

TO Seabrook Planning Board

FROM Tom Morgan, Town Planner

RE **#2-37** – Proposal by Pamela Sue Johnson and David Deschenes for a 12-lot subdivision at 439 New Zealand Road, Tax Map 2, Lot 36.

#2-42 – Proposal by HunterLogan Realty Trust, LLC to construct a 30-unit motel at 419 Route 286 (site of Symie’s Pizza), Map 17, Lot 47;

#2-43 – Proposal by Kevin Karpenko & Robert Carbone to erect a 10,500 square foot industrial building off Ledge Road opposite the Poland Springs entrance, Tax Map 5, Lot 8-90;

#2-44 – Proposal by Kevin Karpenko & Robert Carbone to erect a 12,000 square foot industrial building off Ledge Road opposite the Poland Springs entrance, Tax Map 5, Lot 8-100;

#2-45 – Proposal by Gail Hersey, Douglas Hersey, and Teresa Rowe for a lot line adjustment at 42 Rocks Road, Tax Map 7, Lots 115 & 116;

#2-46 – Proposal by J & B Construction Company for a condominium conversion at 9 & 11 Elephant Rock Road, Tax Map 16, Lot 11-3;

#2-47 – Proposal by EMC Realty Trust for a condominium conversion at 264 South Main Street, Tax Map 17, Lot 20-3;

#2-48 – Proposal by Andrew & Alice Gould and Michael & Kimberley Pottle for a lot line adjustment and a 4-lot subdivision at 130-132 Black Snake Road, Tax Map 3, Lots 5-3 & 5-9;

#2-49 – Proposal by Sam’s Real Estate Business Trust to construct a gasoline station adjacent to Sam’s Club at 11 Batchelder Road, Tax Map 5, Lot 14-5;

#2-50 – Proposal by Charles & Jacqueline Bagley and B.R.N. Real Estate Corp. of Seabrook for a lot line adjustment at the corner of 181 Lower Collins Street and Viola Circle, Tax Map 14, Lots 28-2 & 29-1;

#2-51 – Proposal by Arthur & Audrey Eaton for a 2-lot subdivision at 44 Dows Lane, Tax Map 12, Lot 9.

DATE January 1, 2003

The above referenced proposals are scheduled for review by the Planning Board in the coming weeks. In order to assist the board in its review of these plans, and also to assist the applicants in preparation for the Planning Board meetings, I offer the comments that follow.

Pamela Sue Johnson and **David Deschenes** propose a 12-lot subdivision at 439 New Zealand Road, Tax Map 2, Lot 36. The plan was prepared by Parker Survey, and is comprised of eight sheets: 1) *Lot Layout Plan*; 2) *Grading & Drainage Plan*; 3) *Utilities & Roadway Profile*; 4) *Typical Roadway Sections, Notes & Details*; 5) *Silt Fence & Wetlands Location*; 6) *Erosion Control Details*; 7) *Drainage & Sewer Details*; and 8) *Water Main Details*. All sheets are dated October 28, 2002. Also submitted is a *Storm Water Management Report* prepared by Millennium Engineering, dated October 28, 2002.

- 1) On Sheet #1, Parker Survey erroneously indicates that a second dwelling structure may be constructed on lots of 45,000 sf or greater in Zone 1. In fact, the second structure is only permitted in Zone 2R, as per Article VI of the Zoning Ordinance. On November 19, Parker Survey representatives indicated that the plan would be revised accordingly.
- 2) The intent of the Subdivision Regulation's requirement to depict potential building envelopes (Article V Section F) was to ensure that lots are reasonably shaped to accommodate the proposed structure. Parker Survey proposes building envelopes on lots #5 6 & 8 (as depicted on Sheet #1) that are out in the middle of a swamp. The applicant has not complied with the spirit and intent of the regulation.
- 3) Sheet #2 depicts a house on Lot #5 that is separated from the street by a long finger of land from Lot #6. This *creative* design undermines routine maintenance. For example, what if the owner of Lot #6 refuses to cut the grass on the finger? That would undoubtedly aggravate the owner of Lot#5. I suggested that the Planning Board insist on a more practical design. On November 19, the board concurred.
- 4) The depicted building envelopes are 125' by 125'. That presumes that all structures are to be single-family dwellings. I suggested that the Planning Board consider making this a stipulation. On November 19, Parker Survey verbally agreed to the stipulation. It should be noted on the plan.

- 5) The maintenance of numerous cul-de-sac streets represents a significant, long-term burden for Seabrook taxpayers. A more cost-effective approach would be to connect new streets to the existing street network in a more rational manner, e.g. connect this proposed street to True Lane or Maple Ridge Road. In fact, Article VII Section A of the Subdivision Regulations states that *"The design shall provide for the proper continuation of streets from adjacent built-up areas, and for the proper projection of streets into adjacent properties."* On November 19, the board asked the applicant to approach abutters in order to explore this option.
- 6) The proposed homes on Lots #5, 6 & 7 are to be situated twenty feet below the elevation of New Zealand Road. As such, they are prime candidates for flooding. The board should ensure that measures are implemented to prevent flooding.
- 7) On November 19, the Planning Board requested that:
 - a. Driveways be depicted, as per Article V Section E of the Subdivision Regulations;
 - b. Proposed Lot #5 is to be eliminated
 - c. Erosion control measures be clarified and strengthened;
 - d. A 20-foot wide vegetative buffer should be established along the east side of the proposed subdivision.
- 8) Millennium's Stormwater Management Report (Section 6.0) references run-off *"at the existing discharge locations"*. The report does not make it clear that the referenced locations are situated at the property line, as specified in Article VI Section G of the Subdivision Regulations.
- 9) The Town Engineer has recommended a bond in the amount of \$170,000.

HunterLogan Realty Trust, LLC proposes the construction of a 30-unit motel at 419 Route 286 (site of Symie's Pizza), Map 17, Lot 47. The plan was prepared by Millennium Engineering, and is comprised of two sheets: 1) *Site Plan*; and 2) *Erosion & Construction Details*. Both are dated October 16, 2002, revised December 11, 2002.

- 1) Note #4 correctly states that the entire parcel lies within the Tidal Protection Zone, however we are not in receipt of a NH DES permit.
- 2) The plan depicts the removal of vegetation and the addition of pavement on land owned by NH DOT. On December 17, Mr. Carey agreed to retain a two-foot wide strip of vegetation along Route 286.
- 3) Lighting specifications have not been provided, nor have those for signs and landscaping. On December 17, the Planning Board voted to waive the photometric grid requirement with the stipulation that the final lighting plans be approved by PB member Cox.
- 4) We are not in receipt of a storm water drainage plan. On December 17, the board requested drainage calculations and also cautioned Millennium about allowing a significant flow of storm water into the nearby salt marsh.
- 5) In regards to water supply, both the Town Engineer and the Water Superintendent have questions and comments (copies attached).

Kevin Karpenko & Robert Carbone propose the erection of a 10,500 square foot industrial building, and a 12,000 square foot industrial building (on a separate lot), both of which are off of Ledge Road opposite the Poland Springs entrance, Tax Map 5, Lots 8-90 & 100. The plan was prepared by Jones & Beach, and is comprised of seven sheets: 1) *C-1 Existing Conditions Plan*; 2) *C-2 Site Plan*; 3) *C-3 Grading & Drainage Plan*; 4) *C-4 Utility Plan*; 5) *D-1 Detail Sheet*; 6) *E-1 Erosion Control & Sediment Details*; and 7) *EL-1 Front Elevation – Proposed Buildings*. The sheets are dated October 25, 2002. Jones and Beach have also submitted a Drainage Analysis dated April 29, 2002, revised October 16.

- 1) The plans do not indicate a specific use for these buildings. On December 17, Jones & Beach stated that no tenants had been selected as of that date. The daily water consumption of these future tenants is unknown. The board should consider an approval that is contingent upon a Planning Board site review of the proposed uses prior to the issuance of an occupancy permit.
- 2) On December 17, the board requested measures to ensure the protection of the aquifer.
- 3) 19 parking spaces are proposed on Lot 8-90, and 37 spaces on Lot 8-100. Because the future occupants are unknown, it cannot be determined whether the parking is adequate.
- 4) On December 17, the Town Engineer requested a gate valve at the property line, a three-inch sewer line, and a cross-easement agreement regarding the shared driveway and utilities.
- 5) On December 17, the board requested that snow storage be relocated to the pond.
- 6) The Town Engineer has recommended a bond in the amount of \$75,000.

Gail Hersey, Douglas Hersey, and Teresa Rowe propose a lot line adjustment at 42 Rocks Road, Tax Map 7, Lots 115 & 116. The plan was prepared by Ernest J. Cote, and is dated November 18, 2002.

- 1) This proposal is consistent with the Zoning Ordinance and the Subdivision Regulations. I recommend approval.

J & B Construction Company proposes a condominium conversion at 9 & 11 Elephant Rock Road, Tax Map 16, Lot 11-3. The plan was prepared by Millennium Engineering, and is comprised of two sheets: 1) *Units A & B of Elephant Rock Condominiums III*; 2) *Floor Plans of Units A & B of Elephant Rock Condominiums III*. Both sheets are dated November 14, 2002.

- 1) We are not yet in receipt of comments from Attorney Simmons.
- 2) Article V Section G of the Subdivision Regulations requires that lots be assigned numbers that have been "*issued by the Seabrook Assessor*".

EMC Realty Trust proposes a condominium conversion at 264 South Main Street, Tax Map 17, Lot 20-3. The plan was prepared by Gerrit Consulting, and is dated November 25, 2002.

- 1) This plan is a little busy. The abundance of detail on adjacent lots hinders one's ability to focus on the applicant's property.
- 2) We are not yet in receipt of comments from Attorney Simmons.
- 3) Article V Section G of the Subdivision Regulations requires that lots be assigned numbers that have been "*issued by the Seabrook Assessor*". That has not been done. In this instance, the Assessor rejected the applicant's proposed numbering system.
- 4) Section B of the Condominium Conversion Regulations requires the depiction of a water service and a shutoff valve for each proposed condominium. The plan depicts one water service and one shutoff valve serving both units.

Andrew & Alice Gould and **Michael & Kimberley Pottle** propose a lot line adjustment and a 4-lot subdivision at 130-132 Black Snake Road, Tax Map 3, Lots 5-3 & 5-9. The plan was prepared by Millennium Engineering, and is comprised of eight sheets: 1) *Lot Layout Plan*; 2) *Grading & Drainage Plan*; 3) *Utilities & Roadway Profile*; 4) *Typical Roadway Sections, Notes & Details*; 5) *Silt Fence & Wetlands Locations*; 6) *Erosion Control Details*; 7) *Drainage & Sewer Details*; and 8) *Water Main Details*. Sheet #1 is dated December 19, 2002; the remaining sheets are dated December 20, 2002. Millennium also submitted a *Stormwater Management Report* dated December 20, 2002.

- 1) Article V Section F of the Subdivision Regulations requires the depiction of building envelopes. The envelope depicted for proposed Lot D extends beyond the proposed property line.
- 2) The street name and proposed hydrant location will require approval by the Fire Chief.
- 3) In the event that 100,000 square feet of land are disturbed, a Site Specific Permit is required by State law. Note #4 on Sheet #2 states that "...*The site does not meet the requirements of RSA 485-A:17, Site Specific Application. The site contains a total of 50,560 square feet of disturbed area.*" The wording of this note could be improved so as to make plain that the proposal **does** meet the requirements of RSA 485-A:17, and that, therefore, no DES permit is required.
- 4) The Planning Board should set a bond amount for this project.
- 5) The proposal is fairly complex. In this instance, Millennium has done an unusually good job at adhering to the Town's Zoning Ordinance and Subdivision Regulations. Despite an extensive review of the plan, I could find few faults.

Sam's Real Estate Business Trust proposes the construction of a gasoline station adjacent to Sam's Club at 11 Batchelder Road, Tax Map 5, Lot 14-5. The plan was prepared by CEI Engineering Associates is comprised of ten sheets: 1) *Cover Sheet*; 2) *Overall Site Plan*; 3) *Site Plan*; 4) *Topographic & Utility Survey*; 5) *Grading Plan*; 6) *Demolition Plan*; 7) *Utility Plan*; 8) *Paving Plan*; 9) *Landscape Plan*; and 10) *Detail Sheet*. All the sheets are dated December 20, 2002, except for the *Topographic Plan*, which is dated October 12, 2002.

- 1) I understand that the applicant has received a variance to permit retail sales in Zone 3. It is also my understanding that the variance has been appealed.
- 2) The site plan goes into extensive detail on generic site plan topics, however the plan provides no specifics on some of most important issues at this site. Omissions include erosion control details for a site that is adjacent to a large and significant wetlands area, adherence to the Town's lighting specifications, and measures to protect the aquifer from the accidental leakage of gasoline and other chemicals.
- 3) In light of the critical importance of the aquifer, the Planning Board should consider seeking professional advice from the Town's consulting engineers.
- 4) The application is deficient in that it omits several important items required by the Seabrook Site Plan Review Regulations:
 - a. an architectural elevation;
 - b. stormwater drainage calculations;
 - c. details on pollution control devices
 - d. a photometric grid;
 - e. lighting fixture specifications.
- 5) These significant omissions leave the impression that the plan's authors did not read the Seabrook Site Plan Review Regulations. The regulations are available on-line at www.tzm.com/seabrook.

Charles & Jacqueline Bagley and B.R.N. Real Estate Corp. of Seabrook propose a lot line adjustment at the corner of 181 Lower Collins Street and Viola Circle, Tax Map 14, Lots 28-2 & 29-1. The plan was prepared by Millennium Engineering, and is dated December 30, 2002.

- 1) Millennium submitted no mylar, as required by Article V Section A of the Subdivision Regulations.
- 2) In every other respect, the proposal complies with the Zoning Ordinance and the Subdivision Regulations.

Arthur & Audrey Eaton propose a 2-lot subdivision at 44 Dows Lane, Tax Map 12, Lot 9. The plan was prepared by Millennium Engineering, and is dated October 18, 2002.

- 1) Millennium submitted no mylar, as required by Article V Section A of the Subdivision Regulations.
- 2) The sewer lines are not depicted on the plan.
- 3) In every other respect, the plan is consistent with the Zoning Ordinance and Subdivision Regulations.