

**THIS MEETING WAS CANCELLED DUE TO BAD WEATHER  
AND THE APPLICATIONS WERE HEARD AT THE  
FEBRUARY 3, 2005 MEETING.**

Members Present: Chairman, Richard Quindley; Vice-Chairman, Keith Chamberlain; Marcella Perry; Alternates, Charles Westen; Lyndon Avery, Stephen Paul and Timothy Kinnon

Others Present: Planner, Kathy Menici; Secretary, Stephanie N, Verdile and others as identified below.

**Call to order** :Chairman R. Quindley called the meeting to order at 7:00 p.m. He introduced the members of the Board, Planner and Secretary.

**Appointment of Alternates:** R. Quindley appointed Alternate, C. Westen for Marcella Perry and Alternate, L. Avery

**Approval of Agenda:**

R. Quindley read the purpose of the hearings and stated the rules of procedure.

**NEW APPLICATIONS/PUBLIC HEARINGS:**

**Case#Z05-01**

**Map 26, Lot 6**

**Special Exception**

**James & Joyce Guelli**

**53 Rustic Shores Road**

Application submitted by Thomas Varney, on behalf of James & Joyce Guelli for a Special Exception as cited in the Zoning Ordinance Article 200 Section 220B, Nonconforming Structure (2c) Expansion of a building beyond existing boundaries. The applicant seeks a Special Exception to allow the construction of a concrete foundation under an existing dwelling that is currently supported by pillars. The property is located in the Rural Zone and within the Town of Alton's Shoreland Protection Overlay District.

Board Discussion: After reviewing the petition and after hearing all of the evidence and by taking into consideration the personal knowledge of the property in question, The Alton New Hampshire Zoning Board of Adjustment has determined as follows:

Statement:

1. A plat has been/has not been accepted by the Planner in accordance with Alton Zoning Ordinance Section 420 b. and a recommendation has been made.

Reason- The ZBA confirmed the Planner has accepted the plat and a recommendation has been made. Motion made by, motion carried with all in favor

2. The specific site is/is not an appropriate location for the use.

Reason- motion carried with all in favor.

3. Factual evidence is found/is not found that the property values in the district will be reduced due to incompatible uses.

Reason- motion carried with all in favor.

4. There is/is no valid objection from abutters based on demonstrable fact.

Reason-, motion carried with all in favor.

5. There is/is no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking.

Reason-, motion carried with all in favor.

6. Adequate and appropriate facilities and utilities will/will not be provided to insure proper operation of the proposed use or structure.

Reason-, motion carried with all in favor

7. There is/is not adequate area for safe and sanitary sewage disposal and water supply.

Reason-, motion carried with all in favor.

8. The proposed use or structure is/is not consistent with the spirit of this ordinance and the intent of the Master Plan.

Reason-, motion carried with all in favor.

K. Chamberlain pointed out there is another condition for approval as recommended by K. Menici.

**Motion made by, seconded by, to approve Case#ZO5-01 as the Special Exception criteria have been met as outlined above as well as the following conditions:**

1. All necessary Local, State and Federal permits be obtained and accepted by the Town and State septic design be approved by the Town of Alton.
2. A Variance granted from the NHDES Shoreline Protection Act to allow the construction of a new dwelling within the lakeshore setback area.
3. A Variance from NHDES Shoreline Protection Act for the minimum lakefront frontage requirements of 150'

**Motion carried with all in favor.**

**CONTINUED APPLICATION/PUBLIC HEARING:**

**Case #Z04-24**

**Map 12, Lot 14-2**

**Variance**

**Gerard & Susan Maus**

**Route 28**

Application submitted by Arthur Hoover, on behalf of Gerard & Susan Maus for a Variance from Article 500, Definitions, Frontage on a Street, from the Alton Zoning Ordinance. The ordinance requires that access be gained to a lot from the street frontage upon which the lot is located. Applicant proposes to gain access to Map 12,

Lot 14-2 through a proposed 50' easement off of Bay Hill Road. The property is located in the Rural and Rural Residential Zones. The application was continued from the December 2, 2004 meeting.

Respectfully submitted,

Stephanie N. Verdile  
Secretary