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**TOWN OF ALTON
ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING AGENDA
Thursday, August 3, at 6:00 P.M.
Alton Town Hall**

7 **MEMBERS PRESENT**

8 Thomas Lee, Chair
9 Frank Rich, Vice Chair
10 Paul LaRochelle, Selectman's Representative
11 Mike Hepworth, Alternate Member
12

13 **OTHERS PRESENT**

14 Padro Avila, Building Inspector
15 Tom Varney, Varney Engineering
16 John Volpe, applicant
17 Josh Thibault, Varney Engineering
18 Dana Vanamburg, Alton Bay Christian Conference Center
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20 **CALL TO ORDER**

21 Chair Lee called the meeting to order at 6:00 PM.
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23 **INTRODUCTION OF BOARD MEMBERS**

24 Roll Call was taken for the Board members and individuals present at Town Hall.
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26 **APPOINTMENT OF ALTERNATES**

27 Chair Lee asked Mr. Hepworth to sit on the Board as a member for this meeting.
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29 **MOTION: To bring on Mr. Hepworth as a member for this meeting. Motion by Mr.**
30 **LaRochelle. Second by Mr. Rich. Motion passed 4-0-0.**
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32 **STATEMENT OF THE APPEAL PROCESS**

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

42 **APPROVAL OF AGENDA**

43 Mr. Avila stated there were changes with the Department Review Report so the meeting has to
44 be continued to allow for the changes to be advertised; the public hearing can go forward if the
45 changes are not accepted by the applicant.
46

47 **MOTION: To approve the agenda. Motion by Mr. LaRochelle. Second by Mr. Rich.**
48 **Motion passed 4-0-0.**
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50 **CONTINUING PUBLIC HEARING**

Case #Z23-10 Varney Engineering, Tom Varney, Agent for John & Susan Volpe, Owners	Map 34 Lot 33-20 1 Manchester Avenue	Special Exception Residential (R) Zone
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51 A **Special Exception** is requested from **Article 300, Section 320.D & F** to permit to remove
52 structure and replace with new structure.
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54 The Board reviewed the application for completion. Mr. Rich noted the application was
55 approved for completeness at the July 6 meeting. Chair Lee stated he would like clarification for
56 the record of the approval.

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MOTION: To accept the application for Case #Z23-10 as complete. Motion by Mr. Rich. Second by Mr. LaRochelle. Motion passed 4-0-0.

Chair Lee stated the case was reviewed and accepted at the last meeting but there were questions in regard to the road and construction of the building, etc., and a Site Walk was done. He stated since the last meeting, adjustments were made to the plans and clarified the Special Exception was originally posted and abutters were notified for Sections D and F. He stated if these are not followed, the meeting will need to be continued and a new application submitted for the different criteria. Chair Lee stated the Building Inspector and Town Planner did research about the Center and found Section D and F was suggested by the previous Building Inspector because in prior cases, D and F, were appropriate; it's a nonconforming use and the building is conforming, as the Conference Center falls under the definition of a campground. He confirmed the notifications for a Special Exception for Section D and F was appropriate and the Board agreed. However, the applicant may choose to change the criteria but a new process will be started with a new application. Mr. LaRochelle noted the application for the Special Exception dated 8/1/2023 is for Section G and H.

Tom Varney, Varney Engineering, representative for the applicant, stated they would withdraw the application for Section G and H.

Mr. Varney presented a redesign of the building with the architectural plans and relocated the building; a letter from the campground director was also provided.

John Volpe, applicant, stated they pulled the building back two feet and will cantilever the top; he stated the building is changed from being square which will still allow use of the window. He stated the footprint was also reduced. The height was increased slightly to make sure the window is under the roof but the overall height is still within the limits. Mr. LaRochelle noted the application for these plans does not say the Special Exception is for D and F. Chair Lee stated the case was originally presented under Section D and F and this is still the same case which was continued from July 6. He confirmed no new notifications are needed. Mr. Avila stated if the Board chooses to go with the amended application and plans, they will need to restart the process.

Mr. Tetrault stated the corner of the house on Manchester Avenue was moved closer to the abutting building but further away than the original porch which is being removed; the house was moved back about 1 foot and maintains the 10 foot distance between the buildings and it was rotated slightly to move the corner out of the roadway further. It was confirmed this house will be for strictly seasonal use.

Chair Lee stated comments were received from the Town Planner, Jessica Call and these were read into the record. It was confirmed at the Site Walk there was extensive discussion about Sections D and F as well as G and H; Ms. Call noted that due to the fact the abutter notifications and newspaper notices originally indicated Section D and F were applied for, this application would not need noticing if that is how the Board decides to move forward. The prior Building Inspector also confirmed these would be the proper sections to begin with as this property is considered a campground and in prior cases over the years, D would be applied for. Prior discussions with Town Counsel in regard to Special Exceptions under Section D for the Conference Center, agreed that anytime a property at this location came forward with applications, Special Exceptions would need to go to the Zoning Board of Adjustment. Chair Lee stated if the applicants choose to go forward with the Special Exceptions with Section D and F, the Planning Board will also need to see an amendment for the Site Plan.

Chair Lee opened the hearing to input from the public in favor of the proposal.

Dana Vanamburg, Alton Bay Christian Conference Center, Building and Grounds Director, stated they have been working on this project with the Volpes, and an amicable solution was reached with the Volpes and their neighbors. He stated the Conference Center is in agreement and has looked at the revised documents which are also approved.

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

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120 Mr. Varney stated he has never taken anything to the Planning Board with regards to the
121 campground. Mr. LaRochelle stated that was the advice received from the Town Planner. Chair
122 Lee stated as the Site Plan is being amended, it needs to go through approval with the Planning
123 Board.

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125 Chair Lee closed the public hearing.

126
127 **Discussion – Case #Z23-10**

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

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

133 Mr. LaRochelle stated the specific site **is** an appropriate location for the use. He stated the use is
134 not changing; the building will remain residential. The Board agreed.

135 Mr. Rich stated that actual evidence **is not** found that the property values in the district will be
136 reduced due to incompatible land uses. It is a residential area, and it will remain a residential
137 property. Mr. Rich stated with the removal of the old building, using newer and safer materials,
138 the value of the properties in the district will only be enhanced and increased. The Board agreed.

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

142 Chair Lee stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular traffic,
143 including the location and design of access ways and off-street parking. He stated there were
144 initially concerns but after the Site Walk to see how Manchester Avenue is laid out, the Fire
145 Department approved the plans. The Board agreed.

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

149 Mr. Rich stated there **is** adequate area for safe and sanitary sewage disposal and water supply.
150 The applicant and the Conference Center have indicated that there will be safe and sanitary
151 sewage disposal and water supply for the building. The Board agreed.

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

154 **MOTION: To approve the request for a Special Exception for Article 300, Section 320.D &**
155 **F, for Case #Z23-10. Motion by Mr. Rich. Second by Mr. LaRochelle. Motion passed 4-0-0.**

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157 **OTHER BUSINESS**

158 **1. Previous Business:** None.

159 **2. New Business:** None.

160 **3. Approval of Minutes:**

161 Meeting of June 1, 2023 – Postponed for a quorum.

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163 Meeting of July 6, 2023 – **MOTION: To approve the minutes as presented. Motion**
164 **by Mr. LaRochelle. Second by Mr. Rich. Motion passed 4-0-0.**

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166 Site Walk Meeting of July 12, 2023 – Edits were made. – **MOTION: To approve the**
167 **minutes as presented. Motion by Mr. LaRochelle. Second by Mr. Rich. Motion**
168 **passed 4-0-0.**

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170 **4. Correspondence:** None.

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172 The meeting was adjourned at 7:42 PM.

173
174 Respectfully Submitted,

- 175 *Jennifer Riel*
176 Jennifer Riel, Recording Secretary

APPROVED