

Town of Seabrook
Board of Adjustment
December 18, 2024

Members Present: Jeff Brown, Chair, Teresa Thurlow, Fidea Azouri, Dave Davidson, Lacey Fowler and Secretary Judie Walker.

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 do not have a full board tonight we only have 4 tonight. If you want to post pone when there is a full board please let us know when you come to the podium. When speaking please say your name and address for the record.

Administrative Business:

October 23, 2024, minutes

Motion: Dave Davidson

Second: Teresa Thurlow

Unanimous

Jeff Brown wanted to see if the Planning Board has any Zoning Changes. They want to remove zone 9. They don't want to touch the Zone 6.

On the warrant there is a warrsnt article to elect the zoning board of adjustment. If it passes in March the following year people will have to run for Zoning Board

New Business

CASE 2024-15 Justin Lattierre, PE Colliers Engineering and Design, 700 Lafayette Road Map 8-55-100, the undersigned hereby requests a variance to the terms of Section 7 and asks that said term be waived to permit: Building expansion of 2,247 sq ft in Zone 6M

Justin Lattiere, PE for Colliers Engineering and Design is the project manager for this project. Behalf of Wal-Mart a variance for Section 7, the expansion that Walmart is doing is within the setbacks . Relocate online pickup.

The proposed 2,247 sq ft expansion of their commercial property will not have any adverse effects on the surrounding properties. The expansion is designed to improve the buildings operations without altering the character or value of neighboring properties. Additionally, the project will not result in a significant increase in motor vehicle traffic, as the nature of the operations and customer flow will remain consistent with the current usage. The expansion will not emit any odors, noise, dust, vibration, smoke or fumes that would travel beyond the property's boundaries, as all work and future activities will comply with the required standards for environmental control. Finally, the safety or the nearby residents will not be threatened, As the expansion is focused on improving the interior functionality and will not introduce any new risks or hazards to the community.

After reviewing the petition and hearing all the evidence and by taking into consideration the personal knowledge of the property in question, this Board of Adjustment members has determine the following findings:

1. The variance is not contrary to the public interest.

Enhances current building setting and allows better access.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

2. The spirit of the ordinance is observed.

Commercial zone property.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

3. By granting the variance substantial justice is done.

Allows applicant to store access.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

4. By granting this variance the value of surrounding properties are not diminished.

Commercial properties have no adverse impact.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

5. Literal enforcement of the ordinance would result in unnecessary hardship.

No further use can be made expansion of building.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

Move to accept the variance as written

Motion: Dave Davidson

Second: Fidea Azouri

Unanimous

CASE 2024-016 John Keith Sicard, 38 Cross Beach Road, Map 25-21-1 the undersigned hereby requests a variance to the terms of Section 7 and asks that said terms be waived to permit: A variance for 38" in height in Zone # 1 rural.

Right now John Sicard has a 1960 like mobile home which he will demo. He wants to build his home up higher, because of the flooding on Cross Beach Road and he is going to build a foundation with floor vents to protect water.

Paul Lepere is speaking in favor of the project. Cross Beach floods frequently and flood insurance is very expensive.

After reviewing the petition and hearing all the evidence and by taking into consideration the personal knowledge of the property in question, this Board of Adjustment members has determine the following findings:

1. The variance is not contrary to the public interest.

Helps to comply with flood concerns.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

2. The spirit of the ordinance is observed.

35' foot rule was for firefighting and safety. This application enhances safety.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

3. By granting the variance substantial justice is done.

Helps to let applicant raise house for flood purposes.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

4. By granting this variance the value of surrounding properties are not diminished.

Enhance property because of allowing flood safety.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

5. Literal enforcement of the ordinance would result in unnecessary hardship.

Lots on road are hardship by flooding concerns.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

Move to accept the variance as written

Motion: David Davidson

Second: Teresa Thurlow

Unanimous

CASE # 2024-0017 Arleigh Greene's Lawyer would like to suspend this request to meet with the Seabrook Zoning Board.

CASE# 2024-018 Scott & Matthew Tobey, 124 Lafayette Road, Map 10-7 the undersigned hereby requests a variance to the terms of Section 7 subsection Dimension Requirements and asks that said terms be waived to permit: Pavement to be installed with the front and side yard and greenbelt setbacks in Zone 6M.

Matthew Tobey an additional building is proposed to be constructed at the rear of the existing structure. The new structure will be a garage/office/storage facility to support of the auto sales operation and a parking area in front and on the south side of the existing building plus a driveway to the proposed garage.

In the zoning you can put a driveway against your property line, you can't put parking lot against your property in this zone. In smith town you can't do this.

Teresa is asking if the parking spaces for your customers or for sale of vehicle. Matt says the spaces are for both

After reviewing the petition and hearing all the evidence and by taking into consideration the personal knowledge of the property in question, this Board of Adjustment members has determine the following findings:

1. The variance is not contrary to the public interest.

Safety enhancement to allow access for emergency vehicles and makes lot look more professional

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

2. The spirit of the ordinance is observed.

Makes the lot look better which was reason for the Zone 6

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

3. By granting the variance substantial justice is done.

Small lot mixed use allows for cleaner space.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

4. By granting this variance the value of surrounding properties are not diminished.

Properties are commercial no impact.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

5. Literal enforcement of the ordinance would result in unnecessary hardship.

Small lot in Zone 6 no other use or arrangement possible.

J. Brown	D. Davidson	T. Thurlow	F. Azouri
YES	YES	YES	YES

Move to accept the variance as written.

Motion: Dave Davidson

Second: Fidae Azouri

Unanimous

Matthew is also here for a variance for his front wall sign. They want 24 sq ft it will not affect any issues. Need a variance for 3" because they lost the grandfather they need a variance.

Also, they would like a variance for the free-standing sign. They are looking for a variance to be able to have free standing sign within the greenbelt setback.

After reviewing the petition and hearing all the evidence and by taking into consideration the personal knowledge of the property in question, this Board of Adjustment members has determine the following findings:

Move to accept the variance as written. Larger sign on the building 3' x 8' and sign on the road variance for 3".

Motion: Dave Davidson

Second: Fidea Azouri

Unanimous

CASE 2024-019 Four Seabrook, LLC, 30 Perkins Street Map 8-1, the undersigned hereby requests a variance to the terms of Section 7 and asks that said terms be waived to permit: a variance for building height exceeding 35" in Zone 2.

They wish to post pone and meeting next month with hopefully a full board.

CASE# 2024-020 Brenda Lind & Franklin Goss, 227 & 331 South Main St. Map 16-9 & Map 16-8, the undersigned hereby requests a variance to the terms of Section 7 sub section Foot Note and ask that said terms be waived to permit: 2 detached units on a lot less than 45,000 sf in Zone 2R.


Henry Boyd of Millenium Engineering who was representing them has Covid an asks that this case be put on next month's agenda.

Meeting adjourned 7:35

Motion: Jeff Brown

Second: Jim Sanborn

Unanimous



Jeffrey Brown, Chair ZBA

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

You are hereby notified that the request of Justin Lattierre, PE Colliers Engineering and Design, 700 Lafayette Road, Map 8 Lot 55-100, 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 December 18, 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 # 2024-015, Justin Lattierre, PE Colliers Engineering and Design, 700 Lafayette Road Map 8-55-100 the undersigned hereby request an variance to the terms of: Section 7 and asks that said terms be waived to permit: Building expansion of 2,2417 sq ft in Zone 6M.

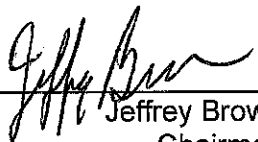
Move to grant variance as written.

Motion: Dave Davidson

Second: Fidea Azouri

Unanimous

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

(Signed) 
Jeffrey Brown
Chairman
Board of Adjustment

Date: 1 22 24

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

You are hereby notified that the request of John Keith Sicard, 38 Cross Beach Road, Map 25 Lot 21-1, 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 December 18, 2024

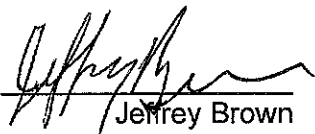
ON CONDITION OF GRANTING ANY VARIANCE, APPEAL, SPECIAL EXCEPTION, EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS OR NON-CONFORMING USE IS THAT IT EXPIRES AT THE END OF TWO YEARS IF NOT COMPLETED WITHIN THAT TIME. RESOLVED, THAT THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO SUCH USE:

Case # 2024-016, John Keith Sicard, 38 Cross Beach Road Map 25-21-1 the undersigned hereby request an variance to the terms of: Section 7 and asks that said terms be waived to permit: A variance for 38' in height in Zone 1 rural.

Move to grant variance as written.

Motion: Dave Davidson
Second: Teresa Thurlow
Unanimous

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

(Signed) 
Jeffrey Brown
Chairman
Board of Adjustment

Date: 1 22 25

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

You are hereby notified that the request of Scott & Matthew Tobey, 124 Lafayette Road, Map 10 lot 7, 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 December 18, 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 # 2024-018, Scott and Matthew Tobey, 124 Lafayette Road Map 10-7 the undersigned hereby request an variance to the terms of: Section 7 subsection Dimension Requirements and asks that said terms be waived to permit: Pavement to be installed with front and side yard and greenbelt setbacks.in Zone 6M

Move to grant variance as written.

Motion: Dave Davidson
Second: Fidae Azouri
Unanimous

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

(Signed) 
Jeffrey Brown
Chairman
Board of Adjustment

Date: 1 22 25

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

You are hereby notified that the request of Scott & Matthew Tobey, 124 Lafayette Road, Map 10 lot 7, 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 December 18, 2024

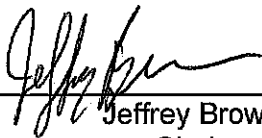
ON CONDITION OF GRANTING ANY VARIANCE, APPEAL, SPECIAL EXCEPTION, EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS OR NON-CONFORMING USE IS THAT IT EXPIRES AT THE END OF TWO YEARS IF NOT COMPLETED WITHIN THAT TIME. RESOLVED, THAT THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO SUCH USE:

Case # 2024-018, Scott and Matthew Tobey, 124 Lafayette Road Map 10-7 the undersigned hereby request an variance to the terms of: Section 13 signs and asks that said terms be waived to permit: They want a 24 sq ft sign and need a variance for 3" because they lost the grandfather clause they needed in Zone 6M

Move to grant variance as written. Larger sign on building 3' x 8' and sign on the road variance for 3".

Motion: Dave Davidson
Second: Fidae Azouri
Unanimous

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

(Signed) 
Jeffrey Brown
Chairman
Board of Adjustment

Date: 1 22 25