

**Town of Seabrook**  
**Board of Adjustment**  
**July 25th, 2018**

Members Present: Dr. Robert Lebold, David Davidson, Teresa Rowe-Thurlow, Philip Howshan, CEO Steve Zalewski, Secretary Lacey L Fowler

Not Present: Michael Lowry, Brandon Adams, Robin Fales, Jeffrey Brown

Teresa Rowe-Thurlow opens meeting @ 7:00PM and explains procedure and where meeting has been posted.

Teresa explains that there are 4 members present. The applicants have the choice to continue to next month's meeting in the hopes of a full board being present.

Roll Call

**Old Business**

**Minutes**

Minutes from Meeting June 27th 2018.

Motion: Dr. Lebold To accept minutes as written.  
Second: D. Davidson  
Unanimous

**New Business**

**CASE # 2018-010:** KEVIN & PAULA FRITZ, 41 WASHINGTON STREET, MAP 15 LOT 74, FOR A VARIANCE TO THE TERMS OF SECTION 7 AND ASKS THAT SAID TERMS BE WAIVED TO PERMIT: 2 DETACHED DWELLING BUILDINGS EACH CONTAINING ONE DWELLING UNIT ON A LOT CONTAINING 26,000 SQUARE FEET IN RESIDENTIAL ZONE 2R.

Mr. Kevin Fritz chooses to continue to August and wait for a full board to be present.

**RECONSIDERATION OF CONDITIONS ON A PREVIOUSLY APPROVED VARIANCE OF CASE # 2017-013.** TERRI PROVENCHER, 302A SOUTH MAIN STREET, MAP 17 LOT 35-1 REQUESTS A VARIANCE TO SECTION 7 TABLE 1 AND ASKS THAT SAID TERMS BE WAIVED TO PERMIT THE REPLACEMENT OF MOBILE HOME ON A NON-CONFORMING LOT IN ZONE 2R.

MARY GANZ IS REPRESENTING THE PROVENCHERS. SHE EXPLAINS THAT THE CONDITION WAS ESTABLISHED LAST YEAR AND IT SEEMED THAT THE TWO OTHER OWNERS AT THAT TIME WERE GOING TO CONSENT. THE OWNERS OF THE PROPERTY HAVE CHANGED SINCE THEN AND THE NEW OWNERS ARE NOT WILLING TO SIGN. THEY FEEL IT IS AN UNFAIR CONDITION BECAUSE THE MOBILE HOME IS OLD AND FALLING APART. THE PROVENCHERS HAVE PUT IN OVER \$20,000 FOR THE NEW MOBILE AND HAVE PAID FOR WATER, SEWER AND BUILDING PERMITS.

GANZ EXPLAINS THAT THE ABUTTERS MAY BE HAVE AN ISSUE WITH PAUL PROVENCHER, TERRI'S HUSBAND, OWNING THE PROPERTY. GANZ SAID THAT THEY ARE WILLING TO PUT THE PAPERWORK IN PLACE SO THAT PAUL CAN SIGN ANY INTEREST OFF. HE HAS AN INTEREST IN THE MOBILE HOME NOT THE LAND.

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STEVE ZALEWSKI EXPLAINS THAT THE LOT IS NON-CONFORMING. HE SENT THEM TO THE ZONING BOARD BECAUSE THERE WAS THREE HOMES ON THE PROPERTY.

GANZ EXPLAINS THAT THEY ARE NOT ENLARGING OR EXPANDING PROPERTY. THE NEW MOBILE IS SMALLER AND BETTER THAN THE EXISTING ONE. THE PROVENCHERS WERE TRYING TO SAVE MONEY FOR THE MOBILE THAT IS WHY THEY HAVEN'T DONE ANYTHING UNTIL NOW.

PAUL PROVENCHER SAYS THAT THE MOBILE HOME IS UNSAFE AND THAT THE ROOF COULD FALL IN ANY MINUTE DUE TO BAD WEATHER. GANZ SHOWS BOARD MEMBERS PICTURES OF THE MOBILE HOME. THE PICTURES SHOW THE CURRENT STATE OF THE MOBILE HOME.

DR. LEBOLD ASKS IF THE HUSBAND, PAUL, WANTED TO BE ON THE LAND. GANZ EXPLAINS HE DID NOT. DR. LEBOLD ASKS IF THAT COULD BE A CONDITION AND GANZ RESPONDS YES. DR. LEBOLD ASKS IF THAT WOULD APPEASE THE OTHER OWNERS. GANZ SAYS NO. THAT THEY OTHER OWNERS WOULD NOT WANT TO. THEY WANT TO SUBDIVIDE OR CONDO IN THE FUTURE. THE PROVENCHERS DO NOT HAVE THE TIME OR MONEY TO DO THAT AT THE MOMENT.

TERESA ROWE-THURLOW ASKS IF ANYONE WANTS TO SPEAK THAT SUPPORTS THE ABUTTERS.

TERRI PROVENCHER ASKS TO SPEAK. SHE STATES SHE DOESN'T WANT TO FIGHT WITH ANYONE, THEY JUST WANT TO HAVE A HOME THAT IS HEALTHY. THE CURRENT MOBILE HAS MOLD AND THE FLOORS ARE FALLING THROUGH.

JOSH RANDALL, SON OF TERRI WISHES TO SPEAK. HE DISCUSSES HIS ADMIRATION FOR HIS MOTHER AND FATHER. THEY ARE GOOD PEOPLE. HE CONFIRMS THAT THE HOME IS OLD AND A SAFETY HAZARD. HE ASKS THE BOARD TO RECONSIDER THE CONDITIONS BECAUSE HIS PARENTS NEED TO IMPROVE THEIR LIVING CONDITIONS.

TERESA ASKS IF ANYONE WOULD LIKE TO SPEAK AGAINST.

YVONNE COLIN, 5 PHOENIX WAY, WOULD LIKE TO SPEAK AGAINST THE RECONSIDERATION. SHE IS ONE OF THE OWNERS OF 300 SOUTH MAIN STREET. SHE STATES THAT SHE IS NOT AGAINST TERRI GETTING A NEW HOME. SHE SAYS THAT THERE ARE SEVERAL ISSUES SHE HAS THAT HAVE NOT BEEN DISCUSSED BETWEEN THE TWO PARTIES. SHE EXPLAINS SHE WAS NOT A LAND OWNER AT THE TIME OF THE ORIGINAL VARIANCE. SHE SAID THE OTHER OWNERS, MAXIE BROWN AND PAUL BRADLEY NEVER RECEIVED NOTICES LAST YEAR ABOUT THE CONDITION THAT WAS PUT ON THE VARIANCE. SHE WOULD LIKE TO SUBDIVIDE OR CONDO THE LAND IN THE FUTURE TO ALLEVIATE ISSUES THAT THEY HAVE.

SHE EXPLAINS THAT THEY VARIANCE WAS ONLY TO BE GOOD FOR ONE YEAR. SHE ALSO STATES THAT SHE NEVER RECEIVED NOTICE OF THE MEETING UNTIL 7 DAY PRIOR.

SECRETARY LACEY FOWLER, EXPLAINS THAT NOTICES WERE SENT OUT JULY 13<sup>TH</sup>. THE BOARD EXPLAINS THAT A VARIANCE IS GOOD FOR TWO YEARS.

ROWE-THURLOW RECOMMENDS THAT THE FAMILY NEEDS TO SIT DOWN AND GO OVER THIS.

DR. LEBOLD SUGGESTS CONTINUING THIS CASE FOR A MONTH. THE PROVENCHERS DO NOT WANT TO CONTINUE THIS UNTIL NEXT MONTH. THEY HAVE A SUBSTANTIAL AMOUNT OF MONEY INVESTED AS WELL AS TIME. THEY FEEL THEY WILL NOT BE ABLE TO COME TO A CONCLUSION WITH YVONNE WITHIN A MONTH.

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ZALEWSKI ASKS IF THE NEW MOBILE HOME IS LARGER.

TERRI PROVENCHER SAYS THAT THE NEW ONE IS SMALLER. ZALEWSKI EXPLAINS THAT THE ORIGINAL VARIANCE HAS NOTHING HAS TO DO WITH THE PARCEL ITSELF OR INCREASING THE SIZE OR AN ADDITIONAL BUILDING. THE PROVENCHERS ARE JUST REPLACING WHAT IS THERE. LANDOWNERS DO NOT OWN THE BUILDING. TAKE IT INTO CONSIDERATION THAT IT IS A REPLACEMENT OF A BUILDING.

DR.LEBOLD ASKS MR. ZALEWSKI IF HE CAN RE-ISSUE A NEW BUILDING PERMIT?

MR.ZALEWSKI SAYS HE COULD IF THE VARIANCE WAS APPROVED WITHOUT THE EXISTING CONDITION. HE DOES NOT HAVE AN ISSUE WITH REPLACING WHAT IS THERE. IT IS NON-CONFORMING. IT'S NOT LIKE OTHER PROPERTIES IN TOWN.

TERESA ROWE-THURLOW STATES THAT ALL WE CAN FOCUS ON IS THEM GETTING A NEW HOME. ZALEWSKI AGREES AND REITERATES THAT THE PROBLEM IS WITH THE LAND AND NOT THE MOBILE HOME. THE LAND IS A SMALL LOT THAT WAS OVERBUILT. THE USE IS GRANDFATHERED. THEY ARE JUST REPLACING A BUILDING.

DR. LEBOLD MAKES A MOTION TO GRANT REQUEST FOR VARIANCE TO REPLACE THE EXISTING MOBILE HOME WITH A SMALLER ONE. WITH A CONDITION THAT PAUL FORGO INTEREST IN THE PROPERTY IN WRITING.

DAVIDSON EXPLAINS THAT HE WORRIED ABOUT ADDING CONDITIONS TO THE RECONSIDERATION BECAUSE OF THE CONDITION THAT IS ON THERE NOW. NO ONE SECONDS THE MOTION.

YVONNE STATES THAT SHE HAS CONCERNS REGARDING ANOTHER HOME THAT THEY ARE GOING TO OWN THAT IS ON THE PROPERTY.

DAVIDSON REMEMBERS THAT ORIGINAL MEETING FOR THIS VARIANCE AND THAT THEY WERE CONCERNED ABOUT THE MUDROOM. THAT IS WHY THEY PUT THE CONDITION ON THERE BECAUSE THEY THOUGHT THEY WOULD BE REPLACING THE EXISTING MUDROOM AS WELL.

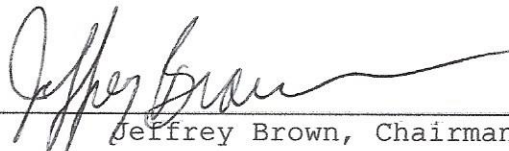
TERRI EXPLAINS THAT THERE WILL BE NO MUDROOM ON THE NEW MOBILE HOME.

Motion: Dr.Lebold  
Second: D. Davidson  
Yes: Unanimous

To grant request for variance  
to replace trailer home with a  
new one, smaller in dimension  
than existing one.

Motion by: T. Rowe-Thurlow to adjourn @ 7:34 PM.  
Second: P. Howshan  
Unanimous

Signed: \_\_\_\_\_

  
Jeffrey Brown, Chairman