

TOWN OF SEABROOK

SELECTMEN'S MEETING

JUNE 3, 2019

Present: Aboul B. Khan
Theresa A. Kyle
Ella M. Brown
William Manzi

6:00PM

Mr. Khan opened the meeting at 6:40PM.

MEETING - PLANNING BOARD

Tom Morgan, Francis Chase, Jim Sanborn, Max Abramson and Claire Knowles was present for this meeting.

MOTION: Theresa A. Kyle To approve Claire
Second: Ella M. Brown Knowles as a planning
Unanimous board member.

Mrs. Kyle swore Claire Knowles in to the planning board.

Mrs. Kyle asked why some people are required to go before the planning board for a change of use when others are asked to go to zoning board without charging a fee. The planning board has their own power per the RSA. Fran Chase said personally he finds it outrageous that his tenants come before the board and have to pay \$800 after he has paid all the fees to build this building. Mrs. Kyle feels it is ludicrous that they don't abide by the laws that are put into place by past boards for the past 10 years and they worked very hard to get those fees into place.

Max Abramson said he has tried to get impact fees implemented but it has failed several years on the ballot. Mr. Khan said that the fees are not excessive and it should not be put on the taxpayers. It has always been that the person looking to bring a business into town pays the cost. The cost for running the planning board should be a wash with the fees they bring in.

Mrs. Kyle there are 2 houses on Walton Road who are running a boarding house, so to speak, and that is a change of use that never went before the planning board. One of the houses is near the school district.

Max Abramson explained what he meant by recoupment fees which would be to cover assets that were put in place that a new development would use but wasn't present for when the asset was obtained. Mr. Manzi said he is not familiar with this but he does understand impact fees. When the developer looks into capital assets such as with water and sewer fees he considers it an access fee to offset the capital cost. He said that he was

here when Bruce Mayberry did consulting on the impact fees and said specifically this could not be done in regards to the recoupment fees.

There was discussion on the project on Route 286. Mrs. Kyle said she was told they were zoned for that and they can do it. She said they were impacting the wetlands so the building inspector went out and sent them to DES. There were other instances they were violating as well and there has been no planning board review. Max Abramson said it sounds like more of a code enforcement issue and then if nothing was done it would go to the selectmen. If the applicant does not go through the proper process then the planning board has no review of the case. The question is who is the one that is supposed to enforce the issues. Mr. Manzi said that inspectional has been out to this project but there is a disagreement on whether or not this project should have gone before the planning board.

Mrs. Brown asked if someone puts a business in their basement do they have to come before the planning board. In a residential area they are allowed to have a home based business by law up to a certain level. If it is something outside of the current zoning laws they yes they need to come before the board.

There was discussion on the building on Folly Mill Road going from a chemical plant to a coffee plant. This project did go to the planning board and was sent to tech review. Francis Chase said he has been on the planning board for many years and he has never been part of the code enforcement office where he would go out and issue a cease and desist. The selectmen would like the planning board to consider the fees as they have heard the fees are going to be cut.

If there is an issue with a residence and they feel they are doing nothing wrong there would be no board they would go to. If someone feels they are doing something wrong then it would go to the building office and if they felt there is something different going on they would go to the zoning board for a variance. Tom Morgan commented that attorney Mitchell came in regarding storage trailers and said that is an issue for code enforcement and that the planning board has no authority. This would also apply to other issues in town that they are dealing with.

Dale Beckman inquired about a home that was sold on Walton Road two doors down from her new home. She wants to know what she can do as she has been told it is going to be a boarding house and if they are running a business it should have to go to the

planning board. She said the neighbors are here and they want to know who they are as they are frustrated.

Kris Morton is concerned with this same house and the people that are living there. She said none of them drive and they have children who visit weekends and then leave. She said she does know one is a thief and they are all from the city of Lynn. She feels this needs to be investigated. Mr. Manzi said the building inspector Lacey Fowler has been apprised of the situation and is working on it. He said she cannot just go in and demand an inventory of who is living there. They are looking into it and that is all he can say at this time. If there is a rooming house it would be a violation and they can step in.

Mrs. Kyle asked why the application fee that was charged at \$22K came before the planning board and at that meeting they reduced the fee to \$2K. Max Abramson said there was no change in use so why did they even charge the \$2K. Two members on the board did not vote in favor of this.

Board took a 5-minute break at 8:04PM. Board reconvened at 8:12PM.

DRAFT SEWER ABATEMENT POLICY

Curtis Slayton was present and said he submitted a draft policy as to how they will apply for sewer abatements going forward.

MOTION: Aboul B. Khan To table this item until
Second: Theresa A. Kyle the next meeting.
Unanimous

PREVIOUS MINUTES - MAY 6 PUBLIC

MOTION: Theresa A. Kyle To adopt the minutes of
Second: Ella M. Brown 5/6 public.
Unanimous

PREVIOUSLY SIGNED PERMITS

Mr. Khan read the list of permits (see attached).

HYDRANT FLOW TEST

Kohl's - 325 Lafayette Road

MOTION: Ella M. Brown To approve and sign the
Second: Theresa A. Kyle hydrant flow test.
Unanimous

2 ELDERLY EXEMPTIONS

MOTION: Ella M. Brown To approve and sign both
Second: Theresa A. Kyle elderly exemptions.
Unanimous

YIELD TIMBER TAX - MAP 4-16-0 & 4-16-1

MOTION: Ella M. Brown To approve and sign the
Second: Theresa A. Kyle yield timber tax.
Unanimous

WATER SERVICE APPLICATIONS

Salt LLC. - 73A Foggs Lane - \$1300
Salt LLC. - 73B Foggs Lane - \$1300

MOTION: Ella M. Brown To approve and sign both
Second: Theresa A. Kyle water applications.
Unanimous

ABATEMENT

Dana & Rose Marshall - 6 Maple Ridge Road - \$107.88

MOTION: Ella M. Brown To approve and sign the
Second: Theresa A. Kyle abatement.
Unanimous

FIREWORKS SALES LICENSES

Fireworks Over the Border Inc. - 443 Route 286
Rudy Fireworks Enterprises Inc. - 919 Lafayette Road
Fantasy Fireworks Inc. - 571 Lafayette Road

MOTION: Ella M. Brown To approve and sign all
Second: Theresa A. Kyle fireworks sales licenses
Unanimous

DOG WARRANT

MOTION: Ella M. Brown To approve and sign the
Second: Theresa A. Kyle dog warrant.
Unanimous

CLOSING OF TRANSFER STATION - SUNDAY, SEPTEMBER 2

MOTION: Ella M. Brown To approve the request
Second: Theresa A. Kyle to close the transfer
Unanimous station on 9/2.

Mrs. Kyle said there was a proposal for the signs at the beach and she would like to request that the selectmen go out and look at the location of the signs before approving. She does not want to violate the deed restrictions and said the signage cannot be on the beach. Joe Guiffre said they are all at the end of the right of ways. He said if they have been moved they will be corrected. There was a disagreement between the board members on whether or not to go out and look at where the signs would be placed.

Mrs. Kyle would like to retract her vote from May 20 regarding the placement of the signs on the beach for safety.

Mr. Khan said he would go individually to look at the placement of the signs.

MOTION: Aboul B. Khan
Second: Ella M. Brown
Unanimous

To adjourn the meeting
at 8:48PM.

Approved and endorsed

Ella M. Brown, Clerk

Date: _____

TOWN OF SEABROOK BOARD OF SELECTMEN

AGENDA

June 3, 2019

Open Meeting at 6:00 P.M.

TURN CELL PHONES TO VIBRATE OR OFF PLEASE

PLEDGE OF ALLEGIANCE

**NON-PUBLIC SESSION - 6:00PM
RSA 91-A:3, II (c) personnel**

MEETINGS

- 1.) Meeting - Planning Board
 - Fees assessed by planning board, including fee waivers
 - Permitting in the aquifer protection area
 - Requirements dealing with the necessity of seeking planning board approval for various projects, including the issue of how long of a period for tripping the requirement for planning board review for "change in use" applications
 - Any other subject of interest

NEW BUSINESS

- 1.) Question of approving minutes for May 6 public.
- 2.) Question of review of previously signed permits.
- 3.) Question of approving hydrant flow test for Kohl's - 325 Lafayette Road.
- 4.) Question of approving 2 elderly exemptions.
- 5.) Question of approving yield timber tax - Map 4-16-0 & 4-16-1
- 6.) Question of approving water service applications for Salt LLC. - 73A & B Foggs Lane.
- 7.) Question of approving abatement for Dana & Rose Marshall - 6 Maple Ridge Road - \$107.88.
- 8.) Question of approving fireworks sales licenses for Fireworks Over the Border Inc. - 443 Route 286; Rudy Fireworks Enterprises Inc. - 919 Lafayette Road and Fantasy Fireworks Inc. - 571 Lafayette Road.
- 9.) Question of approving dog warrant.
- 10.) Question of approving appointment for Claire Knowles as Alternate Member to Planning Board.
- 11.) Question of approving draft sewer abatement policy.
- 12.) Question of approving closing of transfer station on Sunday, September 2.

QUESTIONS/COMMENTS

Board of Selectmen on any boards and/or committee meetings they have attended

TOWN OF
Seabrook, New Hampshire

OFFICE OF THE PLANNING BOARD
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MEMORANDUM

To: Kelly O'Connor, Deputy Town Manager
From: Francis Chase, Chairman of the Planning Board
Date: May 30, 2019

The Planning Board has voted Claire Knowles as an Alternate Planning Board Member.

Seabrook Planning Board

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	Five Year Total
Yearly Income	\$197,453.01	\$178,216.96	\$62,457.30	\$142,907.18	\$56,798.37	
Yearly Spending	<u>\$265,601.40</u>	<u>\$148,787.31</u>	<u>\$122,752.67</u>	<u>\$105,796.60</u>	<u>\$79,848.54</u>	
Difference	(\$68,148.39)	\$29,429.65	(\$60,295.37)	\$37,110.58	(\$23,050.17)	(\$84,953.70)

**LIST OF ITEMS SIGNED BY BOARD OF SELECTMEN
FOR MEETING ON JUNE 3, 2019**

PARADE/MEETING PERMIT

Loco Sports, LLC. - October 6 from 8:15AM to 9:15AM

Gary K. Fowler - July 3 from 12PM to 10PM

WARRANTS

Water & Sewer (April) - \$469,261.11 & \$10,350.99

NEW BUSINESS LICENSES

Ledge Road Classic Auto LLC. - 95 Ledge Road

S.P. Sicard - 28 Belgian Drive

Chili's Grill & Bar - 403 Lafayette Road

RENEWAL BUSINESS LICENSES

16 renewal business licenses