

Town of Seabrook
Board of Adjustment
January 22, 2025

Members Present: Jeff Brown, Chair, Fidae Azouri, Dave Davidson, Phil Howshan, 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. If you would like to post pone next month please let us know now. When speaking please say your name and address for the record.

Administrative Business:

December 18, 2024, minutes

Motion: Dave Davidson

Second: Phil Howshan

Unanimous

New Business

CASE 2024-19 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 term be waived to permit: a variance for a building height exceeding 35' in Zone 2 Will post-pone until next month

CASE 2024-020 Brenda Lind and Franklin Goss, 227 and 231 South Main Street, Map 16-8 and 16-9, The undersigned hereby request a Variance to the terms of Section 7 and sub section foot notes and asks that said terms be waived to permit: 2 detached units on a lot less than 45,000 in Zone 2R

Henry Boyd represents the residents. The home on 227 South Main Street lot with existing single-family home, the home on 231 South Main Street lot with existing single-family home, vacant mobile home and contained additional mobile home. They are looking for a lot line adjustment to allow 227 South Main Street to have second detached dwelling with less than 45,000 sf on lot. Allow 231 South Main Street to have detached dwellings, total will not exceed what had existed.

Historically there were three lots on that lot.

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 determined the following findings:

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

Maintains the makeup of the neighborhood, allows families to offer affordable housing to family members.

J. Brown
YES

D. Davidson
YES

P. Howshan
YES

F. Azouri
YES

2. The spirit of the ordinance is observed.

Maintains current conditions of property neighborhood.

J. Brown	D. Davidson	P. Howshan	F. Azouri
YES	YES	YES	YES

3. By granting the variance substantial justice is done.

Maintains property for family and does not harm the community.

J. Brown	D. Davidson	P. Howshan	F. Azouri
YES	YES	YES	YES

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

No changes to current conditions housing units.

J. Brown	D. Davidson	P. Howshan	F. Azouri
YES	YES	YES	YES

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

Allows for housing use.

J. Brown	D. Davidson	P. Howshan	F. Azouri
YES	YES	YES	YES

Move to accept the variance as written

Motion: Dave Davidson

Second: Phil Howshan

Unanimous

CASE 2025-001 Maria Cesar, 52 Ledge Road, Map 3-6-12 the undersigned hereby requests a variance to the terms of Section 6 and asks that said terms be waived to permit: A two-family dwelling with less than 30,000 sf in Zone # 1 rural.

At one point the lot was 1.5 acres and was subdivided back in 2020. It's not contrary because this property has been listed as a 2-family for years. Assessor records show it as an existing two family, surrounding property values would not be diminished. This property is under contract to be sold and will not be granted financing from the buyer unless the town approves this variance.

Anyone here to speak in favor of the project, anyone her to speak against:

Wayne Nickerson 56 Ledge Road, my concern is the parking. They have an easement for their driveway, and they don't want the new home owners blocking there driveway.

The driveway was blocked once while they were showing the property. He was worried about people parking in the easement so they won't have access to their driveway. It's been access as a two family she has been taking taxes as a two family.

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 determined the following findings:

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

Assessed as a two family for years will not change current configuration.

J. Brown	D. Davidson	P. Howshan	F. Azouri
YES	YES	YES	YES

2. The spirit of the ordinance is observed.

No change to current condition.

J. Brown	D. Davidson	P. Howshan	F. Azouri
YES	YES	YES	YES

3. By granting the variance substantial justice is done.

The property has been recognized as a two family for several years.

J. Brown	D. Davidson	P. Howshan	F. Azouri
YES	YES	YES	YES

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

No change to current condition.

J. Brown	D. Davidson	P. Howshan	F. Azouri
YES	YES	YES	YES

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

Currently under contract sale pending.

J. Brown	D. Davidson	P. Howshan	F. Azouri
YES	YES	YES	YES

Move to accept the variance as written and make sure the easement is cleared. They have a 20 ft easement. Putting up a boundary marker or fence, easement always maintained by the future owner.

Motion: David Davidson

Second: P. Howshan


Unanimous

Meeting adjourned 7:58

Motion: J. Brown

Second: P. Howshan.

Unanimous



Jeffrey Brown, Chair ZBA

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

You are hereby notified that the request of Brenda Lind and Franklin Goss, 227 and 231 South Main Street, Map 16-8 and 16-9, 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 January 22, 2025

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 # 2024-020, Brenda Lind and Franklin Goss Map 16-8 & 16-9 the undersigned hereby request an variance to the terms of: Section 7 and sub section foot notes and asks that said terms be waived to permit: Two detached units on a lot less than 45,000 in Zone 2R

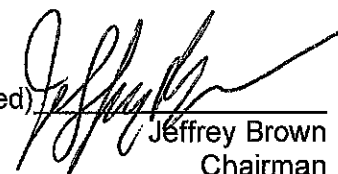
Move to grant variance as written.

Motion: Dave Davidson

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: 2 26 25

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

You are hereby notified that the request of Maria Cesar, 52 Ledge Road, Map 3-6-12, 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 January 22, 2025

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 # 2025-001, Maria Cesar, 52 Ledge Road Map 3-6-12 the undersigned hereby request an variance to the terms of: Section 6 and asks that said terms be waived to permit: A two family dwelling with less than 30,000 sf in Zone 1 Rural


Move to grant variance as written.

Motion: Dave Davidson

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: 2 26 25

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