

**TOWN OF ALTON
ZONING BOARD OF ADJUSTMENT
DRAFT MINUTES
Public Hearing
December 3, 2015
(Approved April 4, 2016)**

I. CALL TO ORDER

Timothy Morgan, Chair, called the meeting to order at 6:07 p.m.

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

II. APPOINTMENT OF ALTERNATES

There were no alternates to appoint. T. Morgan stated that the board would consider alternates, and that if anyone was interested in serving as an alternate that they could contact the board.

III. APPROVAL OF THE AGENDA

S. Miller motioned to approve the agenda, as presented. Second by L. LaCourse. The motion passed by unanimous vote. (5-0-0)

IV. 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.

V. NEW APPLICATIONS

Z15-26 Mark & Maria Leslie	Map 50; Lot 16-A	Variance 47 Loon Cove Road
-------------------------------------------	-------------------------	---------------------------------------

On behalf of Mark and Maria Leslie, Thomas W. Varney is requesting a Variance to Article 300, Section 327.A.(2) to permit the construction of a house with a portion (21') with the 25' setback. This property is located in the Lakeshore Residential (LR) Zone.

Attorney Arthur Hoover announced he is representing the applicant, but that Thomas Varney would be doing the "heavy lifting" in this request. T. Morgan requested that the board take a moment to review the application for completions.

P. Monziona motioned to accept application Z15-26 as completed; second by P. Larochelle. Motion passed by unanimously. (5-0-0.)

Attorney Hoover reviewed the request for a variance and the ordinance, including the septic easement issue on the lot. Section 327.A.(2) states that building structures, excluding septic systems and fences shall be setback a minimum of twenty-five feet from the right of way line of any street or highway, whether public or private. The building envelope measures 17.55 feet at its widest point, down to 16.44 feet, and is 104.99 long, yielding a total of 1784 sf of building envelope. Attorney Hoover discussed the history of the property and the "condominimizing" of the property; noting that the septic did not have to be re-done because it was conforming with the prior use of the property.

T. Varney presented his plans for the house, garage, and septic. He stated he knew there was a concern about standing water on the property; that is not a wetland, and he has evaluated that. He discussed the water table and noted it was high, and build-able. The septic design has not been submitted to Concord yet because the easement has not been permitted yet. The shoreline permit has been done.

S. Miller asked about the square footage of the house and asked if a smaller house could be built that is within the ordinance. T. Varney stated that twenty feet is small and felt that twenty-four feet was small.

L. LaCourse asked about the section of the house that is shown by the garage, that appears in a shaded area in the drawing. T. Varney clarified that is the conforming part of the house.

S. Miller asked if he knew the reason that the set back ordinance was created and asked if the house would be within the set back. Attorney Hoover stated that the house would be in the setback, and noted that the house would be a very long, narrow house if it was within requirements, without the variance. Mark Leslie stated that the house would be year-round, and that the garage would become storage for him, which he does not have now. He stated that his goal is to retire in Alton in a couple of years.

P. Monziona asked about the front and rear elevations of the structure. T. Varney confirmed they are depicted in the drawings. P. Monziona asked about the setback of the house, including the right-of-way. Attorney Hoover showed that there are about seven to eight feet from the edge of the road. T. Varney noted that the road is not a typical road. P. Monziona asked what other setbacks would be encroached upon by the setback. T. Varney responded there were none. P. Monziona asked about the compliance of the setbacks and the envelope of the building; Attorney Hoover confirmed that there would be no other parts of the building encroaching. P. Monziona noted that the road is a dead-end road and asked how many more structures were on the road; T. Varney stated there were nineteen more houses on the road. P. Monziona noted that anyone driving on the road, would be driving three feet from the steps of the house.

There was discussion about the easement and the two lots and the history of the property, when it was used for condominiums.

S. Miller asked why the house could not be designed to conform to the setback requirements. T. Varney stated that it could be designed to conform but noted that it would result in a long, narrow house. He discussed the plans for the house.

There was a brief discussion about the approval and design of the septic system.

P. Monziona noted that there is a concern from the Deputy Fire Chief, Richard Brown, concerning NFPA 101, 2009, Chapter 24, one and two family dwelling, will apply where applicable, and noted that requirements for smoke and carbon monoxide devices would be necessary.

T. Morgan opened up public input and asked if anyone wished to speak in favor of the requested variance; there was no response.

T. Morgan asked if anyone wished to speak against the requested variance; there was no response.

T. Morgan asked the applicant if he would consider changing the design of the second story, which has an overhang, and Mark Leslie stated that he would prefer not to change the design because he felt the view would be a very good view, something he would enjoy.

S. Miller asked about the history of the twenty-five foot setback and why that number was chosen. P. Monziona spoke about the setback, noting that it was for maintenance of the roads, drainage, and safety. J. Dever spoke about the setbacks, and the maintenance of the roads. Attorney Hoover stated that there are houses on that road that are closer to the road than this proposed house. It was noted that there is one house that is closer to the road than this house would be.

There was discussion about the history of the flooding on the land; it is not a designated wetland. There will be living space above the garage. P. Larochelle suggested having a deck above that garage, rather than a window dormer, that is not protruding. The lot is 5,000 sf. The board discussed the lot size and the size of the house. S. Miller stated he had trouble with the placement of the balcony and felt that an addendum to address the size of the balcony would allow him to vote in favor of the variance, but that he had trouble with the placement of the balcony in the presented plans. It was noted that the elevation of the house was not included in the plans.

S. Miller motioned to go through the worksheet with the addendum that the three-and-a-half foot protrusion of the balcony would not be approved at the height it was presented. There was no second. L. LaCourse stated he would go with the motion and asked if there was anything to show the septic plan approval by DES. T. Morgan stated that there was a strong current of opinion about the plan and asked the applicant if they wanted to change their plan; he noted they wanted to work with the applicant. T. Varney stated they would cancel out the deck.

T. Morgan moved the board to the worksheet:

P. Monziona stated that the variance ***is not*** contrary to public interest and felt there would be no impact on the public. L. LaCourse agreed. S. Miller asked that it be in the record that this is going forward without the balcony. T. Morgan confirmed it would be in the records. S. Miller agreed to the statement by P. Monziona. P. Larochelle agreed, and T. Morgan also agreed.

L. LaCourse felt the use ***is*** in harmony with the spirit of the Zoning Ordinance, the intent of the Master Plan and with the convenience, health, safety and character of the district within which it is proposed. He felt it was in harmony with the houses in the area. S. Miller agreed and noted that the garage was appropriate to the New Hampshire winters that many houses have in the area. P. Larochelle, T. Morgan, and P. Monziona agreed.

S. Miller agreed that by granting the variance substantial justice **will be** done. He spoke about the owner's plans to retire in the area. P. Larochelle, T. Morgan, P. Monziona, and L. LaCourse agreed.

P. Larochelle felt that the request **would not** diminish the value of the surrounding properties because the variance would likely enhance property value. T. Morgan, P. Monziona, L. LaCourse, and S. Miller agreed.

T. Morgan felt that the provision **would** alleviate an unnecessary hardship because it would lift the restrictions placed on a different building. P. Monziona, L. LaCourse, S. Miller, and P. Larochelle all agreed.

P. Monziona motioned to grant the variance to Z15-26 with the following specific conditions:

- 1. The balcony or protrusion shown in the drawings is eliminated**
- 2. The applicant receive all appropriate approvals for the septic design from the DES.**

Second by S. Miller. The motion passed by unanimous vote. (5-0-0.)

Z15-33, Z15-28 MH LaChance Jr. & LG LaChance Liv. Trust, Maurice & Lucille LaChance Trustees	Map 49; Lot 14	Special Exception (Z15-33) Variance (Z15-28) 7 Dore Drive
---------------------------------------------------------------------------------------------------------------------------------	-----------------------	----------------------------------------------------------------------------

On behalf of MH LaChance Jr., and LG LaChance Liv. Trust, Thomas W. Varney is requesting a Special Exception to Article 300, Section 320.B.(2).(a).(c).(d)., and 320.B.(5) to permit a house to be demolished and the sill to be raised approximately 1.4', The existing portion of the patio area is to be converted into living space; and a Variance to Article 300, Section 327.A.(2), to allow the construction of a porch facing the lake which will encroach an additional eight feet into the twenty-five foot right of way/property line setback. This property is located in the Lakeshore Residential (LR) Zone.

T. Varney reviewed the case and discussed the road, Dore Drive, and the plans to demolish the house and to build a new house.

P. Larochelle asked about the rules of the Keewaydin Association, and asked if they had received permission from the association to cut trees. M. LaChance stated that association members have cut trees in the past, when they needed to, without permission from the association. P. Larochelle asked where the applicant's driveway was located; M. LaChance noted that one driveway was on Dore Drive, and that there was a shared driveway with a neighbor, which was now used for parking, as there was no access to the driveway from the road.

There was discussion about the placement of the house on the lot; T. Varney noted that there would not be an increase in the number of bedrooms. P. Monziona asked about the travel way and the right-of-way, and the encroachments. M. LaChance noted that they were not encroaching on the travel way at all.

P. Monziona spoke about a letter he had received from the Keewaydin Association concerning tree-cutting. He stated that it was many years ago, but that he had acted as legal counsel for the association, and would be recusing himself from the decision making part of this case.

T. Morgan opened the floor to public input, and asked if anyone wished to speak in favor of the Special Exception.

Ms. Curren, a neighbor of the LaChances, spoke in favor of the Special Exception. She also noted that the letter that was submitted by the Association, was not voted on appropriately and did not represent all of the associations opinions.

T. Morgan asked if anyone wishes to speak against the Special Exception.

Rob Smithers, a member of the board for Keewaydin, spoke on behalf the board. He reported that the notification for this meeting was short, and that the association did not have a chance to meet, but that the board members met via teleconference. He stated that letters about the project had been sent to Mr. LaChance, but there was no response. He stated it was the opinion of the board that this project and the timing of it was "underhanded". He stated that the trees are a big factor and removal of them was an issue. The board also has an issue with the use of the driveway and felt that traffic was a concern. He spoke about the inability of the association to meet, and stated that the board could not represent the members to address these issues. The board felt it was about safety because of the additional access point; this is opposed by the board, pending a legal action from the board.

T. Morgan asked about the timing of the notices and R. Smithers gave an account of the receipt of the notices; T. Morgan confirmed that notices were received for both meetings.

P. Larochelle asked about the removal of the trees; R. Smithers responded that the removal of the trees that were on association property were trespass cuttings.

S. Miller asked R. Smithers to give more details about the safety concerns; R. Smithers responded that the access point was changing and that was a concern, as the road was referenced as being a “dog leg”. S. Miller asked if the board could speak for the members without having a meeting; R. Smithers stated that it could, and there were members of the public stating that was incorrect. Public input was closed.

T. Varney stated that the access to the storage was for the boats, and would be used a couple of times a year; it would not be used often. It was an access to get to the garage door. The driveway is already there and the applicant already owns that. He noted that Keewaydin ends shortly after his house, so this is extremely limited. The access on the back of the lot was just for the boat and would not be the main access.

M. Lachance stated that there was nothing in the association’s by-laws that stated that the board could act without the association’s permission and that permission is not needed from the association for someone to build a home. He noted that he had been the association’s president and had served on the board for several years. He noted that R. Smithers had been in the association for about eight years but that he had been with the association since 1976, the association was founded in 1973. He reported that he had contacted thirteen members of the association and heard back from several of them; but that he did not contact members of the board. S. Miller asked for copies of the email and M. Lachance stated he had the copies.

T. Morgan reviewed the request for the Special Exception and the Variance. He noted that the patio was requested under the Special Exception and stated he felt they could not approve that. He reviewed the Staff Reviews that were submitted for this case. P. Monziona submitted the application to the board for their review, and noted that although he had recused himself he was submitting the application to the board, and was not part of the decision-portion of this case. There was discussion about possibly amending the plan to eliminate or change the patio area, as T. Morgan noted that in Section 320.B.(2).(d)., noted that a deck, porch, or patio shall not be converted to living space if same is located partially or wholly within any setback area.

L. LaCourse discussed the possible safety hazard of the driveway and asked if there would be an independent voice to say that there was a safety hazard, or not, with the driveway. He stated that they should find out the rights of the board to speak for the membership and felt they should have an answer before they make a decision. J. Dever stated that the access question was not part of the request and that it is not part of the application. He stated that the request is simply to allow the LaChances to replace their home and that it was beyond the purview of the board to get involved with the governance of the association.

T. Morgan moved the board to the worksheet:

L. Lacourse stated that the plan **had been accepted** in accordance with the Town of Alton Zoning Ordinance Section 520, S. Miller, P. Larochelle, and T. Morgan.

S. Miller stated that the specific site **is** an appropriate location for the use. He noted that the house is going to be built on the current footprint. P. Larochelle, T. Morgan, and L. Lacourse agreed.

P. Larochelle stated that factual evidence **is not** found that the property values in the district will be reduced due to incompatible use and felt that the changing of the driveway will decrease the property values. T. Morgan did not agree and felt that there was no evidence that there would be a decrease in property value. L. LaCourse and S. Miller both did not agree with P. Larochelle’s statement, but agreed with T. Morgan’s points.

T. Morgan stated that there **is no** valid objection from abutters based on demonstrable fact. He noted that there was one abutter speaking against the application. L. LaCourse and S. Miller agreed. P. Larochelle disagreed and felt that the safety issues and tree cutting were both issues.

L. LaCourse 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. He noted that the board was there to discuss the requested special exception and not the issues of the associations. S. Miller agreed. P. Larochelle did not agree and noted he has already spoken to these issues. T. Morgan agreed with L. LaCourse's comment.

S. Miller stated that adequate and appropriate facilities and utilities ***will*** be provided to ensure proper operation of the proposed use or structure. P Larochelle, T. Morgan, and L. LaCourse all agreed.

P. Larochelle stated that the sewage ***is*** accurate area for safe and sanitary sewage disposal and water supply. He noted that a new septic would be installed. T. Morgan, L. LaCourse, and S. Miller agreed.

T. Morgan stated that the proposed use or structure ***is*** consistent with the spirit of this ordinance and the intent of the Master Plan. P. Larochelle did not agree. L. LaCourse and S. Miller agreed with T. Morgan's statement.

L. LaCourse motioned to approve the request for a Special Exception in application Z15-27 with the provision: The physical expansion of the home remains within the setbacks. Second by S. Miller. The motion passed by a favorable vote, with P. Larochelle voting against the motion and P. Monzione recusing himself from the case. (3-1-1).

T. Morgan moved the board on to the Variance.

The Variance (Z15-28) is to Article 300, Section 327.a.(2) is to allow the construction of a porch facing the lake which will encroach an additional eight feet into the twenty-five foot right of way/property line setback. There was a discussion about the layout of the porch.

T. Morgan opened up public input; there was no one to speak in favor or to speak against the request for the variance.

There was no further deliberation from the board.

T. Morgan moved the board to the worksheet:

S. Miller stated that the variance ***is not*** contrary to public interest and felt there would be no impact on the public. He noted that there would be no impact to the access or to utilities. P. Larochelle, T. Morgan, and L. LaCourse agreed.

P. Larochelle felt the use ***is*** in harmony with the spirit of the Zoning Ordinance, the intent of the Master Plan and with the convenience, health, safety and character of the district within which it is proposed. T. Morgan, L. LaCourse, and S. Miller all agreed.

T. Morgan agreed that by granting the variance substantial justice ***will be*** done. L. LaCourse, S. Miller, and P. Larochelle agreed.

L. LaCourse felt that the request ***would not*** diminish the value of the surrounding properties because the variance would likely enhance property value. S. Miller, P. Larochelle, and T. Morgan all agreed.

S. Miller felt that the provision ***would*** alleviate an unnecessary hardship because it would lift the restrictions and allow for an appropriate use. P. Larochelle, T. Morgan, and L. LaCourse agreed.

S. Miller motioned to grant the variance to Z15-28. Second by P. Larochelle. The motion passed by a favorable vote. P. Monzione had recused himself from this case. (4-0-1.)

Z15-37 & Z15-31 Ronald Rubbico	Map 37; Lot 43	Variance (Z15-37) Special Exception (Z15-28) 8 Notla Lane
-----------------------------------------------------	-----------------------	--------------------------------------------------------------------------------------

On behalf of Ronald Rubbico, Regina A. Nadeau, Attorney from Normandin, Cheney & O’Neil, PLLC, is requesting a Variance to Article 327, Section A.1., and Article 320, Section B.2.(b)., to permit an encroachment of an exterior deck within eighteen feet of the shoreline, where a thirty foot setback exists. The encroachment will not be as close to the lake as the exiting non-conforming single-family structure (which is seventeen and one-half feet), and a Special Exception to Article 300, Section 320.B.2.; to permit the rebuilding and expansion of a grandfathered non-conforming structure (due to setbacks). This property is located in the Lakeshore Residential (LR) Zone.

P. Monziona noted that there was no agency letter in the application for the Special Exception and there was one in the application for the Variance. He stated there are two applications. Attorney Nadeau stated that her client was present.

P. Monziona motioned to accept the application for Z15-37, Special Exception, as complete, and to accept the application for Z15-31, for a Variance, as complete. Second by S. Miller. The motion passed by unanimous vote. (5-0-0).

Attorney Nadeau reviewed the proposal to renovate and expand the existing camp, including adding a deck, new septic design, and adding a parking area to improve parking. She reviewed the existing plan and noted the issues with the lot, such as a problem with silt. There was a question about the current parking spaces. There are currently two parking spaces, so this will add a second parking area for two vehicles.

S. Miller asked if there was a twenty foot drop on that lot; J. Dever noted that there’s areas on that lot where there is a fifty percent grade on the lot.

P. Monziona noted that the house was eighteen feet from the lake, and asked if the proposed structure would be more non-conforming. Attorney Nadeau stated that it would not be more non-conforming.

There was discussion about the impervious area, coverage and lot. L. LaCourse stated he was surprised there was no response from a conservation-stand-point. J. Dever noted that he had no response from conservation about the changes.

Attorney Nadeau reviewed the application for the Special Exception. This site is an appropriate location and is an allowed use within the district. The property values should not be decreased with the proposed application because there will be improved water treatment and traffic flow, and the structure will be brought up to code. She stated there were no objections from abutters, that they will be getting parking off the road, upgrading the septic system, and that they are well within the parameters of the ordinance.

T. Morgan opened up public input; there was no one to speak in favor or to speak against the application.

T. Morgan moved the board to the worksheet:

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

T. Morgan stated that the specific site ***is*** an appropriate location for the use. P. Monziona, L. LaCourse, S. Miller and P. Larochelle all agreed.

P. Monziona stated that factual evidence **is** found that the property values in the district will be reduced due to incompatible use and felt that the changing of the driveway will decrease the property values. L. LaCourse, S. Miller, P. Larochelle, and T. Morgan agreed.

L. LaCourse stated that there **is no** valid objection from abutters based on demonstrable fact. He noted that there was one abutter speaking against the application. S. Miller, P. Larochelle, T. Morgan, and P. Monziona agreed.

S. Miller 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. P. Larochelle, T. Morgan, P. Monziona, and L. LaCourse agreed.

P. Larochelle stated that adequate and appropriate facilities and utilities **will** be provided to ensure proper operation of the proposed use or structure. T. Morgan, P. Monziona, L. LaCourse, and S. Miller agreed.

T. Morgan stated that the sewage **is** accurate area for safe and sanitary sewage disposal and water supply. He noted that a new septic would be installed. P. Monziona, L. LaCourse, S. Miller and P. Larochelle all agreed.

P. Monziona stated that the proposed use or structure **is** consistent with the spirit of this ordinance and the intent of the Master Plan. P. Larochelle did not agree. L. LaCourse, S. Miller, P. Larochelle, and T. Morgan agreed.

S. Miller motioned to approve the request for a Special Exception in application Z15-31. Second by P. Monziona, who then asked that the approval be contingent on the concerns stated by the Alton Fire Department and amended the motion. Second on the amendment by S. Miller. The motion passed by unanimous vote. (5-0-0.)

T. Morgan moved the board on to the requested Variance (Z15-37).

Attorney Nadeau reviewed the proposed encroachment of an exterior deck within eighteen feet of the shoreline with the thirty foot setback exists. The encroachment will not be as close to the lake as the existing non-conforming single family structure. There was discussion of the deck design, which will be open, and be more conforming than the current set up.

T. Morgan opened up public input; there was no one to speak in favor or to speak against the request for the variance.

There was no further deliberation from the board.

T. Morgan moved the board to the worksheet:

P. Monziona stated that the variance **is not** contrary to public interest and felt there would be no impact on the public. L. LaCourse, S. Miller, P. Larochelle, and T. Morgan all agreed.

L. LaCourse felt the use **is** in harmony with the spirit of the Zoning Ordinance, the intent of the Master Plan and with the convenience, health, safety and character of the district within which it is proposed. S. Miller agreed and spoke about the positive impact the improvements will have on the district. P. Larochelle, T. Morgan, and P. Monziona agreed.

S. Miller agreed that by granting the variance substantial justice **will be** done. P. Larochelle, T. Morgan, P. Monziona, and L. LaCourse agreed.

P. Larochelle felt that the request **would not** diminish the value of the surrounding properties because the variance would likely enhance property value. T. Morgan, P. Monziona, L. LaCourse, and S. Miller agreed.

T. Morgan felt that the provision **would** alleviate an unnecessary hardship because it would lift the restrictions and allow for an appropriate use. He noted this was a small piece of property with difficult topography and felt that the proposed use was reasonable. P. Monziona, L. LaCourse, S. Miller, and P. Larochelle agreed.

P. Larochelle motioned to grant the variance to Z15-37. Second by S. Miller. The motion passed by unanimous vote. (5-0-0.)

Z15-32 Leo and Cheryl Goyette	Map 54; Lot 9-1	Special Exception 16 Roger Street
------------------------------------------	------------------------	----------------------------------------------

Leo and Cheryl Goyette is requesting a Special Exception to Article 300, Section 320.A.7.; to permit the increase of the ridge right of the existing guest cottage. This property is located in the Recreational Service (RS) Zone.

P. Monziona confirmed that the owner does not have someone speaking on his behalf; Leo Goyette confirmed that was correct.

L. LaCourse motioned to accept application Z15-32 for a Special Exception, as complete. Second by S. Miller. The motion passed by unanimous vote. (5-0-0.)

Leo Goyette stated that they have a guest house on their property and they would like to bring it up to code, which meant replacing the roof so that it would be able to handle the snow-loads, so they will be increasing the pitch of the roof. The board reviewed and discussed the application and plans.

T. Morgan opened up public input; there was no one to speak in favor or to speak against the application.

T. Morgan moved the board to the worksheet:

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

S. Miller stated that the specific site ***is*** an appropriate location for the use. P. Larochelle agreed. P. Monziona agreed and felt this was in compliance with the master ordinance. L. LaCourse and T. Morgan agreed.

P. Larochelle stated that factual evidence ***is*** found that the property values in the district will be reduced due to incompatible use. T. Morgan, P. Monziona, L. LaCourse, and S. Miller Agreed.

T. Morgan stated that there ***is no*** valid objection from abutters based on demonstrable fact. He noted that there was one abutter speaking against the application. P. Monziona, L. LaCourse, S. Miller, and P. Larochelle agreed.

P. Monziona 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, S. Miller, P. Larochelle, and T. Morgan agreed.

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

T. Morgan stated that the sewage ***is*** accurate area for safe and sanitary sewage disposal and water supply. He noted that a new septic would be installed. P. Monziona, L. LaCourse, S. Miller and P. Larochelle all agreed.

P. Monziona stated that the proposed use or structure ***is*** consistent with the spirit of this ordinance and the intent of the Master Plan. P. Larochelle did not agree. L. LaCourse, S. Miller, P. Larochelle, and T. Morgan agreed.

S. Miller motioned to approve the request for a Special Exception in application Z15-32. Second by P. Larochelle. P. Monziona asked if there were any concerns from Chief Brown, and there were none. The motion passed by unanimous vote. (5-0-0.)

VI. Previous Business

There was no previous business.

VII. New Business

P. Monziona spoke about the acceptance of applications and the wording of the motions to accept them versus the wording of the motions to approve the applications. He stated that the board had to be careful they were not approving the requests when they were intending to accept the applications.

VII. Minutes (October 1, 2015 and November 5, 2015)

P. Monziona stated he has some changes/corrections to the minutes:

November 6 - P. Monziona noted that he had a working relationship with both the applicant and Attorney Nix. He noted that Attorney Nix spelled his first name Stephan.

S. Miller motioned to accept the meeting minutes of November 5, 2015, as amended. Second by P. Monziona. The motion passed by unanimous vote. (5-0-0.)

S. Miller motioned to accept the meeting minutes of October 1, 2015. Second by P. Monziona. The motion passed by unanimous vote. (5-0-0.)

VIII. Correspondence

J. Dever noted that there was an invitation to Ken McWilliam's retirement party for all of the ZBA members.

IX. Adjournment

S. Miller motioned to adjourn. Second by L. LaCourse. The motion passed by unanimous vote. (5-0-0.)

The meeting adjourned at 9:45 p.m.

Respectfully Submitted,

Krista Argiropolis
Recording Secretary