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**TOWN OF ALTON  
ZONING BOARD OF ADJUSTMENT  
PUBLIC HEARING  
Thursday, April 6, 2023, at 6:00 P.M.  
Alton Town Hall**

6  
**MEMBERS PRESENT**

7 Thomas Lee, Chair  
8 Paul LaRochelle, Selectman's Representative  
9 Mark Manning, Member  
10 Frank Rich, Member

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12  
**OTHERS PRESENT**

13 John Dever, Building Inspector  
14 Jason Beckwith, Beckwith Builders, representative for the applicants,  
15 Jim Rines, Horizons Engineering  
16 Amanda Walters  
17 Melody Lacey  
18 Tom Varney, Varney Engineering, LLC  
19 Josh Thibault, Varney Engineering, LLC  
20

21  
**CALL TO ORDER**

22 Chair Lee called the meeting to order at 6:06PM.  
23

24  
**INTRODUCTION OF BOARD MEMBERS**

25 Roll Call was taken for the Board members and individuals present at Town Hall.  
26

27  
**APPOINTMENT OF ALTERNATES**

28 No alternates present.  
29

30  
**STATEMENT OF THE APPEAL PROCESS**

31 The purpose of this hearing is to allow anyone concerned with an Appeal to the Zoning Board of  
32 Adjustment to present evidence for or against the Appeal. This evidence may be in the form of  
33 an opinion rather than an established fact, however, it should support the grounds that the Board  
34 must consider when making a determination. The purpose of the hearing is not to gauge the  
35 sentiment of the public or to hear personal reasons why individuals are for or against an appeal,  
36 but all facts and opinions based on reasonable assumptions will be considered. In the case of an  
37 appeal for a Variance, the Board must determine facts bearing upon the five criteria as set forth  
38 in the State's Statutes. For a Special Exception, the Board must ascertain whether each of the  
39 standards set forth in the Zoning Ordinance have been or will be met.  
40

41  
**APPROVAL OF AGENDA**

42 The Board reviewed the agenda. No changes were made to the agenda.  
43

44 **Mr. Manning motioned to approve the agenda as presented. Mr. Rich seconded the motion.**  
45 **Motion passed unanimously.**

46

47 **CONTINUED APPLICATIONS**

<b>Case #Z23-01 Beckwith Builders, Inc., Agent for Marvin Family 2012 Trust</b>	<b>Map 81 Lot 17-4 Little Barndoor Island</b>	<b>Special Exception Lakeshore Residential (LR) Zone</b>
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48 *A Special Exception is requested from Article 300, Section 360.B of the Zoning Ordinance to*  
49 *permit a proposed boathouse to be a non-habitable structure as the principal building on a lot.*

50

51 Chair Lee stated both cases Z23-01 and Z23-02 have the same owners and lots so would be  
52 handled together although the worksheet discussions would be separate.

53 The Board reviewed the applications for completeness.

54 **Mr. LaRochelle motioned to accept the application for Case #Z23-01 as complete. Mr.**  
55 **Manning seconded the motion. Motion passed 4-0-0.**

56

57 Chair Lee opened the public hearing.

58

59 Jason Beckwith, Beckwith Builders, representative for the applicants, stated there is an existing  
60 boathouse on the lot; the original plan was to modify it as it has historical value to the owner and  
61 they wanted to preserve it. The proposed boathouse would be in a different area but per the State  
62 of NH DES, they didn't like there being two boathouses on one lot and after discussion, it was  
63 agreed a boundary line adjustment could be done to move the existing boathouse to the  
64 neighboring lot. Mr. Beckwith stated the new boathouse meets all the setbacks, is located on its  
65 own lot but it would be a non habitable building as the principle structure on the lot. He stated  
66 the lot already had a boathouse before the boundary line adjustment; he confirmed this proposal  
67 has State and Governor Council approval for the layout. Mr. Dever confirmed the boundary line  
68 adjustment is complete with approval from the Planning Board. It was confirmed after the  
69 boundary line adjustment, there will be one lot with a single home with a boathouse on it and a  
70 vacant lot. This will allow the boathouse to be preserved for historical purposes. Mr. Beckwith  
71 confirmed the signed plan has been recorded. He stated the use is reasonable and will not be  
72 changing; there is no evidence that property values will be reduced but it might gain value and it  
73 won't block any views as it is all woods behind the structure. He stated there is no objection by  
74 abutters; no affect on traffic as its an island but it will increase access to the island with more  
75 dock space and no pedestrians will be affected. There won't be any utilities other than an  
76 electrical panel; there will be no sewer or potable water; it is not a dwelling unit and is restricted  
77 to the use of storage for boat and water related items. Mr. Beckwith stated the proposed  
78 boathouse will be about 2500 square feet, which is a little larger than the old one. The new lot  
79 after the boundary line adjustment has about 445 feet of shoreline, which permits for up to 7 slips  
80 and is the minimum of 30,000 square feet. Mr. Rich asked if a future owner wants to build a  
81 home, will there be enough space. Mr. Beckwith confirmed there is adequate space; it was noted  
82 three of the five lots are owned by the same owner (the applicant).

83 Chair Lee confirmed the architectural style and proposed materials will be visible compatible  
84 with other buildings in the neighborhood; he stated the space will not be habituated. Mr.  
85 Beckwith confirmed there won't be living space.

86 Mr. Rich stated he is concerned about the building being above the height as a Special Exception  
87 is being asked for that. After discussion, it was agreed that no views on Barndoor Island or Little  
88 Barndoor Island will be obstructed. Mr. Beckwith stated without the cupola, the height would be  
89 15 feet.

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

92  
93 Chair Lee opened the hearing to input from the public in opposition of the application. None was  
94 indicated.

95  
96 Chair Lee closed public input.

97 ***Discussion – Case #Z23-01***

98  
99 *The Board must find that all the following conditions are met in order to grant the Special*  
100 *Exception:*

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

103 Mr. LaRoche stated the specific site **is** an appropriate location for the use. He stated the lot had  
104 a boathouse on it prior to a lot line adjustment; a new boathouse is being put in the same place  
105 and the use is not changing; it is appropriate for the boathouse to be in this area. The Board  
106 agreed.

107 Mr. Manning stated that actual evidence **is not** found that the property values in the district will  
108 be reduced due to incompatible land uses. It is a residential area, and it will remain a residential  
109 property. Mr. Rich stated the value of the properties in the district will only be enhanced and  
110 increased. The Board agreed.

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

113 Chair Lee stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular traffic,  
114 including the location and design of access ways and off-street parking. He stated that with it  
115 being a boathouse, there is no undue nuisance. The Board agreed.

116 Mr. LaRoche stated adequate and appropriate facilities and utilities **will** be provided to insure  
117 the proper operation of the proposed use or structure. He stated there is existing electrical service  
118 which will be used for the new structure. The Board agreed.

119 Mr. Manning stated there **is** adequate area for safe and sanitary sewage disposal and water supply  
120 as the lot is large enough to support a home but the plan at this point doesn't require any sewage.  
121 The Board agreed.

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

124 **Mr. Manning made a motion to grant the request for a Special Exception for Case #Z23-01.**  
125 **Mr. LaRochelle seconded the motion. Roll Call Vote: Mr. Rich-aye; Mr. LaRochelle – aye;**  
126 **Mr. Manning – aye; Chair Lee – aye. Motion passed, 4-0-0.**

127

Case #Z23-02 Beckwith Builders, Inc., Agent for Marvin Family 2012 Trust	Map 81 Lot 17-4 Little Barndoor Island	Special Exception Lakeshore Residential (LR) Zone
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128 *A Special Exception is requested from Article 300, Section 328.D of the Zoning Ordinance to*  
129 *permit a Boathouse Cupola to extend 5ft above the main building height to 20ft above the*  
130 *reference line.*

131

132 The Board reviewed the applications for completeness.

133 **Mr. Manning motioned to accept the application for Case #Z23-02 as complete. Mr.**  
134 **LaRochelle seconded the motion. Motion passed 4-0-0.**

135

136 Chair Lee opened the public hearing.

137

138 The Board reviewed the plans along with photos of similar boathouses with extended cupolas,  
139 also built by Beckwith Buildings. Mr. Beckwith explained the added light the extension offers  
140 and confirmed there is no living space in the structure.

141

142 Mr. Beckwith stated the proposed cupola will be 13.1 feet by 13.1 feet square, and 5 feet in  
143 height above the main roof line; he stated it will provide added light and ventilation and open to  
144 the interior of the boathouse. He stated the existing trees surrounding the structure, are much  
145 taller and the cupola will not obstruct the views for any abutting properties. No utilities except  
146 electricity will be needed.

147

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

150

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

153

154 Chair Lee closed public input.

155 ***Discussion – Case #Z23-02***

156

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

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

161 Mr. Manning stated the specific site is an appropriate location for the use. He stated the cupola  
162 adds to the look and feel of the boathouse. The Board agreed.

163 Mr. Rich stated that actual evidence is not found that the property values in the district will be  
164 reduced due to incompatible land uses. It is a residential area, and it will remain a residential  
165 property. Mr. Rich stated the value of the properties in the district will only be enhanced and  
166 increased. The Board agreed.

167 Chair Lee stated there is no valid objection from abutters based on demonstrable fact. No  
168 abutters came forward and no letters or communications in opposition were received. The Board  
169 agreed.

170 Mr. LaRochelle stated there is no undue nuisance or serious hazard to pedestrian or vehicular  
171 traffic, including the location and design of access ways and off-street parking. He stated the  
172 addition of the cupola will have no impact. The Board agreed.

173 Mr. Manning stated adequate and appropriate facilities and utilities will be provided to insure the  
174 proper operation of the proposed use or structure. He stated there is existing electrical service  
175 which will be used for the new structure. The Board agreed.

176 Mr. Rich stated there is adequate area for safe and sanitary sewage disposal and water supply as  
177 the lot is large enough to support a home but the plan at this point doesn't require any sewage.  
178 The Board agreed.

179 Chair Lee stated the proposed use or structure is consistent with the spirit of this ordinance and  
180 the intent of the Master Plan. The Board agreed.

181 **Mr. LaRochelle made a motion to grant the request for a Special Exception for Case #Z23-**  
182 **02. Mr. Rich seconded the motion. Roll Call Vote: Mr. Rich-aye; Mr. LaRochelle – aye;**  
183 **Mr. Manning – aye; Chair Lee – aye. Motion passed, 4-0-0.**

184

Case #Z23-03 Luke & Amanda Walters and Ira & Melody Lacey, Owners	Map 12 Lot 67-6 285 Powder Mill Rd	Variance Rural (RU) Zone
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185 *A Variance is requested from Article 400, Section 401.A.3 of the Zoning Ordinance to permit an*  
186 *addition to the existing Single Family Dwelling to create a Two-Family/Duplex Dwelling.*

187 The Board reviewed the application for completeness.

188 **Mr. LaRochelle motioned to accept the application for Case #Z23-03 as complete. Mr.**  
189 **Manning seconded the motion. Motion passed 4-0-0.**

190

191 Chair Lee opened the public hearing.

192

193 Amanda Walters, applicant, stated they want to create a two-family home; she stated there will  
194 be a fire wall between the spaces and two kitchens. She stated all the requirements for setbacks  
195 and zoning ordinances are met. She stated it is for their own personal use with one family on  
196 each side; she explained there is a dwelling on the property which will be renovated with a deep

197 energy retrofit as they are building a net zero home; the floor plan is being modified with an  
198 unfinished basement. Ms. Walters stated both living spaces will be single level living. It was  
199 confirmed there will be a total of seven bedrooms and the existing septic system will be  
200 upgraded. Ms. Walters confirmed a septic approval has been received from NH DES for a system  
201 that will accommodate the added bedrooms.

202 Mr. Rich noted the lot is 12 acres and asked if they have considered garages or extensions to the  
203 home down the road. Ms. Walters stated the plan is to have a deck off the addition which will  
204 provide covered parking but there are no plans for a garage at this point.

205 Mr. LaRoche asked how much road frontage this lot has. Ms. Walters stated its 342.9 feet. Mr.  
206 LaRoche noted per the ordinance each dwelling has to have a minimum of 200 feet; he asked  
207 Mr. Dever if this is considered a single dwelling. Mr. Dever clarified the frontage is per lot.

208 Mr. Rich asked if they have discussed the proposal with neighbors or abutters. Ms. Walters stated  
209 they have not; she confirmed there is one abutter behind their lot. The property across the street  
210 is the Town Preserve.

211 Mr. LaRoche asked if there are plans to expand the solar panels. Ms. Walters stated they don't  
212 know if expansion will be needed ye; she stated they will know more after plans are finalized so  
213 calculations can be made, and they have determined the HVAC system that will be needed. She  
214 stated they don't plan to add any more panels.

215 Mr. Rich noted there is a guest cabin on the property. It was confirmed there are no kitchen  
216 facilities in the cabin.

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

219  
220 Chair Lee opened the hearing to input from the public in opposition of the application. None was  
221 indicated.

222

223 Chair Lee closed public input.

224 **Discussion – Case #Z23-03**

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

226 Mr. Manning stated granting the variance **would not** be contrary to the public interest. He stated  
227 the two family house will be used for personal use. Mr. Rich stated the applicant has a 12 acre lot  
228 and trying to keep their family together and in doing so are being cognizant of what needs to be  
229 done to make sure its in the best interest of the public. The Board agreed.

230 Mr. Rich stated the request **is** in harmony with the spirit of the ordinance and the intent of the  
231 Master Plan to maintain the health, safety and character of the direct district within which it is  
232 proposed. He stated the Master Plan warrants this type of spirit in terms of allowing citizens to  
233 work within the framework of their land and homes and this is the intent. The Board agreed.

234 Chair Lee stated that by granting the variance, substantial justice will be done. He stated there are  
235 no issues with regard to property line setbacks, height requirements and no injustices to any  
236 abutters. The Board agreed.

237 Mr. LaRochelle stated the values of surrounding properties will not be diminished. He stated the  
238 property will remain residential and it will be an improvement to the property. There has been no  
239 evidence presented that would indicate values would be diminished. The Board agreed.

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

243 i. No fair and substantial relationship exists between the general public purposes of  
244 the ordinance provision and the specific application of that provision to the  
245 property;

246 ii. The proposed use is a reasonable one.

247 Chair Lee stated the proposed use is reasonable. Mr. Rich stated the hardship to the family  
248 outweighs public interest in this case. The Board agreed.

249 **Mr. Manning made a motion to grant the request for a Variance for Case #Z23-03. Mr.**  
250 **Morgan seconded the motion. Roll Call Vote: Mr. Manning– aye; Mr. LaRochelle – aye;**  
251 **Mr. Rich – aye, Chair Lee– aye. Motion passed, 4-0-0.**

252

Case #Z23-05 Varney Engineering, LLC, Agent for Michael & Roberta Watto, Owners	Map 34 Lot 33-1 101 Mount Major Highway	Special Exception Rural Residential (RR) Zone
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253 *A Special Exception is requested from Article 300, Section 320 H.3 of the Zoning Ordinance to*  
254 *permit building a new foundation under an existing cottage.*

255 The Board reviewed the applications for completeness.

256 **Mr. Manning motioned to accept the application for Case #Z23-05 as complete. Mr.**  
257 **LaRochelle seconded the motion. Motion passed 4-0-0.**

258

259 Chair Lee opened the public hearing.

260

261 Tom Varney, Varney Engineering, LLC, representative for the applicants, stated this property is  
262 part of the Alton Bay Christian Conference Center; they have owned the property since 2020 and  
263 the plan is to build a new foundation under the existing cottage which will create an increase in  
264 the ridge height; the basement will go down slightly. Mr. Varney stated the footprint will not be  
265 expanded; the sewer connects to a NH DES approved septic system for the campground. The  
266 water supply is municipal water. Mr. Varney stated drip edges will be installed to infiltrate storm  
267 water. He stated the house is only being raised up by 1 foot and there is no expansion of the  
268 footprint and there won't be any damage to do the work with low impact to the area. Mr.  
269 LaRochelle asked if the old block foundation is failing. Mr. Varney confirmed it is. Mr. Rich

270 asked what the depth will be of the new foundation. Mr. Varney stated the current foundation is a  
271 walk-out basement, with some exposed on the front and the new one will be similar and the  
272 square footage will be the same. Mr. Manning asked if there would be added living space. Mr.  
273 Varney stated he does not know. Mr. Dever stated there was no indication with the Wattos that  
274 would indicate there would be added living space. It was confirmed the replacement would be a  
275 full basement and will be 8 feet high. Mr. Varney stated the distance to the abutting house is 9.5  
276 feet. Mr. LaRoche asked if the additional drip edge will be extended a foot over the walkway  
277 and asked what the walkway is made of; he questioned if it will be disturbed. Mr. Varney stated it  
278 could be disturbed; the house on the left has a new foundation so there won't be an impact; if the  
279 sidewalk is disturbed, it will be put back.

280 Mr. Manning asked if there will be an impact to the traffic on Route 11. Mr. Dever confirmed  
281 there would be; he explained upgrades to electrical systems will not be required as its not a  
282 renovation. He stated there isn't a need to reexamine the septic system as they have approval  
283 from the Association.

284 Mr. Rich noted the existing home next to it is only 9 feet away and wants to be sure the  
285 excavation near the walkway and area near the abutting foundation is kept secure. Mr. Varney  
286 stated that house has a modern foundation and won't be affect; he stated the same thing of  
287 replacing the block foundation was done for the abutting house.

288 Mr. Varney confirmed a NH DES Shoreline Permit has already been obtained. 1.25

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

291  
292 Chair Lee opened the hearing to input from the public in opposition of the application. None was  
293 indicated.

294  
295 Chair Lee closed public input.

296 ***Discussion – Case #Z23-05***

297  
298 *The Board must find that all the following conditions are met in order to grant the Special*  
299 *Exception:*

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

302 Mr. LaRoche stated the specific site **is** an appropriate location for the use. He stated nothing is  
303 changing; the house is being lifted for the purpose of a new foundation. Board agreed.

304 Mr. Manning stated that actual evidence **is not** found that the property values in the district will  
305 be reduced due to incompatible land uses. It is a residential area, and it will remain a residential  
306 property. The Board agreed.

307 Mr. Rich stated there **is no** valid objection from abutters based on demonstrable fact. No abutters



308 came forward and no letters or communications in opposition were received. The Board agreed.

309 Chair Lee stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular traffic,  
310 including the location and design of access ways and off-street parking. He stated there is no  
311 change in the footprint of the dwelling. Mr. Manning stated he agrees there is no undue nuisance  
312 but its not clear whether there will be an impact to the traffic on Route 11 during the construction  
313 process. The Board agreed.

314 Mr. LaRochelle stated adequate and appropriate facilities and utilities **will** be provided to ensure  
315 the proper operation of the proposed use or structure. He stated there is an existing electrical  
316 service and existing septic service. Board agreed.

317 Mr. Manning stated there **is** adequate area for safe and sanitary sewage disposal and water supply  
318 based on the septic being tested and approved. The Board agreed.

319 Mr. Rich stated the proposed use or structure **is** consistent with the spirit of this ordinance and  
320 the intent of the Master Plan. He stated one of his major concerns is the houses are so close  
321 together but to deny the request would be inconsistent with the Master Plan based on the fact that  
322 nothing is being done but replacing the foundation which will only enhance the property. The  
323 Board agreed.

324 **Mr. Rich made a motion to grant the request for a Special Exception for Case #Z23-05 with**  
325 **the condition that the septic system approval is State approved. Mr. LaRochelle seconded**  
326 **the motion. Roll Call Vote: Mr. Rich-aye; Mr. LaRochelle – aye; Mr. Manning – aye;**  
327 **Chair Lee – aye. Motion passed, 4-0-0.**

328

### 329 **OTHER BUSINESS**

330 1. Previous Business: Discussion of election results: Chair Lee stated Mr. Manning was  
331 reelected to the Board; there are new Board of Selectmen members as well.

332 2. New Business:

333 a. Distribution of Master Plan book: The Board reviewed the approved Master Plan  
334 Book. Mr. LaRochelle stated there were suggestions that the Master Plan Committee  
335 meet throughout the year.

336

337 3. **Approval of Minutes:**

338 Meeting of March 2, 2023 – Edits were made. **Mr. Manning motioned to approve the**  
339 **minutes as presented. Mr. LaRochelle seconded the motion. Motion passed 3-0-0.**

340

341 4. **Correspondence:** None.

342

343 5. **Election of Officers:**

344

345 **Mr. Rich motioned that Mr. Lee continue as Chair of the Zoning Board of Adjustment. Mr.**  
346 **Manning seconded the motion. Motion passed 4-0-0.**

347

348 **Chair Lee motioned that Mr. Rich be Vice Chair of the Zoning Board of Adjustment. Mr.**  
349 **Manning seconded the motion. Motion passed 4-0-0.**

350

351 **Chair Lee motioned that Mr. Manning be the Clerk of the Zoning Board of Adjustment. Mr.**  
352 **LaRochelle seconded the motion. Motion passed 4-0-0.**

353

354 **Mr. Rich motioned to adjourn. Mr. LaRochelle seconded the motion. Motion passed**  
355 **unanimously.**

356

357 The meeting was adjourned at 7:55PM.

358

359 Respectfully Submitted,

360 *Jennifer Riel*

361 Jennifer Riel, Recording Secretary

APPROVED