

**TOWN OF ALTON
ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING MEETING
Thursday, April 3, 2025, at 6:00 PM
Alton Town Hall**

MEMBERS PRESENT

Mark Manning, Chair
Tom Lee, Vice Chair
Frank Rich, Member
Tim Morgan, Member
Paul LaRochelle, Selectman's Representative
Joe Mankus, Alternate Member
Paul Monziona, Alternate Member

OTHERS PRESENT

Norma Ditri, Code Enforcement Officer
Ryan Heath, Town Administrator
Paul Zuzgo
Bruce Campagna

Nancy Bell
Shawn Dunphy, Esq.
Josh Thibault
Richard Couture
Gilles and Cynthia Pelletier
Diana Couture
Breann Thompson
Jessie P.
Ernani Storlazzi
John Vallerand
Chip Pasquarielle
Carter Peterson
Jim Parandey
Sheri Burleigh
Alsa Roscoe
Lisa and Dan Sorentini
Thomas Pasquarielle
Timothy Giguere
Erik Doherty
Stephanie Richard

Jeff Hertel
Joe Lundy
Randall Kayle
Mercedes and Steven Warren
Rob Secinaro
Tom Deagan
Tom and Cheryl Dreyer
Bob and Catherine Gould
Lisa Fortin
Lindsey Twaddle
Jim Murphy
Valerie S.
Justine Leone
Jack F.
Breanna Heald
Ken and Deb Gagne
Karen Simonento
Dick Shea
Brian Undewood
Rob Miller, Esq.

CALL TO ORDER

Chair Manning called the meeting to order at 6:00 PM.

INTRODUCTION OF BOARD MEMBERS

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

APPOINTMENT OF ALTERNATES

MOTION: To appoint Mr. Monziona to sit as a full member for this meeting. Motion by Mr. LaRochelle. Second by Mr. Rich. Motion passed unanimously.

APPROVAL OF AGENDA

Ms. Ditri stated for Case 25-15, items 5 and 6 have been withdrawn.

Chair Manning stated he would be leaving the Board after this meeting so a new chair will need to be elected.

MOTION: To approve the agenda as amended. Motion by Mr. LaRochelle. Second by Mr. Lee. Motion passed unanimously.

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 that 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.

1. CONTINUED APPLICATIONS

Case #Z24-44 Christopher Drescher Esq., Agent for Robert Flannery & Alton Pittsburg, LLC., Applicant and Owner	Map 31 Lot 35 208 Main Street	Administrative Appeal Residential Commercial Zone (RC)
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An Administrative Appeal is requested in reference to a Notice of Violation from the Code Official alleging unlawful storage of vehicles.

Chair Manning read the public notice into the record. The Board reviewed the letter received regarding the March 6, 2025 action for a continuance by the Board. Mr. Morgan noted this is an old case and suggested the requirement that abutters be re-noticed; he stated at each continuance of the hearing, abutters have been present but the number is dwindling.

MOTION: To rescind the motion of March 5, 2025 to deny the applicant's request to continue the application, and grant the request so that the case can be heard at the May 1, 2025 meeting, and to require that all necessary abutters be notified by the Town of Alton. Motion by Mr. LaRochelle. Second by Mr. Morgan. Motion passed unanimously.

Case #Z24-47 Christopher Drescher Esq., Agent for Robert Flannery & Alton Pittsburg, LLC., Applicant and Owner	Map 31 Lot 35 208 Main Street	Special Exception Residential Commercial Zone (RC)
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48 **A Special Exception** is requested for Article 401.D.17 for a Contractor's Yard.

49

50 **MOTION: To rescind the motion of March 5, 2025 to deny the applicant's request to**
 51 **continue the application, and grant the request so that the case can be heard at the May 1,**
 52 **2025 meeting, and to require that all necessary abutters be notified by the Town of Alton.**
 53 **Motion by Mr. LaRochelle. Second by Mr. Morgan. Motion passed unanimously.**

54

Case #Z25-12 Changing Seasons Engineering, PLLC, Stephanie Richard, Agent for Richard Lundy, Owner	Map 15 Lot 9-3-1 Miramichie Hill Road	Special Exception Residential Rural Zone (RR)
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55 **A Special Exception** is requested for Article 400 Section 401.D.17 to permit a Contractor's
 56 Yard.

57

58 Chair Manning read the public notice into the record.

59

60 Mr. Monziona recused himself from this case due to relationship with the applicant.

61

62 **MOTION: To appoint Mr. Mankus as a member of the Board for this case. Second by**
 63 **Chair Manning. Motion passed unanimously.**

64

65 The Board reviewed the application for completeness.

66

67 **MOTION: To accept the application for Case Z25-12 as complete. Motion by Mr.**
 68 **LaRochelle. Second by Mr. Lee. Motion passed unanimously.**

69

70 Stephanie Richard, representative for the applicant, stated the property is located at the corner of
 71 Route 28 and Miramichie Hill Road, it is just under 4 acres with 460 feet of frontage on Route 28
 72 and 320 feet on Miramichi Hill Road. She stated it is an existing undeveloped lot that was
 73 cleared in recent years by a prior owner. The applicant is looking to construct a contractor's yard
 74 for storage with a garage, including a septic system and well. Ms. Richard stated they are
 75 proposing to maintain vegetation along the road for screening the view from the road and
 76 abutters.

77

78 Mr. Morgan noted the details of the plan are minimal and asked what the use will be. Ms.

79 Richard stated there will be open parking areas and inside storage with the garage. Mr. Lundy

80 stated he plans to have five dumptrucks, six excavators, and some trailers parked on the lot. The

81 vehicles will leave in the morning and be gone for the day. Mr. Lundy stated there won't be a lot

82 of coming and going; there may be some materials stored, such as left over gravel or loam. He

83 confirmed it will only be materials needed for his jobs at this time; he will not be processing any

84 materials but may possibly do some screening in the future.

85

Mr. Rich asked if Mr. Lundy has discussed the plans with any abutters or if there were any comments. Mr. Lundy stated his father, co-owner of the property, has talked to some and no concerns have been indicated. Mr. Lundy stated they will be leaving trees and growth around the perimeter will be maintained. Ms. Richard stated there was talk about a berm but the layout changed and there is not one currently proposed. Mr. Rich asked how wide of an area around the perimeter will be maintained. Ms. Richard stated it will be about 20 feet. Mr. Rich noted the plans aren't very descriptive related to how neighbors will be protected from noise and disturbance. He asked if there will be any concrete or hazardous materials on the site. Mr. Lundy stated no.

Chair Manning noted a plan needs to indicate where items will be stored. Ms. Richard explained the location of items on the plans presented, including parking areas and snow storage.

Mr. Rich asked what the hours of operation would be. Mr. Lundy stated they usually start work around 7:00 AM and are back to the shop around 4:00 PM; no weekend hours.

Chair Manning asked if there is a plan for controlling dust. Mr. Lundy stated he doesn't see that being a problem but the parking areas and road will be an asphalt material.

Mr. LaRoche asked about the materials being stored and whether other trucks will be bringing in materials, and whether there would be sales to other contractors. Mr. Lundy stated the materials would be for their own projects; there would not be sales of the materials.

Mr. Mankus noted there seems to be a discrepancy on the lot size on maps and application. Ms. Richard noted the plans were designed with an anticipated lot line adjustment being complete, and the lot line adjustment was just approved last month.

Mr. Lee asked for clarification that the business is excavation. Mr. Lundy confirmed that is correct. Mr. Lee noted that processing of materials may be permitted in a contractors yard but a special exception is needed for that; he stated he needs more detailed and factual information being presented. He stated a contractor's yard can include a wide range of activities so sufficient detail is needed to approve to give abutters piece of mind for a lot in a residential/rural area; he isn't comfortable going forward with the lack of details.

Mr. Lee noted comments were received from the Fire Department: finish grade isn't clear on the plans and there is a lack of details for how drainage and runoff of the lot will be managed. The Highway Department indicates a driveway permit will be required.

Mr. Lee asked if there will be maintenance of equipment done on the property; if so, a maintenance plan would be required. He stated they need to be sure they address concerns by abutters and read a letter into the record from an abutter who has concerns about runoff, noise and traffic impacts.

Ms. Richard noted she had not received the concerns from the Town departments.

Chair Manning asked if the applicant wants to proceed with hearing the case tonight. After

discussion, it was agreed to continue the case in order for the applicant to provide additional information.

MOTION: To continue the hearing for Case 25-12 to June 5, 2025, at the request of the applicant. Motion by Mr. Morgan. Second by Mr. LaRochelle. Motion passed unanimously.

2. NEW APPLICATIONS

Case #Z25-14 Prospect Mountain Survey, Paul Zuzgo, Agent for C&A Exquisite Home Builders, Bruce Campagna, Owner	Map 49 Lot 32 20 Boat Cove Road	Variance Equitable Waiver Lakeshore Residential Zone (LR)
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1. A Variance is requested for **Article 400 Section 412.A** for creating a new non-conforming lot less than the required 30,000SF.

2. A Variance is requested for **Article 400 Section 412.B.1.b** to permit a new lot with less than the required shorefront of 150’.

3. A Variance is requested for **Article 400 Section 412.B.1.d** to permit a new lot with less than the required 50’ of road frontage.

4. A Variance is requested for **Article 400 Section 412.F** to permit an existing building on a lot that is under the minimum 22,500 SF required.

5. An Equitable Waiver is requested for **Article 300 Section 327.A.1** for an existing building within the 50’ shoreland set back.

Chair Manning read the public notice into the record. The Board reviewed the application for completeness.

MOTION: To accept the application for Case Z25-14 as complete. Motion by Mr. Rich. Second by Mr. LaRochelle. Motion passed unanimously.

Paul Zuzgo, representative for the applicant, stated they are taking a lot that is 11,500 square feet and making it 20,150 square feet; in doing so, the variances are needed as it is still not a conforming lot due to lot size and the shore line. The existing shoreline is 53 feet but that can’t be expanded; there is no road frontage on this lot and there is an existing right of way from Route 11. The minimum square feet of buildable area cannot be met. An equitable waiver is because the existing house, since 1938, sits within the shoreline set back. It was noted the current setback for the house is 35 feet (minimum required is 50). Mr. Zuzgo stated a new house would be moved back further.

Mr. Monziona asked if both lots are non-conforming. Mr. Zuzgo stated the other lot is conforming and it will remain conforming after the proposed boundary line adjustment; he confirmed the lots predate zoning. Mr. Monziona noted the Conservation Commission asked that the non-conforming lot be made to be the minimum 30,000 square feet. Mr. Campagna stated he can only purchase so much property from the other property owner; he stated to take more from their lot would risk creating another non-conforming lot.

Mr. Rich asked why Mr. Campagna is doing this. Mr. Campagna stated the extra space will allow

174 him to move the house back if he rebuilds in the future and the house would be less non-
175 conforming. He explained the deeded right of way won't be changing. Mr. Monziona confirmed
176 the non-conforming lot would be made larger and less non-conforming.

177

178 Mr. Lee stated the Conservation Commission had concerns regarding the lot size. Mr. Campagna
179 explained the access from Route 11 is steep on both lots and he doesn't want to take more land as
180 it would affect the abutting property and the property owners don't want to part with more. He
181 stated he is trying to make a non-conforming lot, less nonconforming.

182

183 Chair Manning opened the hearing to input from abutters.

184

185 Nancy Bell, abutter, stated she currently owns the land Mr. Campagna is looking to add to his;
186 she is in favor of the adjustment, noting all of this land was part of a single property in 1946.

187

188 Chair Manning closed the hearing to input from the public for variance request #1.

189

190 The Board reviewed the Variance worksheets.

191 ***Discussion – Case #Z25-14 - variance #1***

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

193 Mr. LaRoche stated granting the variance ***would not*** be contrary to the public interest. He
194 stated it is an adjustment between two properties and doesn't see a contrary interest to anyone
195 else. The Board agreed.

196 Mr. Lee stated the request ***is*** in harmony with the spirit of the ordinance and the intent of the
197 Master Plan to maintain the health, safety and character of the direct district within which it is
198 proposed. He stated these are older lots and the Board sees these types of variances often. The
199 Board agreed.

200 Mr. Rich stated that by granting the variance, substantial justice ***will be*** done. He stated the
201 applicant is taking a nonconforming lot and making it less nonconforming and the intent is good;
202 the subsequent owner is agreeing to sell the land. The Board agreed.

203 Mr. Morgan stated the values of surrounding properties ***will not be*** diminished. There has been
204 no evidence presented that would indicate values would be diminished. He stated improving the
205 lot, will improve the property and surrounding properties. The Board agreed.

206 Chair Manning stated that for the purposes of this subparagraph, "*unnecessary hardship*" means
207 *that, owing to special conditions of the property that distinguish it from other properties in the*
208 *area:*

209 i. *No fair and substantial relationship exists between the general public purposes of*
210 *the ordinance provision and the specific application of that provision to the*
211 *property;*

212 ii. *The proposed use is a reasonable one.*

213 Chair Manning stated the proposed use is reasonable. The Board agreed.

214

215 **MOTION: To grant the request for the #1 variance for Case #Z25-14, to Article 400 Section**

216 **412.A for creating a new non-conforming lot less than the required 30,000SF. . Motion by**
217 **Mr. Morgan. Second by Mr. Rich. Motion passed unanimously.**

218

219 Chair Manning opened the hearing to input from the public for variance request #2.

220

221 Nancy Bell, abutter, stated she is in favor of this variance.

222

223 **Discussion – Case #Z25-14 - variance #2**

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

225 Mr. LaRochele stated granting the variance would not be contrary to the public interest. The

226 Board agreed.

227 Mr. Lee stated the request is in harmony with the spirit of the ordinance and the intent of the

228 Master Plan to maintain the health, safety and character of the direct district within which it is

229 proposed. The Board agreed.

230 Mr. Rich stated that by granting the variance, substantial justice will be done. The Board agreed.

231 Mr. Morgan stated the values of surrounding properties will not be diminished. There has been

232 no evidence presented that would indicate values would be diminished. The Board agreed.

233 Chair Manning stated that for the purposes of this subparagraph, “*unnecessary hardship*” means

234 *that, owing to special conditions of the property that distinguish it from other properties in the*

235 *area:*

236 iii. *No fair and substantial relationship exists between the general public purposes of*
237 *the ordinance provision and the specific application of that provision to the*
238 *property;*

239 iv. *The proposed use is a reasonable one.*

240 Chair Manning stated the proposed use is reasonable. The Board agreed.

241

242 **MOTION: To grant the request for the #2 variance for Case #Z25-14, to Article 400 Section**
243 **412.B.1.b to permit a new lot with less than the required shorefront of 150’**

244 **Motion by Mr. Morgan. Second by Mr. LaRochele. Motion passed unanimously.**

245

246 Chair Manning opened the hearing to input from the public for variance request #3.

247

248 Mr. Campagna noted this lot is on a private road and has never had road frontage.

249

250 Nancy Bell, abutter, stated she is in favor of this variance request.

251

252 Mr. Lee noted written communication was received from Many Jane Paronich, 22 Boat Cove

253 Road, expressed concerns with maintaining the current existing right of way to her property, as

254 stated in the 1955 deed; it is the only pathway to her property. If the right of way is being

255 relocated; she wants to know where. Mr. Campagna confirmed the right of way is not changing.

256 Ms. Paronich wants to ensure the tree line privacy is maintained between the lot as well. Mr.

257 Campagna stated the trees are on his property; there are only four and he doesn’t intend to

258 remove those.

259

260 **Discussion – Case #Z25-14 - variance #3**

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

262 Mr. LaRochelle stated granting the variance would not be contrary to the public interest. The
263 Board agreed.

264 Mr. Lee stated the request is in harmony with the spirit of the ordinance and the intent of the
265 Master Plan to maintain the health, safety and character of the direct district within which it is
266 proposed. The Board agreed.

267 Mr. Rich stated that by granting the variance, substantial justice will be done. The Board agreed.

268 Mr. Morgan stated the values of surrounding properties will not be diminished. There has been
269 no evidence presented that would indicate values would be diminished. The Board agreed.

270 Chair Manning stated that for the purposes of this subparagraph, “unnecessary hardship” means
271 that, owing to special conditions of the property that distinguish it from other properties in the
272 area:

273 v. No fair and substantial relationship exists between the general public purposes of
274 the ordinance provision and the specific application of that provision to the
275 property;

276 vi. The proposed use is a reasonable one.

277 Chair Manning stated the proposed use is reasonable. The Board agreed.

278

279 **MOTION: To grant the request for the #3 variance for Case #Z25-14, to Article 400 Section**
280 **412.B.1.d to permit a new lot with less than the required 50’ of road frontage.**

281 **Motion by Mr. Lee. Second by Mr. Morgan. Motion passed unanimously.**

282

283 Chair Manning opened the hearing to input from the public for variance request #4.

284

285 Nancy Bell, abutter, stated she is in favor of this variance request.

286

287 **Discussion – Case #Z25-14 - variance #4**

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

289 Mr. LaRochelle stated granting the variance would not be contrary to the public interest. The
290 Board agreed.

291 Mr. Lee stated the request is in harmony with the spirit of the ordinance and the intent of the
292 Master Plan to maintain the health, safety and character of the direct district within which it is
293 proposed. The Board agreed.

294 Mr. Rich stated that by granting the variance, substantial justice will be done. The Board agreed.

295 Mr. Morgan stated the values of surrounding properties will not be diminished. There has been
296 no evidence presented that would indicate values would be diminished. The Board agreed.

297 Chair Manning stated that for the purposes of this subparagraph, “unnecessary hardship” means
298 that, owing to special conditions of the property that distinguish it from other properties in the

299 area:

300 vii. *No fair and substantial relationship exists between the general public purposes of*
301 *the ordinance provision and the specific application of that provision to the*
302 *property;*

303 viii. *The proposed use is a reasonable one.*

304 Chair Manning stated the proposed use is reasonable. The Board agreed.

305

306 **MOTION: To grant the request for the #4 variance for Case #Z25-14, to Article 400 Section**
307 **412.F to permit an existing building on a lot that is under the minimum 22,500 SF required.**

308 **Motion by Mr. LaRochelle. Second by Mr. Rich. Motion passed unanimously.**

309

310 The Board worked through the Equitable Waiver of Dimensional worksheet.

311

312 ***Discussion - Equitable Waiver of Dimensional Requirements: Article 300 Section 327.A.1 for***
313 ***an existing building within the 50' shoreland set back.***

314

315 Mr. Monzione asked why its an equitable waiver instead of a variance. Mr. Zuzgo stated he was
316 advised by the Planning Department this is needed. Chair Manning noted its a waiver for
317 something that is existing. Mr. Monzione explained that with the boundary line adjustment,
318 effectively a new lot is being created and the grandfathering protections are lost; he suggested an
319 equitable waiver is generally used when a mistake was made in the past and variances were used
320 for the other issues.

321

322 Chair Manning opened the hearing to input from the public for the equitable waiver. None was
323 indicated.

324

325 *a) That the violation was not noticed or discovered by any owner, former owner, owner's agent*
326 *or representative, or municipal official, until after a structure in violation had been substantially*
327 *completed, or until after a lot or other division of land in violation had been subdivided by*
328 *conveyance to a bona fide purchaser for value.*

329

330 Chair Manning stated there is no violation so it doesn't apply. The Board agreed.

331

332 *b) That the violation was not an outcome of ignorance of the law or ordinance, failure to inquire,*
333 *obfuscation, misrepresentation, or bad faith on the part of any owner, owner's agent or*
334 *representative, but was instead caused by either a good faith error in measurement or*
335 *calculation made by an owner or owner 's agent or representative, or by an error in ordinance*
336 *interpretation or applicability made by a municipal official in the process of issuing a permit*
337 *over which that official had authority;*

338

339 Chair Manning stated there is no violation so it doesn't apply. The Board agreed.

340

341 Ms. Ditri stated as there is a violation of the frontage setback, and she believes this is an instance
342 where a variance should be required.

343

Ryan Heath, Town Administrator, stated the Planning Department suggested the equitable waiver as there was a nonconforming use; with the variances requested, the violations already occur and the waiver is in lieu of the variance. Mr. Monziona noted the criteria for each are different and for the equitable waiver, they would need to answer “yes” in order to grant it. Chair Manning agreed and stated some of the criteria for the waiver don’t apply.

c) That the physical or dimensional violation does not constitute a public or private nuisance, nor diminish the value of other property in the area, nor interfere with or adversely affect any present or permissible future uses of any such property.

The Board agreed.

d) That due to the degree of past construction or investment made in ignorance of the facts constituting the violation, the cost of correction so far outweighs any public benefit to be gained, that it would be inequitable to require the violation to be corrected.

The Board agreed.

MOTION: To grant the request for an equitable waiver to Article 300 Section 327.A.1 for an existing building within the 50’ shoreland set back, for Case #25-14. Motion by Mr. Morgan. Second by Mr. . Motion passed unanimously.

Case #Z25-15 Prospect Mountain Survey, Josh Thibeault, Agent for Walter P. Borowski Living Trust, Walter and Janice Borowski, Trustees	Map 6 Lot 1 Eagles Way, Falcon Drive & Osprey Road	Special Exception Variance Rural Zone (RU)
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1. A Special Exception is requested for **Article 600 Section 602.C.3** to permit an individual sewage disposal system within the Aquifer Protection Overlay District.

2. A Variance is requested for **Article 400 Section 452.A.1** to permit 57 manufactured housing units in a park where only 28 are allowed per the rural zone density restrictions.

3. A Variance is requested for **Article 300 Section 350.C.4** to permit 57 manufactured housing units in a manufactured housing park where only 28 are allowed.

4. A Variance is requested for **Article 300 Section 350.C.2.C** to permit a new manufactured home to be 3.9’ within the 30’ interior park setback.

5. A Variance is requested for **Article 300 Section 350.A** to permit a Recreational Vehicle to be used seasonally that does not meet HUD standards. *Withdrawn*

6. A Variance is requested for **Article 300 Section 356.B** to permit a Recreational Vehicle to be used as a principal use withing a manufactured home park. *Withdrawn*

Chair Manning read the public notice into the record. The Board reviewed the application for completeness.

MOTION: To accept the application for Case Z25-15 as complete. Motion by Mr. Morgan. Second by Chair Manning. Motion passed unanimously.

386

387 Shawn Dunphy, Esq., representative for the applicant, stated they are looking to add two
388 additional units to the existing manufactured housing community, Eagles Rest Community; there
389 are currently fifty five units on the fifty seven acre lot. He stated the original plan for the
390 community was approved in the 1980s and there have been two phases of development, with
391 thirty eight units being constructed in the 1980s and connected to a state approved septic system.
392 The second phase took place in the 1990s with nineteen units that have individual septic systems;
393 there is a total of ninety three residents in the community and all are renters; the property is
394 wholly owned by the Walter Borowski Trust; rent is at under-market rate when compared to
395 similar communities and they hope to continue offering the lower rent while offering key
396 services to the private roads. Mr. Dunphy stated in order to do this, they are proposing an
397 increase of two additional units; units 56 and 57 will be on one of the private road; the existing
398 RV on the property will be removed and replaced with a HUD approved unit; it is currently used
399 by a former employee of the community and used only during the summer season. Both units
400 will be well within the boundary lines and similar in nature and character to the existing units.

401

402 Mr. Dunphy stated a special exception is needed for the septic system to service unit 56 and it
403 will match the current individual units and within the sewer capacity for the overall property. The
404 proposed system will be well within the boundaries of the property and won't have any impact
405 on abutting properties. He stated they are not aware of any direct objections by public or
406 abutters; the system will be approved by the State of NH and installed by a licensed installer.

407

408 Mr. Thibault stated the community septic system was replaced in 2014 and they have no reason
409 to believe it is not working properly. He acknowledged the Conservation Commission asked for
410 the existing system to be inspected; he explained the community system is not being affected and
411 there won't be any increase load.

412

413 Mr. Monzione noted the reason for the special exception is because the proposed sewer system is
414 within the aquifer overlay district. Mr. Thibault explained the entire system, the tank and the
415 leach bed for unit 56 will be entirely in the overlay; the system for unit 57 is not. It was noted
416 unit 56 will also be in overlay. Mr. Thibault stated a state approved septic system plan will need
417 to be approved; it will show the location of the overlay district. He stated there are no additional
418 requirements from the state. Mr. Monzione asked if there are any concerns with having a waste
419 system in a waterway. Mr. Thibault stated they don't have any evidence of that, noting there are
420 fifteen other systems within the overlay and the community septic, with no reports of there being
421 problems with any of them. Mr. Monzione confirmed those have been in place for fifteen years
422 and the State approved all of the systems. Mr. Thibault stated that is correct; the other systems
423 have required the special exception as well.

424

425 Mr. LaRochelle asked if the state has approved the two additional septic systems. Mr. Thibault
426 confirmed the additional separate systems were all approved. Mr. LaRochelle asked if a geologist
427 has checked the site. Mr. Dunphy stated they have not; they were advised by the Town that the
428 variances and special exception were needed before Planning Board review; he stated the
429 community system is designed for only the units that are currently on it. Overall, they are far
430 below what the lot could support.

431

432 Ms. Ditri stated Mr. Dunphy alluded to the property manager living on the site in an RV for the
433 last few years, and this will be one of the new sites; the RV is supposed to be removed and a new
434 manufactured home will be placed on the site, if approval is received for he increased density.
435 She stated when the community was approved, the density was 1 unit per acre; the current
436 zoning would require 2 acres per unit. Ms. Ditri stated an existing conditions plan was submitted
437 but it doesn't show the RV or manufactured home but work has started without permits or
438 approvals in place.

439

440 Chair Manning asked if a septic system has been installed for the additional units. Mr. Dunphy
441 confirmed they have not.

442

443 Mr. Monziona asked for clarification regarding the HUD approved unit. Mr. Dunphy stated that
444 will take the place of the RV; the total units will be fifty seven and there is fifty seven acres of
445 land.

446

447 Chair Manning opened the hearing to input from the public. None was indicated.

448

449 Chair Manning closed the hearing to input from the public.

450

451 Chair Manning stated an email was received by Ms. Ditri, Jerry Dobb, from a resident of the
452 park, regarding what is needed to expand the park, per recommendations from Roger Sample,
453 who has experience in building and excavating. Mr. Dobb doesn't want to see any changes to the
454 park.

455

456 Ms. Ditri stated a message was received from Jerry Dobb via the Town's Facebook page,
457 regarding comments on alleged unfair treatment when dealing with the Town Administrator and
458 Code Enforcement Officer; reference was also made to a post on the Facebook page. Mr. Lee
459 stated he doesn't believe this is beneficial; he has read the communications as have the Board
460 members but some facts on social media are subjective and hearsay. He stated this is an
461 opportunity for members of the public to speak to the case directly but the social media
462 comments don't have merit. Ms. Ditri stated there has been a lot of talk about the Town being
463 difficult to work with and that the owner is trying to make housing affordable; she stated the
464 owner had a couple under contract for this unapproved unit; the couple came to the Town and
465 didn't under stand what the problems were with them getting into their new home as they had
466 sold their other home. Mr. LaRochelle asked if a building permit or occupancy permit has been
467 obtained. Ms. Ditri stated the Zoning Board has to approve the expansion, the Planning Board
468 has to approve the site and then a building permit can be issued. Mr. LaRochelle noted the work
469 has already been done; the site work has been done, the home was place and electrical work
470 done. Ms. Ditri stated the RV is still on the lot and there is no legal address for where it is sitting.

471

472 Mr. Dunphy stated the frustration for his client comes from various factors, including the fact
473 that all the files form the 1980s and 1990s were missing with the Town so everything had to be
474 recreated; they are trying to move forward and correct prior issues and doesn't want it to be a
475 personal thing. He stated as soon as his client received notices from the Town, he was engaged
476 with his firm and Prospect Mountain Survey to resolve outstanding issues. It was confirmed the
477 groundskeeper does not live in the RV year-round.

478

479 Mr. Lee referenced a letter from the previous Code Enforcement Officer, John Dever, of April
480 2023, informing Mr. Borowski that the RV cannot be used for a living space under any
481 circumstances.

482

483 Mr. Monziona questioned if the existing conditions would allow for the criteria to be met as the
484 usual process is to obtain approval prior to work being started. He stated the Board will need to
485 ensure there are no violations of the criteria including public safety; he suggested any approval
486 be conditional on verification of this. Mr. Dunphy stated the special exception and variances
487 being requested are trying to correct any errors and to allow for two additional homes in the
488 community with little impact on any other property in the area. Chair Manning noted that the
489 special exception is for allowing the septic systems on the property, not necessarily the homes.

490

491 The Board worked through the Special Exception worksheet.

492

493 ***Discussion – Case #Z25-15***

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

496 Mr. LaRoche stated that a plat/plan **has** been submitted in accordance with the appropriate
497 criteria in the Zoning Ordinance, Article 520.B. The Board agreed 5-0-0.

498 Mr. Lee stated the specific site **is not** an appropriate location for the use. He stated the original
499 plans were for one acre lots and that is not the case now; two more sites would fall under the new
500 ordinance requirements. Mr. Morgan stated he believes it is an appropriate location; there are
501 other manufactured homes in the area. Chair Manning stated he agrees this is not an appropriate
502 use; when this lot was initially approved, the land requirement was smaller but has since been
503 expanded. Mr. LaRoche agreed, noting the density and lot size is not warranted. Mr. Rich
504 stated he believes the use is appropriate. Yes-2 No-3

505 Mr. Rich stated that actual evidence **is not** found that the property values in the district will be
506 reduced due to incompatible land uses. No factual evidence was submitted to indicate values
507 would be diminished. The Board agreed -5-0-0.

508 Mr. Morgan stated there **is no** valid objection from abutters based on demonstrable fact;
509 comments were received from abutters but those were based on hearsay. The Board agreed 5-0-0.

510 Chair Manning stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular
511 traffic, including the location and design of access-ways and off-street parking. The Board
512 agreed 5-0-0.

513 Mr. LaRoche stated adequate and appropriate facilities and utilities **will** be provided to ensure
514 the proper operation of the proposed use or structure. The Board 5-0-0.

515 Mr. Lee stated there **is** adequate area for safe and sanitary sewage disposal and water supply. He
516 stated it would be an individual septic system that will require further approvals and permits.
517 The Board agreed 5-0-0.

518 Mr. Rich stated the proposed use or structure **is** consistent with the spirit of this ordinance and
519 the intent of the Master Plan. He stated two more units will be put in to an existing community
520 and will provide housing for seniors. Mr. Morgan agreed. Chair Manning stated he disagrees; the

521 Master Plan also calls for the protection of the waters and aquifer and this will force more onto
522 less land than what is currently allowed. Mr. LaRochelle stated he agrees that it is not consistent
523 with the Master Plan; he stated a hydrologist hasn't checked into the adequate area for the
524 aquifer and water quality, and this should be considered with the added load of the septic
525 systems. Mr. Lee agreed. Yes -2 No-3

526 Chair Manning stated the special exception does not pass per the criteria.

527 **MOTION: To deny the request for a Special Exception for Case #Z25-15, to Article 600**
528 **Section 602.C.3 to permit an individual sewage disposal system within the Aquifer**
529 **Protection Overlay District. Motion by Mr. Lee. Second by Mr. LaRochelle. Motion passed**
530 **3-2-0.**

531 Mr. Dunphy stated regarding item 2, a variance, they are requesting two additional units in an
532 existing community; the units are well within the property lines and will not affect abutters. He
533 stated the Master Plan calls for more housing and protecting natural resources and this will help
534 with both in terms in not developing other lots. He stated the special characteristics are that it has
535 been an existing community for many years and there is ample space for the two additional units.

536 Ms. Ditri stated there are two variances being requested, referring to the density required in the
537 zone, items 2 and 3, and suggested its a duplicate and isn't needed. Chair Manning suggested
538 working through the worksheets for all variances requested. Mr. Dunphy stated if the Board
539 agrees it is not needed, they can make that determination.

540

541 Chair Manning asked Mr. Dunphy for rationale to go from fifty five to fifty seven units. Mr.
542 Dunphy stated its a modest increase and when looking at the community, the size, the fact its on
543 a private road maintained by the owner, the septic is approved for more than is on the lot, and the
544 property could maintain the two additional units.

545

546 Chair Manning opened the hearing to input from the public for variance request #1 (item #2).

547 None was indicated.

548

549 **Discussion – Case #Z25-15 - variance #1**

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

551 Mr. LaRochelle stated granting the variance would not be contrary to the public interest. Mr.
552 Rich disagreed. Mr. Morgan stated it would be contrary as the ordinance is to prevent density and
553 overcrowding. Chair Manning agreed. Yes-2 No -3

554 Mr. Lee stated the request is not in harmony with the spirit of the ordinance and the intent of the
555 Master Plan to maintain the health, safety and character of the direct district within which it is
556 proposed. He stated the units would exceed the limit. Mr. Morgan, Mr. Rich, and Mr. LaRochelle
557 agreed.

558 Mr. Rich stated that by granting the variance, substantial justice will not be done. He stated it
559 should not be granted as its not in the spirit of the ordinance and contrary to the public interest.
560 Mr. Morgan stated the detriment to the town and public, outweighs any benefit to the applicant.
561 The Board agreed 5-0-0.

562 Mr. Morgan stated the values of surrounding properties will not be diminished. There has been
563 no evidence presented that would indicate values would be diminished. The Board agreed 5-0-0.

Chair Manning stated that for the purposes of this subparagraph, “unnecessary hardship” means that, owing to special conditions of the property that distinguish it from other properties in the area:

ix. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; Yes -3 No-2

x. The proposed use is a reasonable one. Yes— 0 No-5

Chair Manning stated there is a substantial relationship; the proposed use is not reasonable. Mr. LaRochelle stated there is no unnecessary hardship. Mr. Morgan stated there was no testimony regarding a hardship.

MOTION: To deny the request for the Variance for Case #Z25-15, to Article 400 Section 452.A.1 to permit 57 manufactured housing units in a park where only 28 are allowed per the rural zone density restrictions. Motion by Mr. LaRochelle. Second by Mr. Morgan. Motion passed 5-0-0.

Chair Manning noted the next variance is very similar but is found in the manufactured housing ordinance and park standards. Mr. Heath explained that since this section refers back to the zone density so any decision for this variance would be obsolete with the decision on the previous variance; he stated the same goes for the third variance (item #4). After discussion, the Board agreed items #3 and 4 would be void based on the denial of the previous variance request.

MOTION: To deny the request for the Variance for Case #Z25-15, to Article 300 Section 350.C.4 to permit 57 manufactured housing units in a manufactured housing park where only 28 are allowed. Motion by Mr. LaRochelle. Second by Mr. Lee. Motion passed unanimously.

MOTION: To deny the request for the Variance for Case #Z25-15, to Article 300 Section 350.C.2.C to permit a new manufactured home to be 3.9’ within the 30’ interior park setback. Motion by Mr. LaRochelle. Second by Mr. Lee. Motion passed unanimously.

The Board took a five minute recess.

Case #Z25-16 TMS Architects Interiors, Timothy Giguere, Agent for Frogwood, LLC, Brian Underwood, Manager	Map 21 Lot 5-12 Hopewell Road	Special Exception Lakeshore Residential Zone (LR)
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1. A Special Exception is requested for **Article 400 Section 401.D.28** to permit a Lodging House.

2. A Special Exception is requested for **Article 300 Section D** to permit a structure over the 35’ height restriction.

Chair Manning read the public notice into the record. The Board reviewed the application for completeness.

MOTION: To accept the application for Case Z25-16 as complete. Motion by Mr. LaRochelle. Second by Mr. Morgan. Motion passed unanimously.

Timothy Giguere, representative for the applicant, stated this project is unique; the applicant is looking to have non-transient rental units for use by his staff and employees. He explained it was recommended by the Code Enforcement Officer to consider the rental units as non-transient because the rental periods would be for more than thirty days. Mr. Giguere stated these are permitted uses within this zone, with special exception. He stated outlined his reasons supporting this project being in line with the Master Plan, including the economic development and employment for a non-transient workforce; it will also provide living space for workers. He stated this project will provide diverse housing; the applicants are not looking to make this a short term rental but only rent to employees. Mr. Giguere outlined the criteria and how the applicant meets those: the existing lot size is 850,291 square feet, the setback is over 50 feet; the setback from the road is greater than 50 feet. He presented maps and plans showing the existing and proposed property. Mr. Giguere explained the aesthetics of the proposed building, which will be similar to an old school house; it will fit within the context of an old town-house; the applicant will not be removing any of the existing trees on the property. He stated the building will be set back from the road and won't be visible from the road or the abutting property lines. Mr. Giguere explained a variance is needed for the height due to cupola which is part of the design. He stated the amount of acreage of the lot lends itself to the use in keeping with the Master Plan; he stated 10 acres is needed for a lodging house but this lot is 19 acres; the setbacks will exceed the minimums and the proposed density will be only three units on the entire lot. Mr. Giguere stated there will be garage space underneath, that will be used to store equipment for maintaining the estate. He stated the parking area will be in the back and won't be seen from the road. The Fire Department has reviewed the plans and there were no specific concerns regarding the use but an E911 house number will need to be generated for the building. A sprinkler system will be required by national building code. Mr. Giguere addressed concerns regarding storm water runoff; he explained there will be an engineer involved with the project, Horizons Engineers, to develop state approved septic plans and drainage/grading plans, and possibly a storm water management plan. Mr. Giguere stated any type of expansion would require the applicant to come back to the Board for approval; this applicant is only for providing living quarters for employees and storage space for equipment.

Chair Manning asked how many people would be housed. Mr. Giguere stated the staff is currently three single individuals and is intended to stay that way.

Mr. Rich asked where the owners estate is located. Mr. Giguere stated it is across the street, at 142 Hopewell Road.

Chair Manning asked if there is a definition for a lodging house. Mr. Lee referenced the definition in the ordinance, which allows for a building for use by a live-in manager, overnight, for no less than thirty days and up to ten people. Chair Manning questioned if those could affect property values. Mr. Morgan stated this doesn't set a precedent, as each case has to be considered on its own, and the special exception only runs with the property. Mr. Giguere stated this proposal addresses the issue with the housing shortage, noting the maximum people who could

live here would be six as there are only three bedrooms. Chair Manning stated it creates an opportunity to have a rental for up to ten people. Mr. Giguere asked for clarification about the definition of a lodging house, as that is what is being requested. Chair Manning suggested the definition of a lodging house be clarified within the ordinance. Mr. LaRochelle suggested a condition that this be used only for staff and employees; it cannot be rented any other way. Mr. Giguere stated the employees are contracted, non-transient, but he doesn't know the arrangements for paying rent, if there is any. Chair Manning noted the application is for three apartments but the ordinance allows up to ten in a this definition of a lodging house. Mr. Giguere noted the ordinance says ten but doesn't specify if its separate apartments; he clarified they are asking for just three units with this application.

Mr. Rich asked the size of the cupola. Mr. Giguere clarified it is ten by ten feet at the base; there are no windows, only louvers. He stated its intended to add to the architectural appearance only. Mr. LaRochelle asked the actual height of the cupola, from the grade at the back of the building. Ms. Ditri stated the average is 47 feet but its 54 feet at the highest point from the ground.

Chair Manning opened the hearing to input from the public.

Randall Kayle, resident, expressed concerns about the property being on a private road; he stated the lots were originally a single lot and were since subdivided; he suggested the Board needs to consider the covenants that were placed on the deeds by Bob Bahre. Mr. Giguere noted any deed covenants would be a civil issues. Mr. Rich confirmed the Hopewell property did have covenants in place, and the deeds are in the records presented, but he doesn't believe this Board would deal with anything to do with the association. He stated if the owner has violated one of the covenants, the other owners in the association would be required to address those. Mr. Kayle stated if covenants are being violated, the Board is spending time getting approvals for something that doesn't apply. Mr. Rich explained that would be the owner's choice; he reiterated its not the Board's jurisdiction.

Brian Underwood, manager of the LLC that holds the property, and representative for the applicant, stated the owner owns two lots across the street from each other; he stated he is trying to do with right thing for his employees and in order to develop the back parcel he owns, he came to the Town to get a definition for this project. He stated they didn't choose to make a "lodging house" but was advised as such by the Town; he stated it will be a three bedroom housing unit and used only for onsite employees.

Mr. Rich asked for documentation indicating Mr. Underwood is authorized to speak on behalf of the applicant. Mr. Underwood stated he is the registered manager for the LLC which is the property owner, which makes him authorized.

Rob Miller, Esq., stated he was involved with the preparation of the LLC documents and confirmed Mr. Underwood is the authorized manager for all business of Frogwood; he stated the information is readily available with the Secretary of the State of New Hampshire.

Tom Dreyer, abutters, stated they love the area but this seems like an anomaly to the neighborhood; he stated there are two large estates owned by Frogwood and questioned why it

697 isn't being built on the other lot. He noted the application initially indicated a "lodge"; he is
698 concerned about the equipment that will be stored there. He stated there is a maintenance area on
699 the western side of the property but it looks like a disaster with a lot of equipment and RV
700 storage. Mr. Dreyer stated he is concerned about what it does to the neighborhood, and
701 referenced what the intent of Mr. Bahre with the covenants; he doesn't believe it meets the intent
702 of the lake shore area and requested restrictions be placed on the number of people, units,
703 equipment that can be stored, etc. to ensure it is contained to the stated intent. He suggested they
704 be sure to look at the designated wetlands and vernal pools in the area.

705
706 Karen Simonento, abutter, asked for clarification on putting restrictions on this proposal and
707 wants to be sure the intent is maintained; she stated is a large piece of land and wants to be sure
708 there aren't additional lodging added. The Board clarified it is already limited to one. She also
709 expressed concerns about the height of the cupola; she stated her property is behind this lot and
710 is concerned about it affecting her view. The Board discussed the proposed plan along with maps
711 showing the elevations of the properties.

712
713 Mr. Rich noted there is no preclusion for the current owner from selling this lot, and sold as a
714 lodge. Mr. Giguere agreed with some restrictions for this use, but they can't prevent someone
715 from selling a lot or what a future owner may do with a property. Ms. Ditri stated the special
716 exception in this zone requires a minimum of ten acres. Mr. Lee stated if someone wants to
717 change the use the owner needs to come before the Town for approval. Chair Manning noted that
718 would be true if the lot was divided. There was discussion about the different requirements for a
719 multi-family home.

720
721 Mr. Miller stated the definition of a lodging house is difficult and they met with Ms. Ditri to
722 determine the correct definition of this proposal; he reiterated it is staff housing for three people;
723 he stated the intent is for nothing else and asked the Board to only consider what is being
724 presented. He stated the ordinance for a lodging house is permitted by special exception and
725 affirmed the application meets the seven criteria.

726
727 Chair Manning closed the hearing to input from the public.

728
729 The Board worked through the Special Exception worksheet.

730
731 ***Discussion – Case #Z25-16 Article 400 Section 401.D.28***

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

734 Mr. LaRochelle stated that a plat/plan **has** been submitted in accordance with the appropriate
735 criteria in the Zoning Ordinance, Article 520.B. The Board agreed 5-0-0.

736 Mr. Lee stated the specific site **is** an appropriate location for the use. Mr. Morgan stated he agrees
737 and the property is adjacent to the lake. The Board agreed 5-0-0.

738 Mr. Rich stated that actual evidence **is not** found that the property values in the district will be
739 reduced due to incompatible land uses. He stated the property is large and will likely enhance
740 values in the area and no factual evidence was submitted to indicate values would be diminished.
741 Chair Manning disagreed; the neighbors are feeling this will be an impact to their property, and

742 agrees lodging house can have a negative connotation. Mr. LaRochelle stated he acknowledges
743 there are concerns but there is no evidence that values would be affect. The Board agreed 4-1-0.

744 Mr. Morgan stated that while there were valid concerns from abutters, there **is no** valid objection
745 from abutters based on demonstrable fact. Mr. LaRochelle agreed the concerns aren't based on
746 demonstrable fact. Mr. Lee agreed, noting they appreciate all opinions and input but there isn't
747 objection based on demonstrable fact. Mr. Rich agree, noting the opinions are based on
748 conjecture and not fact. Chair Manning disagreed, stating he believes there is data and fact
749 driven demonstrable fact, and believes the concerns are valid. The Board agreed 3-2-0.

750 Chair Manning stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular
751 traffic, including the location and design of access-ways and off-street parking. The Board
752 agreed 5-0-0.

753 Mr. LaRochelle stated adequate and appropriate facilities and utilities **will** be provided to ensure
754 the proper operation of the proposed use or structure. The Board 5-0-0.

755 Mr. Lee stated there **is** adequate area for safe and sanitary sewage disposal and water supply. He
756 stated there are wetlands on the lot but the engineer firm noted in the information will ensure
757 there is appropriate systems in place. The Board agreed 5-0-0.

758 Mr. Rich stated the proposed use or structure **is** consistent with the spirit of this ordinance and
759 the intent of the Master Plan, provided the applicant uses the structure for housing of employees.
760 He stated the intent of the ordinance is to keep the area neat and clean. Mr. Morgan agreed. Chair
761 Manning agreed the Master Plan calls for additional affordable housing in Town, and that this is
762 zone appropriate; he agreed this is lakeside residential zone and one house on a nineteen acre lot
763 is probably okay, noting the Master Plan calls for protecting the views and this plan appears to do
764 so. Mr. LaRochelle stated he agrees and believes this will fit in with the look of the
765 neighborhood. The Board agreed 5-0-0.

766 The Board discussed conditions for approval. Mr. Miller suggested following the language of the
767 ordinance, which has a limit of ten people. Chair Manning noted there was a struggle to define
768 this project and there is disagreement on whether this is a multi-family. Mr. Miller stated the
769 lodging house was the definition Ms. Ditri recommended and that is the application before the
770 Board. Chair Manning noted this use is allowed in other zones but this zone requires the special
771 exception. Mr. Miller stated the exception criteria was just reviewed and approved, reiterating the
772 proposal has met the requirements. Mr. Giguere stated the plans are for a lodging facility, with
773 three units, with use over thirty days. Mr. Miller stated the covenants are outside the jurisdiction
774 of this Board. Chair Manning argued the Board can still put restrictions on the approval.

775 Chair Manning suggested restrictions: the building house six or less people, it cannot be sold and
776 changed to something larger, the maintenance is limited to services of oil change or less. Mr.
777 Rich stated he understands Chair Manning's concerns but they can't enforce these. Mr.
778 LaRochelle stated the Board has the authority to add conditions above and beyond the ordinance
779 as it sees fit and its been done within the past. He suggested the condition be that the ordinance
780 has to be followed and abide by the covenants. Mr. Lee stated he doesn't believe the Board can
781 make a condition regarding the covenants; conditions can only require following the ordinance.

782 **MOTION: To grant the request for a special exception for Case 25-16, requested for Article**
783 **400 Section 401.D.28 to permit a Lodging House. Motion by Mr. Lee. Second by Mr.**
784 **LaRochelle. Motion passed 4-1-0.**

785 Chair Manning opened the hearing to input from the public for the special exception to Article
786 300 Section D.

787

788 Tom Dreyer, abutter, stated a question was asked about whether the building would be seen from
789 the water; he stated depending on the amount of trees removed in the area, it would be visible.

790

791 Chair Manning closed the hearing to input from the public.

792

793 The Board worked through the Special Exception worksheet.

794

795 **Discussion – Case #Z25-16 Article 300 Section D**

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

798 Mr. LaRoche stated that a plat/plan **has** been submitted in accordance with the appropriate
799 criteria in the Zoning Ordinance, Article 520.B. The Board agreed 5-0-0.

800 Mr. Lee stated the specific site **is** an appropriate location for the use. Mr. LaRoche, Mr. Rich
801 and Mr. Morgan agreed. Chair Manning disagreed, noting the spire will be too high and visible
802 from the water, which is contrary to the Master Plan The Board agreed 4-1-0.

803 Mr. Rich stated that actual evidence **is not** found that the property values in the district will be
804 reduced due to incompatible land uses. No factual evidence was submitted to indicate values
805 would be diminished. Mr. LaRoche stated he acknowledges there are concerns but there is no
806 evidence that values would be affected. The Board agreed 5-0-0.

807 Mr. Morgan stated that while there were concerns from abutters, there **is no** valid objection from
808 abutters based on demonstrable fact. The Board agreed 5-0-0.

809 Chair Manning stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular
810 traffic, including the location and design of access-ways and off-street parking. The Board
811 agreed 5-0-0.

812 Mr. LaRoche stated adequate and appropriate facilities and utilities **will** be provided to ensure
813 the proper operation of the proposed use or structure. The Board 5-0-0.

814 Mr. Lee stated there **is** adequate area for safe and sanitary sewage disposal and water supply. The
815 Board agreed 5-0-0.

816 Mr. Rich stated the proposed use or structure **is** consistent with the spirit of this ordinance and
817 the intent of the Master Plan. He stated even though it higher, he doesn't believe it will affect the
818 view of anyone or from the lake. Chair Manning stated he doesn't agree it is in line with the
819 Master Plan as it will be visible from the lake. The Board agreed 4-1-0.

820 **MOTION: To grant the request for a special exception for Case 25-16, for Article 300**
821 **Section 328.D to permit a structure over the 35' maximum height restriction. Motion by**
822 **Mr. LaRoche. Second by Mr. Rich. Motion passed 5-0-0.**

823

824 Chair Manning noted that per the rules of the Board, new cases aren't started after 10:00 PM,
825 noting the current time is 10:40 PM. The Board agreed to continue the remaining business on the

826 agenda.

Case #Z25-17 TF Moran, Inc., Alan Roscoe, Agent for Treasure Coast SPE LLC, Don Sorrentino, Owner	Map 4 Lot 13-0 Frank C. Gilman Highway	Special Exception Variance Rural Zone (RU)
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827

828 **1. A Special Exception** is requested for **Article 400 Section 401.A.7** to allow a Manufactured
829 Home Park in the Rural Zone.

830 **2. A Variance** is requested from **Article 400 Section 452.A.1** to permit an additional site area to
831 be reserved for a single family dwelling in a Manufactured Home Park.

832

833 ***POSTPONED TO MAY 1, 2025***

834

835 **ELECTION OF OFFICERS**

836

837 **MOTION: To nominate Frank Rich as Chair of the Zoning Board of Adjustment. Motion**
838 **by Mr. LaRochelle. Second by Mr. Manning. Motion passed unanimously.**

839

840 **MOTION: To nominate Tom Lee as Vice Chair of the Zoning Board of Adjustment. Motion**
841 **by Mr. LaRochelle. Second by Mr. Manning. Motion passed unanimously.**

842

843 **Committee Assignments**

844 Postponed to May meeting.

845

846 **OTHER BUSINESS**

847 **1. Previous Business:** None.

848

849 **2. New Business:** None.

850

851 **3. Approval of Minutes:** Meeting of March 6, 2025 - Postponed.

852

853 **4. Correspondence:** None.

854

855 **MOTION: To adjourn the meeting. Motion by Mr. Lee. Second by Mr. LaRochelle. Motion**
856 **passed unanimously.**

857

858 The meeting was adjourned at 11:45 PM.

859

860 Respectfully Submitted,

861

862 Jennifer Riel, Recording Secretary