

Town of Seabrook
Board of Adjustment
December 15, 2021

Members Present: Jeff Brown Chair, David Davidson, Robert Lebold, Phil Howshan and 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. There is a full board this evening. When speaking please say your name and address for the record.

Old Business

October Minutes

Motion: Dr Lebold

Second: Jim Sanborn

Unanimous

November Minutes

Motion: Dr. Lebold

Second: Jim Sanborn

Unanimous

New Business

CASE 2021-15 Rigz Enterprises, LLC dba The City Tobacco and Beverage Center, 151 Lafayette Road Map 9 Lot 152, the undersigned hereby request for a variance to the terms of section 13 and ask that said terms be waived to permit: a LED PYLON SIGN in Zone 6M

Dennis Stoddard, General Manager of the City Tobacco and Beverage Center. The current LED Pylon sign is antiquated and out of date the landscaping around it is in disrepair people are backing in to it numerous times and the pole gets hit by cars. The current LED Sign will be in the entrance on the south curb cut for the new land that was approved. Moving it about 100 feet north in the green space. This will prevent to be in the right of way in the new parking lot as well as it keeps it out of harm's way. Roadside sign helps market the business. The light will be shut down at 9:00 pm. It does not flash or have movement it will be a static message; we change it in the morning. It will be a new pylon sign, same technology just a new model. Dr. Lebold asks if they will be using the same sign that is there, and they can't because the existing sign is outdate the software is obsolete. Dr. Lebold reads the zoning ordinance regarding signs in Smithtown. The LED portion is 34 sq ft. 3 ½ ft in height 9 ½ ft in width.

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:

	J. Brown	Dr. Lebold	D Davidson	P. Howshan	J. Sanborn
1.	YES	NO	YES	YES	YES
2.	YES	NO	YES	YES	YES
3.	YES	NO	YES	YES	YES
4.	YES	NO	YES	YES	YES
5.	YES	NO	YES	YES	YES

Move to approve

Motion: Dave Davidson

Second: Jim Sanborn

Opposed: Dr. Lebold

CASE 2021-016 Rigz Enterprises, LLC dba The City Tobacco and Beverage Center, 151 Lafayette Road Map 9 Lot 152, the undersigned hereby requests for a variance to the terms of Section 13 and asks that said terms be waived to permit a wall sign larger than 10 sq ft in Zone 6M.

Dennis Stoddard General Manager of the City Tobacco and Beverage Center. The 10 sq ft limit which he was unaware of until they spoke to the building department about the ordinance, they had it designed to be under 10 % of the complete wall space of the building it goes along with their brand name. The frontage of the building is 1212 sq the design is 108 % sq minus doors and windows. The 10 sq ft isn't even in the sign "the". The board will recognized the branding of all our locations it is pleasing to the eye. It is an exact same signage like the other city 621 Lafayette Road. There is a dormer in the front entry way. The sign will have white channel across the front faced of the porch and a red city logo with old English font. If this didn't pass they could paint letters.

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:

	J. Brown	Dr. Lebold	D Davidson	P. Howshan	J. Sanborn
1.	YES	NO	YES	YES	YES
2.	YES	NO	YES	YES	YES
3.	YES	NO	YES	YES	YES
4.	YES	NO	YES	YES	YES
5.	YES	NO	YES	YES	YES

Move to approve the variance as written.

Motion: Dave Davidson

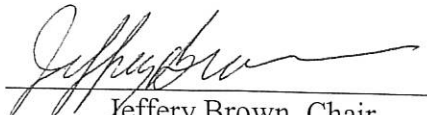
Second: Jim Sanborn

Opposed: Dr. Lebold

Motion to adjourn 7:28 pm

Motion: Dr. Lebold

Second: Jim Sanborn



 Jeffery Brown, Chair

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

You are hereby notified that the request of Rigz Enterprises, LLC dba The City Tobacco and Beverage Center, 151 Lafayette Road Map 9 Lot 152 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 # 2021-015 Rigz Enterprises, LLC dba The City Tobacco and Beverage Center, 151 Lafayette Road Map 9 lot 152, the undersigned hereby request for a variance to the terms of section 13 and ask that said terms be waived to permit a LED PYLON SIGN IN ZONE 6M.

Move to grant variance

Motion: Dave Davidson
Second: Jim Sanborn
Opposed: Dr. Lebold

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

(Signed)



Jeffrey Brown
Chairman
Board of Adjustment

Date: 1 26 22

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Move to grant variance as written

Motion: Dave Davidson
Second: Jim Sanborn
Opposed: Dr. Lebold

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

(Signed) 
Jeffrey Brown
Chairman
Board of Adjustment

Date: 1 26 22