

**TOWN OF ALTON  
ZONING BOARD OF ADJUSTMENT  
PUBLIC HEARING MEETING  
Thursday, July 9, 2026, at 6:00 PM  
Alton Town Hall**

**MEMBERS PRESENT**

Frank Rich (Chair & Member)  
Tom Lee (Vice Chair)  
Paul LaRochelle, Member & Selectman's Representative  
Paul Monzione (Alternate & Member)  
Joseph Mankus

**OTHERS PRESENT**

Robin McClain, Planning & Zoning Assistant  
Tom Varney  
Josh Thibeault  
James Rines  
Robert Headley  
Kirsten Dawson  
Carl Dawson  
Mark Watson  
Karen Stevenson

**CALL TO ORDER**

Chair Rich called the meeting to order at 6:01 P.M.

**APPOINTMENT OF ALTERNATES**

**MOTION: To APPOINT Paul Monzione as Alternate. Motion by Mr. LaRochelle. Mr. Lee  
SECONDS. Motion passed unanimously.**

**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**

**MOTION: To APPROVE the Thursday, July 9, 2026 agenda as written. Motion by Mr. Lee. Mr. Mankus SECONDS. Motion passed unanimously.**

**1. NEW APPLICATION**

|                                                                                                                            |                                                                |                                                                    |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------------|
| <b>Case #Z26-12</b><br>Varney Engineering, Tom Varney,<br>Agent for Sedwin, LLC, Karen<br>Stevenson & Gary Sedler, Members | <b>Map 48 Lot 41</b><br><b>175 Roberts Cove</b><br><b>Road</b> | <b>Special Exception</b><br><b>Lakeshore Residential Zone (LR)</b> |
|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------------|

A **Special Exception** is requested from **Article 300 Section 320.D.3** of the Zoning Ordinance for the replacement and expansion of an existing cottage where there are two single-family dwelling units on one lot.

**MOTION: To ACCEPT the application for Case # Z26-12 as complete. Motion by Mr. LaRochelle. Mr. Monziona SECONDS. Motion passed unanimously.**

Tom Varney, Varney Engineering and Josh Thibeault, Varney Engineering and Karen and Rick Stevenson. This property is on Roberts Cove Road. There are two cottages there. Karen and Gary, her brother, played on that property when they were little. He stated the cottages are now old. The cottages are being remodeled. He stated Ms. Stevenson's lot they are calling Unit 1 because they made it into a condominium so they can have separate ownership between the two families rather than have multiple cousins owning both properties. That was done within the last six months. They are before the Board because they want to demolish Ms. Stevenson's cottage, which is on the left-hand side and replace it in a bigger size but the same location. It is non-conforming because there are two cottages on one lot and there's supposed to be only one. That is the reason for them coming before the Board. The house sits on ledge so there's no basement or proposed basement because of the ledge. The house is expanded a little bit to the back and to the side. It is 2.5 ft feet longer than it is in the width but it gets wider, 6 ft or so and it essentially expands back into the interior of the land. There is a lot of land. He stated that if the Board looked at the proposed plan, they could see the proposed building. The left-hand corner of the building is where it is today. That would stay the same. The deck would get moved back, away from the lake but in the same area. It is behind the 50-foot shoreland. It is behind the 30-foot setback. It meets all the setbacks. It has a new septic system that is almost completely installed. He mentioned it has a State Shoreland Permit. They have installed a well where they didn't have a well before. The well will serve both buildings. They are asking for a Special Exception which will allow them to deal with the non-conforming building.

Mr. Monziona asked Chair Rich if he could ask a question. Chair Rich agreed. Mr. Monziona asked if this was a tear down of a structure, a non-conforming structure and replacement of a non-conforming structure.

Mr. Varney stated he did not believe so. It is outside of the setbacks. Mr. Monziona interrupted and stated the building is non-conforming because there are two residential structures on one lot. What the parties want to do is voluntarily tear it down and rebuild it. Mr. Varney agreed. Mr. Monziona stated that the use will stay the same. He stated there is a different Zoning ordinance on tearing down voluntarily a non-conforming building. In times past people used to leave one

1 wall up. Since then there's been a new ordinance written that allows you to tear the whole thing  
2 down voluntarily and rebuild it if you want. There are restrictions that if you have an  
3 opportunity, you should make it less non-conforming or move it out of the setbacks. He stated  
4 that Mr. Varney mentioned he does not have that issue with this property. Although he did  
5 mention that it was "mostly" out of the lake setback. Mr. Monzione asked if it was fully out of  
6 the lake setback. Mr. Varney stated it was. Mr. Monzione asked if it was a different Zoning  
7 ordinance that governs – this one seems to deal with use. He stated in other words, if he had a  
8 pizza place and the use was permitted but now, he wants to sell ice cream, he would be  
9 expanding the use and if that was a non-conforming build then he has to come in and get  
10 permission to expand the use. He stated the applicants are not expanding the use. They were  
11 expanding the structure making it higher etc. He stated they are tearing down a non-conforming  
12 building and putting one up in its place. He asked if there was a different zoning ordinance that  
13 deals with non-conforming structures. He could not find it himself.

14  
15 Mr. Thibeault stated that the structure itself is conforming. It is the use that is non-conforming.  
16 Mr. Monzione stated it is residential use. Mr. Thibeault stated it is two dwellings on one lot, so  
17 that makes it the non-conforming use. The building itself is a conforming building because it  
18 meets the building's setbacks, but the use is non-conforming as it is two dwellings on one lot.  
19 Mr. Monzione stated the structures are non-conforming too because the Board only allows one  
20 residential structure on a property. He understood what Mr. Thibeault was saying regarding the  
21 use being non-conforming. Mr. Thibeault stated they are looking under Section 320.D.3. He  
22 stated if you go to E. it does not involve the expansion of an existing building more than 10%.  
23 Mr. Monzione agreed. Mr. Thibeault stated they are exceeding the 10%. He stated that is why  
24 they were going for Section D.3 pertaining to uses not non-conforming structures.

25  
26 Mr. Thibeault stated that is just the lot size coverage, impervious area. The building would  
27 second floor added as well as expanding. The use is expanding by more than 10%. Mr.  
28 Monzione stated the structure is expanding by more than 10%. Mr. Thibeault agreed. He stated  
29 the use that it's non-conforming more than one structure on one lot. Mr. Varney stated that he  
30 believed the second cottage is the use, having a second cottage. The structure is designed for a  
31 building that's out of compliance with the setbacks. They are not doing that; they are doing  
32 something different. Mr. Monzione stated that any non-compliance of a structure would be a  
33 non-conforming structure. They are out of compliance on this because they have two residential  
34 structures on a lot where there should only be one. It is grandfathered, so they are all set. He  
35 believed the Town allows the tear down of a non-conforming structure and rebuilding. The  
36 reason it is non-conforming is because there are two of them. But that renders the structure non-  
37 conforming. As far as use, you are in a zone that permits residential use. He believes use is  
38 restricted to the use permitted in the zone. It is not retail. It's not business. It's residential. So  
39 the use requirements are all satisfied and there are two structures grandfathered so they are okay.  
40 He stated all they want to do is tear one down. He stated that in times past, if you voluntarily  
41 tore down a structure that was non-conforming (and this one is non-conforming because there are  
42 two), then you lost it. The regulations were rewritten to say you can tear them down and rebuild.  
43 If one of the reasons they're non-conforming is it is in a setback, the Town would say move the  
44 new one out of the setback if you are able, and make it as least non-conforming as you can. He  
45 stated he was wondering if on this particular property, since all they want to do is take that

1 building down, rebuild it, expand it somewhat – the ordinance used to permit you to expand it.  
2 Now you're limited to 10%. If you're going past the 10% you have to get a Variance. How do  
3 you then change that and bring it under a use.  
4

5 Mr. Varney stated, if you go to paragraph 4 – He stated Mr. Monzione was suggesting they get  
6 out of paragraph 3 and go to 4. If we go to 4 we end up back at 3 because it references to go  
7 back to 3. Mr. Lee asked if it should just come under sub paragraph E which is non-conforming  
8 structures. Mr. Monzione stated yes. He read the paragraph, non-conforming structures may be  
9 enlarged or altered in a way – replacement may be allowed by Special Exception if required due  
10 to obsolesce such as --- shall be relocated to the extent feasible to reduce the non-conformity. He  
11 stated, yes, they do permit it, but it is by Special Exception. Mr. Lee agreed. Mr. Monzione  
12 stated that if you meet the Special Exception criteria for replacement of a non-conforming  
13 structure – he stated he did not see the 10% thing in sub section E. Mr. Lee agreed.  
14

15 Mr. Thibeault stated that for other examples, in the Christian Conference Center or Lake Rim  
16 Condominiums, which is Grammys Way on Route 11, if the building is conforming to setbacks  
17 they've always gone for either Special Exception or Variance related to the use because it's the  
18 use that is non-conforming even if it's a condominium, it's just a form of ownership. He stated  
19 they've always gone for the use because the building itself is conforming. Mr. Monzione stated  
20 it is not conforming because, every single structure in the Conference Center is non-conforming  
21 because it's one lot and it has tens of residential structures on it. He stated that doing this for  
22 almost 20 years, every time the Christian Center comes here, and they had to rebuild a lot of  
23 them after the fire, the Board would look at that because of a structural tear down and it's a non-  
24 conforming structure because there's more than one structure on a lot, more than one residential  
25 structure. The Board sees a lot of this because there's a lot of non-conforming structures on one  
26 lot that are grandfathered. They were built so many years ago and everybody put a million  
27 cottages on a lot around the lake. He believed it was permitted by Special Exception for this  
28 applicant to tear down and rebuild it. He believed they should apply the criteria for replacement.  
29 He stated if he were going to vote on this now, he would be going through the list saying the use  
30 isn't changing. It's all residential use unless he misunderstood.  
31

32 Mr. Lee asked Mr. Varney or Mr. Thibeault if either could speak as to the criteria under section  
33 E. He stated replacement of non-conforming structure A) one-bedroom structures may be  
34 increased to two. He asked how many bedrooms the current cottage had. Mr. Thibeault stated  
35 that the current bedroom is two-bedroom. He stated the septic design is approved for three. Mr.  
36 Lee stated that structures with two or more bedrooms shall not be allowed to increase the number  
37 of bedrooms with two or more. He stated that they can have two or more and you're allowed to  
38 go beyond that as long as you have the approved septic. They are beyond the one-bedroom.  
39 They currently have two-bedrooms and they are allowed to go beyond that structure with two or  
40 more bedrooms. He asked how many bedrooms the current proposed house would have. The  
41 parties stated three. Mr. Lee stated C there is no increase in the non-conformity. From what was  
42 stated earlier there is more non-conformity? The parties are not decreasing the non-conformity  
43 for the structure. He stated the actual structure is conforming. Mr. Thibeault agreed. He stated  
44 that is why they were before the Board, for the use, not the structure. Mr. Lee agreed. He stated  
45 D, the replacement of a non-conforming structure, which this is conforming, shall be relocated to

1 the extent feasible etc. Mr. Lee stated D or E as Mr. Monzione had stated. He stated that E  
2 marries up a little bit better, but is not perfect either because the current structure is conforming.  
3 Mr. Monzione stated that it is not conforming. If it were conforming, they wouldn't need to be  
4 before the Board. They were not changing the use. If the use was a non-conforming use, if they  
5 had a residential building in a business area and they wanted to expand that, they would have to  
6 come before the Board because the problem with their building, it's a residential building located  
7 in a business zone. Therefore, the use of that building is non-conforming to the zone in which it  
8 is located. The party is in a Residential Zone, so their use of these structures is conforming. He  
9 stated there is no nonconformance of the use. He stated the buildings themselves are non-  
10 conforming, just as if one of them was in a setback because there are two of them on a residential  
11 lot and zoning only allows for one. The structure is what is non-conforming. They are  
12 grandfathered, so they're fine. But because it is non-conforming, if they want to tear it down and  
13 build a nice new one they have to come before the Board for a Special Exception, and then they  
14 have to meet the Special Exception criteria. Mr. Lee understood. The condominium catch does  
15 not sway as far as the two properties on one lot. Mr. Monzione stated no.

16  
17 Mr. Thibeault stated it is just a form of ownership. Mr. Monzione stated the State permits that by  
18 law. They have the right to be condominiums.

19  
20 Chair Rich stated that the reason the Board goes through this exercise is so that it's on record.  
21 They're making sure that nobody can come and appeal it against you down the road. The Board  
22 wants to make sure that it's on the record. He stated sometimes they make these arguments to  
23 themselves to make sure that it is on the record that it was discussed.

24  
25 Chair Rich asked if Mr. Monzione had any further comments. He asked if the Board could  
26 proceed. Mr. Monzione stated he believed so. He stated that it was just the way he was seeing it.  
27 Chair Rich agreed and saw it the same way. He stated the condominium has nothing to do with  
28 it. Mr. Monzione stated that it is all legal. Mr. LaRochelle stated that part is all set. Chair Rich  
29 asked if Mr. Varney had any more questions.

30  
31 Mr. Monzione asked if this was going to be expanded upwards with a second story, where it  
32 doesn't have a second story currently. Mr. Varney agreed. Mr. Monzione stated there will be no  
33 basement because it's on ledge. Mr. Varney agreed. Mr. Monzione asked what the total increase  
34 in height would be. Chair Rich stated it would be 23 ft with the ridge height. Mr. Monzione  
35 asked how much higher that would be from what is currently there. Mr. Thibeault stated it is  
36 about a 10 ft increase.

37  
38 Mr. Monzione asked if the house would stay in the same footprint. Mr. Varney stated most of it  
39 would. Mr. Thibeault stated it is expanding. Mr. LaRochelle stated the structure is going to be  
40 pulled back further but the front is remaining where it was. Mr. Varney stated the width of the  
41 house on the lake is 2.5 ft longer. The rest is about 6 ft going towards the road. It is still a small  
42 cottage, but it has a second floor. Mr. Thibeault stated the deck area is what is existing. He  
43 demonstrated on the site map the faint red line is the existing cottage. He stated it would be  
44 pulled back 5.5 ft. He stated it stays where it is and the building is expanded. Mr. LaRochelle  
45 stated that it is in back of the setback. Mr. Thibeault demonstrated on site map, speaking off mic.

1 (The stables prevented them from going forward, but the Alton setback is the orange line on the  
2 map. He stated that as far as Alton is concerned, they meet the setbacks.) The Board understood.  
3 Chair Rich stated that most of the expansion is on the backside. Mr. LaRochelle agreed. Mr.  
4 Thibeault continued demonstrating and speaking off mic). Chair Rich stated that there would be  
5 a second floor and it is about 10 ft higher than what exists today. Mr. Monzione asked if there  
6 would be any obstruction of view to neighbors with the increased height. Mr. Thibeault back on  
7 mic stated there would not. He stated the lot slopes substantially. The installation of the septic  
8 system the neighbors in the back get a better view because some very large pine trees came  
9 down. Chair Rich explained to Mr. Monzione that Roberts Cove Road was way up and there  
10 were no houses all the way down. He stated there were a bunch of trees and it goes down  
11 precipitously to the lake. Mr. LaRochelle stated looking at the site map you could see how sloped  
12 the area is. Chair Rich stated he checked the area out and there would be no problems for  
13 obstruction of anyone's view. Mr. Lee stated there is about a 60 ft drop. Chair Rich asked if  
14 there were any more questions from the Board. He thanked the parties for their pictures and  
15 stated they did a thorough job.

16  
17 Chair Rich opened to public input. He asked if there was anyone in the audience that was  
18 against this Special Exception. He stated if there was anyone against it they should step forward.  
19 There were none. He asked if there was anyone in favor of this Special Exception. There were  
20 no comments. Chair Rich closed to public input.

21  
22 Chair Rich asked Mr. Mankus to begin working the worksheet.

23  
24 *The Board must find that all the following conditions are met in order to grant the Special*  
25 *Exception:*

26  
27 Mr. Mankus stated that a plat/plan has been submitted in accordance with the appropriate criteria  
28 in the Zoning Ordinance, Article 500, Section 520.B. The Board agreed.

29  
30 Mr. Monzione stated the specific site is an appropriate location for the use. The Board agreed.

31  
32 Mr. LaRochelle stated that factual evidence is not found that the property values in the district  
33 will be reduced due to incompatible land uses. There was no evidence presented saying so. Mr.  
34 Lee believed, if anything, the property value will increase with this new structure which looks  
35 tremendously better than the old cottage. Mr. Monzione agreed and thought it would increase  
36 property values. The Board agreed.

37  
38 Mr. Lee stated there is no valid objection from abutters based on demonstrable fact. There were  
39 no issues with abutters for or against so there are no valid objections. The Board agreed.

40  
41 Chair Rich stated there is no undue nuisance or serious hazard to pedestrian or vehicular traffic,  
42 including the location and design of access-ways and off-street parking. He stated 175 Roberts  
43 Cove Road there is a very long driveway, well into 700-800 ft. It goes down 60 ft to the water.  
44 There is no undue nuisance or serious hazard to any pedestrian or vehicle traffic. The Board  
45 agreed.

Mr. Mankus stated adequate and appropriate facilities and utilities will be provided to ensure the proper operation of the proposed use of the structure. Mr. Monzione agreed. Mr. LaRochelle stated he agreed. He stated this will all be following under new code enforcement and for life safety as far as Fire Department, smoke detectors, etc. Mr. Lee agreed. Chair Rich stated that the Fire Department had a comment about the new safety for the home, which he assumed would be done. Mr. Thibeault commented he didn't believe there was much of a choice. The Board agreed.

Mr. Monzione stated there is adequate area for safe and sanitary sewage disposal and water supply. He stated he assumed the septic system and water supply remains adequate for the structure. Chair Rich stated they have a new septic system designed and already approved. The Board agreed.

Mr. LaRochelle stated the proposed use or structure is consistent with the spirit of this Ordinance and the intent of the Master Plan. He stated this is going to be all setbacks for the town and state and the prior use is not changing. It is staying residential. He stated it is an existing property with two structures on it that existed before the ordinance. Mr. Lee agreed. Chair Rich stated that the applicant is making a demonstrative effort to improve the existence and has made it more conforming with the spirit of the ordinance and the intent of the Master Plan. Mr. Mankus agreed. Mr. Monzione stated that the spirit of the ordinance and the intent of the Master Plan is to do just this, make structures less non-conforming and then improve them by permitting it to be replaced. The Board agreed.

Chair Rich stated that the Board was in agreement with all the criteria. He asked for a motion.

**MOTION: To APPROVE Case #Z26-12 for the Special Exception. Motion by Mr. Monzione. Mr. Mankus SECONDS. The Board votes unanimously.**

|                                                                                                                     |                                                                      |                                                    |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|----------------------------------------------------|
| <b>Case #Z26-13</b><br>Verdantas, LLC, James Rines, Agent<br>for Fernhill Corporation, Robert<br>Headley, President | <b>Map 2 Lot 26-4-3</b><br><b>62 Fernhill Drive</b><br><b>Unit 3</b> | <b>Special Exception</b><br><b>Rural Zone (RU)</b> |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|----------------------------------------------------|

A **Special Exception** is requested from **Article 300 Section 320.E.2** of the Zoning Ordinance for the replacement and relocation of an existing non-conforming structure.

**MOTION: To ACCEPT the application for Case #Z26-13 as COMPLETE. Motion by Mr. Monzione. Mr. Lee SECONDS. Board votes unanimously.**

Jim Rines from Verdantas LLC, representing Fern Hill Corporation and their request for a Special Exception in accordance with Article 320 Section 320 E.2 to replace an existing non-conforming structure with a more conforming structure. He stated that the property is located at 62 Fern Hill Drive, and is Unit 3 in the Hollywood Beach Condominium. The building is named Cove. It is on Tax Map 2, Lot 26-4-3 and zoned Rural. The replacement structure will not increase the non-conforming aspects of the structure. The replacement is relocated to the extent

possible to reduce the non-conformity. There is no expansion in the number of bedrooms, but there will be a second floor added. He demonstrated the four units in the condominium. He stated that the condo unit is a rectangle on the ground. He stated the existing non-conforming structure is 4.9 ft from the wetland and they're going to 8.7 ft. He stated that is a 78% increase. He stated the shoreline setback at the closest point is 21.7 ft and when the work is complete it will be 22.7 ft. He stated it is only a 5% increase but there is only a small area to work with. He mentioned a new septic system was installed last Fall. He stated the living area, although not a setback, the existing non-conforming structure has 145.2 sq ft of living area inside the 30 ft setback. He stated with this it will be 87.3, a 40% reduction. He stated the coverage within the 30 ft setback is 229.5 ft. He stated they are reducing that to 163.2, a 29% reduction. The only place there's a 2% increase is the deck coverage. It is still in the existing footprint of the structure but on the second floor. He demonstrated on the map where there will be a deck which is currently living space. He stated it is 8/10 of a sq ft larger. There is no change in the water supply, no change in the number of bedrooms. The septic system was State approved and installed last Fall. There's no change in electrical service, access or parking. He stated he would be happy to go through the additional criteria if the Board would like.

Mr. Lee asked if the new height was depicted as 23.3 ft. He asked what the current height was. Mr. Rines stated he submitted photographs of it. It was a single story. Presently at the peak he guessed it was 12-13 ft. Mr. Lee stated that the way it is situated between the other two units, as far as views are concerned, it doesn't look like there's much obstruction. Mr. Rines did not think so. They are all owned by family. This view is out over the Cove over the main lake. This gets both views.

Chair Rich stated he did not think Mr. Rines needed to go through the criteria. He stated it was very well done. Chair Rich asked if anyone had any questions regarding the criteria, he felt it was well explained. Mr. Monziona asked how many bedrooms there were currently. Mr. Rines stated there are two and there will be two. Mr. Monziona stated it's staying the same. Mr. Rines agreed. Mr. Monziona believed a deck on the second floor is encroaching into the lake setback. Mr. Rind stated it is still in the footprint but the reason it is larger is because this is a second-floor deck. In the existing condition there's living space. That living space will be removed but it expanded deck space on the second floor. Mr. Monziona understood. Mr. Rind stated they reduced the living space and got rid of deck space so it's an anomaly that there's an 8/10 of a sq ft because it's still in the same footprint of the existing structure. Mr. Monziona understood. Mr. Lee stated it was ironically what they had just discussed with the subsection E.2. He stated he met the criteria for everything that's proposed from one bedroom can be increased to two. No increase in non-conformity, the applicant is actually reducing the non-conformity. Mr. LaRoche stated he believed it was all good. Chair Rich commended Mr. Rind that the applicants are reducing the non-conformity of it. He stated they did it well. Mr. Rind stated that was the goal.

Chair Rich asked the Board if they had any further questions. There were none. Chair Rich opened to public input. He asked if there was anybody in the audience that was against this application for Special Exception. He invited them to come forward, state their name and address.



1 Mark Watson, representing Fern Hill Community Association. stated he is not against it, but he  
2 does have a question as an abutter to this association. He expressed concern about the height  
3 level. He stated on the last case, view obstruction was considered, but he hadn't heard any of  
4 that with this case. He stated he knew there were other buildings beyond the lake. Chair Rich  
5 stated that it did come up. Mr. Watson stated he must have missed that. Chair Rich stated that it  
6 was pointed out by Mr. Rines that homes that were around there, the views --. Mr. Watson view  
7 the site plan. He commented that the properties on the plan are part of the same association. He  
8 stated there are other cottages in an adjacent association, not his association, that are back a bit  
9 further. He did not know exactly where they were based on the map. He stated he was not  
10 representing that association. He was just asking questions. He wanted to make sure that view  
11 obstruction was discussed in this case as well. Chair Rich thanked him for that. He asked Mr.  
12 Rines to address that question.

13  
14 Mr. Rines stated the shoreline, though not depicted continues on, so all of the units in this  
15 association they're looking out to the west. There's a shallow window where they might be able  
16 to look through but he did not believe the additional 10 ft or so is going to materially obstruct  
17 that. Chair Rich asked if the other complex is looking out to Lake Winnepesaukee. Mr. Rines  
18 stated Half Moon Lake. He demonstrated on the site map. Mr. LaRoche asked if there was  
19 any other structure or no other building closer than that one towards the lake. That is the last  
20 abutting property closest to the lake. Chair Rich asked if that answered Mr. Watson's question.  
21 Mr. Watson stated that it may not obstruct the view of the lake, but it may obstruct the view of  
22 the cove. He stated he was not trying to create problems, just asking questions. He stated if it is  
23 something that the Board considers with all lots when they make changes especially height  
24 changes, he felt they should consider that in this case too. Chair Rich stated they always  
25 consider that as an issue.

26  
27 Robert Headley stated he appreciated the question and considered it as well. The Hemlock  
28 cottage, which is Unit 2, is kind of a tall cottage and it blocks the nearest resident, the Bishops,  
29 from seeing the Unit 3 at all, even at a higher rate. The Cove is low and Hemlock is high and  
30 The Bishops have to see through it. He stated no other cottage in the Half Moon Cottage Colony  
31 can see the Cove because of trees and distance.

32  
33 Chair Rich asked Mr. Rines to demonstrate on the site map. Mr. Rines demonstrated. Chair  
34 Rich asked how high. Mr. LaRoche asked if that was taller than the new structure would be.  
35 Mr. Rines was unsure if it was taller than the new structure but it is probably picked up in one of  
36 the photos they had. Mr. Mankus stated he could see all of the trees. Chair Rich stated what he  
37 understood was being said was with the trees and the height of the cottages, to look into the cove,  
38 not the lake itself would be restricted. Mr. Headley stated that only from the top of the highest  
39 structure could anything be viewed. Chair Rich asked if the trees were 50-70 ft high. Mr.  
40 Headley stated that was correct.

41  
42 Chair Rich asked if there was anyone else who would like to speak against this application.  
43 There were no objections. He closed to public input. He asked if Mr. Rines had any more  
44 questions. He did not. Chair Rich asked if the Board had any further questions. There were  
45 none. Mr. Lee asked if there was any public input, whether for or against, the Board welcomes

1 it. There could be something they missed or something that didn't get brought up that needs  
2 clarification.

3  
4 Chair Rich asked Mr. Monziona to begin working the worksheet.

5  
6 *The Board must find that all the following conditions are met in order to grant the Special*  
7 *Exception:*

8  
9 Mr. Monziona stated that a plat/plan has been submitted in accordance with the appropriate  
10 criteria in the Zoning Ordinance, Article 500, Section 520.B. The Board agreed.

11  
12 Mr. LaRochelle stated the specific site is an appropriate location for the use. It is definite  
13 improvement to the property, pulling it further back and making it more conforming. The Board  
14 agreed.

15  
16 Mr. Lee stated that factual evidence is not found that the property values in the district will be  
17 reduced. He stated if anything the property value would be enhanced of this land use. The Board  
18 agreed.

19  
20 Chair Rich stated there is no valid objection from abutters based on demonstrable fact. He stated  
21 they reviewed the view lines. The Board agreed.

22  
23 Mr. Mankus stated there is no undue nuisance or serious hazard to pedestrian or vehicular traffic,  
24 including the location and design of access-ways and off-street parking. There is no traffic, there  
25 is nobody going down except the residents. The Board agreed.

26  
27 Mr. Monziona stated adequate and appropriate facilities and utilities will be provided to ensure  
28 the proper operation of the proposed use of the structure. They are just building a new cottage  
29 and it will have appropriate utilities and facilities The Board agreed.

30  
31 Mr. LaRochelle stated there is adequate area for safe and sanitary sewage disposal and water  
32 supply. He stated a new septic system has been installed as of 2025. The Board agreed.

33  
34 Mr. Lee stated the proposed use or structure is consistent with the spirit of this Ordinance and the  
35 intent of the Master Plan. He stated this is going to be all setbacks for the Town of Alton where it  
36 has so much shoreline. He stated this is a very nice upgrade for that area and they are reducing  
37 the amount of non-conformity. The Board agreed.

38  
39 Chair Rich asked for a motion.

40  
41 **MOTION: To APPROVE the Special Exception #Z26-13 under Article 300, Section**  
42 **320.E.2. Motion by Mr. Lee. Mr. LaRochelle SECONDS. Board votes unanimously.**

|                                                                                                                            |                                                       |                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------------------------------------------------------------------------|
| <b>Case #Z26-14</b><br><b>Varney Engineering, Tom Varney,</b><br><b>Agent for Kirsten Wingate-Dawson,</b><br><b>Owners</b> | <b>Map 79 Lot 36</b><br><b>492 Rattlesnake Island</b> | <b>Variance</b><br><b>Special Exception Lakeshore</b><br><b>Residential Zone (LR)</b> |
|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------------------------------------------------------------------------|

1. A **Variance** is requested from **Article 300 Section 327.A.1** of the Zoning Ordinance for the replacement of a non-conforming cottage within the 30' setback of the lake.
2. A **Special Exception** is requested from **Article 300 Section 320.E.2** of the Zoning Ordinance for the replacement of an existing cottage with expansion of 18SF within the lake setback.

**MOTION: To ACCEPT application #Z26-14 as COMPLETE. Motion by Mr. LaRochelle. Mr. Monzione SECONDS. Board votes unanimously.**

Mr. Thibeault stated he was present with Ms. Dawson and her husband. Ms. Dawson has owned this property since March of 2025. The property has been in her family since 1969. She wishes to tear down the existing cottage and replace it with a new cottage. The existing cottage was built in 1960. It is roughly 20x 23 ft in size. There is an existing deck on the lakeside of the cottage and there is an existing deck on the west side of the cottage. A large ledge outcrop exists behind the cottage limiting where additions and new structures can be moved or placed. The proposed cottage will be increased to 20x32 ft, a 16 x12.5 ft addition will be built where there was previously deck on the west side of the building. A second story will be added. Lakeside deck will remain as is. The west side deck remains but is decreased in size due to the addition. The proposed structure will have a crawl space and not a full foundation. There are large ledge outcrops on the lot that prevent moving the cottage further back from its existing location. There's a small increase in building area within the 30 ft setback, that's 18 sq ft. That is just squaring off the corner. The remaining expansion is behind the 30 ft setback. The proposed lakeside deck is moved back. The entire structure is moved back 1.2 ft to meet shoreland rules, where you can only expand laterally and not closer to the lake. They had to move it back for that 18 sq ft addition. Storm water measures will be installed, with drip lines around the edges of the building. A new state-approved septic design will be obtained and installed and a shoreline permit will also be required. He presented photos to the Board. He demonstrated on the site map. (He continued to speak off mic). Chair Rich asked if there would be no view issues with this property. Mr. Thibeault stated there would not. Mr. Monzione asked if Mr. Thibeault was going to go to DES for the 30 ft setback encroachment. He asked if that was part of the application. Mr. Thibeault stated yes, with DES if you're within 50 ft, you can replace within the same footprint and expand laterally. That's why the 18 ft addition is allowed. To do that they have to move the building back about a foot. Mr. Monzione stated that would all be between the applicant and the DES. He asked if his understanding was that since the whole structure is in the 50 ft setback they're going to allow it, and allow the expansion. You just need to get the approval. The 18 sq ft addition is why he also has a Variance as part of the application.

(Mr. Thibeault answered Mr. Monzione off mic). Mr. Monzione stated that is a request for Variance to allow the construction of a structure within the lake setback. And you have a 30 ft setback. Mr. Thibeault agreed. He stated the Special Exception is for -- Monzione stated it was for the rest of the stuff. He stated on the Variance the applicant is only requesting a total of 18 sq

1 ft to be in that setback. Mr. Thibeault stated that is the only increase from the existing footprint.  
2 Mr. Monzione asked how much is already in there. Mr. Thibeault stated roughly 75% of the  
3 cottage ????. Mr. Monzione stated that the 18 sq ft is not going to make a significant impact  
4 given where the structure is. He stated it squares off the structure. He asked if the Variance also  
5 concerns itself – the Special Exception wouldn't allow an expansion of the 18 sq ft. Mr.  
6 Thibeault stated he did not think so. Mr. Monzione stated that the Board might, for the sake of  
7 procedure want to deal with the Variance issue first and if that is approved then you are covered  
8 on that, then you're just dealing with the non-conforming structure. Then the 18 sq ft has already  
9 been approved so you're okay on it. Mr. Thibeault agreed but deferred to the Board. Mr.  
10 Monzione stated procedurally it might make sense.

11  
12 Mr. Lee asked if there was an abutter on the right and left and conservation trust behind. Mr.  
13 Thibeault agreed. There are may lots on the island and it has a pretty large increase in elevation.

14  
15 (Mr. Thibeault's comments were spotty due to being out of range of mic much of the time). Mr.  
16 Mankus asked how far the house was to the leech. Mr. Thibeault stated it was probably at least  
17 100 ft. Mr. Mankus asked if the pump would be in the house or under the house. Mr. Thibeault  
18 stated it would go into a (G Clean system) a form of advanced treatment and cleaning  
19 solution. ????. Mr. Mankus asked if the pump fails for whatever reason is there an alarm. Mr.  
20 Thibeault stated there is an alarm. ??? Mr. Monzione asked if he was in the process of getting a  
21 DES approval for that or is the design already approved. Mr. Thibeault stated they do not. ???  
22 Mr. Monzione stated that when they get into the criteria that says adequate sewerage and water  
23 will be provided, they would say provided that DES allows it. He stated that they don't have it  
24 right now but if DES says its okay, then you will have it. Mr. Thibeault stated that could certainly  
25 be a condition. Mr. Varney stated they dug a test hole, the plan was all planned out. He stated that  
26 is how all of this started with the septic. He stated it has all been scoped out but it hasn't been  
27 submitted. Mr. Monzione stated that they just don't have it yet. Chair Rich stated that it would  
28 need to be made as one of the conditions. Mr. Thibeault ??? Mr. LaRoche stated that it had to  
29 be challenging to even design coming through the outcrop for the lines to go up to that septic  
30 system. Mr. Thibeault ??? installer have quite the task of creating an access path ???

31  
32 Chair Rich asked if the Board had any more questions. Mr. Monzione stated ??? Chair Rich  
33 stated they were going to do the Variance first and then the Special Exception. If the Variance is  
34 approved then they can move to the Special Exception. Mr. Monzione stated asked if there is  
35 anything specifically that they wanted to discuss or draw attention to with regard to the Variance  
36 information. Mr. Thibeault stated that the ledge outcrop is the primary reason that they can't  
37 move the building back.

38  
39 Chair Rich asked if the Board had any more questions. There were none. Mr. Varney stated that  
40 there are big boulders on the site. It makes it more difficult. He stated that unless they had  
41 anything else to share the Board would go to the Variance first.

42  
43 Chair Rich opened to public input. He asked if anyone would like to speak against this  
44 application for both the Variance and the Special Exception. There were no comments. He  
45 asked if anybody was in favor of this application. There were no comments. He closed to public

1 input.

2  
3 *The Board must find that all the following conditions are met in order to grant the Variance:*

4  
5 Mr. LaRochelle stated that the Variance **will not** be contrary to the public interest. The Board  
6 agrees. Mr. Monzione stated that he thought the 18 sq ft total is insignificant as far as the  
7 ordinance is concerned and is important to the project.

8  
9 Mr. Lee stated that the request **is** in harmony with the spirit of the Zoning Ordinance and the  
10 intent of the Master Plan and with the convenience, health and safety and character of the district  
11 within which it is proposed. He stated that much like the previous two cases, an old cottage that  
12 is in a very difficult topography, the applicants are trying to work around it to make it a better  
13 situation which is certainly within the intent of the Master Plan. The Board agreed.

14  
15 Chair Rich stated by granting the Variance substantial justice **will** be done. He stated this is a  
16 tough site, a lot of ledge, glacial ledge. The Board commends the applicant for trying to take a  
17 really difficult property and make it a lot better. He stated substantial justice will be done by  
18 allowing this Variance. Mr. Mankus agreed. Mr. Monzione agreed and stated that the purpose of  
19 the ordinance is in no way being negatively impacted here. The benefit to the applicant far  
20 outweighs any minor impact on the ordinance requirement. Mr. LaRochelle agreed. Mr. Lee  
21 agreed.

22  
23 Mr. Mankus stated that the request **will not** diminish the value of surrounding properties. He  
24 stated that it would likely be the opposite. He stated it would be a more attractive home and  
25 improve the area. Mr. Monzione stated that he agreed. He stated they haven't heard any  
26 evidence that would show that it would in any way diminish values. He stated it would likely  
27 improve. Mr. LaRochelle agreed and stated that it is more than likely going to increase the  
28 value. Mr. Lee agreed. Chair Rich agreed.

29  
30 Mr. Monzione stated that for the purposes of sub paragraph unnecessary hardship means that  
31 owing to Special Conditions of the property that distinguish it from other properties in the area,  
32 **no** fair and substantial relationship exists between the general public purposes of the Ordinance  
33 provision and the specific application of that provision to the property. He stated that what that  
34 means is why do we have the ordinance that doesn't allow this in the setback and putting 18 sq ft  
35 there as part of this project in no way is going to undo the purpose of that ordinance in this  
36 particular case. Owing to special conditions of the property, the Board has seen the boulders, the  
37 ledge and you're on Rattlesnake Island. He stated if there was ever a place to allow a Variance  
38 for this particular issue, it would be this. He stated secondly, the proposed use is a reasonable  
39 one and it certainly is because it's residential and that's what happens on that island. The Board  
40 agrees.

41  
42 **MOTION: To ACCEPT application #Z26-14 for a Variance. Motion by Mr. Monzione. Mr.**  
43 **LaRochelle SECONDS. Board votes unanimously.**

44  
45 Chair Rich opened to public input. He asked if there was anybody in the audience that is against

1 this Special Exception. There were no comments. He asked if anyone would like to speak in  
2 favor of the Special Exception. There were no comments. He closed to public input.

3  
4 Chair Rich began working the worksheet.

5  
6 *The Board must find that all the following conditions are met in order to grant the Special*  
7 *Exception:*

8  
9 Chair Rich stated that a plat/plan **has** been submitted in accordance with the appropriate criteria  
10 in the Zoning Ordinance, Article 500, Section 520.B. The Board agreed.

11  
12 Mr. Mankus stated the specific site **is** an appropriate location for the use. The Board agreed.

13  
14 Mr. Monziona stated that factual evidence **is not** found that the property values in the district  
15 will be reduced due to incompatible land use which they Board has had no evidence or any  
16 information that would show other properties would be devalued. In fact, this is not an  
17 incompatible land use. The Board agreed.

18  
19 Mr. Larochelle stated there **is no** valid objection from abutters based on demonstrable fact. He  
20 stated no one has been present to state otherwise. He stated there would be no impact with safety  
21 with any other abutters. He stated he believes there is no evidence. The Board agreed.

22  
23 Mr. Lee stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular traffic,  
24 including the location and design of access-ways and off-street parking. He stated that none of  
25 this is pertinent to the situation based on being on an island. The Board agreed.

26  
27 Chair Rich stated adequate and appropriate facilities and utilities **will** be provided to ensure the  
28 proper operation of the proposed use of the structure. He stated the Board knows that most of the  
29 utilities are there anyways, but the applicant has already indicated that there will be a septic plan  
30 approved hopefully from the DES shortly. The Board agreed.

31  
32 Mr. Mankus stated there **is** adequate area for safe and sanitary sewage disposal and water supply.  
33 Mr. Monziona stated he agreed based on what has been represented to the Board. The Board  
34 agreed. Chair Rich stated that based on what has been presented they will put in a condition that  
35 there needs to be sanitary sewage approved by the state. He agrees.

36  
37 Mr. Monziona stated the proposed use or structure **is** consistent with the spirit of this Ordinance  
38 and the intent of the Master Plan. He stated this is a good project to improve the property and the  
39 zoning ordinance is not in any way going to be undermined. He stated the zoning ordinance  
40 encourages this type of activity as does the intent of the Master Plan. Mr. LaRoche agreed.  
41 Mr. Lee agreed. Chair Rich stated that he commended the applicant for wanting to spend their  
42 time energy and money to make this into a wonderful place for their family. He agreed. Mr.  
43 Mankus stated he agreed wholeheartedly with all of the comments. The Board agreed.

44  
45 Chair Rich asked for a motion.

1  
2 **MOTION: To APPROVE Case #Z26-14 for a Special Exception with the approval**  
3 **conditioned on the applicant obtaining DES approval. Motion by Mr. Monziona. Mr.**  
4 **Mankus SECONDS. Board votes unanimously.**  
5

6 **1. Previous Business:** None

7 **2. New Business:** There is a new Code Enforcement Officer. He started about two weeks  
8 ago. There will be a new Planner by the end of the month.

9 **3. Approval of Minutes:**  
10

11 **MOTION: To APPROVE the ZBA Thursday May 7, 2026 meeting minutes. Motion by Mr.**  
12 **Lee. Mr. LaRochelle SECONDS. The Board votes unanimously.**  
13

14 **4. Correspondence:** None  
15

16 **ELECTION OF OFFICERS FOR 2026-2027**

17 Continued from March 5, 2026  
18

19 **MOTION: Chair Rich MOTIONS that Mr. Mankus be nominated as Chair. Mr.**  
20 **LaRochelle SECONDS. The Board votes unanimously.**  
21

22 **MOTION: Mr. Larochelle MOTIONS that Mr. Rich be nominated as Vice Chair. Mr. Lee**  
23 **SECONDS. The Board votes unanimously.**  
24

25 **MOTION: Mr. LaRochelle MOTIONS that Mr. Lee be nominated Secretary. Mr. Rich**  
26 **SECONDS. The Board votes unanimously.**  
27

28 **MOTION: Mr. Monziona MOTIONS for adjournment. Mr. Lee SECONDS. Board votes**  
29 **unanimously.**  
30

31 ***ADJOURNMENT***

32 Chairman Frank Rich

33 Respectfully Submitted,

34 Sandra Monaco, Recording Secretary  
35

36 \*If there is foul weather or lack of a quorum, the public hearing will be continued to Thursday,  
37 August 6, 2026, starting at 6:00 P.M. at the Alton Town Hall, and a notice shall be posted stating  
38 same.