

Town of Seabrook  
Board of Adjustment  
May 26, 2021

Members Present: Jeff Brown Chair, David Davidson, Robert Lebold, Phil Howshan, Teresa Thurlow, Jim 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 the meeting have been posted. They don't have a full board this evening. They only have 4 members tonight which means that any applicant has the right to post pone the meeting. All applicants wish to be heard tonight. When speaking please say your name and address for the record.

Old Business

April Minutes

Motion: Dr Lebold

Second: Phil Howshan

Unanimous

New Business

**CASE# 2021-007** Ying Chuang, 131 Lafayette Road Map 9 lot 155 the undersigned hereby requests for a variance to the terms of section 6 and asks that said terms be waived to permit: Parking trailers with barrier in Zone 6M

Keri Marshall is representing Ying Chuang, of the Phoenicia. He has requested a variance to permit the parking of existing trailers. Keri explains the Zoning board criteria:

1. How the variance is not contrary to the public interest; *she explains to permit the parking of trailers behind a barrier fence which will surround them within the site plan.*
2. The spirit of the ordinance is observed: *The trailers will be screened and not in public view. She says they will be moved to the back of the property.*
3. By granting this variance substantial justice is done. *This business has been operating for decades. The storage of items in the trailers is required for the business to access furniture and supplies.*
4. By granting this variance the value of surrounding properties are not diminished. *The trailers will be behind barriers and this will open the parking lot, thus allowing the property be appropriately maintained while providing space for the required supplies and furniture.*
5. Literal enforcement of the ordinance would result in unnecessary hardship. The property owner would have insufficient space to store items for the site. *The property owner has also inquired of other places to ascertain whether the trailers may be stored offsite however, he has been unable to locate any other viable facility within a reasonable*

*radius that would allow appropriate access to such storage. It would be an unnecessary hardship to require the landowner to travel away to access necessary items and it would be unduly burdensome to not have the required supplies on premises.*

There was discussion on how high the fence will be in the State of New Hampshire a 6 foot fence is the allowable height, you will be able to still see the trailers, Keri says but they will be more than 50% covered.

Anyone here to speak in favor the application. Anyone here to speak against the application. Hearing none seeing none. After reviewing the petition and hearing the evidence they determine the following:

	<b>J. Brown</b>	<b>Dr. Lebold</b>	<b>P. Howshan</b>	<b>J. Sanborn</b>
1.	NO	NO	NO	NO
2.	NO	NO	NO	NO
3.	NO	NO	NO	NO
4.	NO	NO	NO	NO
5.	NO	NO	NO	NO

Move to deny there variance request matching similar denial in the past that have been ignored. Screening will not hide the trailers, which are against zoning uses

Motion: Dr. Lebold  
Second: Phil Howshan  
Unanimous

**CASE 2021-008** Casa Tequila, LLC 620 Lafayette Road, Map 8 Lot 53 the undersigned hereby requests for a variance to the terms of section 7 and asks that said terms be waived to permit: To allow addition to existing deck within 30 ft setback.

Gilbert is looking to replace the current wooden deck with a larger and safer deck for his customers. The current deck is a 12 x 30 and they want to replace it with a 25 x 44 deck. They want to add 10 more tables, since covid most customers want to sit outside. The existing building and deck is within the buffer zone.

Anyone here to speak in favor the application. Anyone here to speak against the application. Hearing none seeing none. After reviewing the petition and hearing the evidence they determine the following:

	<b>J. Brown</b>	<b>Dr. Lebold</b>	<b>P. Howshan</b>	<b>J. Sanborn</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

Move to grant the variance to expand the deck seating into the side setbacks. Hardship Provident Way widened into their property.

Motion: Dr. Lebold  
Second: Phil Howshan  
Unanimous

**CASE 2021-009** G&D Realty Trust, 142 Batchelder Road Map 6 Lot 13 the undersigned hereby requests for a variance to the terms of section 7 and asks that said terms be waived to permit: Second building at Industrial Facility in Zone 3.

Henry Boyd is representing Aero Dynamics of 142 Batchelder Road they are here to get the zoning variance reinstated. They came in front of the zoning board back in 2017 asking for a variance to section 5 and asks that said terms be waived to permit a second building at the industrial facility in zone 3. Henry explains they are in a much better situation now with the business and need to expand. The property meets the setbacks for wetlands.

Anyone here to speak in favor the application. Anyone here to speak against the application. Hearing none seeing none. After reviewing the petition and hearing the evidence they determine the following:

	<b>J. Brown</b>	<b>Dr. Lebold</b>	<b>P. Howshan</b>	<b>J. Sanborn</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

Move to grant the request for variance for second building on the property. (Was previously granted).

Motion: Dr. Lebold  
Second: Phil Howshan  
Unanimous

**CASE# 2018-007** Tina Janvrin & Raymond Fowler, Rte 286 Map 15 lot 115 the undersigned hereby requests for a variance to the terms of section 7 and asks that said terms be waived to permit: Single Family home to be constructed on this lot without road frontage with access via an easement in residential in Zone 2R. They are asking for a one year extension.

Move to grant the extension

Motion: Dr. Lebold  
Second: Jim Sanborn  
Unanimous

Meeting adjourned time: 8:00 pm  
Motion: Phil Howshan  
Second Dr. Lebold  
Unanimous

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Jeff Brown, Chair  
Zoning Board of Adjustment

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

You are hereby notified that the request of Ying Chuang, 131 Lafayette Road, Map 9 Lot 155 18 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 # 2021-007** Ying Chuang, 131 Lafayette Road Map 9 Lot 155, the undersigned hereby request a variance to the terms of: Section 6 and asks that said terms be waived to permit Parking trailers with barrier in Zone 6 M

Move to deny variance request matching similar denial in the past that have been ignored. Screening will not hide the trailers, which are against zoning uses.

**Motion:** Dr. Lebold  
**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: \_\_\_\_\_

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

You are hereby notified that the request of Casa Tequilla, 620 Lafayette Road, Map 8 Lot 53 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 # 2021-008** Casa Tequilla, 620 Lafayette Road Map 8 Lot 53, the undersigned hereby request a variance to the terms of: Section 7 and asks that said terms be waived to permit To allow addition to existing deck within 30 ft setback

Move to grant variance request to expand the deck seating into the side section. Hardship Provident Way widened into their property.

**Motion:** Dr. Lebold  
**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: \_\_\_\_\_

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

You are hereby notified that the request of G&D Realty Trust, 142 Batchelder Road, Map 6 Lot 13 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 # 2021-009** G&D Realty Trust, 142 Batchelder Road Map 6 Lot 13, the undersigned hereby request a variance to the terms of: Section 5 and asks that said terms be waived to permit Second building at Industrial Facility in Zone 3.

Move to grant variance request to expand the deck seating into the side section. Hardship Provident Way widened into their property.

**Motion:** Dr. Lebold  
**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: \_\_\_\_\_