

**TOWN OF SEABROOK  
BOARD OF ADJUSTMENT  
MINUTES OF SEPTEMBER 22, 2010 MEETING**

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

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

H. Therriault opened the meeting at 7:05 PM and explained the procedure to all in attendance. He stated that there were only four members present and that the applicant would need to receive three affirmative votes to have the application granted. He said that the applicant could continue the case to the October 2010 meeting if they wished.

**OLD BUSINESS:**

Minutes of August 25, 2010 Meeting

Motion: Dr. Lebold Accept minutes of July 28, 2010 meeting with the following  
Second: T. Rowe corrections:

FROM AUGUST 25, 2010 MINUTES:

Case 2010-12 "*W. Morrill stated that the original plan allowed building within 25 feet of the wetlands and the request is to go within 10 feet of the wetlands are originally approved in 2004 He also pointed out that water and sewer are already on this lit"*  
Change 'lit' to 'lot'

Case 2010-17 "*Grant Special Exception for family apartment above the law complying with Family Apartment Requirements existing at present in the Town of Seabrook" Change 'law' to 'garage'*

Yes: Unanimous

Minutes of August 25, 2010 meeting accepted with changes.

**NEW BUSINESS:**

**Case #2010-18 Demoulas Supermarkets, Inc., 380 Lafayette Road, Map 9, Lot 1, 458 Lafayette Road, Map 8, Lot 111 and 15 Boynton Lane, Map 9, Lot 2 for Variance to Article XIV, Paragraph C & E to Permit Filling of 7,750 Square Feet of Jurisdictional Wetland in Zone 2**

H. Therriault stated that the only issued before the Zoning Board of Adjustment tonight on this application was wetlands. He also stated that a law passed on September 18th that merging of lots that would be done at the next stage with the Planning Board.

Jim Lamp appeared on behalf of this application. He stated that wetland was the only issue on this application. He said that the plan on these properties at South Gate Plaza was to combine the three lots and possibly move tenants around.

H. Therriault asked where the wetlands were on the property. He asked about the hardship for the variance.

J. Lamp stated that this project will benefit the public.

T. Rowe stated that Plan #2 submitted with the application makes some references to mobile homes.

J. Lamp stated the plan is marked for the surveyor to mark the boundary lines.

Curtis Young, Wetlands Preservation, Inc. stated that the wetland delineation was on the left side in the woods. He stated that this was an old excavated area. He also pointed out that it does not hold any water. He said that they wanted to fill in approximately half of this area and it was low value wetlands. The total area impacted would be approximately 7,700 square feet. He said that storm water management and water flow would be taken care of during development and the septic will be removed.

H. Therriault stated that the Conservation Commission had submitted a letter in support. He also stated that if the variance was granted they would need a DES permit. (Conservation Commission Letter attached)

C. Young state that they were working on the DES permit. He also said that they were working on the water quality and quantity discharge.

Clyde Brown, 46 Railroad Avenue, asked about the septic issues and the trees on the property.

C. Young that the septic would be removed and water would be dealt with under Best Management Practices for treatment. He said the trees would be looked in to and there would still be a buffer there.

H. Therriault reminded the audience that questions or comments were to be directed to the board members. He also stated that the only issue tonight was the wetland area and that all other issues would be addressed at the Planning Board stage.

Glenn Kelly, 17 Boynton Lane, asked if there would be any changes to the lot on Boynton Lane.

H. Therriault said that was a question for the Planning Board stage of this property.

Gary Addison, 18 Boynton Lane, asked if the septic tanks would be taken down.

C. Young said they would be taken down.

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

	T. Rowe	R. Fales	H. Therriault	Dr. Lebold
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: Dr. Lebold Grant request for variance to permit filling of 7,750 square feet of  
Second: R. Fales jurisdictional wetlands in zone 2 using the reference of the letter  
Yes: Unanimous from the Conservation Commission dated 9/22/2010

Request for variance at 380 Lafayette Road, Map 9, Lot 1, 458 Lafayette Road, Map 8, Lot 111 and 15 Boynton Lane, Map 9, Lot 2 is granted.

Motion: Dr. Lebold Adjourn  
Second: T. Rowe  
Yes: Unanimous

Meeting adjourned at 7:30 PM

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Henry Therriault, Chairman

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Date