

**TOWN OF SEABROOK
BOARD OF ADJUSTMENT
MINUTES OF JANUARY 23, 2013**

Members Present: Robin Fales, Teresa Thurlow, Mike Lowry, and H. Therriault

Others Present: Paul Garand, Building Inspector and Jo-Anne Page, Secretary

Henry Therriault opened the meeting at 7PM and explained the procedure of the meeting to all in attendance.

OLD BUSINESS:

Minutes of November 28, 2012 Meeting

Motion: M. Lowry Accept minutes as presented
Second: H. Therriault
Yes: Unanimous

Minutes of November 28, 2012 meeting accepted as presented.

Case #2012-12 Stargazer R.E. Development, LLC, Paul Lepere, Manager, 27 Irene's Way, Map 2, Lot 36, Sequence 6 for Variance to Section 14, Subsection 14.400 for Waiver from 25 Feet to 10 Feet as approved in 2003 (CONTINUED FROM NOVEMBER 28, 2012)

P. Lepere appeared on behalf of this application. He stated that this is the last lot in this subdivision. He advised that he had hired Millennium Engineering to survey and locate where the house would be placed. He said that the one area that is a concern here would be the southern front end which had had 21' 4" where 25' was required.

T. Rowe asked if he was looking at the 25' setback rather than 10' as requested. She then asked if he was asking for a 3 ½ foot variance.

P. Lepere stated that was correct. He said that originally he did not know exactly where the house would be placed. He stated that he had shrunk the house and angled it differently.

R. Fales asked him if he was happy with this.

P. Lepere stated he was.

H. Therriault asked the board members if they had all the information that they needed. Board members stated that they did.

H. Therriault stated that if there were no more questions or comments, it was time to vote on the application.

	T. Thurlow	R. Fales	H. Therriault	M. Lowry
1	Yes	Yes	Yes	Yes
2	Yes	Yes	Yes	Yes
3	Yes	Yes	Yes	Yes
4	Yes	Yes	Yes	Yes
5	Yes	Yes	Yes	Yes

Motion: H. Therriault Grant request for Variance at 27 Irene's Way to allow house to be
 Second: M. Lowry 21'4" from wetlands where 25' is required. This is giving relief of
 Yes: Unanimous 3 1/2' from wetland requirements.

Case #2012-012 Request for Variance at 27 Irene's Way is granted.

NEW BUSINESS:

Case #2012-003 Smart Fuel America, LLC, 15 Batchelder Road, Map 15, Lot 14, Sequence 3 for Variance to Section 15, Subsection 15.300 & 15.301 to Permit The Storage and Use of Hazardous Materials in Zone 3 and Aquifer Protection Zone (REHEARING)

H. Therriault stated that he had received a letter from Town Counsel from counsel for this application requesting that this application be continued to the February 2013 meeting.

Motion: H. Therriault Continue this matter to February 27, 2013 at the request of
 Second: M. Lowry the applicant
 Yes: Unanimous

Case #2012-003 is continued to February 27, 2013 at the request of the applicant.

Case #2013-001 11 New Zealand Road, LLC by Attorney Chris Aslin, 663 Lafayette Road, Map 7, Lot 87 for Appeal From Administrative Decision by Planning Board on October 16, 2012 to Waive Zoning for Section 6 & 14, Sub-section 14.200

H. Therriault stated that he had received a letter from Attorney Aslin on behalf of the applicant to continue this case to the February 2013 meeting. Attorney Aslin's letter stated he needed to modify the application and the case would need to be noticed again.

Motion: H. Therriault Continue this matter to February 27, 2013 at the request of the
 Second: T. Rowe applicant. Applicant will pay for costs incurred for renotification
 Yes: Unanimous

Case #2013-001 is continued to February 27, 2013 at the request of the applicant.

Case #2013-002 Arc Source/Nichols Realty, LLC, 36 London Lane, Map 5, Lot 8, Sequence 30 for Variance to Section 6, Table 1 to Permit Mixed Use To Allow Small Amount of Retail Sales To Take Place in Zone 3

H. Therriault read an email from Attorney Mary Ganz, representative for the applicant, to continue this matter to February 2013. She stated that she would have more information in support of this application at that time.

Motion: R. Fales Continue this matter to February 27, 2013 at the request of the
Second: H. Therriault applicant
Yes: Unanimous

Case #2013-002 is continued to February 27, 2013 at the request of the applicant.

OTHER BUSINESS:

H. Therriault read a letter from John Kelley, Jean Drive, requesting to be an alternate member on the Zoning Board of Adjustment.

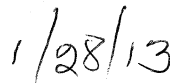
It was decided that the board will send a memo to the Board of Selectmen asking them to appoint J. Kelley to the ZBA.

Motion: T. Rowe Adjourn meeting.
Second: H. Therriault
Yes: Unanimous

Meeting adjourned at 7:25 PM.



Henry Therriault, Chairman



Date