

TOWN OF ALTON
ZONING BOARD OF ADJUSTMENT
Alton Town Hall
PUBLIC HEARING
February 13, 2020, 6:00 P.M.

Members Present

Paul Monzione, Chairman
Frank Rich, Vice-Chair
Tim Morgan, member - excused absence.
Paul LaRochelle, Selectman's Representative/clerk
Thomas Lee, member- excused absence.

Others Present

John Dever, III, Code Enforcement Officer
Tom Varney, Varney Engineering, LLC – agent for applicant
Richard Fiore, applicant

CALL TO ORDER

Chair Monzione called the meeting to order at 6:03pm.

APPOINTMENT OF ALTERNATES

Chair Monzione stated this cannot be done as there are no alternate members available. He stated the Board is still looking for alternate members.

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, 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 have been or will be met.

APPROVAL OF AGENDA

The Board reviewed the Agenda. No changes were made.

Mr. LaRochelle made a motion to approve the Agenda as presented. Mr. Rich seconded the motion. Motion passed, 3-0-0.

Chair Monzione stated that under the State statute, three members of the board constitutes a

quorum and therefore they have the legal ability to proceed and make binding decisions. However the State statute also requires that for an application for variance or special exception to be granted, there has to be three affirmative votes and explained that it is the applicant's decision whether to proceed with the public hearing or to continue to the next meeting. Chair Monziona stated this would not count against the applicant as one of the limited two requests for a continuance.

Tom Varney, Varney Engineering, LLC stated he would like to request a continuance for Case Z20-002 to the next meeting and further requested to be put as the first case to be heard at 6:00pm so he can make it to another hearing in New Durham for 7:00pm.

Mr. Rich made a motion to continue Case Z20-02 to the next hearing and in addition, Mr. Varney has requested to be the first on the list. Mr. LaRochelle seconded the motion. Motion passed, 3-0-0. Mr. LaRochelle noted he would have been recusing himself from hearing this case so there would not have been a quorum.

Richard Fiore, applicant, stated he would like to request a continuance for Case Z19-25 and Z19-26.

Mr. Rich made a motion to continue Cases Z19-25 and Z19-26 to the next meeting. Mr. LaRochelle seconded the motion. Motion passed, 3-0-0.

A resident, stated she was texting with the applicant, Carol St. Jean, who is with her sick father in Londonderry, and Ms. St. Jean would like to continue her case as well. Chair Monziona asked if she is an agent for the applicant. She replied that she is not. Chair Monziona explained that typically only an agent or applicant can make the request t however in this case, where there is only three members of the Board present, he suggested they make a motion to continue the case. Mr. Rich recommended Ms. St. Jean get in touch with Mr. Dever as soon as possible.

Mr. LaRochelle made a motion to continue Case Z20-02 to the next hearing. Mr. Rich seconded the motion. Motion passed, 3-0-0.

OTHER BUSINESS

1. Previous Business:

- a. *Update on Proposed Zoning Amendments for 2019-2020, recommended by the Planning Board for the Ballot*

Chair Monziona stated the changes proposed by the Planning Board were reviewed by the zoning amendment committee and explained the changes proposed by the committee, which included the addition of the term "rural zone"; these changes were then accepted by the Planning Board. Mr. Dever stated the total number of amendments to be on the Town Meeting ballot is 10.

2. New Business:

- a. *Discussion on HB 1629, An Act relative to training and procedures for zoning*

and planning boards

Mr. Dever stated State House Bill 1629 will require Planning and Zoning board members to attend training for their respective areas. He stated the bill is still in the committee. It was noted the Planning Board as well as New Hampshire Municipal Association do not agree with the bill. Mr. Rich stated it seems it be problematic in getting people to participate. Mr. LaRochelle stated it is part of taking away the towns' rights in governing. Chair Monziona stated he thinks it comes from what seems to be bad decisions being made by boards, resulting in appeals in the court systems so the legislature is wanting to straighten that out with the approach of training people. The Board discussed the opportunities for alternates to learn through attendance to meetings as well as the resources available for information and guidance in making decisions.

b. Discussion on HB 1632, An Act relative to financial investments and incentives for affordable housing development

Mr. Dever explained this State House bill is to help encourage growth of affordable housing, as well as reducing taxes for first time home buyers, a business tax reduction, increase revitalization tax relief; he noted he has not been following it closely as it is more in the planning realm. Mr. Rich stated he agrees that they need to get creative with encouraging affordable housing and they need to find mechanisms for helping young people get into home ownership.

c. Discussion on mixed use development

Mr. Dever stated there is a project being brought forward and they are looking at putting a number of different things on the lot, including a gas station and retail store, and possibly professional offices. He stated there will be a lot of mixed uses and the question came up about the special exceptions which may be needed but its in the planning phase and exact uses are still unknown. Mr. Dever asked the best way to manage the zoning process for this. Mr. Rich explained a situation is occurring in Londonderry where DeMoulas is putting in a "city" within a town, Woodlot Orchards, with a projected 35,000 people within the 2700 acre area. He noted the Town of Londonderry mixed use zoning allowed the different things, but the developer has to come back to the town for certain things before moving forward rather than an approval for the entire plan. Mr. Rich stated the mixed use could be allowed but separate specific things, have to get approval. The Board discussed the special exceptions process but in this case, all the potential exceptions cannot be forecasted so it would have to be reviewed and approved as it goes.

- 3. Approval of Minutes:** Meeting of January 2, 2020 – Review and approval was postponed as there is not a quorum of members present at this meeting.

NEXT MEETING

March 6, 2020, 6:00pm, Alton Town Hall

ADJOURN

Mr. Rich made a motion to adjourn. Mr. LaRochelle seconded the motion. Motion passed, 3-0-0.

The meeting was adjourned at 6:55pm.

Respectfully Submitted,

Jennifer Riel, Recording Secretary