

**TOWN OF ALTON
ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING
Thursday, August 4, 2022, at 6:00 P.M.
Alton Town Hall**

MEMBERS PRESENT

Frank Rich, Member/clerk
Paul LaRochelle, Selectman's Representative
Mark Manning, Alternate Member
Tim Morgan, Member
Mike Hepworth, Alternate

Thomas Lee, Chair - excused absence

OTHERS PRESENT

John Dever, III, Code Enforcement Officer
Christopher L. Boldt, Esq., Agent
Sarah & Brett Marcimo, Owners
Michael & Karen Arenburg, Owners
Andrew Kierstead, Owner
Josh Tebo, surveyor
Peter & Jill Miltner, Owners
Cynthia Balcius, Owner

CALL TO ORDER

Mr. Rich called the meeting to order at 6:04PM.

INTRODUCTION OF BOARD MEMBERS

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

APPOINTMENT OF ALTERNATES

Mr. Morgan made a motion to appoint Mr. Manning and Mr. Hepworth as members of this Board for this meeting. Mr. LaRochelle seconded the motion. 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 that 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 suggested going in sequence by continuing from the July meeting which was cancelled, and move Case #Z22-17 and Case #Z22-18 to the end of the agenda.

Mr. Morgan made a motion to approve the agenda as amended. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.

Mr. Rich stated the standard rule of the Board is to go until 10:00PM with each and every application; if by change, a case is not done, the Board won't continue through the remaining cases after 10:00PM and it will be continued to the next meeting.

NEW APPLICATIONS- Continued from the July 7, 2022 Meeting

Case #Z22-08 Sarah & Brett Marcimo, Owners	Map 11 Lot 13-2 229 Alton Mountain Road	Special Exception Residential Rural Zone
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A **Special Exception** is requested to **Article 400, Sections 401 B.3.** of the Zoning Ordinance to permit the establishment of a "Family Group Child Care Home".

Mr. Rich read the public notice into the record. The Board reviewed the application for completeness.

Mr. Morgan made a motion to accept the application for Case #Z22-08 as complete. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.

Ms. Marcimo stated she would like to open a home day care in a residential rural zone.

Mr. Morgan noted there was a note from the Conservation Commission regarding the septic capacity and that the lot is not sized appropriately. Mr. Dever stated the lot is oversized in this zone; the property has a State approved three-bedroom septic system and the applicants will use one bedroom for themselves, second bedroom will be a guest room and the third will be the office for the daycare. He explained the calculated loading is 10 gallons per children which will be accommodated by this system. It was noted the maximum number of children will be 10. Ms. Marcimo stated her hours of operation would be 6:00AM to 6:00PM, at the earliest and latest.

Mr. LaRochelle asked if there will be an outdoor play area. Ms. Marcimo stated there will be a fenced area for playing; there will also be an entrance to the house with off-street parking on the property. She stated it is a State regulation to have fencing installed for outdoor play areas.

Mr. Manning asked if this approval would stay with the property. Mr. Rich confirmed it would.

It was confirmed this application will go before the Planning Board.

Mr. Rich asked if Ms. Marcimo has worked in daycare. Ms. Marcimo stated she was previously a director of a daycare in Holden, Massachusetts and they relocated to New Hampshire and would like to take her experience to open her own daycare.

Mr. LaRochelle asked if there will be an area in the home that will be strictly designated for the daycare area. Ms. Marcimo confirmed the lower level of their house would be used for the daycare; she plans to take children ages 3 years and up as well slots for school age children. Mr. Rich asked if she would be supplying meals. Ms. Marcimo stated she would provide snacks and parents will be welcome to send lunches for their children. She stated she has already had numerous inquiries for daycare availability as there are long wait lists at other facilities in the area.

Mr. Rich asked how close the daycare facilities will be to abutters. Ms. Marcimo stated the closest abutters are on the sides and about 40' between driveway and yard lines; the furthest side is over 100'. Mr. Rich asked if both sides of the property are wooded. Mr. Marcimo stated there is a wood line and there will be a fence for the outdoor play area.

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

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

Mr. Rich closed public input.

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

Mr. Morgan stated that a plat/plan **has** been submitted in accordance with the Zoning Ordinance, Section 520B. The Board agreed, 5-0-0.

Mr. LaRochelle stated the specific site **is** an appropriate location for the use. He stated there is adequate space for this type of facility; there will be a fenced in area and going to the Planning Board for parking review. The Board agreed, 5-0-0.

Mr. Hepworth evidence **is not** found that the property values in the district will be reduced due to incompatible land uses. He stated nothing has been presented to show values will be reduced. The Board agreed, 5-0-0.

Mr. Manning stated there **is no** valid objection from abutters based on demonstrable fact; he stated no input from abutters was received and no objections were received. The Board agreed, 5-0-0.

Mr. Rich 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; he stated the application has indicated there will be no more than 10 individual children which indicates there will be somewhere in the vicinity of 20 cars coming and going on a daily basis; no objection has been received from abutters that there would be an undue nuisance from the traffic. The Board agreed, 5-0-0.

Mr. Morgan stated adequate and appropriate facilities and utilities **will be** provided to insure the proper operation of the proposed use or structure. He stated the facilities and utilities will be part of an existing residence and should be adequate. The Board agreed, 5-0-0.

Mr. LaRochelle stated there **is** adequate area for safe and sanitary sewage disposal and water supply; he stated the existing septic system is approved by the State of New Hampshire and up to code as of 3/16/2022. The Board agreed 5-0-0.

Mr. Hepworth stated the proposed use or structure **is** consistent with the spirit of this ordinance and the intent of the Master Plan. Mr. Rich stated it will be a welcomed business that is needed in this Town. The Board agreed 5-0-0.

Mr. Morgan made a motion to grant the request for a Special Exception for Case #Z22-08. Mr. Hepworth seconded the motion. Motion passed, 5-0-0.

Case #Z22-13 Michael & Karen Arenburg, Owners	Map 40 Lot 19 499 East Side Drive	Variance Lakeshore Residential Zone
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A **Variance** is requested to **Article 300, Section 327 A.2** of the Zoning ordinance to permit the installation of a 20' x24' pole barn/garage that will be 1' from the ROW/property line along East Side Drive (Route 28A).

Mr. Rich read the public notice into the record. The Board reviewed the application for completeness.

Mr. LaRochelle made a motion to accept the application for Case #Z22-13 as complete. Mr. Hepworth seconded the motion. Motion passed, 5-0-0.

Mr. Arenburg stated they want to construct a pole barn on an existing parking platform.

Mr. LaRochelle noted the reason for the variance is the setback from the road; it was confirmed where the structure would begin would be 33' from the center of the road. Mr. Morgan asked the distance from the travel lane to the structure. Mr. Dever stated their calculations show about 20' from the edge of the pavement; it would be about 1' from the edge of the State right-of-way and 24' into the setback.

Mr. LaRochelle confirmed this is the same place where they are currently parking now. Mr. Arenburg stated that is correct and there is still going to be adequate space between them and the abutter.

Mr. Rich asked what the height of the roof ridge will be. Mr. Arenburg stated it will be 18'. Mr. Rich asked if there is anything that will restrict the neighbors from their view of the lake. Mr. Arenburg stated no, as they are the last one at the top of the road; across the street is wooded. Mr. Dever stated the lot across the street is owned by a cell tower which is accessed from Bowman Road and the lot goes down from there.

Mr. LaRoche asked what the upstairs of the barn will be used for. Mr. Arenburg stated it would be storage; it would not be heated. He stated electricity is already run to the platform.

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

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

Mr. Rich closed public input.

Variance Discussion Case #Z22-13

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

Mr. LaRoche stated granting the variance ***would not*** be contrary to the public interest. He stated this will not impact the public or the surrounding homes; he stated there won't be an impact on the environment as it's a garage use only for a private residence. Mr. Manning stated he has a problem with this and explained there was a similar situation for a case on Route 11. A variance was approved for a building that went into the State easement and it was later discovered that the State wanted to put a bike path into the side of the road and Mr. Manning questioned why there was no input received from the State of New Hampshire. Mr. Morgan stated he believes it is outside the State's purview and it is within the Town's setback but he doesn't think overcrowding is a problem in this case. The Board agreed 5-0-0.

Mr. Hepworth stated the request ***is*** in harmony with the spirit of the ordinance and the intent of the Master Plan to maintain the health, safety and character of the direct district within which it is proposed. Mr. Morgan stated he is familiar with the area and doesn't believe it impacts the safety and character of the area. The Board agreed, 5-0-0.

Mr. Manning stated that by granting the variance, substantial justice ***will be*** done. Mr. Morgan stated substantial justice will be done and the benefit to the applicant outweighs any detriment to the public. The Board agreed, 5-0-0.

Mr. Rich stated the values of surrounding properties ***will not be*** diminished. He stated no evidence has been presented that indicates surrounding properties would be diminished. The Board agreed, 5-0-0.

Mr. Morgan stated that for the purposes of this subparagraph, "*unnecessary hardship*" means that, owing to special conditions of the property that distinguish it from other properties in the area:

- i. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property;*
- ii. *The proposed use is a reasonable one.*

Mr. Morgan stated this is an area in which it's difficult to have parking and the proposed use is reasonable; he stated the area has been used for some time for parking and putting a barn over the same area doesn't seem like a harmful thing. The Board agreed 5-0-0.

Mr. Morgan made a motion to grant the request for a Variance for Case #Z22-13. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.

Case #Z22-14 Christopher L. Boldt, Esq., Agent for Thomas Nahill Revocable Trust & Robin Nahill Revocable Trust, Owners	Map 40 Lot 2-1 16 Lionel Terrace	Special Exception Lakeshore Residential Zone
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A **Special Exception** is requested to **Article 300, Section 320 H.3.** of the Zoning Ordinance to permit replacement of the existing foundation with a poured concrete foundation that will result in an increase in the ridge height of approximately 18 inches.

Mr. Rich read the public notice into the record. The Board reviewed the application for completeness.

Mr. LaRochelle made a motion to accept the application for Case #Z22-14 as complete. Mr. Hepworth seconded the motion. Motion passed, 5-0-0.

Christopher L. Boldt, Esq., Agent for Thomas Nahill Revocable Trust & Robin Nahill Revocable Trust, Owners, stated the same footprint will remain the same but the height will go up and the depth will go down. He stated the existing structure and change in the structure is shown in Exhibit A and shows the exact same footprint with the structure being raised approximately 18". Mr. Boldt explained the lower level will get an added office area; a wall will be added but there is an existing bathroom and laundry area.

Mr. Manning asked if there is any requirement for the building permit. Mr. Dever stated a licensed electrician will be required as part of the building permit process. Mr. Boldt explained the only reason for the Special Exception is because the ridgeline will be changing. He confirmed no bedrooms are being added so the current septic system fits the current building, with the only change being the foundation.

Mr. Manning asked if the State Shoreline Permit had been approved. Mr. Boldt confirmed approval was issued August 1.

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

indicated.

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

Mr. Rich closed public input.

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

Mr. Hepworth stated that a plat/plan **has** been submitted in accordance with the Zoning Ordinance, Section 520B. The Board agreed, 5-0-0.

Mr. Manning stated the specific site **is** an appropriate location for the use. The Board agreed, 5-0-0.

Mr. Rich evidence **is not** found that the property values in the district will be reduced due to incompatible land uses. He stated the value will be increased with a foundation and the property will be enhanced; the increase in height is irrelevant to the values of surrounding properties. The Board agreed, 5-0-0.

Mr. Morgan stated there **is no** valid objection from abutters based on demonstrable fact; he stated no input from abutters was received. The Board agreed, 5-0-0.

Mr. LaRochelle 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; he stated none of this is changing. The Board agreed, 5-0-0.

Mr. Hepworth stated adequate and appropriate facilities and utilities **will be** provided to insure the proper operation of the proposed use or structure. The Board agreed, 5-0-0.

Mr. Manning stated there **is** adequate area for safe and sanitary sewage disposal and water supply; he stated the existing septic system is approved by the State of New Hampshire. The Board agreed, 5-0-0.

Mr. Rich stated the proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan. He stated these are the kinds of things the variance board needs to look and be consistent with the intention of the Master Plan to help applicants do what they want on their properties. The Board agreed, 5-0-0.

Mr. Morgan made a motion to grant the request for a Special Exception for Case #Z22-14. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.

Case #Z22-15 Michael & Arline Flayhan, Owners	Map 35 Lot 27 East Side Drive	Variance Lakeshore Residential Zone
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A **Variance** is requested to **Article 300, Section 327 A.2.** to permit construction of a deck within the 25' ROW/property line setback.

Mr. Rich read the public notice into the record. The Board reviewed the application for completeness. Mr. LaRochelle asked the distance from the proposed construction to the middle of the road. Mr. Flayhan stated its 37.8' to the center of the road; the post is right at the top of the hill and indicates the property line. He explained the area has a steep slope; it's unusable as it is. It would be 8' wide and 40' long; the support posts would be concrete pylons at one corner while the remaining deck would rest on the ground.

Mr. Morgan questioned whether the information included on the plat is adequate or whether oral testimony will be adequate for the missing information. Mr. Dever confirmed it would be.

Mr. Morgan made a motion to accept the application for Case #Z22-15 as complete. Mr. Manning seconded the motion. Motion passed, 5-0-0.

Mr. Rich confirmed the area is level except for a small portion; there will be a stairway which will be centered in the deck to an existing landing and then it will be one step up to the deck. It was confirmed there will be a 3' railing around the entire perimeter of the deck.

Mr. Manning asked for clarification on the request for the variance. It was confirmed the variance is for the abutting property line and the deck will be 12' from the edge of the right-of-way. The deck would be 13' into the setback which is 25'.

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

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

Mr. Rich closed public input.

Mr. Dever explained that in this case, the right-of-way allows the owner of the road to access to do maintenance, ditch lines and manage water lines.

Variance Discussion Case #Z22-15

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

Mr. Manning stated granting the variance ***would not*** be contrary to the public interest. He stated no evidence has been presented to support that it would be contrary to the public interest. The Board agreed 5-0-0.

Mr. Rich stated the request ***is*** in harmony with the spirit of the ordinance and the intent of the Master Plan to maintain the health, safety and character of the direct district within which it is proposed. Mr. Morgan stated it is in keeping with the character of the neighborhood. The Board agreed, 5-0-0.

Mr. Morgan stated that by granting the variance, substantial justice **will be** done. He stated substantial justice will be done and the benefit to the applicant outweighs any detriment to the public. The Board agreed, 5-0-0.

Mr. LaRochelle stated the values of surrounding properties **will not be** diminished. He stated no evidence has been presented that indicates surrounding properties would be diminished. The Board agreed, 5-0-0.

Mr. Hepworth stated that for the purposes of this subparagraph, “*unnecessary hardship*” means that, owing to special conditions of the property that distinguish it from other properties in the area:

- i. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property;*
- ii. *The proposed use is a reasonable one.*

Mr. Hepworth stated to deny this variance would impose a hardship; the use is reasonable. Mr. Morgan stated this is a difficult area to build and remain within strict compliance with the ordinance. Mr. LaRochelle stated this entire area predates zoning and many things were put in haphazard which makes it difficult to comply. The Board agreed 5-0-0.

Mr. Morgan made a motion to grant the request for a Variance for Case #Z22-15. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.

Case #Z22-16 Paul Zuzgo, LLS, Agent for CNA Holdings, Inc., Owner	Map 14 Lot 6 84 Jesus Valley Road	Equitable Waiver of Dimension Rural Zone
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An **Equitable Waiver of Dimension** is requested in Accordance with **Article 500, Section 540 B.** of the Zoning Ordinance to provide Equitable Waiver relief for the existing house which encroaches into the 25’ ROW setback.

Mr. Rich read the public notice into the record. The Board reviewed the application for completeness. Mr. Morgan noted there is no agent letter for Mr. Zuzgo. Josh Tebo stated he is an employee for Mr. Zuzgo who was unable to attend this meeting. Mr. Dever stated he received the agent letter.

Mr. Morgan made a motion to accept the application for Case #Z22-16 as complete. Mr. Manning seconded the motion. Motion passed, 5-0-0.

Mr. Tebo stated they are looking for an equitable waiver of dimension for an existing house, noting this case has already gone to the Planning Board. He stated the four lot subdivision was approved on July 19, 2022 by the Planning Board. Mr. Tebo stated there is an existing house, circa 1850, on one of the lots however it is within the front setback line. A plan of the proposed subdivision was distributed for review.

Mr. Manning asked what the frontage is on Valley Road. Mr. Tebo stated the frontage is 218'. It was confirmed the waiver is for proposed lot 2, which has the existing house and garage with a portion of the house in the setback. Proposed lot 3 has a state-approved septic system; the house on lot 2 does not have a state approved system.

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

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

Mr. Rich closed public input.

DISCUSSION - EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS:

When a lot or other division of land, or structure thereupon, is discovered to be in violation of a physical layout or dimensional requirement imposed by a zoning ordinance enacted pursuant to RSA 674:16, as amended, the ZBA shall, upon application by and with the burden of proof on the property owner, grant an equitable waiver from the requirement, if and only if the Board makes all of the following findings:

Mr. Morgan stated:

*b) That the violation **was not** an outcome of ignorance of the law or ordinance, failure to inquire, obfuscation, misrepresentation, or bad faith on the part of any owner, owner's agent or representative, but was instead caused by either a good faith error in measurement or calculation made by an owner or owner's agent or representative, or by an error in ordinance interpretation or applicability made by a municipal official in the process of issuing a permit over which that official had authority;*

The Board agreed.

Mr. Morgan made a motion to approve Case Z22-16. Mr. LaRoche seconded the motion. Motion passed, 5-0-0.

NEW APPLICATIONS

Case #Z22-17 Peter & Jill Miltner, Owners	Map 71 Lots 36 & 108 137 Alton Shores Road	Variance Rural Zone
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A **Variance to Article 400, Section 452 A** to create a nonconforming lot in the Rural Zone (2 acre minimum) by merging 2 lots that will total to .47 acres.

Mr. Rich read the public notice into the record. The Board reviewed the application for completeness.

Mr. Morgan made a motion to accept the application for Case #Z22-17 as complete. Mr. Manning seconded the motion. Motion passed, 5-0-0.

Mr. Miltner stated they currently have a camp on their property and they want to merge the two lots. However, to build a new house now, variances are needed as the lot is under the minimum lot size.

Mr. Morgan noted the lot size is common for this area. Mr. Dever stated each lot is about 100' by 100' in the area. Mr. Miltner stated they will own two lots but only want to build on one. It was confirmed the driveway is planned to be on Alton Shores Drive as it is maintained year-round. The merged lots will have 80' of frontage on Alton Shores Drive. Mr. Dever confirmed that if they wanted to build houses on both separate lots, the variance would not be needed.

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

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

Mr. Rich closed public input.

Variance Discussion Case #Z22-17

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

Mr. LaRoche stated granting the variance **would not** be contrary to the public interest. The Board agreed 5-0-0.

Mr. Hepworth stated the request **is** in harmony with the spirit of the ordinance and the intent of the Master Plan to maintain the health, safety and character of the direct district within which it is proposed. Mr. Rich stated this is an area which has small lots and the applicant is merging what could be two houses into one lot and one house. The Board agreed, 5-0-0.

Mr. Manning stated that by granting the variance, substantial justice **will be** done. Mr. Morgan stated substantial justice will be done and the benefit to the applicant outweighs any detriment to the public. The Board agreed, 5-0-0.

Mr. Rich stated the values of surrounding properties **will not be** diminished. He stated no evidence has been presented that indicates surrounding properties would be diminished but values will be increased with having a larger lot and having a single house on the lot. The Board agreed, 5-0-0.

Mr. Morgan stated that for the purposes of this subparagraph, "*unnecessary hardship*" means that, owing to special conditions of the property that distinguish it from other properties in the area:

- i. *No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property;*
- ii. *The proposed use is a reasonable one.*

Mr. Morgan stated this is an area which was laid out many years ago with unusually small sized lots; the use is reasonable. Mr. LaRochelle stated this will be an improvement in the area. The Board agreed 5-0-0.

Mr. Morgan made a motion to grant the request for a Variance for Case #Z22-17. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.

Case #Z22-18 Cynthia Balcius, Owner	Map 3 Lot 13 8 Kiana Road	Special Exception Rural Zone
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A **Special Exception to Article 400, Section 401 D. 37** to use an existing residence as a “Professional Office” in the Rural Zone.

Mr. Rich read the public notice into the record. The Board reviewed the application for completeness.

Mr. Morgan made a motion to accept the application for Case #Z22-18 as complete. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.

Ms. Balcius stated she and her sister own 8 Kiana Road as well as 41 Kiana Road; she stated her present business is at 213 Prospect Mountain Road. She stated she started building a two bedroom ranch at 8 Kiana Road and would like to move her office business to that location as well. It was confirmed a private road crosses the property.

Mr. LaRochelle asked how many employees there will be. Ms. Balcius stated there would be 2 to 3; the septic system is new and will be adequate. She explained she lives in the other house which is also on the private road. Ms. Balcius stated she has been in business for 15 years and it’s a good town to do business in.

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

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

Mr. Rich closed public input.

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

Mr. Hepworth stated that a plat/plan **has** been submitted in accordance with the Zoning Ordinance, Section 520B. The Board agreed, 5-0-0.

Mr. Manning stated the specific site **is** an appropriate location for the use. The Board agreed, 5-0-0.

Mr. Rich stated evidence **is not** found that the property values in the district will be reduced due to incompatible land uses. He stated this is a residential use, and there has been no information or evidence that property values would be reduced. The Board agreed, 5-0-0.

Mr. Morgan stated there **is no** valid objection from abutters based on demonstrable fact; he stated no input from abutters was received. The Board agreed, 5-0-0.

Mr. LaRochelle 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; he stated this business has existed for 15 years and not been a problem. The Board agreed, 5-0-0.

Mr. Hepworth stated adequate and appropriate facilities and utilities **will be** provided to insure the proper operation of the proposed use or structure. The Board agreed, 5-0-0.

Mr. Manning stated there **is** adequate area for safe and sanitary sewage disposal and water supply; he stated there will be a new septic system installed. The Board agreed, 5-0-0.

Mr. Rich stated the proposed use or structure **is** consistent with the spirit of this ordinance and the intent of the Master Plan. The Board agreed, 5-0-0.

Mr. Morgan made a motion to grant the request for a Special Exception for Case #Z22-18. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.

OTHER BUSINESS

1. Previous Business: None

2. New Business:

a. Appoint member for Alternative Housing and ZAC Committees.

Mr. Manning stated he would be willing to serve on the committees.

b. Discuss appointment for the open member seat on the ZBA.

Mr. Dever stated an alternate member can move up as a full member until the end of the term for the member who left; he will find out when the term expires.

Mr. LaRochelle made a motion to appoint Mark Manning as a full member of the Zoning Board of Adjustment. Mr. Rich seconded the motion. Motion passed, 5-0-0.

3. Approval of Minutes:

Meeting of June 7, 2022 – postponed.

4. Correspondence: The Board discussed the changes to the RSA statutes regarding meeting records and minutes. Mr. Dever will get further clarification on the specific changes.

ADJOURN

Mr. LaRochelle made a motion to adjourn. Mr. Morgan seconded the motion. Motion passed, 5-0-0.

The meeting was adjourned at 8:08PM.

Respectfully Submitted,

Jennifer Riel

Jennifer Riel, Recording Secretary

APPROVED