

Town of Seabrook  
Board of Adjustment  
August 27, 2025

Members Present: Chris LeClaire, Dennis Howes, Fidea Azouri, Karen Prescott, Bob Larcohelle Lacey Fowler and Secretary Judie Walker.

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

Administrative Business:

June 25, 2025, minutes

Motion: Karen Prescott

Second: Dennis Howes

Unanimous

New Business

Case 2025-007 Daniel Goguen, 85 Ledge Road Unit 3, Map 5-8-705, the undersigned hereby request a variance to the terms of: Section 6 and asks that said terms be waived to permit: a variance for retail business in an industrial zone in Zone #3 Industrial.

Daniel Goguen business is buying mattress by appointment, he gets mattresses by truck load and sells them on social media, Facebook Market, and Craigslist. There will not be a lot of traffic. Box Drop Seabrook is the name of the business. There is a sprinkler system in the office. Lacey explains that when Daniel filled out his business license Lacey noticed that his business is a retail business which is not allowed in industrial zone, you will need a variance. So that is why Daniel is here.

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

Ralph Dunphee, Waterline Industries you would never know that he has a retail business with no traffic.

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

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

Karen Prescott	Fidae Azouri	Dennis Howes	Chris LeClaire	Bob Larochelle
No	Yes	Yes	Yes	Yes

2. The spirit of the ordinance is observed

Karen Prescott	Fidae Azouri	Dennis Howes	Chris LeClaire	Bob Larochelle
No	Yes	Yes	Yes	Yes

3. By granting the variance substantial justice is done.

Karen Prescott	Fidea Azouri	Dennis Howes	Chris LeClaire	Bob Laroche	lelle
No	Yes	Yes	Yes	Yes	

4. By granting this variance substantial justice will be done.

Karen Prescott	Fidea Azouri	Dennis Howes	Chris LeClaire	Bob Laroche	lelle
Yes	Yes	Yes	Yes	Yes	

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

Karen Prescott	Fidea Azouri	Dennis Howes	Chris LeClaire	Bob Laroche	lelle
NO	Yes	Yes	Yes	Yes	

Move to accept the variance as written for Box Drop Seabrook

Motion: Fidea Azouri

Second: Bob Laroche

Unanimous

### **New Business**

Case 2025-008 Barrington Solar, 7 London Lane Map 5-8-10, the undersigned hereby request a variance to the terms of: Section 7 subsection foot note 10 and asks that said terms be waived to permit: a variance for 13' setback where 50' required Zone #3 Industrial.

Andrew Pieroni of Barrington Solar the owner ship and goal is to reach net zero for energy use. They did not want solar panels on the roof. Looking for wetland set back relief and then going to DES for approval. They looked at all the property to see which would be best for solar panels. What would the impact 1.53 cubic feet to the pond. Literally no impact at all. The requested variance for reduced setbacks along London Lane is not contrary to the public interest as the proposed structures are not buildings but in fact free standing solar arrays which do not present the same street presence as a traditional building structure. Further the proposed arrays are intended to offset power demand for the existing Waterline Industries use and the power generated and not used by Waterline will benefit the grid; therefore benefiting the public at large. There will be 176 panels and the height of the panels is 12 feet.

Andrew explains that the spirit of the ordinance is observed as there is some setback (13') the area is designed for industrial (i.e. non-pedestrian oriented) land uses and as the London Lane sidewalk is +/-21' from the nearest proposed structure and London Lane travel lane itself is +/- 29' from the nearest proposed structure. Again, the prescriptive setback of the ordinance is to keep building structures at a 50' setback, where the proposed arrays here are more akin to the street side parking as developed at 7, 8, 20, and 28 London Lane; each with parking closer than 50' to their right-of-way frontage.

Substantial justice is observed as there is little (0.3 AC) of the subject parcel that is outside the prescriptive 50' setback as well as the wetland setback. Note, more than 3 AC of this +/- 4.6 AC parcel of wetland. The combination of wetland and setback significantly impede the parcel from use as contemplated by the prescriptive zoning setbacks. This project proposes to comply with

the wetland setbacks in furtherance of zoning regulation and Master Plan while requesting relief to setbacks for accessory free-standing structures along an industrial traffic-centric thoroughfare.

The surrounding properties will not be impacted by the reduced setback nature of the proposed solar array as the visual impact of solar panels upon surrounding properties, unlike traditional buildings, remains effectively unchanged from that of the existing open yard area.

Strict enforcement of the front yard setback requirement would prevent the installation of solar panels in the only viable location on the property. Due to the orientation of the lot and existing structures or vegetation, the required, currently utilized storm water storage is the only area that receives sufficient sunlight for effective solar energy generation and is the only portion of the parcel that doesn't require alteration or development for installation of solar panels. Denying the variance would impose an unnecessary hardship by effectively prohibiting the property owner from utilizing renewable energy options available to others in the community.

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

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

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

Karen Prescott	Fidea Azouri	Dennis Howes	Chris LeClaire	Bob Laroche
Yes	Yes	Yes	Yes	No

2. The spirit of the ordinance is observed

Karen Prescott	Fidea Azouri	Dennis Howes	Chris LeClaire	Bob Laroche
Yes	Yes	Yes	Yes	No

3. By granting the variance substantial justice is done.

Karen Prescott	Fidea Azouri	Dennis Howes	Chris LeClaire	Bob Laroche
Yes	Yes	No	Yes	No

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

Karen Prescott	Fidea Azouri	Dennis Howes	Chris LeClaire	Bob Laroche
Yes	No	No	Yes	No

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

Karen Prescott	Fidea Azouri	Dennis Howes	Chris LeClaire	Bob Laroche
Yes	Yes	No	Yes	No

Move to accept the variance as written for solar panels

Motion: Karen Prescott

Second: Fidea Azouri

Unanimous

Meeting adjourned 7:45 pm

Motion: Fidea Azouri

Second: Bob Larochele

Unanimous

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Chris LeClaire, Chairman