

**TOWN OF ALTON PLANNING BOARD
MINUTES OF 2021
TUESDAY, JULY 20, 2021**

APPROVED

Members Present:

Drew Carter, Chairman
Scott Williams, Member
Roger Sample, Member
Tom Hoopes, Members
Bill O’Neil, Alternate
Virgil MacDonald, Selectmen’s Rep.

Others Present:

Jessica A. Call, Town Planner
Amelia Cate, Planning Secretary

Chairman announced that the Planning Board was no longer holding hybrid meetings.

Call to Order

Meeting was called to order at 6:00 P.M. +/-

Motion to Rescind

Board to motion and vote on rescinding the motion that passed at the May 12, 2020, Planning Board meeting to put a hold on the following two (2) agenda items: “Any Other Business to Come Before the Board” and “Public Input on Non-case Specific Planning Issues”.

This was moved under “Other Business”. Mr. MacDonald noted that the motion had to be rescinded by the person who originally made the motion. Ms. Call researched the minutes from May 12, 2020, and come to find out, there actually was no official motion, but was noted that the Board did unanimously agree to put a hold on the two items in question.

Appointment of Alternate

Mr. Carter appointed Mr. O’Neil as a voting member for the night due to Bob Regan’s absence.

Approval of Agenda

Ms. Call added #6. “Any Other Business to Come Before the Board” and #7. “Public Input on Non-case Specific Planning Issues” to the agenda.

Mr. Carter asked if there had been any changes to the Agenda. Ms. Call stated there were. Case P21-15 was actually P21-16; the blurb that was the proposal to that case had been added because it had been missing; clarified that July 29th was the first CIP Committee meeting under “New Business” A.; add B. to “New Business” to inform the Board that Mr. Diveny submitted his resignation to be an alternate on the Planning Board and Ms. Call would explain at that point.

**Mr. Williams MOVED to accept the agenda as amended.
Mr. Hoopes seconded the motion, and it PASSED unanimously.**

1. Completeness Review of Application and Public Hearing if Application is Accepted as Complete (Continued from June 15, 2021)

<p>Case #P21-14 Donald S. “Ted” Wright, LLS, of White Mountain Survey & Engineering, Agent for Carol C. Couture, and the Rosenthal Family Trust, Robert Goldman & Laura Hrasky, Ttees., Owners</p>	<p>Map 18 Lots 36-2 & 36-3 78 & 76 Shore Road</p>	<p>Lot Line Adjustment Lakeshore Residential (LR) Zone</p>
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The Chairman read the case into the record.

Ted Wright, LLS, agent, sat at the table to present the case.

Ms. Call stated that the only thing missing had been the sample deeds. Mr. Wright stated he had them with him.

**Mr. Wilder MOVED to accept the Application for Case #P21-14 as complete.
 Mr. Williams seconded the motion, and it PASSED unanimously.**

**Mr. Hoopes MOVED to grant the waivers to Section VII. F.7.e., “Complete boundary survey...”;
 Section VII. F.7.g., “Show all jurisdictional Wetlands...”; Section VII. F.7.h., “Show all areas
 with slopes in excess of 25%.”; Section VII. F.7.i., “Show the minimum contiguous upland
 area...”, as presented.
 Mr. Wilder seconded the motion, and it PASSED unanimously.**

Mr. Wright introduced himself. He stated he was representing both the Coutures and Rosenthals in this lot line adjustment. He stated the Coutures were going to do some landscaping and didn’t know where the boundary line was so they hired White Mountain Survey to lay out the boundary for them. In the process of that they had discovered that the steps and a small portion of the existing deck had been over the property line. This case is to address that. Mr. Wright stated that with this adjustment the deck would meet the setbacks, and so would the Rosenthal’s property.

Mr. Wright stated that the ZBA granted a Variance at the July 1st meeting because the Rosenthal property had less than 150 feet of frontage on the lake and by moving the property line, that action created a new lot of record, and with that, the property didn’t meet the shorefront requirements anymore.

Mr. Carter asked Mr. Wright if the frontage was the only concern from the ZBA. Mr. Wright stated, yes. Mr. Carter stated that the lot had been considered a nonconforming lot because of the structure, the deck and the stairs. Mr. Wright stated that at one time the lot had been nonconforming although he didn’t know when the deck and stairs had been built. Mr. Carter stated the stairs looked to be within the setbacks and still not in conformance. Mr. Wright explained that the ZBZ meeting, John Dever, III, Code Official, explained to him that the stairs where not part of the setback issue because they were not considered a structure, because this had also come up during the ZBA meeting. Ms. Call stated that the stairs were considered an access not a structure.

Mr. Carter opened public input. No public. Public Input closed.

After due hearing, Mr. MacDonald **MOVED** that the Alton Planning Board hereby approves Case #P21-14, for Carol C. Couture, and the Rosenthal Family Trust, Robert P. Goldman & Laura Hrasky, Trustees, for the above cited Lot Line Adjustment of Map 18 Lots 36-2 & 36-3, 78 & 76 Shore Road, Alton, NH, with the following conditions:

CONDITIONS PRECEDENT

The following conditions precedent must be satisfied prior to the Planning Board Chair signing the plans:

1. Submission of revised plans in the number required by the Subdivision Regulations and that include all of the checklist corrections, any corrections as noted at this hearing and any waivers granted.
2. Addition of a note to the lot line adjustment plan prior to plan signing as follows:
"This subdivision plan is subject to the Conditions of Approval itemized in the July 20, 2021, Notice of Decision recorded in the Belknap County Registry of Deeds and on file at the Town of Alton Planning Department."
3. Addition of a note to the lot line adjustment plan prior to plan signing by the Planning Board Chair as follows:
"This lot line adjustment plan contains a total of ___ sheets. (List number of sheets included with the plan). In combination, these plans constitute in their entirety the lot line adjustment plan as approved by the Town of Alton Planning Board. All sheets are on file at the Town of Alton Planning Department."
4. Bounds should be set on the final plat or a separate certification of bounds set will be required to be recorded at the Belknap County Registry of Deeds at the applicant's expense.

SUBSEQUENT CONDITIONS

The following subsequent conditions shall be met during construction and on an on-going basis:

1. The applicants shall comply with all of the Town of Alton's Subdivision Regulations.
2. Approval of the lot line adjustment by the Planning Board constitutes recognition that the lot configurations are in conformance with local land use regulations. To complete the lot line adjustment, deeds must be transferred and recorded and this is the applicant's responsibility.

3. **The approval is based upon the plans, specifications and testimony submitted to the Planning Board. Any alterations, additions, or changes to the plans are not authorized and require additional Planning Board approval.**
4. **A lot line adjustment which has been approved, conditionally or otherwise, may be revoked, in whole or in part, by the Planning Board when an applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans, or specifications upon which the approval was based, or has materially violated any requirements or conditions of such approval.**

Unless otherwise approved by the Board, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions precedent that are required prior to signing and recording the subdivision plat. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board’s approval, unless an extension is approved by the Board under Section IX, A. 2. of the Town of Alton Subdivision Regulations.

Mr. Williams seconded the motion, and it PASSED with Mr. Carter voting, Nay.

2. Voluntary Merger of Pre-Existing Lots

<p>Case #P21-16 Paul A. Richardson 2001 Trust & Carol A. Richardson 2001 Trust, Carol A. Richardson, Trustee, Owner</p>	<p>Map 38 Lots 43 & 43A 11 Richardson Drive</p>	<p>Voluntary Lot Merger Lakeshore Residential (LR) Zone</p>
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The Chairman read the case into the record.

Carol A. Richardson, owner, and her daughter, Donna Richardson, sat at the table to present the case.

**Mr. Williams MOVED to accept the application for Case #P21-16 as complete.
Mr. MacDonald seconded the motion, and it PASSED unanimously.**

Carol Richardson thanked the staff that assisted her with this application. Donna Richardson shared that the property that her family’s home sat on, as far as she knew, was purchased from a Mary Cassidy in 1936 by the family name Delesdeners. Orlen Delesdeners sold the first portion of three (3) plus acres of land to Donna Richardson’s grandfather, Leon Richardson, in 1944. That was what the town currently had on record as Map 38 Lots 43 and 43A, and that was what their deed stated. The markers listed on the deed were the same markers that were listed on the deed when Mary Cassidy sold the land to Orlen Delesdeners. None of that had changed since. The deed that Orlen Delesdeners received from Mary Cassidy outlined those markers. The deed that Leon Richardson received from Orlen Delesdeners for the single lot outlined those markers. Ownership transferred from Leon Richardson to his wife, Donna Richardson’s grandmother, Elizabeth Richardson. When Elizabeth Richardson passed away, ownership transferred to Paul Richardson, Donna Richardson’s father. Before her father passed away her parents set up a trust, the Paul Richardson

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Trust and Carol A. Richardson Trust, and when her father passed away, Carol Richardson became the sole trustee and owner of Map 38 Lot 43, which was a singular lot.

In the documentation given to the Board, somehow Fred Perkins, prior Town Selectman, claimed a piece of the Richardson's property as his. Donna Richardson shared that there was no deed or title to that piece of land, nor any documentation. For a period of time, Fred Perkins was paying the town a portion of tax revenue along with Leon & Elizabeth Richardson. Upon Leon & Elizabeth Richardson's passing, Paul Richardson was paying taxes to the town, and the Fred Perkins Estate stopped paying the taxes. Since the Fred Perkins Estate stopped paying taxes on the property, the town placed it on a warrant article in 2011. Paul Richardson wrote a letter to the town stating that he was surprised to find that a piece of his property was going up for warrant article. There were some back and forth conversations about who owned the piece of property and proving ownership. The deed still stated what the deed stated prior to 1936. There was about almost a period of 100 years of a deed not being changed, but for some reason, on a tax map, they had two (2) separate parcels. The original tax map of the town downstairs dated 1977 showed Map 38 Lot 43 as a singular lot. When or how it got changed after that time, no one could seem to figure out. There appears to be no documentation in town records or at the Belknap County Registry of Deeds, or at the State archives located at UNH that Donna Richardson could locate.

Donna Richardson noted that the application was complete minus the letter from the mortgage company. She shared that when the mortgage company performed a title search, somehow did not do a deeds record search and what was mortgaged was only Lot 43 not inclusive of Lot 43A, because Lot 43A did not exist. Donna Richardson thought that the Town Attorney and/or a third party attorney need to get involved, because by law, the two (2) properties could not be merged together because the mortgage did not cover Lot 43A. Carol Richardson stated that her and Donna Richardson spoke to the mortgage company at length yesterday, and for lending purposes, federal law could not allow the merger because it had something to do with the housing market back in the 1980's where people were getting loans for things that were under and over-valued and/or did not exist. There was an obvious error, but the bigger issue was how to make the wrong righted. In order to accomplish that, Carol Richardson asked the town for assistance in getting the title rewritten because the deed never changed. If Carol Richardson went to tell her property, and a title search was performed, she would only be able the lot that the mortgage was on, which was Lot 43, and not the part that her deed showed, which the town has indicated as Lot 43A. If someone was to purchase just the portion of land that the title stated, then there was only about an eight and a half feet (8.5') of land to access Lot 43. The piece of land in question, Lot 43A, contained the driveway to Lot 43.

Donna Richardson stated that they would have to file for a title insurance claim because the mortgage company did not survey or take into consideration the proper deeds. In order to change the title through the bank, it potentially meant having to pay off the mortgage in its entirety, but that was not possible right now. Secondarily, Donna Richardson noted that the town's maps would have to be changed. Mr. Williams thought that CAI should be contacted so they could research their files back during that time frame to see when the property line for Lot 43A was put in. Donna Richardson stated that Belknap County Registry of Deeds needed to be involved with this because that was where all of the deeds were held, and according to them, there was nothing wrong.

Mr. Carter stated for the record that once things were ironed out and this application was before the Board again, if it needed to be, that the Board would approve the lot merger. Mr. MacDonald thought that Town

Counsel should weigh in before that could be said. Mr. Williams did not think that this would be back before the Board because once it was figured out that the property line was placed erroneously, there was no reason for a lot merger, because with the deed, it could prove that it always was one lot. Mr. MacDonald thought that Town Counsel should get together with the Town Assessor and Registry of Deeds to figure this out. Carol Richardson was concerned that she was paying twice in taxes, once for the small lot and once for the larger lot. Donna Richardson explained that somewhere along the way, the tax office got things straightened out that it was not being double paid currently, but there was a time that did occur. She wanted the record to reflect that whatever the Board's vote was that they agree with their explanation and pass it forward to the Town Attorney.

Mr. Hoopes MOVED to recommend that this application be sent to Town Counsel with their blessings in the sense that the information that the Board was presented with indicated that a wrong had been done. The Board would like to have him lead in bringing it right. Mr. MacDonald seconded the motion.

Mr. Carter opened public input. No public input. Mr. Carter closed public input.

The motion PASSED unanimously.

Other Business:

1. Old Business:

- a. Second needed for Case #P21-15, for Douglas Brown & Susan Sciotto-Brown for a Minor Site Plan approved at the June 15, 2021, hearing

Mr. MacDonald seconded the motion.

- b. Discuss Town Engineer interviews

Mr. Carter stated that "we" (Scott Williams, Roger Sample, and Drew Carter) conducted three interviews before the meeting tonight. HEB Engineers, Tighe & Bond and KV Partners, LLC, who is already under contract with the Town. Mr. Carter stated that they were all very qualified and great candidates. Mr. MacDonald asked Ms. Call what she thought. She stated that she would like to keep Mr. Vignale from KV Partners, LLC, and that he had been contracted with the town for the past seven (7) years, he had no complaints against him, his rates were reasonable, and he did quality work. Ms. Call stated that the interview committee would like to offer the second position to Dana Huff and Dennis Moran of Tighe & Bond. Mr. Hoopes asked where Tighe & Bond were out of; Ms. Call stated, right here in Alton. With Mr. Huff being local he was more cognizant about things here in town. Mr. Williams stated that Mr. Huff's rates appeared to be in line and not exorbitant.

Mr. MacDonald MOVED to keep KV Partners, LLC, and hire Tighe & Bond to be the Town Engineers.

Mr. Wilder seconded the motion, and it PASSED unanimously.

c. Master Plan Committee: Update from the Chairman

Survey link: <http://www.surveymonkey.com/r/AltonMasterPlan>

Mr. Regan was absent, so Mr. Wilder informed the Board that the surveys had gone out. He stated that there had been over 600 responses but that there was still time to receive more. He stated that Ms. Bamford had made a presentation for the Committee and it included what words were mentioned the most in the survey. Those words were, “small town”, “mountains”, “lake”, but “low taxes” was not mentioned in abundance. Mr. Wilder stated that he thought the responses so far had been pretty good. He also stated that the efforts the Committee made by reaching out to different neighborhoods and community leaders had made a great difference. The Committee was assigned to different parts of town and went to them, explained the goals, and asked for their help in getting the word out.

The next Master Plan meeting was scheduled for August 4th. Ms. Call informed the Board that the Committee had also set up three (3) workshops in September, on consecutive Friday nights, that were open to the public. This would give the Committee the opportunity to create subcommittees and to start talking about some different topics. The three (3) topics for those workshops were, “What do people consider a small town feel”, “Small businesses”, and “Aging in place”. Ms. Call stated that these workshops would be hybrid. She also stated that she and Ms. Cate, Planning Secretary, had been discussing attending the opening night family block party for Alton Old Home Week. Ms. Call and Ms. Cate were going to set up a table with a laptop available so that anyone could fill out the survey right there, and they would have something to keep children occupied, like coloring pages. It would also be the opportunity to spread information on the Master Plan and people would be able to RSVP for the workshops.

i. Master Plan Consultant Invoice #'s 2021-138 & 141, paid to date

Ms. Call informed the Board that she wanted to keep the Board updated and that there were two (2) invoices for their review from the Master Plan consultant.

d. ZAC Committee: Update from the Chairman

Mr. Williams stated that the Committee was up to seven (7) or eight (8) articles and the rest were pretty much housekeeping. He stated that there were not any really big items being discussed at this point.

Mr. Wilder asked the ZAC committee to reconsider the frontage requirements in the Lakeshore Residential (LR) zone on the non-lakeside of the street. Mr. Wilder stated he thought the non-lakeside should be uniform with the rest of the town at 150', and it would help keep the density down in that zone. At this point the minimum frontage requirement was 75' on the non-lakeside and 50' on the lakeside of the street. He stated that the biggest thing was to protect the water quality of the lake; that was Mr. Wilder's biggest point. In his opinion, he thought things were going in the wrong direction.

Mr. Williams stated to also add to ZAC that stairs not being considered a structure. He further stated that if the Board decided to leave the Lakeshore frontage requirement alone that maybe there were some things that could be done to help with groundwater infiltration and things of that nature. Mr. Wilder stated that the thing was, once you replace porous soils with pavement and engineered items it was not the same.

Ms. Call stated she thought this could be discussed at the ZAC meeting. The Board agreed.

e. Alternative Housing Committee: Update from the Chairman

Mr. Williams stated the Alternative Housing Committee was working on a more compact development ordinance. He made an example of a 10-acre lot were you would be able to fit five (5) lots, it would keep roadways down, it would be less invasive to the land, and there would be a common well/common septic type of idea, along with common land. He stated by doing it this way, it would cut down on the cost of a road and save the Town the liability of these roads in the future because they would stay owned by an association.

The Committee would like this proposal to give bonuses for “green” options. The Committee was trying to get in touch with Randy Pelletier or Tom Tardiff to come in and chat with the Committee about what the State was looking at for septic loading. Mr. Williams explained that if these homes were portable, Mr. Dever considered it to be an RV at the code level. Mr. Williams stated, with that said, the State allowed for 60 gallons a day septic loading for something of that nature.

Mr. MacDonald stated that meant occupancy could not be year round; Mr. Williams stated, he was correct. Mr. Williams stated nothing new would need to be written because the Town already had regulations for RV Parks that would be followed. He went on to state that if these “tiny” homes were on a foundation then there would be a year-round capability. There would not be an ability of lots of people living there because there would be smaller homes, which would not overload the school system.

Mr. Williams stated that if there were some way to add green features to try to work in some fashion to make it equitable to increase the load. He stated the Committee would like to see from the State some kind of gas fired toilet or something along those lines, so that there was compost at the end. He also said that the state allowed composting toilets all day long on the islands but not on mainland and that did not make much sense.

Mr. Hoopes asked if it would be like having a 10-acre lot and subdivide into five (5) or six (6) units, or one (1) lot and then there would be rentals. Mr. Williams stated he envisioned it more like a condo set up. For instance, some kind of condo documents for road and home maintenance, etc. Mr. Hoopes asked if there was any way to work on both so that people would have options. Mr. Williams stated it would be owned individually so that was an option. Mr. MacDonald asked, What if the developer did not want the condos? What if they wanted to be able to rent them all out? Mr. Hoopes agreed and

stated that someone may not want to subdivide a 10-acre lot and then sell the lots individually, they may want to develop the 10-acre lot and rent the units. Mr. Williams stated that would come a little further down the line when the Committee discussed cabin colonies. Mr. Hoopes and Mr. MacDonald agreed it was good that the Committee was thinking this way.

Mr. Williams stated the cabin colony discussion was about size and loading, not McMansions. He went to state that the Committee was looking at these being open from April 15th through October 15th, one day less than six (6) months so that residency could not be claimed, turning off the water to give the septic systems a chance to rest, and then reopen them in December for the winter recreation season; then once again turning off the water when things closed up in March until opening back up in the spring. Mr. Williams stated that over the years all the lakefront cottages had all evaporated because they were worth too much now and had big houses on them. The Committee figured that there was nowhere in this town that someone on a normal income could come stay and enjoy the area.

Mr. Wilder asked about something for full-time residence because of the shortage of housing and the ability to work where you live. He stated the town was in real need of housing at that price point, and he hoped that was being addressed. Mr. Williams agreed and stated that was part of the middle of the road housing the Committee had been discussing.

Mr. Carter stated that the focus of the Committee was not primarily on affordable/workforce housing, per say, but that it was being addressed. Mr. Williams said, yes, that was right, the workforce housing picture was not looked at favorably and keeping that in mind the Committee was addressing the issue without using that language. The Committee was very aware that the people who do work and live here need affordable housing and that it was a huge problem. Ms. Call also stated that the Town had Inclusionary Zoning that had been the Town's solution to workforce housing, which had been adopted in 2010.

Mr. Williams stated the Committee had made a lot of headway over the past few meetings. He stated that the Committee was also looking into a sliding scale, for example, if someone had a 10,000 sq. ft. lot, the house could be 1,000 sq. ft. The septic loading would be the key to this. With a 10-acre lot one could probably get a pretty good density for septic; that was where a community system could come into play, which was what would keep this stuff affordable, Mr. Williams explained.

- f. Schedule workshop to amend Site Plan Regs. and Construction Observation Guidelines

Mr. MacDonald suggested to go over the Construction Observation Guidelines at a regular meeting instead of during a workshop. He thought that Ms. Call could put the public hearing onto an agenda that was not so busy. The Board and Ms. Call agreed.

2. New Business:

a. CIP Committee:

i. The first meeting will be held on July 29, 2021.

ii. Aimee Terravechia confirmed she would like to sit on the Committee, and Brock Mitchell will sit as Selectmen's Representative instead of Virgil MacDonald.

b. Tom Diveny's resignation from the Planning Board

Ms. Call informed the Board that she had inadvertently misinterpreted an RSA. She stated there was only one Planning Board member that could sit on the Conservation Commission. It did not matter if they were elected or an alternate. Mr. MacDonald stated he was glad she said that because he sat on the Planning Board and Conservation Commission as the Selectmen's Rep. He asked Ms. Call if this affected him as well. He was not sure, but she would double check. Mr. MacDonald was sad to see that the Board lost Mr. Diveny. Ms. Call noted that Mr. Diveny sent her an email and inform her that he was thankful to the Board for his time as an alternate and appreciated their support.

3. Approval of Minutes:

a. Planning Board Meeting minutes of June 15, 2021

Mr. Wilder MOVED to approve the Planning Board meeting minutes of June 15, 2021, as presented.

Mr. Hoopes seconded the motion, and it PASSED, with Scott Williams abstaining.

4. Correspondence for the Board's review/discussion/action:

5. Correspondence for the Board's information:

a. Inspection report dated July 6, 2021, from Mike Vignale, P.E., re: Ridgewood Subdivision/John Jeddrey

Ms. Call informed the Board this was just an updated report from Mr. Vignale on the Ridgewood subdivision.

6. Any Other Business to Come Before the Board: None.

7. Public Input on Non-case Specific Planning Issues

Vince Bober and Bill O'Brien came to the table to discuss issues they were having with their next door neighbors and the renting of their property as an Airbnb. They stated that the property was being advertised to sleep 14 people. Mr. MacDonald asked if Alton had an Airbnb regulation yet; Mr. Williams and Ms. Call stated they did not. Mr. Carter stated ZAC was discussing this issue. The Board agreed this had been a very hot topic.

Mr. O'Brien stated that he moved here from Rhode Island and he saw how Rhode Island was changing so drastically that he had to leave. He stated he could not even visit his hometown of Narragansett because the people from out of state had taken over. You could not even get to the beaches anymore. He also stated you could not do anything on the weekends if you were a local because you could not get anywhere. He stated he was now seeing the same thing in Alton.

When he first moved here he said he used to help his neighbor paint the trim on his house and now there were 25 people in the yard next door partying like they were at Disneyland. He stated the people living behind him cut down the trees because they wanted to see the view of the lake. He stated he knew this was a civil matter; that was what the police told him. He went on to state that the Town was dealing with people that did not live in this town, they would buy up the property, and they seemed like they just did not care. He stated the he had to call the police last week after 11:00pm because as the alcohol level went up, the music went up.

Mr. Hoopes asked how frequently this was taking place, and mentioned that Mr. O'Brien was the first person to come and speak to the Board about this. Mr. Hoopes said he heard from people about this happening but never had heard it directly. Mr. O'Brien stated this took place every weekend. He stated that this past winter he took a picture of eight (8) cars blocking his driveway. He stated that he had to put up a fence, and he hated fences, but people were just using his property for fishing, for their animals, etc. He stated he had two (2) Airbnbs next to him, and shared that they were now all over town.

Mr. Sample asked about all the cottages behind Mr. O'Brien's that had been being rented out for years. Mr. O'Brien stated that was different. The owners were on the property so the minute something happened, they were there to shut it down.

Mr. Williams stated there was a noise ordinance in town that shut everything down at 11:00pm. Mr. O'Brien stated that was true but you had to call them, and that they did not really care. He stated that his biggest complaint was that they were ruining the lake. He stated he talked to locals who would not even swim in the lake anymore.

Mr. O'Brien asked why septic systems did not need to be inspected when a home was sold. The Board stated that they were inspected. Mr. O'Brien stated he did not believe that had been done next door. Mr. Carter stated that ZAC was looking into all of this because of just that, the usage was abusing the septic system, and they were not designed for something like that. Mr. Sample stated there were already regulations for that. Mr. Williams stated they could check with the NH Department of Revenue because short term rentals were subject to NH rooms and meals tax. Mr. MacDonald told Mr. O'Brien that if it was advertised as sleeping 14, to bring that to John Dever's attention, and he could pull the file and check the septic for that lot. Mr. O'Brien stated he spoke to Mr. Dever and he stated that if he smelled septic then to call. Mr. Williams stated, yes, but that no one wanted it to get to that point.

Mr. O'Brien stated that he did not want to be the town crier that he had only been here for 18 years and he was still new here. He stated Alton was turning into what Rhode Island had turned

into. He further stated this was happening on a weekly basis and when the new renters arrived, he went over and laid down the ground rules.

Mr. Bober introduced himself. He stated he had a boathouse up by the bridge that his family had since the 80's. He stated that he had never had a problem with anything until this past year when the Airbnb opened up at 115 Mt. Major HWY. Mr. Sample stated that used to be a long-term rental; Mr. Bober stated, that was true up until now. Mr. Bober owned the cottage right next to it. He went on to say that he posted private property signs at the boathouse after he noticed lots of people hanging out at the boathouse, since that did not deter them, he posted no trespass signage, and that did not do anything either; then the signage disappeared. He stated he knew because of Covid that people were pretty anxious to get out, like a bunch of sailors on leave, however, it was every few days a new group of people. He stated he shared a driveway. It had been a real pain in the neck dealing with those people, and the owners were not around so no one was telling them what to do; it had just been a wild group of people in general. He stated this year had not been quite so bad because the rental this year appeared to be on a weekly basis, making it a little easier because you only had to get into it once a week. With the gals that owned the cottages down the way, he never heard anything out of them, and they were always there. On the other hand, this Airbnb had no consequences, no one cared, and it was just a money maker. Mr. Williams stated the lot they were referring to was pretty small and he did not even know what they possibly had for septic, and the water was almost at the house.

Mr. Bober stated the previous owner only allowed three (3) people in two (2) apartments because of the septic system. Mr. MacDonald stated that was why he asked, because Mr. Dever should be able to shut it right down if it had been advertised for 14. Mr. Williams told the men to go to Town Hall and pull the property file to find out what was there for septic. If Mr. Dever could not assist then they could turn it over to the NHDES. Mr. O'Brien stated he knew that but he did not know why they had to handle it instead of it being Alton's problem. He stated it made them look like the bad guys, and he also stated that Mr. Bober had had received threats. Mr. Hoopes stated they should not feel like the bad guys. Mr. Williams advised them to contact the police if they were being threatened. Mr. O'Brien stated that was a matter of he said she said. Mr. Bober stated he did not come to the meeting to get into this discussion. Mr. Hoopes stated they happen to be timely because they were currently talking about this at another committee for regulation that would hopefully be adopted at the next town meeting.

Mr. Williams stated that an actual bed and breakfast would require a site plan, and that there were already regs put in place that would be required for approval. Ms. Call stated, that was correct, for a bed and breakfast. Mr. Hoopes asked how frequent this Airbnb rental was, and asked if it was just through the summer. Mr. Bober stated, it was all year long. Mr. Hoopes stated it seemed to him that the idea of having a short rental in the Lakeshore Residential (LR) zone did not make any sense. Mr. Williams stated the problem was that Mr. Dever received these complaints and he did not know if there were any teeth in them for him to do much about it. Mr. Wilder stated a number of towns had gone through this process and there were regulations in place. Mr. MacDonald stated he would talk to the Police Department and have them patrol the area better.

Ms. Call asked the gentlemen to come to the next ZAC meeting on August 24th at 6:00pm, here in the same room and share this information. She explained that at that meeting, the ZAC Committee would be discussing and drafting an ordinance, and would like input and guidance from the public. Mr. Bober stated that the State had some guidance that he found, about 20 pages worth. Mr. Sample stated he thought they should get with the State about the room and meals tax issue. Mr. Williams stated that anything shy of a six-month rental would be subjected to these taxes. Mr. Bober stated that this Airbnb was in the Residential (R) zone and his cottage just north of that, as well as the gals' cottages, were all located in the Residential Commercial (RC) zone. Mr. Hoopes asked if that was the other question, Is the Residential (R) zone being used as a commercial zone?

Mr. Sample stated the septic issue would be the way to get these places shut down. Mr. Bober stated that he believed it to be that a few families rented these places out, there were numerous vehicles, and then they invited more people, maybe family, with more vehicles and it became a family reunion. Mr. O'Brien elaborated on that stating that everyone knew when people started drinking, bathrooms got used much more and that was not good for the septic. Mr. Williams suggested the men come in and explain this to Mr. Dever. Mr. Bober and Mr. O'Brien stated that they were both required to replace the septic on their lots and why weren't these people made to do the same.

The Board thanked the gentlemen for their valuable information, stating this honest first-hand information was necessary. The gentlemen thanked the Board for listening.

Adjournment

**At 7:45 P.M. +/-, Mr. Hoopes MOVED to adjourn.
Mr. Williams seconded the motion, and it PASSED unanimously.**

The meeting adjourned at 7:45 P.M.

Respectfully submitted,

Amelia Cate, Planning Secretary

Minutes approved as presented: August 17, 2021