

**TOWN OF SEABROOK  
BOARD OF ADJUSTMENT  
NOVEMBER 24, 2009**

Members Present: Robin Fales, Henry Therriault, Lucille Moulton and Mike Lowry\

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

H. Therriault opened the meeting at 7:10PM. He explained the procedure of the meeting to all in attendance. He explained that there were only four board members in attendance and it was the applicant's choice to go forward or continue to the next meeting.

**OLD BUSINESS:**

**Minutes of October 27, 2009 Meeting**

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

Minutes October 27, 2009 meeting accepted as presented.

**NEW BUSINESS:**

**Case #2009-26 Hanna Realty Trust, 93 Railroad Avenue, Map 8, Lot 66 for Variance to Article VI, Table 2, Paragraph 3 to Permit Two Lots With Reduced Road Frontage And One Of Them Having Reduced Width in Zone 2R**

Henry Boyd, Millennium Engineering, appeared on behalf of this application. He said that Hanna International had purchased this property several years ago and that there have been two dwellings on this lot for around 20 years. He advised that the intent is to put each dwelling on its own lot. He pointed out that each lot is large enough for a single residence.

P. Garand questioned the driveway that was approved through this lot with the Planning Board.

H. Boyd stated that the driveway was only for emergency access in the case of Homeland Security issues. He said that the emergency access is the original driveway off from Railroad Avenue and it is locked now. He said it would only be used in the case of an emergency.

P. Garand said that the Planning Board approval showed the mobile home being removed. He questioned access for Hanna Foods in the case Provident Way was shut down for an emergency. He said that the Planning Board approval encumbers this lot.

H. Boyd stated that the driveway through there was abandoned and there is no approved access through this lot for Hanna. He said the original driveway would be used. He stated that the driveway had been abandoned.

L. Moulton questioned access to Provident Way from Dow's Lane.

P. Garand stated that this was not even near 93 Railroad Avenue.

H. Boyd stated that he did not believe the case was still before the Planning Board. He said the mobile home was to be relocated and the approved driveway eliminated.

P. Garand stated that there was extension given to remove the mobile home.

H. Therriault stated he did not see the hardship under Boccia standards. He asked where the brook and railroad tracks were as in the 71 Walton Road case.

H. Boyd stated in order for the people living in the two dwellings, the homes needed to be on their own lots. He stated that this request is identical with the 71 Walton Road case from a couple of months ago. He said that the sharing of the driveway was identical.

P. Garand stated the Walton Road case had 30 feet more of road frontage.

H. Boyd stated that the reason for road frontage criteria was to avoid overcrowding on the properties in town. He said this request could be limited to one dwelling on each lot. He stated that there are two dwellings on one acre, which is almost three times what is required. He said this is a very narrow property.

L. Moulton stated that the driveway should be part of the frontage.

H. Boyd stated that both houses currently use the driveway.

**TOWN OF SEABROOK  
BOARD OF ADJUSTMENT  
NOVEMBER 24, 2009**

H. Therriault read a letter from an abutter in opposition to the proposal. (See attached)

Deb McKinney, 103 Railroad Avenue, had the following questions/statements:

Hanna intended to sell the property it was currently renting out  
Why are the trees being cut down

H. Boyd stated:

Yes they did  
Unaware that trees were being cut on the property

P. Garand stated that property owners are not required to contact anyone unless large quantities of trees are being cut.

H. Therriault stated that unfortunately the board did not have an answer for the tree cutting questions.

H. Boyd stated that there will still only be one driveway. He also stated that in response to the letter from the abutter, Hanna Foods has been working on the problems in the neighborhood but this has nothing to do with the property in question tonight.

Motion: H. Therriault Continue this case to January 2010 so that all Planning Board issues can be looked at  
Second: M. Lowry  
Yes: Unanimous

Case #2009-26 Hanna Realty Trust, 93 Railroad Avenue is continued to January 2010 ZBA meeting.

**Gift Certificates**

Motion: H. Therriault Donate money used from budget to purchase gift certificates for the board members  
Second: R. Fales to the Community Table in Seabrook, which helps, provide meals to area residents  
Yes: Unanimous

Instead of gift certificates of appreciate for the ZBA volunteer members, the money will be donated to the Community Table.

Motion: M. Lowry Adjourn  
Second: H. Therriault  
Yes: Unanimous

Meeting adjourned at 7:45PM.

\_\_\_\_\_  
Henry Therriault, Chairman  
Board of Adjustment

DATED: \_\_\_\_\_