

Town of Seabrook  
Board of Adjustment  
October 28, 2020

**Members Present:** Jeffrey Brown, David Davidson, Philip Howshan, Dr. Robert Lebold, Teresa Rowe-Thurlow, James Sanborn, CEO Lacey Fowler and Secretary Judie Walker.

Roll Call

Jeff Brown opens the meeting at 7:00 PM and explains procedures and where the notices of meeting have been posted. We do have a full board tonight a full board is 5 members.

Old Business

September minutes

Motion: Dr. Lebold                   As written

Second: Dave Davidson

Abstain: Teresa-Rowe Thurlow

Move next meeting to November 18, 2020

Motion: Phil Howshan

Second: Dr. Lebold

Unanimous

Cancel Decembers Meeting

Motion: Teresa Thurlow

Second: Phil Howshan

Unanimous

Continued Case

**Case # 2020-13** Herbert Merrill, 45 South Main Street Map 15 lot 43. The undersigned hereby request for a variance to the terms of Section 7 and ask that said terms be waived to permit construction of two attached primary dwelling units on a lot with reduced square footage in Zone 2R.

Mr. Merrill has a single wide 14 x 60 mobile home on his property and he wants to put a prefab duplex 28 x 60. No any wider just deeper. His son and he will live there. They are short about 8,000 sq ft of land. It was suggested they could ask for a variance for an ADU. The problem with an ADU it has to have a connecting 1 hour fire rated door, where the duplex doesn't need to have a connecting door. Fire alarms need to be hard wired. He wants a modular duplex. The foot print will not change much only 14 feet. Alicia Eaton, his sister is in favor of this.

Mr. Merrill comes back and would like a variance for a 26x 60 prefab duplex. He needs a variance of 8,000 sq ft.

They zoning members thinks he should come back with a new application and ask for a larger ADU.

Anyone here to speak in favor the application. No one has spoken. Anyone here to speak against the application. Hearing none seeing none. After reviewing the petition and hearing the evidence they determine the following:

	<b>D. Davidson</b>	<b>T Thurlow</b>	<b>P. Howshan</b>	<b>Dr. Lebold</b>	<b>J. Sanborn</b>
1	NO	NO	NO	NO	NO
2	NO	NO	NO	NO	NO
3	NO	NO	NO	NO	NO
4	NO	NO	NO	NO	NO
5	NO	NO	NO	NO	NO

Motion: Dr. Lebold Deny the request 8,700 feet is too much to ask for from 30,000 sq required.

Second: Phil Howshan

Unanimous

**Case 2020-007** The Degans Property off of Cross Beach Road. Mary Ganz sent the Zoning Board a letter stating that the Degans are withdrawing their zoning board application which is scheduled for Wednesday October 28, 2020 meeting.

Dr. Lebold made a motion to honor the applicants request to withdraw this case for consideration at this time. However, should a new application be requested all information gather to date can be introduced at that time.

Second: Phil Howshan

Unanimous

**New Business**

Case 2020-016 Susan Nicoll, 127 Farm Lane, Map 12 lot 42, the undersigned hereby request a variance to the terms of: Section 14, sub section 400 and asks that said terms to be waived to permit: a replacement of mobile home and addition with a newer mobile home and addition within the same square footage but different foot print in Zone 2 R.

Robert Kristiansen, Jr. is speaking o behalf of Sue Nicoll who owns the property. The mobile they replace was in the same foot print as the old one. The 12 x 6 addition they want to move it an additional 7 feet so it's flush with the trailer. They are all within the setbacks. The addition was in shambles and the new one because of the door they need to push it back 7 feet.

	D. Davidson	T. Thurlow	P. Howshan	Dr. Lebold	J. Sanborn
1	YES	YES	YES	YES	YES
2	YES	YES	YES	YES	YES
3	YES	YES	YES	YES	YES
4	YES	YES	YES	YES	YES
5	YES	YES	YES	YES	YES

Motion: Dr. Lebold moves to grant a variance to replace mobile and addition within the same square footage, but different footprint. Meets sideline & set back requirements

Second: David Davidson

Unanimous

Jeff has redrafted the procedures bylaws for the meetings. He will send them out on the weekend please look them and share your comments.

Jeff asks Judie to look for updated copy of the handbook for the Zoning Board.

Motion: Dr. Lebold To adjourn meeting at 7:19 pm

Second: David Davidson

Unanimous

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



Jeffrey Brown, Chair

NOTICE OF DECISION  
BOARD OF ADJUSTMENT  
TOWN OF SEABROOK, NEW HAMPSHIRE


You are hereby notified that the request of Herbert Merrill, 45 South Main Street Map 15 lot 43 for VARIANCE, APPEAL, SPECIAL EXCEPTION, EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS) OR EXPANSION OF THE NON-CONFORMING USE to: The Zoning Ordinance has been DENIED for the reasons given in the following resolution passed by a majority of the BOARD OF ADJUSTMENTS:

ON CONDITION OF GRANTING ANY VARIANCE, APPEAL, SPECIAL EXCEPTION, EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS OR NON-CONFORMING USE IS THAT IT EXPIRES AT THE END OF TWO YEARS IF NOT COMPLETED WITHIN THAT TIME. RESOLVED, THAT THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO SUCH USE:

**Case # 2020-13** Herbert Merrill, 45 South Main Street Map 15 lot 43. The undersigned hereby request for a variance to the terms of Section 7 and ask that said terms be waived to permit construction of two attached primary dwelling units on a lot with reduced square footage in Zone 2R.

**Motion:** Dr. Lebold Deny the request 8,700 feet is too much to ask for from 30,000 sq required.  
**Second:** Phil Howshan  
Unanimous

("Compliance with these conditions must be met before a building permit can be issued.")

(Signed)   
Jeffrey Brown  
Chairman  
Board of Adjustment

Date: 2 24 21

NOTE: Application for rehearing on any question of the above determination may be taken within thirty (30) days of said determination by any party to the action or person affected thereby according to the New Hampshire Revised Statutes Annotated, 1955, Chapter 31:74-76. Form Revised 2001

NOTICE OF DECISION  
BOARD OF ADJUSTMENT  
TOWN OF SEABROOK, NEW HAMPSHIRE

You are hereby notified that the request of Susan Nicoll, 127 Farm Lane Map 12 Lot 40 seq 1 for **VARIANCE**, APPEAL, SPECIAL EXCEPTION, EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS) OR EXPANSION OF THE NON-CONFORMING USE to: The Zoning Ordinance has been **Approved** for the reasons given in the following resolution passed by a majority of the BOARD OF ADJUSTMENTS:

ON CONDITION OF GRANTING ANY VARIANCE, APPEAL, SPECIAL EXCEPTION, EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS OR NON-CONFORMING USE IS THAT IT EXPIRES AT THE END OF TWO YEARS IF NOT COMPLETED WITHIN THAT TIME. RESOLVED, THAT THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO SUCH USE:

**Case # 2020-016**

Case 2020-016 Susan Nicoll, 127 Farm Lane, Map 12 lot 42, the undersigned hereby request a variance to the terms of: Section 14, sub section 400 and asks that said terms to be waived to permit: a replacement of mobile home and addition with a newer mobile home and addition within the same square footage but different foot print in Zone 2 R.

**Motion:** Dr. Lebold moves to grant a variance to replace mobile and addition within the same square footage, but different footprint. Meets sideline & set back requirements

**Second:** David Davidson  
Unanimous

("Compliance with these conditions must be met before a building permit can be issued.")

(Signed)   
Jeffrey Brown  
Chairman  
Board of Adjustment

Date: 2/24/21

NOTE: Application for rehearing on any question of the above determination may be taken within thirty (30) days of said determination by any party to the action or person affected thereby according to the New Hampshire Revised Statutes Annotated, 1955, Chapter 31:74-76. Form Revised 2001