

**Town of Seabrook  
Board of Adjustment  
August 28, 2019**

**Members Present:** Jeffrey Brown, Dr. Robert Lebold, David Davidson, Philip Howshan, CEO Lacey Fowler and Secretary Judie Walker.

Not Present: Teresa Rowe-Thurlow, Robin Fales, and Michael Lowry.

Jeff Brown opens the meeting at 7:00 PM and explains procedures and where the notices of meetings have been posted.

Roll Call

Old Business

July Minutes

Motion: Robert Lebold  
Second: David Davidson  
Unanimous

New Business

Case # 2019-013 Scott Tobey 112 Lafayette Road, Map 10 Lot 8, for a variance to the terms of Section 6M and asks that said terms be waived to permit: Motor Vehicle Repair.

Mr. Tobey has a car lot over at North South Motors at 12 Lafayette Road. He wants to repair cars like fender repair and some detail work. He is in Zone 6M

Brown asks if anyone would like to speak in favor or against. Hearing none seeing none.

<b>P. Howshan</b>	<b>R. Lebold</b>	<b>D. Davidson</b>	<b>J. Brown</b>
1. YES	YES	YES	YES
2. YES	YES	YES	YES
3. YES	YES	YES	YES
4. YES	YES	YES	YES
5. YES	YES	YES	YES

Motion: Philips Howshan  
Second: Dr.Robert Lebold With condition all work is done in the inside the building  
Unanimous

**Case# 2019-014:** Amber Seabrook Associates, LLC, 13 Batchelder Road, Map 5 Lot 14-5, for a variance to the terms of Section 6 Subsection table 1 and asks that said terms be waived to permit: a Bus Terminal and Transportation Center with associated parking and also for a variance to the terms of Section 7, sub-section table 1 and asks that said terms be waived to permit: 14% open space where 25% is required in Zone # 3 industrial.

Andy Prolman of Prunier and Prolman, PA of Nashua represent Amber Seabrook Associates who has purchased the old Sams Club. He introduce Peter Lavine, owner of Amber Associates, who would like to subdivide the lots with one going to C&J bus lines and the other for a warehouse property.

There are two variances being requested for the forty (40) acre property at 13 Batchelder Road, which has frontage on both Batchelder and Ledge Roads.

Lot # 1 – 8.0275 acres, including the former Sam’s Club building for which an “open Space” variance has been requested. There is 14% open space where 25% is required.

Lot #2 – 31.7475 acres, which includes customer parking area for the former Sam’s Club. For purposes of this variance request there will be on-way bus access to Lot # 2 off Ledge Road with a one-way customer access and ingress over Sam’s Drive, egress for the buses over Sam’s Drive, with the associated parking and the terminal itself (all referred to as the “Bus Use” for which this variance is requested).

There are two (2) uses for two (2) proposed lots because at this moment there are two (2) agreements regarding the future ownership of this 40 acre property. It is expected that Sam’s Club will sell the entire property to Amber Seabrook Associates, LLC and then Amber will sell Lot # 2 to C&J Seabrook, LLC.

C&J is owned and operated by James Jalbert. The bus use to Lot #2 would become part of the C&J bus system. C&J currently take passengers north to Portsmouth and Dover, then as far south as Newburyport, Logan Airport, South Station and New York City

There will be guardrail between the two lots. Jeff Merritt, PE of Granite Engineering will discuss Lot 1 Warehouse property. Lot 1 is where the existing Sam’s Club today. They’re in Zone 3. They would like to switch the use of the property and change to retail warehouse distribution to wholesale in the zoning which is allowed. To set the site up for a warehouse and there will be minor modifications to the 136,000 sq ft building. There will be modifications so that the building is more flexible. They are going to split the building for multiple tenants to fit into a space of 70,000 sq feet. They will be keeping the existing loading docks to the southern tenant. The northern tenant there will be more loading docks. There will be 141 parking spaces. Primary access right now is off Batchelder Road. They are changing their primary access from Batchelder Road to Ledge Road. There is enough frontage to be created on lot 1 on Ledge Road. They will

be minor improvements and changes to the site. Chair Jeff Brown asks if Aquifer protection is on this site. They do not have any define users yet.

Ralph Woodman, Attorney from Boynton, Waldron, Doleac, Woodman & Scott out of Portsmouth. he represents C&J Seabrook, LLC. He presents a picture of what the bus terminal would look like. He gives a rough idea on what the layout will be it is 4 times the size of Newburyport. Much more user friendly then Newburyport is. Hours of operations 24 hour 7 days a week.

Andy Prolman of Prunier and Prolman, PA of Nashua the open space variance is lot 1 is proposed 14% open space where 25% is required. No Hazardous Waste at the site. They have very large site and is has a large open space. 40 acre parcel 66% open space. Attorney Prolman said this proposed warehouse will creat 100 jobs.

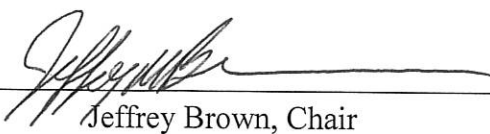
Brown asks if anyone would like to speak in favor or against. Abouls Khan is speaking as a tax payer. Supporting this would be a great project for Seabrook residents. This will bring more tax revenue to the town. This will be really big for Seabrook. Theresa Kyle is speaking as a tax payer this will benefit our town hugely and very beneficial for our town. Theresa urges this board to approve this application. Brown asks if anyone would like to speak in against. Hearing none seeing none

	<b>P. Howshan</b>	<b>R. Lebold</b>	<b>D. Davidson</b>	<b>J. Brown</b>
1.	YES	YES	YES	YES
2.	YES	YES	YES	YES
3.	YES	YES	YES	YES
4.	YES	YES	YES	YES
5.	YES	YES	YES	YES

Conditions: No fueling and no maintenance on both lots. The open space variance on lot 1 is proposed 14% open space where 25% is required.

Motion: Dr. Robert Lebold  
Second: David Davidson  
Unanimous.

Motion: Dr. Lebold To adjourn meeting at 7:54 pm  
Second: David Davidson  
Unanimous

Signed:   
Jeffrey Brown, Chair