

Town of Seabrook  
Board of Adjustment  
May 24, 2023

Members Present: Jeff Brown, Robert Lebold, Dave Davidson, Phil Howshan, Jim Sanborn, Lacey Fowler and Secretary Judie Walker

Roll Call

Jeff Brown, Chair opens the meeting at 7:00 pm and explains the procedures and where the notices of the meeting have been posted. We have a full board tonight. When speaking please say your name and address for the record.

**Old Business**

April Minutes

Motion: Robert Lebold

Second Jim Sanborn

Unanimous

**New Business:**

**Case 2023-004** Paula Fritz 41 Washington Street Map 15 Lot 74 the undersigned hereby requests for a variance to the terms of Section 7 and ask that said terms be waived to permit: 2 Detached dwellings each containing 1 residential unit on a lot containing 26,000 sq in Zone #2R

Henry Boyd Millennium Engineering is representing Paula Fritz we are here asking that you restate the variance in 2018 to allow to detached structures on this lot. There are not two existing buildings at the lot. One is residential and one light industrial use and above the light industrial use is an apartment. They want both dwellings to be residential you need 45,000 she has 26,000 sq. The industrial use and the apartment will go away and recognize that will be a detached dwelling unit. The reason they are her back in 2018 when the board granted the variance a short while after that Paula lost her husband. Right after that Covid started. Dr. Lebold asks if there is no intent to divide property. Henry says no. Talk to the assessor regarding the address.

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>D. Davidson</b>	<b>J. Sanborn</b>	<b>P. Howshan</b>
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 of two detached residential dwellings eliminate the industrial use on less than 45,000 sq and gets rid of industrial use in a residential zone.

Motion: Dr. Lebold

Second: Jim Sanborn

Unanimous:

**Case 2023-005** Jean Drive NH LLC, 32 Jean Drive Map 7 lot 50 – 15 the undersigned hereby requests for a variance to the terms of Section 15 and ask that said terms be waived to permit: 10' wetland setback where 25' is required in Zone #2R.

Henry Boyd is representing Jean Drive LLC (Jarod Patten) these are the only remaining two lots that have not been constructed. A builder has purchased the two lots and wants to move forward. The deck would invade the setback. Relief for 10' for the deck and stairs. The drainage easement constraints these lots. There is a little bit of space. The former property owner had some financial issues and could not move forward consequently he sold it to a builder that wants to move forward. There is small footprint on these lots. The deck would invade the setback. Asking for small relief of 10.5 for the deck. Dr. Lebold asks if you move the house and put the deck on the side, Henry says it would not fit it would encroach on the easement. You are not allowed to invade any easements. There is natural wetland area. The deck will be off the first floor. If you move the building northwest 5 feet then the steps would be in the front set back. Lacey would require an as built.

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>D. Davidson</b>	<b>J. Sanborn</b>	<b>P. Howshan</b>
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. To allow the building to move into the front setback to minimize relief.

Motion: Dr. Lebold

Second: Dave Davidson

Unanimous:

**Case 2023-006** Jean Drive NH LLC, 36 Jean Drive Map 7 lot 50 – 16 the undersigned hereby requests for a variance to the terms of Section 15 and ask that said terms be waived to permit: 10' wetland setback where 25' is required in Zone #2R

Henry Boyd is representing Jean Drive LLC (Jarod Patten) looking for a wetland setback. The second house they don't have the flexibility, he can move the building slightly east or west, but it really doesn't do anything. The only opportunity they must put the deck in the rear because of the drainage easement. The home is not that big. The steps can be in the front set back, you will need relief. You can be within the front steps are less than 24 sq feet are not to be construed as structures. Now Henry can put if you grant the variance for the steps to be within the setback if necessary. Dr. Lebold wants the deck on the side, Henry doesn't know if it will fit. If you move the house 10' you talk about a 4.5 ft relief variance for the deck.

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>D. Davidson</b>	<b>J. Sanborn</b>	<b>P. Howshan</b>
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. Move building north to put steps in front set back. Then minimizing 5' feet required relief.

Motion: Dr. Lebold

Second: P. Howshan

Unanimous:

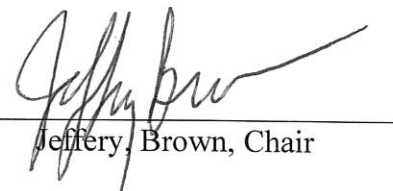
Next meeting will meet June 28, 2023.

Motion to adjourn at 7:20 p.m.

Motion: P. Howshan

Second D. Lebold

Unanimous



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Jeffery Brown, Chair

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

You are hereby notified that the request of Paula Fritz, 41 Washington Street Seabrook, Map 15 Lot 74 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 May 24, 2023

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 # 2023-004**, Paula Fritz 41 Washington Street Seabrook Map 15 Lot 74 the undersigned hereby requests for a variance to the terms of Section 7 and asked that said terms be waived to permit: 2 Detached dwellings each containing 1 residential unit on a lot containing 26,000 sq Zone# 2R.

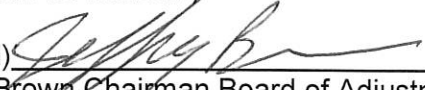
Move to grant the variance request of two detached residential dwellings eliminate the industrial use on less than 45,000 sq ft and gets rid of industrial use in a residential zone.

**Motion:** Dr. Lebold

**Second:** J Sanborn

Unanimous

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

(Signed)   
Jeffrey Brown Chairman Board of Adjustment

Date: 6 28 2023

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

You are hereby notified that the request of Jean Drive NH, LLC, 32 Jean Drive Seabrook, Map 7 Lot 50-15 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 May 24, 2023

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**Case # 2023-005**, Jean Drive NH, LLC 32 Jean Drive, Seabrook, NH Map 7 lot 50-15 the undersigned hereby requests for a variance to the terms of Section 15 and asked that said terms be waived to permit: 10' wetland setback where 25' is required in Zone# 2R.

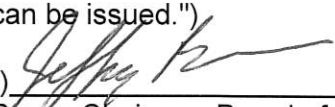
Move to grant the variance. To allow the building to move into the front setback to minimize relief.

**Motion:** Dr. Lebold

**Second:** Dave Davidson

Unanimous

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

(Signed)   
Jeffrey Brown Chairman Board of Adjustment

Date: 6 28 2023

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

You are hereby notified that the request of Jean Drive NH, LLC, 36 Jean Drive Seabrook, Map 7 Lot 50-16 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 May 24, 2023

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 # 2023-006**, Jean Drive NH, LLC 36 Jean Drive, Seabrook, NH Map 7 lot 50-16 the undersigned hereby requests for a variance to the terms of Section 15 and asked that said terms be waived to permit: 10' wetland setback where 25' is required in Zone# 2R.

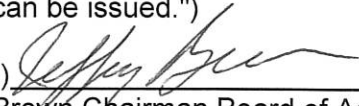
Move to grant the variance. Move building north to put steps in front set back. Then minimizing 5' feet required relief.

**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: 6 28 23