

TOWN OF ALTON ZONING AMENDMENT COMMITTEE  
Approved Minutes  
May 18, 2016

Members Present:

Paul Monzione, Chair  
Tom Hoopes, Vice Chair  
Bill Curtin, Member  
Tim Morgan, Member  
Cydney Johnson, Member  
Lou LaCourse, Member

Others Present:

Nic Strong, Town Planner  
John Dever, III, Code Enforcement  
Traci Cameron, Planning Secretary

**I. CALL TO ORDER**

P. Monzione called the meeting to order at 6:00 pm

**II. APPROVAL OF AGENDA**

**T. Hoopes moved to accept the Agenda as presented.  
C. Johnson seconded the motion with all in favor.**

**III. ELECTION OF OFFICERS**

**B. Curtin moved to elect P. Monzione as Chair and T. Hoopes as Vice Chair.  
L. LaCourse seconded the motion with all in favor.**

**IV. OTHER BUSINESS**

1. Old Business-

- Alton Community Survey Results: C. Johnson asked if the Committee would like to have the results of the 2015 Survey posted to the Town's website. B. Curtin stated the results should be posted on the website and a message should be put in the Baysider to let the Townspeople know the results are on the website. P. Monzione stated the Survey should continue to be a working document and as a guide for the Zoning Amendment Committee. C. Johnson asked if the Committee thought it would be helpful if they were to address some of the Survey items in order to give the public feedback to some of the comments that were made, while leaving out people's names. The Committee discussed the logistics of giving feedback, how would they decide what results should they comment on and should they have a workshop or informational night to address the survey results. P. Monzione stated the Committee needed to be cautious about redacting only certain information in order to maintain transparency and

accuracy of the survey. P. Monziona agreed specific names should not be posted, citing 91-A, but the hard copy would be available at the Town Hall for anyone to see.

**T. Morgan moved the Survey to be posted on the Town's website with redactions of individual names where appropriate, and the public should be notified by an ad placed in the Baysider. The Committee will work on formulating responses to the Survey results and will have a meeting to address those responses at a later date.**

**L. LaCourse seconded the motion with all in favor.**

2. New Business-

- N. Strong stated all of the correspondence items are new business.

3. Approval of Minutes-

- None at this time

4. Correspondence for the Boards action/review/discussion:

a) Memo from Nic Strong, Town Planner, dated May 3, 2016, re: Potential Zoning Amendments for 2017;

- N. Strong stated that she was not familiar with a committee like this, there was nothing written down regarding how often the Committee meets and what the procedures are for the meeting. She wondered if there was the need for by-laws. P. Monziona stated that this group was more of a committee as opposed to a board, less structured, more informal, it was a group comprised of members of other boards, that informally talk about what potential changes and updates should be made to the Town's Zoning Ordinance and presented to the Planning Board. When the Committee presents potential Zoning Ordinance changes to the Planning Board it was done in a formal joint session pursuant to the Planning Board's rules. The Planning Board will determine what changes will be placed on the ballot for Town vote. N. Strong stated since she started in January she has reviewed the Subdivision Regulations, Site Plan Review Regulations and the Zoning Ordinance. She worked in Word and used the track changes feature to create a working draft of the Town's Zoning Ordinance that the Committee received in their packets. The draft identifies scrivener's errors, questions about things N. Strong did not understand and suggestions of things that need to be updated based on changes in statutes. N. Strong had sent the working drafts of the Town's Zoning Ordinances, Subdivision and Site Plan Review Regulations to Attorney Jim Sessler for his review. N. Strong was waiting for him to reply as to what things, such as the scrivener's errors, can or cannot be addressed without going before the Town's voters. The Committee members did not feel the need for by-laws.

b) Memo from Nic Strong, Town Planner, dated March 29, 2016, re: SB 146, Accessory Dwelling Units; and c) Information Packet from Plan NH, re: Accessory Dwelling Units (ADU's) in New Hampshire;

- N. Strong stated the bill went through and became legislation so now the Town's Zoning Ordinance needs to change to catch up with that.

d) Information Packet from the NH Municipal Association, dated November 2015, Municipal Sign Ordinances after *Reed v. Town of Gilbert*, Signs, Signs, October Term 2014, Supreme Court of the United States, Syllabus: *Reed Et Al. v. Town of Gilbert, Arizona, Et Al.*, Powerpoint from NHMA, Everywhere are Signs: Sign Ordinances and the First Amendment

and Legal Lesson Article from American Planning Association, re: Sign Regulations Just Got More Complicated;

- N. Strong stated the sign regulations should be looked at based on the court case that came down at the end of last year in terms of freedom of speech in different signs, how long the sign can be posted, and how you can't have temporary sign for one thing that has to come down in a different number of days than another use. N. Strong stated that the OEP was really pushing Towns to take care of this as soon as possible.
- e) Information Packet from [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us) , re: Small Wind Energy Systems;
- Some members of the Committee thought there had been previous discussions by the Committee regarding Small Wind Energy Systems. J. Dever stated that currently there was a State law in place that was fairly loose and the Town could decide to create their own ordinance rather go by the State law. T. Hoopes and B. Curtin stated there had been previous discussions regarding Small Wind Energy Systems and both T. Hoopes and B. Curtin thought there was an ordinance placed on the ballot to address Small Wind Energy Systems. N. Strong stated currently there was not an ordinance addressing Small Wind Energy Systems and that she would research previous minutes to determine if there had been discussion and a draft ordinance created. N. Strong will advise the Committee on her findings.
- f) Email from Ken McWilliams, dated August 17, 2015, re: Metal Rooves;
- This email was in reference to a complaint received by an individual about the glare/reflection from a metal roof. The Committee discussed the complaint and looked at the pictures that were provided by the complainant. J. Dever stated this was not only a momentary issue but a seasonal one as well. P. Monziona stated this type of complaint would something that J. Dever would be bringing before the Committee if you were getting many complaints for individuals due to a specific structure type, as it would be interfering with people's quiet enjoyment or use. Given that there had only been one complaint about this issue the Committee decided not to add this item to the list of amendments the Committee would be working on this year.

**T. Morgan moved the discussion of Metal Rooves be removed from the Committees list for this year.**

**L. LaCourse seconded with all in favor.**

#### 5. Any Other Business that may come before the Board

- J. Dever had a request from an individual for an amendment to be considered to the current Zoning Ordinance, for two single family homes to be allowed on lots of a large size, which would be relaxing the Town's current restrictions. T. Hoopes stated the Town had that regulation at one time and he led the fight years ago to disallow this practice, because of houses being built on lots that were not big enough to be subdivided. P. Monziona stated at this point of the discussions everything should be added to the list and at the next meeting the Committee could sort out items that should remain on the list and what should be removed or deferred from the list.

#### **V. AMENDMENTS COMMITTEE WOULD LIKE TO ADDRESS**

T. Hoopes stated as he understood it, the Committee is allowed to make changes such as grammatical errors and correct items that should have been deleted when the new Zoning

Ordinances passed at Town Meeting. N. Strong stated she would like for Attorney Sessler to go through the draft Zoning Ordinance that she sent to him and specifically address each item that needs to be edited so that there will never be a question that it was done properly.

N. Strong stated there was some background information in their packet regarding Accessory Dwelling Units that should be looked over before the next meeting.

T. Hoopes stated the document that N. Strong prepared was well done, it follows the same sequence, States rules, Town's rules and what the Committee needs to address. N. Strong stated there are still a few sections that needs the Committee to provide input on.

N. Strong stated the Committee should read through and makes notes to the potential zoning amendments in the packet and came back with individual lists of potential zoning amendments the Committee would like to have included in the list for discussion.

T. Morgan asked if N. Strong had given the Committee homework on Section 603, the Wireless. N. Strong stated because that actually should get done because the statute changed in 2013, she had made the changes in the Zoning Ordinance for the Committee's review and it was in the annotated document.

P. Monziona suggested that the Committee focus on the Zoning Ordinances that need to be changed substantively such that it requires a warrant article, the Committee focus on those that need to be compliant with State law and that they prioritize those first. P. Monziona stated the Town does not want to have anything written in their Zoning Regulations that violates State statute or case law.

C. Johnson asked if the Town is updating something because the law has changed, why does that go to the Town voters, the Town can make the laws stricter than State law but not more loose, so if we are bringing something up to meet what the State law is, why does that go before the voters. P. Monziona stated the changes need to go to Town Meeting in order to give the townspeople an opportunity to vote on the matter and the Town a means to clarify procedures and to adopt local requirements to enact the statute.

T. Morgan asked N. Strong, based on her review of the current Zoning Ordinances, other than the scrivener's errors, was there anything she would have made a bullet point on her memo. N. Strong stated the big ones were Accessory Dwelling Units, the Personal Wireless and the Sign Ordinance.

N. Strong stated that she was not sure when the Committee would hear feedback from Attorney Sessler, he was working on quite a few items for the Town right now.

T. Morgan stated if the Committee took the bullet points as priorities and maybe one or two things from prior business then the Committee should be in pretty good shape in respect to the draft Zoning Ordinance. N. Strong agreed.

P. Monziona stated if time allows he would like the Committee to take another look at the Function Facility Zoning Regulation. T. Morgan stated he would like the Town Planner and Town Code Enforcement Officer to have a discussion to see if there was a difference in interpretation with the current Zoning Regulation before the Committee makes a determination on whether or not to change the current ordinance. The Committee agreed to have the Function Facility Zoning Ordinance on the list.

P. Monziona stated in summary; at the next meeting the Committee would discuss those Regulations that have legal issues, and need to be brought in compliance with State law, whatever is in the Zoning Ordinance draft document that Attorney Sessler thinks was substantive but none the less still needs changes, the Function Facility Ordinance and two single family homes on one lot. The Committee will prioritize the list to work on at the next meeting and in summary the Committee decided the results of the survey would be published on the Town's website, with names redacted

where appropriate. The Committee will review the results of the survey before the next meeting and decide whether or not to respond to the results.

**VI. SET DATES FOR FUTURE MEETINGS**

- June 15, 2016, at 6pm

**VII. PUBLIC INPUT**

Open to the public. None at this time. Closed Public session.

**VIII. ADJOURNMENT**

**L. LaCourse moved to adjourn. The motion was seconded by B. Curtin and passed without opposition.**

The meeting adjourned at 7:30pm

Respectfully submitted,  
Traci Cameron, Recorder, Public Minutes