

**TOWN OF SEABROOK
BOARD OF ADJUSTMENT
November 28, 2007**

Members Present: Mike Lowry, Teresa Rowe, Dr. Robert Lebold, Henry Therriault and Robin Fales

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

H. Therriault called the meeting to order at 7PM and a roll call of the members was taken.

H. Therriault explained the procedure of the meeting to all present.

OLD BUSINESS:

Minutes of September 26, 2007 Meeting

Motion: Dr. Lebold Accept minutes of September 26, 2007 meeting as presented
Second: M. Lowry
Yes: Unanimous

Minutes of September 26, 2007 Meeting accepted as presented

NEW BUSINESS:

Case #2007-26 Wayne & Eydie Mizzi and Neva Fundarek, 39 Dearborn Avenue, Map 7, Lot 32 for Special Exception to Article VII, Paragraph B to allow Family Apartment in Zone 2R

Eydie Mizzi appeared on behalf of this application. She stated that this was for a family apartment for her elderly mother who is having trouble getting around.

P. Garand stated that this request meets all requirements and is in a new house.

H. Therriault explained that this cannot be rented out and has to be occupied by someone related by blood or marriage.

E. Mizzi stated that she understood this.

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

	M. Lowry	T. Rowe	H. Therriault	Dr. Lebold	R. Fales
A	Yes	Yes	Yes	Yes	Yes
B	Yes	Yes	Yes	Yes	Yes
C	Yes	Yes	Yes	Yes	Yes
D	Yes	Yes	Yes	Yes	Yes

Motion: Dr. Lebold Grant Special Exception for family apartment with the following conditions: a) All persons to be related by blood or marriage; b) the apartment is situated in a detached, single-family home or accessory building; c) The building is owner occupied; d) The building continues to be served by a common utility system; e)

The family apartment is designed so that the appearance of the building remains essentially that of a single-family residence; and

f) Family apartments shall not be allowed in manufactured housing, be converted to condominiums, exceed 750 square feet of living area, and exceed 50% of the accessory building's floor area in accordance with zoning regulations as of today's date.

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Request for Special Exception for Family Apartment at 39 Dearborn Avenue is granted.

Case #2007-27 Scott Peel & Gloria Peel, 25 Collins Street, Map 10, Lot 66, Sequence 1 for Special Exception to Article V, Table 1 to allow Mixed Use in Zone 2

Scott Peel appeared on behalf of this application. He stated this request was to be able to buy and sell vehicles. He said that he would display one vehicle in the front yard and store the rest in the garage.

P. Garand stated that this proposal had been discussed with the Planning Board. It was determined that there would only be one sign out front per State of NH regulations for this type of business. He also pointed out that there would be no mechanical work done on this property.

H. Therriault pointed out that the tax card from the town shows a 30' X 50' unfinished garage. He also questioned signage.

P. Garand stated that the garage is now finished. The tax card shows what was done as of April 1, 2007. He said that there would be one sign for the business out front due to State of NH regulations. He said the issues were discussed with the Planning Board and everything was conditionally approved.

H. Therriault asked how the sales would be done. He also pointed out that if this location ever came into violation the license from the State of NH could be revoked.

S. Peel stated that it would be mostly internet sales and he understood what he needed to do to keep his state license.

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

	M. Lowry	T. Rowe	H. Therriault	Dr. Lebold	R. Fales
A	Yes	Yes	Yes	Yes	Yes
B	Yes	Yes	Yes	Yes	Yes
C	Yes	Yes	Yes	Yes	Yes
D	Yes	Yes	Yes	Yes	Yes

Motion:	Dr. Lebold	Grant request for Special Exception for mixed use for auto sales
Second:	M. Lowry	with the following conditions: 1) No repairs to be done on the
Yes:	Unanimous	premises; 2) Only one car visible in front of property; and 3) All
		Other conditions placed on property by Planning Board be

followed

Request for Special Exception at 25 Collins Street is granted.

Case #2007-28 Gordon Locke, 72 Ledge Road, Map 3, Lot 29, for Equitable Waiver of Dimensional Requirements, Article VI, Table 2 to Permit New Lot With Less Than Required 125 foot frontage

Gordon Locke appeared on behalf of this request.

H. Therriault stated that this request should be a variance for area use under Boccia standards.

G. Locke stated he wished to do a lot line adjustment due to the fact that he had a one-acre parcel and a four-acre parcel. He stated that he was building on the front parcel and this was to create 70 Ledge Road and still allow access to the property he owned behind the houses. He stated that he had already been to the Planning Board on this and now needed permission to create a 50-foot wide opening for accessing the rear property. He stated that he has already given the Town of Seabrook an easement for the pump station.

P. Garand stated that the lots had been reconfigured because of the sewer pump station on the property.

Dr. Lebold asked if he had plans for the back lot already.

G. Locke said that this request was for 50 feet of road frontage for access to the back lot. He said currently there are no plans for this property.

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H. Therriault stated that this request would help reserved the right to develop the property in the future.
P. Garand stated that this would also put the sewer pump station on it's own lot.

G. Locke stated that there could be 8 to 10 lots on the back property but nothing was in the works at this time.

P. Garand stated that there is justification for this request and a stipulation of a road being in place before future development could be placed on any decision.

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

	M. Lowry	T. Rowe	H. Therriault	Dr. Lebold	R. Fales
1	Yes	Yes	Yes	Yes	Yes
2 A/B/C	Yes	Yes	Yes	Yes	Yes
3	Yes	Yes	Yes	Yes	Yes
4	Yes	Yes	Yes	Yes	Yes
5	Yes	Yes	Yes	Yes	Yes

Motion: Dr. Lebold Grant request for reduced 50 foot frontage on the new lot to be
 Second: H. Therriault used as a roadway and any building permit on the lot be issued
 Yes: Unanimous only after Planning Board approval of the plan and legal
 completion Of the road.

Request for Variance to allow reduced frontage at 72 Ledge Road is granted.

There was discussion about a meeting in December. It was decided that there would be a meeting on December 26, 2007 if applications were received.

It should be noted that two members would be unavailable to attend meetings in January, February and March of 2008. There will be three members available for meetings during that time.

Motion: Dr. Lebold Adjourn
 Second: M. Lowry
 Yes: Unanimous

Meeting adjourned at 8:10PM

 Henry Therriault
 Board of Adjustment Chairman

DATED: _____