

**TOWN OF ALTON
ZONING BOARD OF ADJUSTMENT
DRAFT MINUTES
Public Hearing
April 7, 2016
(APPROVED 05/05/16)**

I. CALL TO ORDER

Vice Chairman Paul Monzione opened the meeting at 6:05 p.m.

The following members were present: John Dever III, Code Enforcement Officer; Paul Monzione, Vice Chair, Lou LaCourse, Member. Paul Larochelle, Member, and Steve Miller, Member.

Absent: Timothy Morgan, Chair.

II. APPOINTMENT OF ALTERNATES

There were no alternates to appoint. P. Monzione announced that if anyone wished to serve as an alternate to the board, that they could contact the Code Enforcement Office.

P. Monzione introduced Frank Rich, a potential alternate, who joined the board at the table to observe the proceedings but not vote, at this meeting. S. Miller suggested that Frank Rich could ask questions or give input during the public input portion of each case. P. Monzione agreed with S. Miller's suggestions. P. Monzione noted that Frank Rich was not yet appointed.

P. Monzione reported that for three cases, Z16-07, Z16-09, and Z16-10, that he would need to recuse himself from the proceedings of those cases, because he would have a conflict of interest if he were to sit in and vote on those cases. He explained that there would only be three members of the board present for those cases, and explained the continuance procedure because there were only three board members. He asked if any applicants wished to continue their case to the next meeting, noting that it would not count as one of the two continuances they would be allowed to have.

III. APPROVAL OF THE AGENDA

There was a brief review of the agenda. There were no changes.

S. Miller motioned to approve the agenda, as presented. Second by L. LaCourse. The motion passed by unanimous vote. (4-0-0)

III. STATEMENT OF THE APPEAL PROCESS

The purpose of this hearing is to allow anyone concerned with an Appeal to the 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 has been or will be met.

J. Dever reported that he has received several requests for continuances to the next month, and one may need to be tabled:

- Z16-01 (Continued Application) - Colin C. Spence
- Z16-07 (Continued Application) - Marie Casaccio
- Z16-09 (New Application) - John A. Goodrich and Lisa M. Nicastro
- Z16-11 (New Application) - Jill A. Royer and Cynthia M. Balcius

The next meeting will be Thursday, May 5, 2016, at 6:00 PM.

S. Miller motioned to grant the request for a continuance, as requested by the applicant, Collin C. Spence, Z16-01, due to there being only three board members present. Second by P. LaRochelle. (4-0-0)

L. LaCourse motioned to grant the request for a continuance, as requested by the applicant, Marie Casaccio, Z16-07, due to there being only three board members present. Second by S. Miller. (3-0-1) (P. Monziona recused himself from this vote.)

L. LaCourse motioned to grant the request for a continuance, as requested by the applicant, John A. Goodrich and Lisa M. Nicastro, Z16-09, due to there being only three board members present. Second by P. LaRochelle. (3-0-1) (P. Monziona recused himself from this vote.)

L. LaCourse motioned to to table the case submitted by applicant Jill A. Royer and Cynthia M. Balcius, Z16-11. Second by P. LaRochelle (3-0-1) (P. Monziona recused himself from this vote.)

P. LaRochelle motioned to reconsider cases Z16-09 and Z16-11, and to amend the previous motion to table cases Z16-07 and Z16-09. Second by L. LaCourse. (3-0-1) (P. Monziona recused himself from this vote.)

J. Dever noted that all of the cases that had been tabled or approved for a continuance, would be heard at the meeting on May 5, 2016.

V. NEW APPLICATIONS

Z16-10 Right Field Development, LLC	Map 8; Lot 45	Special Exception 166 Wolfeboro Highway
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Stephen Nix, Esq., agent for Right Field Development is requesting a Special Exception to Article 400, Section 401 Table of Uses, to permit an automobile vehicle washing facility in the Residential Commercial Zone.

S. Nix reviewed the plans for the proposed car wash, and discussed traffic flow, the history of the property, which is adjacent to the VFW. Richard Dangelo, owner of Right Field Development, LLC, discussed the management of the water, which will be contained in a tank, treated, and re-used. He spoke about the filtering of the water by a company in Pittsfield, NH, and described the re-filtering process for the water. He discussed the permitting letter he received from PurWater Recovery System, New Wave Industries, and reported that evaporation and carry out is six gallons, and 32 gallons, total (reclaim and fresh water) per vehicle, put the business at 69.23% reclaim which should be a good balance of wash quality and conservation.

The board reviewed a letter of concern that was submitted by Mr. Harold Bothwick, Jr., S. Nix addressed the the concerns, noting that there would be no ground water, there would be a septic system for the bathroom on the property but that the lot was big enough to support the leach fields, and meet current standards. He stated there would be no impact to the Rail Road Park or the surrounding area. He talked about the issues being addressed with the engineering. He stated that this request is an amendment to a curb-cut that was already existing, and that this was an adequate area for that particular use. He stated that there would be no impact on property values, and noted that cleaning up the building and improving the facade of the building would likely increase property values in the area. He stated that he felt this was within the purview of the Master Plan.

L. LaCourse opened up the floor to public input.

Pamela Dyer, daughter of Harold Bothwick, Jr., abutter, stated that a concern her father had was that there would be a lot of drainage in that area, and asked about drainage and storm water management. J. Dever noted that there would also be a hearing with the Planning Board and that drainage and storm water management would also be discussed at that time.

Frank Rich asked about the storage of the detergents, and the precautions that would be made for them. R. Dangelo noted that it was soap, not detergents, and discussed the storage of the soaps. He reported there were no bleaches, waxes, etc. He discussed the tank configuration for the storage of the water, noting there would be three tanks, at 3,000 gal. each. He discussed the frequency that the tanks would need to be pumped. There was discussion about traffic speed on Wolfeboro Highway.

There was no further public input. L. LaCourse closed public input, and moved the board to the worksheet.

S. Miller stated that the plan ***had been accepted*** in accordance with the Town of Alton Zoning Ordinance Section 520, P. LaRochelle, and L. LaCourse agreed.

P. LaRochelle stated that the specific site ***is*** an appropriate location for the use. L. LaCourse, and S. Miller agreed.

L. LaCourse stated that factual evidence ***is not*** found that the property values in the district will be reduced due to incompatible use. S. Miller stated he agreed. P. LaRochelle stated he also agreed.

S. Miller stated that there ***is no*** valid objection from abutters based on demonstrable fact, and noted that there was a letter submitted by an abutter, Harold Bothwick, Jr., but that the applicant had responded to the concerns, to the satisfaction of the abutter's agent. P. LaRochelle and L. LaCourse agreed.

P. LaRochelle stated that there ***is no*** undue nuisance or serious hazard to pedestrian or vehicular traffic including the location/design of access ways and off-stage parking. L. LaCourse and S. Miller agreed.

L. LaCourse stated that adequate and appropriate facilities and utilities ***will*** be provided to ensure proper operation of the proposed use or structure.

S. Miller stated that the sewage ***is*** accurate area for safe and sanitary sewage disposal and water supply. and noted that there was only a bathroom (half-bath) in the carwash for an employee. P. LaRochelle and L. LaCourse agreed.

P. LaRochelle stated that the proposed use or structure ***is*** consistent with the spirit of this ordinance and the intent of the Master Plan. He discussed the location of the business and the improvements planned to the buildings. L. LaCourse and S. Miller agreed.

S. Miller motioned to grant the request for case Z16-10 contingent on the owner getting a letter from the Alton Water Department that stated the car wash would place no undue burden on the Alton Water Department. Second by P. LaRochelle. Motion passed unanimously. (3-0-1) (P. Monziona had recused himself from Case Z16-10)

VI. PREVIOUS BUSINESS

There was no other business.

VII. NEW BUSINESS

P. Monziona motioned to defer the election of officers to the next meeting. Second by L. LaCourse. Motion passed unanimously. (4-0-0).

P. Monziona motioned to defer the appointment of the ZAC members to the next meeting. Second by L. LaCourse. Motion passed unanimously. (4-0-0).

S. Miller motioned to appoint Frank Rich as an alternate member to the Alton Zoning Board of Adjustment. Second by L. LaCourse. Motion passed unanimously. (4-0-0).

P. Monziona motioned to approve the minutes from December 3, 2015, with the following amendments: correct page numbers and pagination, Page 5 - correct name P. Monziona, spelling of counselor; Page 9 - last paragraph, correct vote count to 3-0-1; Page 11 - add the word "not" to the worksheet discussion about property values; Page 14 - correct the name Stephen to Stephan. Second by L. LaCourse. Motion passed unanimously. (4-0-0).

P. LaRochelle motioned to approve the meeting minutes of January 7, 2016. Second by L. LaCourse. Motion passed unanimously. (4-0-0).

L. LaCourse motioned to approve the meeting minutes of February 4, 2016. Second by P. Monziona. Motion passed unanimously. (4-0-0).

P. LaRochelle motioned to approve the meeting minutes of March 3, 2016 with the following amendments: fill in the names from the public that are shown as a blank line in the draft version of the minutes; Page 5 - in the paragraph about substantial justice, note that the four members who agreed with S. Miller, were agreeing that substantial justice would be done and not the comments

made after that section of the worksheet; Page 6 - correct the semi-colon with an apostrophe; Page 10 - correct P. Monziona's name. Second by S. Miller. Motion passed unanimously. (4-0-0).

There was no correspondence.

VI. ADJOURNEMENT

P. Monziona motioned for adjournment. Second by L. LaCourse. The motion passed by unanimous vote. 45-0-0)

The meeting adjourned at approximately 7:55 p.m.

The next meeting is scheduled for May 5, 2016 at 6:00 p.m.

Respectfully Submitted,

Krista Argiropolis
Recording Secretary