

**TOWN OF ALTON  
ZONING BOARD OF ADJUSTMENT  
PUBLIC HEARING  
Thursday, March 4, 2021, at 6:00 P.M.  
Alton Town Hall**

**UNTIL FURTHER NOTICE:** *To keep the public, our members, and our staff safe, and to comply with RSA 91-A, the CoVID-19 State of Emergency, and the Governor’s Orders on restrictions on public gatherings, the Town of Alton has moved from "in-person" meetings to "remote audio participation meetings”, therefore, providing each meeting to the public via a live audio conference. Please refer to “News and Announcements” on the Town’s website, [www.alton.nh.gov](http://www.alton.nh.gov), to either locate the Call-in telephone number, Webinar ID, and Password to listen in via audio only, or to locate the link to connect via Zoom and register for a live video stream of the meeting in progress. You may also contact the office at [plansec@alton.nh.gov](mailto:plansec@alton.nh.gov), or by telephone at (603) 875-2162 between 8:00 A.M. to 4:30 P.M., Monday - Friday, for the Call-in number and Zoom link for each meeting. **We strongly encourage everyone attend our meetings remotely. Should you have a need to attend in person, we will make a remote location available upon a reservation request by you to this office NO LATER THAN TWO (2) BUSINESS DAYS in advance of the meeting date.***

**Members Present**

Frank Rich, Chairman  
Thomas Lee, Vice Chair – excused absence  
Paul Monzione, member  
Paul LaRochelle, Selectman’s Representative/clerk  
Tim Morgan, member  
Mike Hepworth, alternate member

**Others Present**

John Dever, III, Code Enforcement Officer  
Paul Zuzgo, Prospect Mountain Survey, LLS

**CALL TO ORDER**

Chair Rich called the meeting to order at 6:04pm. (See Attachment 1)

**INTRODUCTION OF BOARD MEMBERS**

Roll Call was taken for the Board members and individuals present at Town Hall and via Zoom.

**APPOINTMENT OF ALTERNATES**

**Mr. Monzione made a motion to appoint Mike Hepworth as a member of the Zoning Board of Adjustment for this evening’s meeting. Mr. LaRochelle seconded the motion. Roll Call Vote: Mr. Monzione – aye; Mr. LaRochelle – aye; Mr. Morgan – aye; Chair Rich – aye. Motion passed, 4-0-0.**

**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. Monzione seconded the motion. Roll Call Vote: Mr. Monzione – aye; Mr. LaRochelle – aye; Mr. Morgan – aye; Chair Rich – aye; Mr. Hepworth- aye. Motion passed, 5-0-0.**

**NEW APPLICATIONS**

Case #Z21-05 Paul Zuzgo, of Prospect Mountain Survey, LLS, Agent for Greg Ward, Owner	122 Powder Mill Rd. Map 12 Lot 61	Special Exception Rural (RU) Zone
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A **Special Exception** is requested from **Article 300, Section 360** of the Zoning Ordinance to permit a residential garage to be the principle building on the lot.

Mr. LaRochelle read the case into the record. The Board reviewed the application for completeness.

**Mr. LaRochelle made a motion to accept the application for Case #Z21-05 as complete. Mr. Morgan seconded the motion. Roll Call Vote: Mr. Monzione – aye; Mr. LaRochelle – aye; Mr. Morgan – aye; Chair Rich – aye; Mr. Hepworth- aye. Motion passed, 5-0-0.**

Paul Zuzgo, Prospect Mountain Survey, LLS, representative for Greg Ward, stated the applicant is proposing a four lot subdivision on 22 +/- acres; there is a detached garage which will fall on one of the lots. It will be the principle building on the lot until the lot is sold and someone builds a home on it. All the lots are on road frontage and because it's four lots it's a major subdivision.

Mr. Monzione noted on the plans provided, on the far right side, it's the first lot that would be the newly created lot that would have the garage as the only structure on it. Mr. Zuzgo confirmed that is correct. Mr. Monzione stated one criteria to consider is the architectural style of the structure; photographs were presented for review by the Board and it was confirmed the photographs are of the actual garage. These lots have not been established yet and it was confirmed the only other structure on the lots is the applicant's home on lot 3. Mr. Zuzgo stated the garage can take large vehicles; a permit was obtained for a residential garage when it was built. The neighbors have a trailer; Mr. Ward's house is a ranch and to the far left is another ranch house. Mr. Zuzgo confirmed he believes the architectural style of the garage is compatible in size, height, materials, etc., as most of the other structures in the area. It was noted the garage has been there since 2005 and Mr. LaRochelle stated it fits the area. Mr. Dever stated he agrees the structure fits in the neighborhood and is not out of place. Chair Rich suggested that in the future, photos of homes in the area be provided.

Mr. Monzione confirmed the garage is oversized but no part of the garage is equipped for inhabitation or living space of any kind. Mr. Zuzgo confirmed it is not; it is for garage use only.

Chair Rich opened the hearing to input from the public in favor of the application. None was indicated.

Chair Rich opened the hearing to input from the public in opposition of the application. None was indicated.

Chair Rich closed public input.

Mr. LaRochelle confirmed the comments were received by the Conservation Commission although their concerns were satisfied knowing the garage would not have any living space. Mr. Monzione noted the building envelope of this lot would allow for a home to be built.

***Discussion – Case #Z21-05***

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

Mr. Morgan stated that a plat/plan **has** been submitted in accordance with the appropriate criteria in the Zoning Ordinance, Article 520.B. The Board agreed.

Mr. Hepworth stated the specific site **is** an appropriate location for the use. Mr. Monzione noted the use is not changing. The Board agreed.

Mr. Monzione stated that actual evidence **is not** found that the property values in the district will be reduced due to incompatible land uses. It is a residential area and garages are consistent with the use of the surrounding lots. The Board agreed.

Mr. LaRochelle stated there **is no** valid objection from abutters based on demonstrable fact. No abutters came forward and no letters or communications in opposition were received. The Board agreed.

Chair Rich stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking. There is adequate parking. The Board agreed.

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Mr. Morgan stated adequate and appropriate facilities and utilities **will** be provided to insure the proper operation of the proposed use or structure. He stated the use and structure are not changing. The Board agreed.

Mr. Hepworth stated there **is** adequate area for safe and sanitary sewage disposal and water supply. The Board agreed.

Mr. Hepworth stated the proposed use or structure **is** consistent with the spirit of this ordinance and the intent of the Master Plan. The Board agreed.

**Mr. Morgan made a motion to grant the request for a Special Exception for Case #Z21-05. Mr. LaRochelle seconded the motion. Roll Call Vote: Mr. Monziona – aye; Mr. LaRochelle – aye; Mr. Morgan – aye; Chair Rich – aye; Mr. Hepworth- aye. Motion passed, 5-0-0.**

#### **OTHER BUSINESS**

**1. Previous Business:**

None.

**2. New Business:**

The Board discussed minutes and it was suggested more details be provided within the minutes in regards to reason and justification during discussion of the conditions.

**3. Approval of Minutes:** Meeting of February 4, 2021 – **Mr. LaRochelle made a motion to approve the minutes as presented. Mr. Hepworth seconded the motion. Roll Call Vote: Mr. Monziona – aye; Mr. LaRochelle – aye; Mr. Morgan – aye; Mr. Hepworth- aye; Chair Rich - abstain. Motion passed, 4-0-1.**

**4. Correspondence:**

None.

#### **ADJOURN**

**Mr. Monziona made a motion to adjourn. Mr. Hepworth seconded the motion. Roll Call Vote: Mr. Monziona – aye; Mr. LaRochelle – aye; Mr. Morgan – aye; Chair Rich – aye; Mr. Hepworth- aye. Motion passed, 5-0-0.**

The meeting was adjourned at 6:56PM.

Respectfully Submitted,

*Jennifer L. Riel*

Jennifer Riel, Recording Secretary

Attachment 1

**PREAMBLE**

As Chair of the Alton Zoning Board of Adjustment, due to the COVID-19/Coronavirus crisis, and in accordance with Governor Sununu's Emergency Order #12, pursuant to Executive Order 2020-04, this Board is authorized to meet electronically, and these reasons shall be reflected in the minutes.

The Town of Alton has moved from "in-person" meetings to "remote audio participation meetings" until further notice, therefore, there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. **We strongly encourage everyone attend our meetings remotely. Should you have a need to attend in person, we will make a remote location available upon a reservation request by you to this office NO LATER THAN TWO (2) BUSINESS DAYS in advance of the meeting date.** However, in accordance with the Emergency Order, this is to confirm that we are:

***a) Providing public access to the meeting by telephone:***

Members of the public wishing to attend this meeting electronically may call the conference call number from home. Follow the instructions listed under "News and Announcements" on the town's website:

[www.alton.nh.gov](http://www.alton.nh.gov).

***b) Providing additional public access by video or other electronic means:***

We are utilizing the Zoom platform for this electronic meeting. All members of the Board have the ability to communicate contemporaneously during this meeting, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through the link that is listed under "News and Announcements" on the town's website.

***c) Providing public notice of the necessary information for accessing the meeting:***

We previously gave notice to abutters and the public of how to access the meeting via telephone conference and by using Zoom.

***d) Providing a mechanism for the public to alert the public body during the meeting that a member of the public wishes to speak or be recognized during public input at a public hearing:***

If you are calling in by conference call, press the "star" sign and then "9" to "raise your hand" to request to speak to the Board. If you are using a computer, use the "raise hand button" to request to speak to the Board. Several members of the public may be conferenced in, and requests to speak will be handled sequentially, one at a time. The Zoom Moderator will allow you to speak when the Board opens public input.

***e) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:***

If anybody has a problem accessing the meeting, please call (603) 507-1002.

***f) Adjourning the meeting if the public is unable to access the meeting:***

In the event the public is unable to access the meeting remotely, or there are difficulties with the Town's equipment the meeting will be adjourned and rescheduled to Thursday, April 1, 2021, starting at 6:00 P.M. at the Alton Town Hall.

***You may call the Planning Department at (603) 875-2162 between 8:00 A.M. and 4:30 P.M. Monday - Friday for more information, and for the Dial-in Code and Meeting ID for each Planning Board meeting.***

Please note that all votes that are taken during this meeting shall be done by Roll Call vote. Let's start the meeting by taking a Roll Call attendance. When each member states their presence, also please state whether there is anyone in the room with you during this meeting, which is also required under the Right-to-Know law.