

Town of Seabrook
Board of Adjustment
July 28, 2021

Members Present: Jeff Brown Chair, Robert Lebold, Teresa Thurlow, Jim Sanborn, David Davison and Secretary Judie Walker

ABSENT: Phil Howshan

Roll Call

Jeff Brown opens the meeting at 7:00 pm and explains procedures and where the notices of the meeting have been posted. The meeting is televised on Channel 22.

Old Business

May Minutes

Motion: Dr. Lebold

Second: Jim Sanborn

Unanimous

New Business

CASE# 2021-007 Ying Chuang, 131 Lafayette Road Map 9 lot 155 the undersigned hereby variance asks for reconsideration to permit: Parking trailers with barrier in Zone 6M

Keri Marshall is representing Ying Chuang who is in the hospital, it was clear that this was misinformation that the board used to evaluate and rule on her clients request. For instance the Chair indicated this was the same variance that has been requested in 2003 and was denied yet if the board reviewed the record Mr. Chuang withdrew his application and it was never voted on. Additionally, in 2015 the board Mr. Chuang applied for a storage unit and this is clearly a different application. Asking for a rehearing for the application to be reconsidered. Dr. Lebold asks if these trailers were ordered by the town to be removed Attorney Marshall says they were. Teresa Thurlow says she believes that was in 2007 after years of telling him they had to be removed.

Move to deny the request for the rehearing and leave in place the denial of the applicants request to move and hide his illegally parked trailers on his property that have been previously ordered removed.

Motion: Dr. Lebold.

Second: Teresa Rowe Thurlow

Unanimous

CASE 2021-010 CSSA/SCRUB FREE CAR WASH 919A Lafayette Road, Map 1 Lot 18-1 the undersigned hereby requests for a variance to the terms of section 7 and asks that said terms be waived to permit: repair or replace existing sign. Within setback in Zone 6M.

Sean Roaf is here for scrub free car wash and his sign needs to be repaired. One of the middle sections they want to put a LED sign when they update it of course because that is what everyone

is doing these days. Jeff asks if the Code Enforcer sent him to the zoning board Sean yes he needed to get a variance because he was short on the setbacks. Sean will make sure his sign meets all the criteria no flashing signs etc.

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 and taking in consideration the personal knowledge of the property in question they determine the following:

	J. Brown	Dr. Lebold	T. Thurlow-Rowe	J. Sanborn	D. Davidson
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

Move to grant the variance request condition work with Building Inspector

Motion: Dr Lebold

Second: Jim Sanborn

Unanimous

CASE 2021-011 RMH NH, LLC 319 Route 107 Map 2 lot 41 the undersigned hereby requests a special exception as provided in Section 8 to allow: Temporary Employee Housing in Zone 1.

Bill McLaughlin Community relations and Charity Coordinator at the Brook better known as Seabrook Greyhound Park and he is here tonight with Dan Guerin, who is the Plant Facility Manager and IT Director to present their case.

The Brook could become the largest charity casino in North America. Know they can help Seabrook's and other Seacoast Charities are benefitting from facility.

Bill informs that the Brook needs over 10 million in much needed upgrades. They are asking for a simple special request to renovate the old Veteran Building to make temporary houses for the workers intermitting house when they are coming in from our western offices. They can't find help and if they do they can't find housing. What does Temporary actually mean they do bring in workers for a week or two we can convert the old veteran building into they will stay two weeks at a time.

Jeff asks Bill the four questions that have to be answered for a special exemption:

Is the going to have an adverse effect on surround properties: *Bill this existing building is on 76 acres, no abutters are close to at least 3 to 5 acres.*

Is this going to cause a significant increase in traffic it is not going to cause any: *It is not going to cause any significant traffic.*

Is it going to emit odors, noise, dust, vibration, smoke or fumes which have travel beyond the boundary lines of the subject. *None*

Threaten the safety of nearby residents: *I don't see how it could. No way threaten the safety*

The workers are construction workers, like IT, and security.

The project should take 2 years to get this facility right.

Dr. Lebold asks why they choose to ask for a Special Exemption rather than a variance we felt that the special exemption would be the path to take because we met all the four questions, Dr. Lebold said instead of five questions which is a hardship

Dr. Lebold wants to limit the people to 6. No more than 6 the building. They would only be there for a week or two. The building was there and it was used for State Workers at a time. Theresa asked a question if there will be bathrooms it will have 3 bathrooms and shower stall in each unit.

We have two crews now from Mesquite, Nevada. Teresa says where she works her company when they are busy they have temporary workers come and work and then go home. Teresa said she agreed the hotels are very expensive and you can't find reasonable apartments. Bill said there is a building there they thought they could remodel it and used it that way fully temporary situation.

Abutters who are opposed of this special exemption for temporary housing:

- Robert Johnson 29 Mapleridge Road – Against the temporary housing.
- Brian Helleran 13 Maple Ridge Road – not for or against. That it will be a sunset exemption. As long as the exemption has a terminated date. Maybe plants some greens along the property.
- Cheryl O’Gorman 48 Alison Dr. her backyard abuts the track. Would like clarification what the plans when the temporary housing done .
- Christina Leahy – 21 Maple Ridge transient housing I am not comfortable.
- Jennifer Brideau 14 Maple Ridge – Opposed.
- Tellez Palani Giron & Katherine Lowry of 13 Dandiview Acres – completely opposed.
- Jeff Rawson 15 Dandiview acres – opposed
- Deborah Van Dyke 19 Maple Ridge – Opposed.
- Lori Sandler 22 Maple Ridge Road- Opposed.
- Jenna Ramos 18 Maple Ridge Road – Opposed
- Lisa Tompkins 14 Maple Ridge Road – opposed.

All abutters were upset that they start work at 5 a.m.

It was asked why don't you buy a house and house the employees.

Why can't the It people work remotely they said they can't access them remotely from Nevada.

Bill - the plans for the building renovations how many apartments. There will be three apartments they will be converting into bedrooms and bathroom with a shower stall for no more than 6 people. The workers are all licenses and have had background checks.

Jeff this is something new, suggest in the future if there any plans canvas the neighborhood.

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

	J. Brown	Dr. Lebold	T. Thurlow-Rowe	J. Sanborn	D. Davidson
1.	NO	NO	NO	NO	NO
2.	NO	NO	NO	NO	NO
3.	NO	NO	NO	NO	NO
4.	NO	NO	NO	NO	NO

Move to deny to special request for temporary housing as sufficient temporary housing available in area.

Motion: Dr. Lebold

Second: David Davidson

Unanimous

Bill Moody owner of Master McGraths. Going for a permit for a sign the old blew over it was a 6 x 60 biggest sign in town and would cost \$32,000 for a new one, the old one can't be fixed. He would like to put up a smaller one 3' x 24'.

In the case going to smaller sign 3' x 24' move to grant waiver jurisdiction in this case.

Motion: Dr. Lebold

Second: Teresa Thurlow-Rowe


Unanimous

Meeting adjourned time: 8:00 pm

Motion: Dr. Lebold

Second Dave Davidson

Unanimous



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 RMH NH, LLC, 319 Route 107, Map 2 Lot 41 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 # 2021-011 RMH NH, LLC, 319 Route 107, Map 2 Lot 41, the undersigned hereby request a special exception to the terms of: Section 8 and asks that said terms be waived to permit:
Temporary Employee Housing in Zone 1

Move to deny special request for temporary housing as sufficient temporary housing available in area.

Motion: Dr. Lebold
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: 8 25 21

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: 8 25 21

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

7-18-1

You are hereby notified that the request of CSSA.SCRUB FREE CAR WASH, 919A Lafayette Road, Map 1 Lot 18-1 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 # 2021-010 CSSA/SCRUB FREE CAR WASH, 919a Lafayette Road, Map 1 Lot 18-1, the undersigned hereby request a variance to the terms of: Section 7 and asks that said terms be waived to permit Repair or replace existing sign within setback in Zone 6M.

Move to grant variance request. Condition: work with Building Inspector

Motion: Dr. Lebold
Second: Jim Sanborn
Unanimous

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

(Signed) 
Jeffrey Brown
Chairman
Board of Adjustment

Date: 8 25 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