

**TOWN OF SEABROOK
BOARD OF ADJUSTMENT
MINUTES OF MARCH 26, 2014**

Members Present: Teresa Rowe-Thurlow, Henry Therriault and John Kelley

Others Present: Paul Garand, Code Enforcement Officer and Jo-Anne Page, Secretary

H. Therriault opened the meeting at 7PM. He explained the procedure for the meeting. He stated the meeting had been posted at the Seabrook Town Hall and Seabrook Post Office and in the Newburyport Daily News. He further explained that this meeting is being recorded and available on DVD at the Town Hall.

H. Therriault also stated that there were three board members present at the meeting and that in order for an application to pass it would need all three votes in the affirmative. He advised that each applicant could continue their case to the next meeting when a full board would be present.

OLD BUSINESS:

Minutes of February 26, 2014 Meeting

Motion: T. Thurlow Accept minutes as presented
Second: J. Kelley
Yes: T. Thurlow and J. Kelley
Abstain: H. Therriault

Minutes of February 26, 2014 meeting accepted as presented.

NEW BUSINESS:

Case #2014-005 Mark Eaton, 60 Washington Street, Map 14, Lot 15 for Special Exception to Section 8, Sub-section 8.200 to Allow Family Apartment in Zone 2R

Mark and Robin appeared on behalf of this application. M. Eaton stated that he wished to go forward with the application at this meeting. He stated that he had been a resident of Seabrook for 27 years. He said that their daughter was graduating from college and they would like to put a small apartment upstairs in their house to help her out. He stated that they wanted to add a sink and stove upstairs for her. There would be common utilities and all the work would be inside. There would be no changes outside.

Henry Boyd stated that he was in favor of this application and he thought it was a great thing.

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

	T. Thurlow	H. Therriault	J. Kelley
A	Yes	Yes	Yes
B	Yes	Yes	Yes
C	Yes	Yes	Yes
D	Yes	Yes	Yes

Motion: J. Kelley Grant Special Exception for family apartment in accordance with current
Second: T. Thurlow regulations are abided by.
Yes: Unanimous

Request for Special Exception for Family Apartment at 60 Washington Street is granted.

Case #2014-006 Thomas R Coelho, 11 & 13 Moores Lane, Map 9, Lot 41, Sequence 7 & 8 for Variance to Section 15, Subsection 15.400 to Permit 10 Foot Minimum Setback to Wetlands in Zone 2R

Thomas Coelho appeared on behalf of this application. He stated that he wanted to go forward with this application tonight. He said that the request was to allow him a setback of 10 feet where 25 feet was allowed.

P. Garand when the original subdivision was approved the setbacks approved as 10 feet. He pointed out that a 25 foot setback would make some lots unbuildable. He also pointed out that there is a sewer easement on this area too.

Henry Boyd, Millennium Engineering, he had surveyed this for the property owner. He said when the lots were created the met all requirements. He said that the 25 foot setback creates a hardship. He supports the request to enjoy the lots as originally created.

Karen Simus, 91Walton Road, asked when the setback requirement changed from 10 feet to 25 feet. P. Garand said it was approximately three years ago and the subdivision had been approved about five years ago.

H. Therriault asked what type of buildings would be there.

T. Coelho said there were no plans at this point. They might sell or develop the lots.

H. Therriault asked what the hardship was.

D. Coelho stated that they could not sell or build with these setbacks.

P. Garand said that houses would not fit on the lots with these setbacks.

Realtor, Paul (unknown last name), stated that the economy, lot sizes and setbacks made the property hard to sell.

T. Coelho stated that he had purchased the property in 2012.

P. Garand stated that the new regulations were adopted at about that same time.

H. Therriault stated that history does not like to give a blank check on requests.

P. Garand stated that the lots were approved with 10 foot setbacks and 25 foot setbacks would cause problems. These setbacks would cause a really small building envelope. He said there was 62,000 square feet here and it would have two houses on it.

H. Therriault asked if they would agree to a single family home on the lots.

T. Coelho said that would be a hardship and that they don't want to put in a duplex.

H. Therriault suggested one building on each lot.

T. Coelho stated that they would like two on one lot

T. Thurlow asked if there was 100 feet of frontage there.

P. Garand said that they cannot subdivide the property further. He said the lot is conforming in every aspect except the 25 foot setback. This subdivision was originally granted with a 10 foot setback and a sewer easement on the property. He said that the large lot could have two buildings and one on the small lot.

T. Coelho said that a duplex would not be good for the area because they are all single homes there. He said he did not know about the setbacks when he purchased the property.

H. Therriault said he still did not see the hardship

T. Coelho said that he has been paying taxes on these lots.

Motion: H. Therriault Deny request for Variance as there is no hardship
Second: J. Kelley
Yes: H. Therriault and J. Kelley
No: T. Thurlow

Request for Variance at 11 & 13 Moores Lane is denied.

Case #2014-007 GRA Real Estate Holdings LLC, 27 & 39 Stard Road Map 4, Lots 9 & 11 for Variance to Section 16, Subsection 307 to Permit Automotive Repair & Refueling in Zone 2

Henry Boyd, Millennium Engineering, stated that they wished to continue this case to the April meeting for a full board. He also stated that they requested to withdraw the refueling portion of the application.

H. Therriault asked about moving forward.

H. Boyd stated that wanted to continue the request for the repair and withdraw the refueling without prejudice.

Jim Poirier, 10 Pineo Farms, asked about continuing the application and doing service, auto and retail at this location.

H. Therriault said that it would be repair only.

Motion: T. Thurlow Grant request to continue this case until the April 23, 2014 meeting
Second: H. Therriault and withdraw the refueling portion without prejudice
Yes: Unanimous

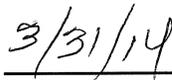
Request for Variance at 27 & 39 Stard Road is continued to April 23, 2014 meeting at the request of the applicant.

Motion: H. Therriault Adjourn
Second: T Thurlow
Yes: Unanimous

Meeting adjourned at 7:35 PM.



Henry Therriault, Chairman



Date