

Town of Seabrook
Board of Adjustment
February 28, 2024

Members Present: Jeff Brown, Dr. Lebold, Dave Davidson, Phil Howshan, Teresa Thurlow, Jim Sanborn 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.

January minutes

Motion: Dr Lebold

Second: P. Howshan

Unanimous

We received the resignation of Dr. Lebold after 38 years of service. We thank you. Fidae Azouri would like to join the Zoning Board of Adjustments.

New Business

CASE 2024-001 137 Folly Mill Road Realty, LLC, 137 Folly Mill Road, Map 9-226-1 for a variance to the terms of Section 6 & 7 and ask that said terms be waived to permit: A building that is taller than 35' requesting 38' in Zone 2R.

Henry Boyd of Millenium Engineers is representing Christopher Rahilly and Paul Curry of 137 Folly Mill Road Realty, LLC. This property was formally the old J.K. Quinn. This is an oddly shaped piece of land and runs arounds. One of the good positive things is this company ships products overseas instead of having the product coming in. The plan is that they want to build this building and use it for warehousing. The reason for the variance is that they must stack pallets three high and with the width of the building we played with different heights of the building. The property has never had residential use since 1960's. It has been 60 years in industrial use. If it was in the industrial zone they wouldn't have to be there, they would be able to go 50 ft. They don't know if they need it, these gentlemen are going to do a gable roof. This will be a brand-new building. Dr. Lebold says that you are grandfathered non confirming.

Anyone here to speak for the project anyone here to speak against the project:

The Grayson's 109 Folly Mill Road is an abutter and look at a big giant fence every day. She is upset about the size of the building. They are proposing a 95 sq ft. building. Jeff explains the criteria of the Zoning Board. If the Zoning Board grants the variance now they have to go in front of the Planning Board for approval.

After reviewing the petition and hearing the evidence they determine the following:

	J. Brown	Dr. Lebold	D. Davidson	P. Howshan	T Thurlow
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 variance to allow construction of a building with a height of 38' in Zone 2R.

Motion: Dave Davidson

Second: Phil Howshan.

Condition: Using existing entrance.

CASE 2024-002 Carl and Terry Perkins, 71 Railroad Avenue, Map 8-74-1 for a variance of Section 7 and asks that said terms be waived to permit: A new lot with sufficient frontage on right of way, but not town street (Ocean Mist Drive) in Zone 2R.

Henry Boyd of Millenium Engineers is representing Carl and Terry Perkins to able give their daughter Stacy husband and children a buildable lot. They don't have frontage on public right of way or a town street. The Seabrook Housing Authority is willing to grant an easement to tap into their water and sewer lines. Curtis Slayton the Water/Sewer Superintendent is in favor of the easement. The newest fire hydrant is right across the street.

Any here to speak in favor of the project.

Wayne Perkins 73 Railroad Avenue in favor.

After reviewing the petition and hearing the evidence they determine the following:

	J. Brown	Dr. Lebold	D. Davidson	P. Howshan	T Thurlow
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

More to grant the variance to divide out a house lot from a 3.45 acre lot off of Railroad Avenue and private drive.

Motion: Dr. Lebold

Second: Dave Davidson

Unanimous.

CASE 2024-003 Signs East LLC, Tor Larson, 255 Lafayette Road, Map 6-97 the undersigned hereby request an Equitable Waiver to the terms of Section 13 Sub section 13.200 and asks that said terms be waived to permit: 10-foot setback where 15' is required in Zone #2.

Tor replaced the sign that was hit for Cains Brook, but he placed the sign on the other side of the driveway and was given a sign permit. He put up the sign there because it is easier to see. Lacey Fowler the building inspector inform in the permit was given in error and he night to get an Equitable Waiver of Dimensional Requirements from the Zoning Board.

Anyone here to speak in favor of the variance any here to speak against.

After reviewing the petition and hearing all of the evidence and by taking into consideration the personal knowledge of the property in question, this board of adjustment member has determined the following.

	J. Brown	Dr. Lebold	D. Davidson	P. Howshan	T Thurlow
	The Violation was not discovered in a timely fashion.				
1	YES	YES	YES	YES	YES
	'The Violation was a result of an honest mistake:				
2	YES	YES	YES	YES	YES
	The physical or dimensional violation does not constitute a nuisance or diminish property values.				
3	YES	YES	YES	YES	YES
	The cost of correcting the mistake outweighs any benefit to be gained.				
4	YES	YES	YES	YES	YES

Move to grant the Waiver of Equitable Dimensions

MOTION: Dr. Lebold

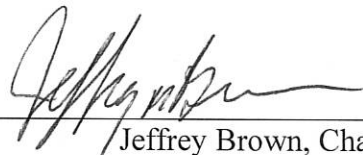
SECOND: Dave Davidson

Unanimous.

Motion to adjourn 7:38 pm

Motion: Phil Howshan

Second: Dr. Lebold



Jeffrey Brown, Chairman

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

You are hereby notified that the request of 137 Folly Mill Road Realty, LLC, 137 Folly Mill Road, Map 9 Lot 226 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 February 28, 2024:

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 # 2024-001 137 Folly Mill Road Realty, LLC, 137 Folly Mill Road, Map 9 lot 226-1 The undersigned hereby request a variance to the terms of: Section 6 & 7 and asks that said terms be waived to permit: an industrial building that is taller than 35' in Zone 2R.

Move to grant variance to allow construction of a building with a height of 38' in Zone 2R.

Motion: Dave Davidson
Second: Phil Howshan
Unanimous

Condition: Use existing entrance.

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

(Signed) 
Jeffrey Brown
Chairman
Board of Adjustment

Date: 4 24 24

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

You are hereby notified that the request of Carl and Terry Perkins, 71 Railroad Avenue, Map 8 Lot 74-1 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 February 28, 2024:

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.

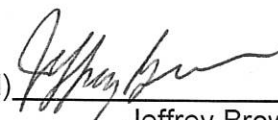
RESOLVED, THAT THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO SUCH USE:

Case # 2024-002 Carl and Terry Perkins 71 Railroad Avenue Map 8-74. The undersigned hereby requests a variance to the terms of: Section 7 and asks that said terms be waived to permit: A new lot with sufficient frontage on right of way, but not town street (Ocean Mist Drive) in Zone 2R.

Move to grant the variance to divide out a house lot from a 3.45-acre lot off Railroad Avenue and private drive.

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: 4 24 24

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

You are hereby notified that the request of Signs East, LLC, 255 Lafayette Road, Map 6 Lot 97 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 February 28, 2024:

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 # 2024-003 Signs East LLC Tor Larson, 255 Lafayette Road, Map 8-74. The undersigned hereby requests an Equitable Waiver of Dimension Requirements Section 13 sub section 13.200 and asks that said terms be waived to permit: 10-foot setback where 15' is required in Zone 2R.

Move to grant the Waiver of Equitable Dimensions

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: 4 24 24