

**TOWN OF ALTON
ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING MINUTES
Thursday, February 4, 2021, 6:00 P.M.
Alton Town Hall**

UNTIL FURTHER NOTICE: *To keep the public, our members, and our staff safe, and to comply with RSA 91-A, the CoVID-19 State of Emergency, and the Governor's Orders on restrictions on public gatherings, the Town of Alton has moved from "in-person" meetings to "remote audio participation meetings", therefore, providing each meeting to the public via a live audio conference. Please refer to "News and Announcements" on the Town's website, www.alton.nh.gov, to either locate the Call-in telephone number, Webinar ID, and Password to listen in via audio only, or to locate the link to connect via Zoom and register for a live video stream of the meeting in progress. You may also contact the office at plansec@alton.nh.gov, or by telephone at (603) 875-2162 between 8:00 A.M. to 4:30 P.M., Monday - Friday, for the Call-in number and Zoom link for each meeting. **We strongly encourage everyone attend our meetings remotely. Should you have a need to attend in person, we will make a remote location available upon a reservation request by you to this office NO LATER THAN TWO (2) BUSINESS DAYS in advance of the meeting date.***

Members Present

Frank Rich, Chairman – excused absence
Thomas Lee, Vice Chair – excused absence
Paul Monzione, member
Paul LaRochelle, Selectman's Representative/clerk
Tim Morgan, member – by telephone
Mike Hepworth, alternate member

Others Present

John Dever, III, Code Enforcement Officer
Charles Burt, representative for applicants – via Zoom

CALL TO ORDER

Paul LaRochelle called the meeting to order at 6:24pm. (See Attachment 1)

INTRODUCTION OF BOARD MEMBERS

Roll Call was taken for the Board members and individuals present at Town Hall and via Zoom.

APPOINTMENT OF ALTERNATES

Mr. Monzione made a motion to appoint Mike Hepworth as a member of the Zoning Board of Adjustment for this evening's meeting. Mr. Morgan seconded the motion. Roll Call Vote: Mr. Monzione – aye; Mr. LaRochelle – aye; Motion passed, 3-0-0.

STATEMENT OF THE APPEAL PROCESS

The purpose of this hearing is to allow anyone concerned with an Appeal to the Zoning Board of Adjustment to present evidence for or against the Appeal. This evidence may be in the form of an opinion rather than an established fact, however, it should support the grounds, which the Board must consider when making a determination. The purpose of the hearing is not to gauge the sentiment of the public or to hear personal reasons why individuals are for or against an appeal, but all facts and opinions based on reasonable assumptions will be considered. In the case of an appeal for a Variance, the Board must determine facts bearing upon the five criteria as set forth in the State's Statutes. For a Special Exception, the Board must ascertain whether each of the standards set forth in the Zoning Ordinance have been or will be met.

APPROVAL OF AGENDA

The Board reviewed the Agenda. Mr. Dever added an item for discussion at the end of the meeting.

Mr. Monziona made a motion to approve the Agenda as amended. Mr. Morgan seconded the motion. Roll Call Vote: Mr. Monziona – aye; Mr. LaRochelle – aye; Mr. Morgan – aye; Mr. Hepworth- aye. Motion passed, 4-0-0.

NEW APPLICATIONS

Case #Z21-04 Charles Burt, Agent for Lowell & Dorla Hall, Owners	3 Verna Lane Alton Bay Campmeeting Association (ABCA) Map 34 Lot 33-91	Special Exception Residential (R) Zone
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A **Special Exception** is requested from **Article 320, Section D.** of the Zoning Ordinance to permit the addition of a sunroom, bathroom and storage room of a non-conforming existing cottage.

Mr. LaRochelle read the case into the record. The Board reviewed the application for completeness.

Mr. Monziona made a motion to accept the application for Case #Z21-04 as complete. Mr. Morgan seconded the motion. Roll Call Vote: Mr. Monziona – aye; Mr. LaRochelle – aye; Mr. Morgan – aye; Mr. Hepworth- aye. Motion passed, 4-0-0.

Charles Burt, agent for Lowell & Dorla Hall, owners, stated portions of the cottage was lost in a fire in 2009; they are looking to add the space back which was similar to what was lost. He stated he is their son-in-law and was asked to handle this application on their behalf. Mr. Burt stated the applicants are in their 80s and use of stairs is difficult at this point; the added space would help them utilize their cottage better. He stated the sunroom will give them space and the upstairs bathroom will avoid using stairs during the night.

Mr. Monziona asked if the photographs presented in the application are prior to the fire; Mr. Burt explained the applicants had a cottage near the ballfield which was damaged but they got another one which is the one they want to expand. It was clarified the proposed plans include adding a bathroom; assurances in writing were provided by the Alton Bay Campground Association that there would be adequate water supply and sewer to accommodate the second bathroom in the structure. It was noted the structure is currently 2-bedrooms. Mr. Burt explained they are a small family and it would not have a lot of people using the home at a time. He noted this cottage has a private well and the campground expanded the septic several years ago.

Mr. LaRochelle noted the Conservation Commission has concerns about runoff. Mr. Burt stated the existing roof over the kitchen is where they are building and the runoff should be the same as the roof is already over it and but there may be about 90 square feet of impermeable surface create. The cottage is about 100 yards from the lake. Mr. Burt stated he exchanged emails with the Deputy Fire Chief who explained the NFPA 101 as it relates to smoke detectors/CO detectors and he plans to discuss this with the Building Inspector when they get to that point. It was confirmed the use of this structure is not changing; it is seasonal use and nothing in this construction work will change that. Mr. Burt stated the cottage does have heat already.

Mr. LaRochelle opened the hearing to input from the public in favor of the application. None was indicated.

Mr. LaRochelle opened the hearing to input from the public in opposition of the application. None was indicated.

Mr. LaRochelle closed public input.

Discussion – Case #Z21-04

The Board must find that all the following conditions are met in order to grant the Special Exception:

Mr. Monziona stated that a plat/plan **has** been submitted in accordance with the appropriate criteria in the Zoning Ordinance, Article 520.B. The Board agreed.

Mr. Morgan stated the specific site **is** an appropriate location for the use. He stated the use is not changing; it is a seasonal cottage and will remain a seasonal cottage. The Board agreed.

Mr. LaRochelle stated that actual evidence **is not** found that the property values in the district will be reduced due to incompatible land uses. He stated the proposed changes will be an improvement. The Board agreed.

Mr. Hepworth stated there **is no** valid objection from abutters based on demonstrable fact. No abutters came forward and no letters or communications in opposition were received. The Board agreed.

Mr. Monziona stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking. The Board agreed.

Mr. Morgan stated adequate and appropriate facilities and utilities **will** be provided to insure the proper operation of the proposed use or structure. The Board agreed.

Mr. LaRochelle stated there **is** adequate area for safe and sanitary sewage disposal and water supply. He stated the association has a community sewer system which is adequate for the uses; no added bedrooms are in this proposal. The Board agreed.

Mr. Hepworth stated the proposed use or structure **is** consistent with the spirit of this ordinance and the intent of the Master Plan. The Board agreed.

Mr. Monziona made a motion to grant the request for a Special Exception for Case #Z21-04. Mr. Morgan seconded the motion. Roll Call: Mr. Monziona – aye; Mr. Hepworth -aye; Mr. LaRochelle – aye; Mr. Morgan. Motion passed, 4-0-0.

OTHER BUSINESS

1. Previous Business:
None.
2. New Business:
None.

APPROVAL OF MINUTES

Meeting of January 7, 2020– Edits were made: members of the Board were present at Town Hall, not via Zoom.

Mr. Hepworth made a motion to approve the minutes as presented. Mr. Monziona seconded the motion. Roll Call Vote: Mr. Monziona – aye; Mr. LaRochelle – aye; Mr. Morgan – abstain; Mr. Hepworth- aye. Motion passed, 4-0-1.

3. Correspondence:

Mr. Dever stated a request was received regarding the Spring Haven Campground; years ago a train station building was moved there and at the time, the site plan approval indicated it could not be used as a residence. There are new owners of the property who have been long time residents of the campground and they would like to finish the train station to make it their permanent residence. Mr. Dever stated per the ordinance, campsites are for temporary occupancy and no site should be used as primary residences but it doesn't specifically address a permanent structure within a campground. He stated there are a couple campgrounds in town which have permanent structures with year-round residencies. Mr. Dever stated he has discussed this with Attorney Sessler and it was agreed they would need to go before the Planning Board to have this restriction removed. The Board discussed the information presented.

ADJOURN

**Mr. Monziona made a motion to adjourn. Mr. Hepworth seconded the motion. Roll Call
Vote: Mr. Monziona – aye; Mr. LaRochelle – aye; Mr. Morgan – aye; Mr. Hepworth- aye.
Motion passed, 4-0-0.**

The meeting was adjourned at 7:21pm.

Respectfully Submitted,

Jennifer L. Riel

Jennifer Riel, Recording Secretary

PREAMBLE

As Chair of the Alton Zoning Board of Adjustment, due to the COVID-19/Coronavirus crisis, and in accordance with Governor Sununu's Emergency Order #12, pursuant to Executive Order 2020-04, this Board is authorized to meet electronically, and these reasons shall be reflected in the minutes.

The Town of Alton has moved from "in-person" meetings to "remote audio participation meetings" until further notice, therefore, there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. **We strongly encourage everyone attend our meetings remotely. Should you have a need to attend in person, we will make a remote location available upon a reservation request by you to this office NO LATER THAN TWO (2) BUSINESS DAYS in advance of the meeting date.**

However, in accordance with the Emergency Order, this is to confirm that we are:

a) Providing public access to the meeting by telephone:

Members of the public wishing to attend this meeting electronically may call the conference call number from home. Follow the instructions listed under "News and Announcements" on the town's website: www.alton.nh.gov.

b) Providing additional public access by video or other electronic means:

We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through the link that is listed under "News and Announcements" on the town's website.

c) Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to abutters and the public of how to access the meeting via telephone conference and by using Zoom.

d) Providing a mechanism for the public to alert the public body during the meeting that a member of the public wishes to speak or be recognized during public input at a public hearing:

If you are calling in by conference call, press the "star" sign and then "9" to "raise your hand" to request to speak to the Board. If you are using a computer, use the "raise hand button" to request to speak to the Board. Several members of the public may be conferenced in, and requests to speak will be handled sequentially, one at a time. The Zoom Moderator will allow you to speak when the Board opens public input.

e) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:

If anybody has a problem accessing the meeting, please call (603) 507-1002.

f) Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting remotely, or there are difficulties with the Town's equipment the meeting will be adjourned and rescheduled to Thursday, February 4, 2021, starting at 6:00 P.M. at the Alton Town Hall.

You may call the Planning Department at (603) 875-2162 between 8:00 A.M. and 4:30 P.M. Monday - Friday for more information, and for the Dial-in Code and Meeting ID for each Planning Board meeting.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote. Let's start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is also required under the Right-to-Know law.