maintenance is \$799 annually.

Foote adjourned the Public Hearing at 10:15PM and the Public Meeting at 10:16PM.

Respectfully submitted,
Barbara Kravitz, Secretary
Seabrook Planning Board