

**TOWN OF ALTON  
ZONING BOARD OF ADJUSTMENT  
PUBLIC HEARING MEETING  
Thursday, August 7, 2025, at 6:00 PM  
Alton Town Hall  
Revised Minutes 11/1/2025**

**MEMBERS PRESENT**

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

**OTHERS PRESENT**

Norma Ditri, Code Enforcement Officer  
Stephanie Richard  
Bob & Carole Gould  
Raymond Felis  
Lisa Forlin  
David & Marilyn Slade  
Amy Leone  
Jeff Larose  
Doug Potter  
Karen Glen  
Ron & Kathy Sednard  
Josh Thibeault  
Tom Varney  
Joe Lundy  
Kathy Fairman  
Dick Shea  
John Flukenger

**CALL TO ORDER**

Chair Rich called the meeting to order at 6:01 PM.

**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

47 in the Zoning Ordinance have been or will be met.

48 **APPROVAL OF AGENDA**

49 Case #Z25-12 was struck from the agenda for further administrative review.

50

51 **Motion:** To amend the agenda as written and to go to Previous Business: a) ZBA continuation  
52 for the July 10, 2025 meeting to consider the re-hearing request from Attorney Sean Dunphy  
53 of Cronin, Bisson, and Zielinski, for case Z25-15R for Walter & Janice Borowski, Trustees of  
54 the Walter Borowski Living Trust.

55 **Motion made by Mr. LaRochelle. Second by Vice Chair Lee. Vote was unanimous.**

56

57 **Previous Business:** a. ZBA continuation for the July10 2025 meeting to consider the re-hearing  
58 request for from attorney Sean Dunphy of Cronin, Bisson, and Zielinski for Case Z25-15R. for  
59 Walter and Janice Borowski, trustees of the Walter Borowski Living Trust.

60

61 **APPOINTMENT OF ALTERNATES**

62 **Motion:** to appoint Mr. Monzione as an alternate member for this case, as he heard the  
63 original case.

64 **Motion made by Mr. Morgan. Second by Joe Mankus. Vote was unanimous**

65

<b>Case #Z25-15R Sean Dunphy, Cronin, Bisson, and Zielinski for Walter and Janice Borowski, trustees of the Walter Borowski Living Trust.</b>	<b>Tax Map 6 Lot 1 Eagles Rest</b>	<b>Rehearing Request</b>
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66 Chair Rich recused himself from the vote.

67

68 Mr. Lee – For the same reason he stated last month, he is against a rehearing.

69

70 Mr. LaRochelle – He also is against the re-hearing. He thinks they heard everything and didn't see  
71 anything new as far as the case was concerned.

72

73 Mr. Morgan – He stated he spoke in favor of a rehearing for two reasons 1) He believes that at the  
74 end of the presentation, it devolved into an angry and antagonistic presentation. He doesn't think  
75 anybody makes a good decision in those circumstances. 2) He thinks there was a mistake, or at  
76 least a misunderstanding in the presentation. He thinks the board is asking for a hydrologist report  
77 and the applicant said we're presenting a hydrologist report, here's a water quality report that we  
78 produce annually. He thinks what the board was asking for was a percolation test from a  
79 hydrologist to make sure that the protected aquifer was not impacted. And for those reasons, He  
80 thinks a rehearing is appropriate.

81

82 Mr. Mankus - Based on what he just heard from Mr. Morgan, yes.

83

84 Mr. Monzione – He is in favor of a re-hearing. His position is the applicant was asking the board to  
85 do too much of a hypothetical. The other thing that concerns him is whether a special exception is  
86 even required, given that this was only for a single unit. They've made a point of that in their

petition for rehearing. He knows there's some analysis on both sides of that issue. A rehearing would give the board an opportunity to really hear the details of that argument, give the applicant an opportunity to present them all. In light of these issues, it gives both sides an opportunity to be a bit more thorough, make a stronger record, and so he thinks a rehearing is in order.

**Motion: to grant the request for a rehearing of application Z25-15R.**

**Motion made by Mr. Morgan. Seconded by Mr. Monziona. Vote was unanimous.**

**1. CONTINUED APPLICATION FROM APRIL 7, 2025**

<b>Case #Z25-12</b> <b>Changing Seasons Engineering, PLLC,</b> <b>Stephanie Richard, Agent for Richard Lundy,</b> <b>Owner</b>	<b>Map 15 Lot 9-3-1</b> <b>Miramichie Hill</b> <b>Road</b>	<b>Special Exception</b> <b>Residential Rural Zone (RR)</b>
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Mr. Monziona recused himself from the vote.

A **Special Exception** is requested for Article 400 Section 401.D.17 to permit a Contractor's Yard.

**Motion: to deny the request for a continuance of application Z25-12 because the continuance was requested in excess of the two-request rule and deny the application without prejudice so they can re-apply.**

**Motion made by Mr. Morgan. Seconded by Mr. Lee. Vote was unanimous.**

Ms. Ditri - Mr. Lundy asked us if he could move a couple of pieces of equipment to put on the property before the approval came through because the place he was storing some of his vehicles and equipment was being paved and he needed to move them over for the time being. We told him that he could do that. If there is activity happening beyond what we gave him permission to do, we can address that.

**2. NEW APPLICATIONS**

<b>Case #Z25-29</b> <b>Richard &amp; Patricia Devanna,</b> <b>Owners</b>	<b>Map 35 Lot 34</b> <b>178 East Side Drive</b>	<b>Variance</b> <b>Lakeshore Residential (LR) Zone</b>
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Mr. Monziona excused himself from the remainder of the meeting.

A **Variance** request from **Article 300 Section 356** to permit a Recreational Vehicle as a Principal Use in order to replace existing 85-year-old mobile home.

**Motion: to accept the application as complete.**

**Motion made by Mr. Morgan. Second by Mr. Lee. Vote was unanimous.**

Mr. Devanna stated they been part of Alton for over 40 years. He and his wife are both retired and looking to downsize. They recently sold the lake house, but are maintaining 178 East Side Drive across the street. They investigated what their options were for 178 East Side Drive. There's an older trailer that has been there since 1960/65. There's been tenants in there primarily most of the time. There was a period they used it for the family. The power company put an

125 electrical overhead easement up the lot and they decided to put it right in the middle of the lot. It  
126 breaks up the lot. You can't develop it. The height of the wire is halfway up the hill, probably about  
127 15 feet off the ground.

128

129 He spent about 13 months working with New Hampshire electric cooperative. He showed pictures  
130 of four different scenario's he had come up with, but the power company has a new standard and  
131 they won't deviate from it. Wherever there's a new pole they need a 15-foot paved access to it. And  
132 they wouldn't budge. So that's really the hardship. If he wanted to put in a modular home, it doesn't  
133 fit in the lot. And even if they cut into the lot, you've got this line in the middle.

134

135 The best solution they saw was to either utilize the mobile home that's there, or put in another  
136 mobile home. It would be called non-conforming. He is able to replace it as long as he matches the  
137 footprint. They looked at a conventional pre-manufactured home. It was about 15 feet wide but a  
138 very low profile on the roof, three on 12.

139

140 Then he discovered in Lancaster Pennsylvania, they make a log home. They call it an RV on  
141 wheels. It's considered an RV on wheels because they keep them less than 400 square feet. It puts  
142 it in the category of an RV. This one happens to be 34 feet, plus a 10-foot porch. But the living  
143 area, if you add two inches to it, it's greater than 400 square feet, and in his opinion, could be  
144 considered a mobile home which he believes he is grandfathered in for.

145

146 He always wanted a log cabin. The roof slopes are six on 12. Where there's a loft, which this has,  
147 they increase the pitch to, I eight on 12. He presented the Board with a copy of the floor plan.

148

149 Vice Chair Lee stated Mr. Devanna mentioned it's going to be smaller. It's roughly going to be  
150 about 14 feet shorter and have a 10-foot deck.

151

152 Mr. Devanna answered with the porch, it's the total length of the structure and with the 10-foot  
153 porch, it's about 44 feet. And it's 12 feet wide.

154

155 Vice Chair Lee stated it's a non-conforming structure now, so it's going to be less non-conforming.

156

157 Mr. Devanna said yes.

158

159 Vice Chair Lee- asked about the sideline clearance. It was 5 feet and is now going to about 18 feet?

160

161 Richard Devanna answered yes.

162

163 Vice Chair Lee asked about the septic and if it gets approved, Mr. Devanna is going to move  
164 forward. This would be contingent upon, obviously, a DES-approved septic system. Does he have  
165 permanent water now?

166

167 Mr. Devanna answered they have their own dedicated permanent well. Yes and the well is just off  
168 the dock.

169

170 Vice Chair Lee asked if it would continue to be a seasonal use.

171

172 Mr. Devanna answered it's seasonal, but he comes up weekends. They come up in the wintertime  
173 and just enjoy the area. It's not going to be a permanent residence.

174

175 Mr. Mankus asked about upgrades to the septic system that were requested in 1991.

176

177 Mr. Devanna stated that those upgrades were before he owned the property. Mr. Devanna left the  
178 table to point out the septic tank and other things on the lot, but he was too far from the  
179 microphone.

180

181 Mr. Mankus said the septic system is shifting gears over to the cabin itself. It's called a cabin but  
182 it's an RV. The plumbing inside an RV is not acceptable for permanent residents because the  
183 quality is for temporary use and is not acceptable to the building code for permanent use. Where  
184 does this RV fit in? Because that would be why code would prohibit using it.

185

186 Mr. Devanna answered that he did not know but could find out.

187

188 Mrs. Devanna stated it doesn't feel like you're in an RV. She calls it a small, mini log cabin.

189

190 Vice Chair Lee asked if it was on wheels and can be towed.

191

192 Mr. Devanna - They deliver it. It's his responsibility to prepare the foundation. He has an  
193 electrician and plumber. It's going to be permanent hookups.

194

195 Mr. LaRoche commented it will have permanent hookup of wires and septic and water.

196

197 Chair Rich stated there are ordinances and rules that they have to live by. And there's a restriction,  
198 under Section 412. In this district it says no manufactured home or recreational vehicle shall be  
199 permitted for residential purposes in the Lakeshore residential zone.

200

201 Mr. Devanna- He is aware of it. That was one of the comments that he saw, and they said this  
202 might have to be applied for too. He also looked at the table and the zoning for the uses. And if you  
203 look at that, number six, manufactured homes under Lakeshore Residential it says no. If you go to  
204 number 10, which is pre-site-built housing, it says yes. He said pre-site-built housing, that's the  
205 same as a pre-manufactured modular home, doesn't work here. This is all part of the 412 to an  
206 exception. He believes what he presented is the same thing.

207

208 Norma Ditri - We need a variance from that section.

209

210 Chair Rich - We would need to include a variance for that section also. Does the board feel  
211 comfortable with including that this variance includes section 412 in the Lakeshore Residential  
212 zone?

213

214 Chair Rich stated he was trying to include this 412 into this variance so that we could help this

applicant, but we actually don't do that. They understand his plight, and he absolutely has a hardship. He has a hardship on the topography. He has a hardship with the co-op. This is a very tough site. But under our rules of jurisdiction, someone down the road could say you didn't get a variance for 412 and you have done all this work and we would then have to address that.

Vice Chair Lee stated that in regard to 412 on letter G, existing non-conforming uses shall be protected as provided for under the other provisions of this ordinance. His belief is it is grandfathered and it is less non-conforming.

Norma Ditri - There is a distinct definition difference between an RV and a manufactured home. Manufactured home is made to withstand a 90-pound snow load and 115-mile-an-hour winds, and it's anchored to the ground. It has very strict regulations. It has its own section of a building code that is put in place to keep mobile homes there. This is a recreational vehicle that has a different definition, and it's not allowed in this situation. If there's a grandfathered use, then it has to be a manufactured home. It cannot be an RV.

Mr. Mankus said he would recommend Mr. Devanna talk to the electrician and the plumbers Mr. Devanna said have done the installation of these Lancaster homes elsewhere and find out how they approached it. He agreed with what Ms. Ditri said. This is an RV. It's built as an RV. They're using the term RV. And the code says you cannot use an RV as a permanent residence.

Mr. LaRoche looked at the brochure and felt in his opinion, it is more of a manufactured home than an RV.

Mr. Devanna stated this is a wood cabin. It's heavier that's not going to go anywhere from wind. And he had calculations in his notes of the snow load requirements. New Hampshire has their own code and the snow load for Alton in that area the ground snow load is almost 82 pounds per square foot. And Lancaster told him what their design loads are, and it satisfies the New Hampshire codes.

Vice Chair Lee- So, in your nomenclature, the RV needs to be taken out. This is not something that somebody would drive around to KOA campgrounds for a weekend. This is a park a park model cabin or a park model trailer is basically a trailer that has been brought into a site. It's basically a manufactured home that is dropped in there and it doesn't have the ability to be pulled out. It is not a recreational vehicle.

Mr. Devanna stated the heating system uses the Mini splits. This particular model there's two of them, there's one in the back bedroom and one in the living area and then for winter use they have a higher grade one.

## PUBLIC INPUT

Chair Rich asked if there was anyone from the public that is against this variance that would like to speak? Hearing none and seeing none, he asked if there was anyone in the audience that would like to speak to the board that's in favor of this application? Please come forward.

260 Doug Potter- Doug Potter 189 and 185 East Side Drive, Bayview Condominiums. He stated they're  
261 all in favor of this. They think it'll be a great addition to the neighborhood and to the town. The  
262 trailer currently on it is a mess. Hopefully it'll help the drainage problem coming down off that hill  
263 with heavy rainstorms that flood the catch basins and it needs a new septic system.

264

265 Karen Glue- My name is Karen Glue. She and her husband purchased the property across the street  
266 at 181 East Side Drive. She stated they looked at the property across the street at 178 to see if they  
267 could build on that property and determined it was extremely difficult and cost prohibitive. They  
268 completely support them taking out the mobile home and putting in a log home. And it would just  
269 be terrific for the whole neighborhood and for the town.

270

271 Richard Shea stated it seemed like there are all pluses and virtually no minuses in this application.  
272 Everything is for the better. The hardship is certainly there. The only downside is that definition of  
273 this particular unit as an RV. And it sounds like it really isn't one if there was some way to get it  
274 reclassified. If not, he would urge the board to find some way to approve this. But please be careful  
275 not to set a precedent so that somebody else can come in and say, hey, you let this guy do it, so  
276 why can't I do it?

277

278 Chair Rich- Does the board feel that we can go to the worksheet.

279

280 **Discussion – Case #Z25-29**

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

283

284 Mr. Mankus stated it will not be contrary to the public interest. The Board agreed.

285

286 Mr. Morgan stated the request is in harmony with the spirit of the zoning ordinance and the  
287 intent of the Master Plan with the convenience, health, safety and character of the district within  
288 which it is proposed. The Board agreed.

289

290 Mr. LaRochelle stated by granting the variance, substantial justice will be done. This is a very  
291 difficult lot. The use is not changing. It is going to be a major improvement and comfortable place  
292 to live and be accepted very much so by the neighborhood. The Board agreed.

293

294 Vice Chair Lee stated granting a variance will not diminish the value of the surrounding properties.  
295 It's been spoken to, at least during the public input and the people that are familiar with the  
296 property itself. This will certainly not diminish the value and the safety around that area. The  
297 Board agreed.

298

299 Chair Rich stated hardship for purposes of this subparagraph, unnecessary hardship means that  
300 owing to special conditions of this property that distinguish it from other properties in the area. No  
301 fair and substantial relationships exists between the general public's purposes of the ordinance and  
302 the provision and specific application of the provision of the property. The proposed use is a  
303 reasonable one. He stated this property has more hardships than the Board had seen in a long time.

304 The topography that goes up 60 feet within 20 feet and an electrical line in the middle of the lot.  
305 The Board agreed.

306

307 Mr. LaRochelle made the statement that he had to say in looking at the brochure and the  
308 manufacturer's catalog, this is not classified, in his opinion, as an RV. This is not an RV typical  
309 trailer tag along if you will, or typical mobile home that you would see. This is a manufactured log  
310 cabin. It's a log cabin that is on a frame that is movable. Once it's set, and the wheels are removed  
311 and set on a proper foundation, it is a log cabin.

312

313 **Motion: to approve the application for a variance in Case Z25-29 a request for a variance**  
314 **from Article 300 Section 356 to permit a Lancaster log cabin structure as a principal**  
315 **residence on that lot.**

316 **Motion by Mr. Morgan. Second by Mr. Mankus.**

317 **Amended motion to include the condition of septic approval.**

318 **Amended motion by Mr. Mankus. Second by Mr. Morgan. Vote was unanimous.**

319

320

<b>Case #Z25-30</b> <b>Varney Engineering, LLC, Tom Varney,</b> <b>Agent for Amy Leone &amp; Jeffrey Larose,</b> <b>Owners</b>	<b>Map 22 Lot 25</b> <b>50 Varney</b> <b>Road</b>	<b>Variances/Equitable Waiver</b> <b>Rural (RU) Zone</b>
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321 **1. A Variance** is requested for Article 300 Section 320.E.2 to permit the replacement of an  
322 existing building in the same footprint, with an increase in square footage.

323 **2. A Variance** is requested for Article 300 Section 327.A.1 to allow a non-conforming  
324 structure to remain 15' within the 30' lake set back.

325 **3. An Equitable Waiver** is requested for Article 500 Section 540 to allow a shed to remain 6'  
326 within the 25' road setback.

327 Mr. Tom Varney, Varney Engineering; Ms. Amy Leone and Mr. Jeffrey LaRose.

328

329 **Motion: to approve the application as complete.**

330 **Motion by Mr. Morgan. Second by Mr. LaRochelle.**

331

332 Mr. Varney stated the applicants recently bought this property and plan to add a second floor to the  
333 building. The existing footprint will remain the same. New Hampshire State DES approved septic  
334 system will be installed. The cottage will remain seasonal and New Hampshire DES shoreland  
335 permit and septic design approvals are required.

336

337 This property is on Half Moon Lake, it's on the end of Varney Road, which is off Route 28. And it's  
338 up against a wetland stream. It's an existing cottage. They have had the land surveyed and know  
339 where the property lines are. He included a tax map in the packets to give the Board an idea of the  
340 property. They have blueprints for the house. This lot is small, 8,000 square feet. And a lot of it is  
341 occupied by a stream, an intermittent stream with the woods around it, which is healthy for the  
342 lake. It has a buffer zone for animals and insects and so forth. The land the house is on is open  
343 space, but it's limited. It's close to the lake. It's within the building side setbacks. The  
344 encroachment is towards the lake. The setback is about 30 feet and it's about 15 feet off the edge of

345 the lake. They would like to add a second floor and keep it on the same footprint and on the same  
346 foundation. They are asking for a variance for that to replace the structure and go up a floor. The  
347 plan shows existing and proposed diagrams of the building and the height.  
348 It doesn't have a state approved septic system. He designed one in 2005 and it was approved but  
349 not installed. It's an old antiquated septic system. This time they are going to design a holding tank  
350 because he knows that's what's going to be approved by the State. And that's because there isn't  
351 room and they are close to the stream and close to the lake and they don't have area to do much  
352 else. They have stormwater measures to capture the water off the eaves to infiltrate that into the  
353 ground. The land is a sandy frontage. It doesn't have rocks or armor or rocky shoreline. It has sand  
354 that comes in off the stream and moves around with the waves. The stormwater runoff is important  
355 so that they will not have runoff going to the lake and washing out some of the shoreline. They're  
356 protecting the lake.

357

358 They are at the end of the road. There's nothing else around there except the neighbors on the left-  
359 hand side and they can't see the neighbor on the right or anybody in the back.

360

361 Vice Chair Lee had questions about the septic. He addressed Mr. Varney and stated what Mr.  
362 Varney had said is they would be going forward with a holding tank. He felt it was worth noting  
363 the zoning officer makes this point on the worksheet in regards to the lot being problematic as far  
364 as the septic goes considering the design and such. But currently the subject design is not  
365 approved. Just as long as that's on the record and you understand that going forward. There are no  
366 abutters behind you. There's not a problem with the height. And it's going up one story from 15  
367 feet to 24 feet and it's staying on the same footprint.

368

369 Mr. Morgan stated what they were asking for the variance is actually the variance in the language  
370 of the special exception to non-conforming. They are asking for variance from special exception  
371 language, is that right?

372

373 Mr. Varney stated yes, it's a nonconforming structure and either alteration or replacement.

374

375 Mr. Morgan asked the special exception says you can't increase the square footage, so that's what  
376 you're asking for?

377

378 Mr. Varney - Yeah, we're kind of avoiding that question of a special exception.

379

380 Chair Rich asked if they had read the zoning officer's report?

381

382 Mr. Varney answered yes. The septic approval expired after four years and they are now obtaining  
383 a new subject approval. The condition on the septic approval will be that this will be a seasonal  
384 use.

385

386 Chair Rich stated he just wanted to make sure that they had read what the enforcement officer said  
387 because it's important for the applicant to know that there could be issues with this. This board is  
388 sympathetic to these small lots, but they also have ordinances and rules that they have to try to live  
389 by.

390

391 Chair Rich asked if there were more questions from the board? There was not.

392

393 **Public Input:**

394 Chair Rich asked if there was anyone that is not in favor of the variance? Hearing none. Seeing  
395 none. Chair Rich asked if there was anyone here in favor of the variance. Hearing none. Seeing  
396 none. Chair Rich closed the public input.

397

398 **Discussion - Case #Z25-30**

399

400 Mr. Morgan stated there are three worksheets. This one will be for the variance from Article 300  
401 Section 320.E2. The variance will not be contrary to the public interest there's not a dramatic  
402 change to the neighborhood or big impact this is simply expanding at current existing use. The  
403 Board agreed.

404

405 Mr. LaRochelle stated the request is in harmony with the spirit of the zoning ordinance, the intent  
406 of the master plan, and with the convenience, health, safety, and character of the district within  
407 which is proposed. This is a very, very difficult lot to work with and not a lot of options. This is the  
408 best possible solution for a single-family home. He believes that this is exactly what the ordinance  
409 would look for to do the best they can. And it follows in suit with the master plan. The Board  
410 agreed.

411

412 Vice Chair Lee stated by granting the variance substantial justice will be done. This is exactly what  
413 we're looking for in our town as far as taking some of these old seasonal cottages and refurbishing  
414 them. Same footprint, difficult lot. He felt substantial justice will be done for the same use. The  
415 Board agreed.

416

417 Chair Rich stated the request will not diminish the value of the surrounding properties. As a matter  
418 of fact, it will only enhance the value of its properties around it with everything being what the  
419 applicant is trying to propose and will do nothing but add value not only to their property but to the  
420 surrounding properties. The Board agreed.

421

422 Mr. Mankus stated for the purposes of this subparagraph unnecessary hardship means that owing to  
423 special conditions of the property that distinguish it from other properties in the area. One, no fair  
424 and substantial relationship exists between the general public purposes of the ordinance provision  
425 and the specific application of the provision of the property he said yes. And the proposed use is a  
426 reasonable one is also a yes. The Board agreed.

427

428 **Motion: to grant the variance for Case #Z25-30 from Article 300 Section 320.E.2 with the**  
429 **condition of a State approved septic system.**

430 **Motion made by Mr. LaRochelle Second by Vice Chair Lee. Vote was unanimous.**

431

432 **Public Input**

433 Chair Rich asked if there was anyone that is against the variance. Seeing none, hearing none. Is  
434 there anyone in favor of the variance? Seeing none. Hearing none. Chair Rich closed public input.

435

436 **Discussion:**

437

438 Mr. LaRochelle stated the variance will not be contrary to the public interest. The Board agreed.

439

440 Vice Chair Lee stated the request is in harmony with the spirit of the zoning ordinance, the intent  
441 of the master plan with the convenience, health, safety and character of the district within which it  
442 is proposed. He believes this is certainly in harmony with the spirit of the zoning ordinance and  
443 intent of the master plan. The Board agreed.

444

445 Chair Rich stated by granting this variance, substantial justice will be done. Certainly, the applicant  
446 has indicated the issues with this particular lot and he believes that this is substantial justice for the  
447 applicant being a very tough lot to work with. The Board agreed.

448

449 Mr. Mankus stated the request will not diminish the value of the surrounding properties. The  
450 Board agreed.

451

452 Mr. Morgan stated he thinks the applicant more than adequately outlined the hardship with the  
453 property and that is that it is a small lot close against the lake wetland and a stream running  
454 through it making it very difficult to do anything other than what is proposed and that the proposal  
455 is a reasonable one and a reasonable use. The Board agreed.

456

457 **Motion: to grant the variance request for Article 300 Section 327.A1 with the condition of a**  
458 **State approved septic system.**

459

460 **Motion made by Mr. LaRochelle. Second by Mr. Mankus. Vote was unanimous.**

461

462 Mr. Morgan asked Mr. Varney if the shed had been in this spot for 20-some years?

463

464 Mr. Varney answered he believed so. It's on the 2005 septic design.

465

466 Mr. Morgan said he was thinking about the two sets of criteria for equitable waivers, and that  
467 would satisfy the section, if it's that old.

468

469 Ms. Ditri stated she agrees.

470

471 **Public Input:**

472 Chair Rich asked is there anybody that is not in favor of the equitable waiver? Seeing none.

473 Hearing none. He asked if there was anyone in favor of it? Seeing none. Hearing none. Chair Rich

474 closed public input.

475

476 **Motion: to approve the equitable waiver requested under Article 500 Section 540.B, based on**  
477 **criteria that in lieu of findings by the Board under subparagraphs one and two, the owner**  
478 **may demonstrate to the satisfaction of the Board has existed for 10 or more years and that no**  
479 **enforcement action, including a written notice of violation, has been communicated against**

the violation during that time by the municipality or any person directly affected.

**Motion made by Mr. Morgan. Second by Mr. Mankus. Vote was unanimous.**

<b>Case #Z25-31</b> <b>Changing Seasons Engineering, PLLC,</b> <b>Stephanie Richard, Agent for Jaimie</b> <b>Nystrom, Owner</b>	<b>Map 50 Lot 1</b> <b>24 Loon Cove Road</b>	<b>Variances</b> <b>Lakeshore Residential (LR)</b> <b>Zone</b>
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1. A **Variance** is requested for Article 300 Section 320.E.2 to permit the replacement of an existing building, with an increase in square footage.

2. A **Variance** is requested for Article 300 Section 327.A.2 to allow a building within the 25' property front set back.

3. A **Variance** is requested for Article 300 Section 327.A.3 to allow a building within the 10' property side set back.

Mr. Morgan asked to address the applicant. He asked if they had seen the zoning officer's comments before tonight. Ms. Richard said she had seen them and she felt the concerns were addressed in the application. Mr. Morgan stated a number of the things are things that the Board have to specifically find in favor of. Where some of those setbacks and things are not noted, it makes it difficult for the board to do that.

Ms. Richard asked if the Board had the latest copy of the plans dated 7/24/2025. Ms. Ditri and her had been back and forth a little bit well in advance of the meeting and so the plans were then updated.

Chair Rich stated there are two setback lines, however there are no clear dimensions to verify how much into the setback the structure is. Ms. Richard said she didn't label it on the plan view because it's really busy as it is. There's the setback requirement chart over on the right-hand side of the plan that lists the existing and proposed distance from the setbacks of the building.

Ms. Richard asked if they had received the building plans. Ms. Ditri asked when they were submitted. Ms. Richard stated they were dropped off on the last day, late in the afternoon.

**Motion: to accept the application as complete for Case #Z25-31**

**Motion made by Vice Chair Lee.** Discussion: Mr. Morgan stated that he felt there was adequate information for the first variance, but was concerned about the other two variances having to do with the setbacks as he was having a difficult time reading them. Ms. Ditri provided the Board with a full-size set of the plans. Mr. LaRochelle read off the setbacks on the plan. Building from the road frontage, required 25', existing 6.8', proposed 5.5'. Building from the sidelines required, 10', existing 11', proposed is 6.6'. building from the water is required, 30' existing, 140' and proposed is 130'. Building height is 35' proposed 35' or less. It's going to remain 35 or less. So they are looking to take the existing frontage of 6.8 feet and that's going to go down by roughly a foot and a few inches to 5.6', a 10-foot requirement which is at 11 feet and is going down to 6.6'.

**Second by Mr. LaRochelle. Vote was unanimous.**

521 Chair Rich stated they were going to start with variance, Article 300, 320.E.2. To permit the  
522 replacement of an existing non-conforming building with an increased square footage.

523

524 Mr. Mankus asked what the existing square footage is and the new structures square footing.

525

526 Ms. Richard stated the existing is 1,110 square feet. Proposed will be 1,910 square feet. That's the  
527 residence and the porch. The new residence includes a garage as part of it too. It's not exactly a  
528 one-to-one living space change.

529

530 Mr. Morgan stated the most important criteria for variance is the hardship. He asked Ms. Richard  
531 to describe that?

532

533 Ms. Richard stated the lot is essentially surrounded by roads on three sides. It has Route 11 in the  
534 back. And then it comes into 11D on the side. And then Loon Cove Road is the front of the house.  
535 The property line itself is set back pretty far from the Loon Cove Road property line setback. It just  
536 ends up being very narrow swath that can actually be built in, the existing residence is already  
537 within those setbacks non-conforming.

538

539 Mr. Morgan asked what is the size of the lot?

540

541 Ms. Richards answered it is about half an acre. It is 28,470 square feet.

542

543 Mr. Morgan asked if she knew what the building envelope was?

544

545 Ms. Richard stated she did not.

546

547 Mr. Morgan asked if there was anything beside the roads that causes a hardship?

548

549 Ms. Richard answered it has some steepness coming up and will have to be dug down to allow the  
550 garage to be driven into. They're going to be upgrading the septic to a three-bedroom, which is  
551 something that could have been done already, but the prior owners decided to only build a two-  
552 bedroom system there even though a three-bedroom was allowed to fit. The existing building's not  
553 in great shape, so it's not a matter of, let's put an addition on, or improve what we already have  
554 here. They have powder post damage and it's not a great foundation. So they definitely want to  
555 take it down and start over. And she thinks they bought the property knowing that.

556

557 Mr. Morgan asked if there was anything unusual about the topography other than having to dig  
558 down for a garage?

559

560 Ms. Richard stated there are some big boulders in the back. Where the tree line is there's a steep  
561 bouldery area. Loon Cove Road sits down pretty far from where the house is. There are stairs  
562 going up from Loon Cove Road up to the house.

563

564 Mr. LaRochelle stated there is an existing garage that's going to remain and the new proposed  
565 property is going to have the garage under.

566

567

568 Ms. Richard said the existing garage is going to stay

569

570 Mr. LaRochelle stated he is trying to figure out the location on Loon Cove Road.

571

572 Mr. Flukenger stated there was a handicap ramp that went from Route 11 to the property.

573

574 Chair Rich asked if there were any more questions from the board? There were none.

575

576 **Public Input:**

577 Chair Rich asked if there was anybody that is against this applicant's proposal? Seeing none,  
578 hearing none. He asked if there was anybody in favor of this proposal? Seeing none, hearing none.

579 He closed public comment. Can we get to the variance? 300, section 320E2

580

581 **Discussion:** A variance for Article 300 Section 320.E.2.

582

583 Chair Rich stated the variance will not be contrary to the public interest. Since there are no abutters  
584 and we don't have any rules or anything else. He cannot see how it can be contrary to the public  
585 interest for this particular lot. The Board agreed.

586

587 Mr. Mankus stated the request is in harmony with the spirit of the zoning ordinance, and the intent  
588 of the master plan. And with the health, safety, character of the district within which it is proposed.  
589 It's kind of like on an island, and they are improving the property. The Board agreed.

590

591 Mr. Morgan stated by granting the variance substantial justice will be done, the benefit to the  
592 applicant far outweighs any detriment to the people of the town of Alton. The Board agreed.

593

594

595 Mr. LaRochelle stated values of surrounding properties: the request will not diminish the value of  
596 the surrounding properties because there are no surrounding properties. If anything it'll just  
597 improve the looks of the road itself and the scenery. The Board agreed.

598

599 Vice Chair Lee stated for purposes of this subparagraph unnecessary hardship means that owing to  
600 special conditions of the property that distinguish it from other properties in the area, section one  
601 no fair and substantial relationship exists between the general public purposes of the ordinance  
602 provision and the specific application of that provision to the property. Yes. And he believes the  
603 proposed use is a reasonable one. The Board agreed.

604

605 **Motion: to grant the variance request from Article 300 Section 320.E.2 with the condition of**  
606 **an approved State septic system.**

607 **Motion by Mr. LaRochelle. Second by Vice Chair Lee. Vote was unanimous.**

608

609 Chair Rich stated they will go to the next variance. Article 300, 327.A.2. to allow the building  
610 within a 25-foot site path.

611 **Public Input:**

612 Chair Rich asked if there was anybody that would like to speak against this variance? Hearing  
613 none, seeing none. He asked if there was anyone in favor of this variance? Seeing none, hearing  
614 none. He closed the public input.

615

616 **Discussion:** A variance for Article 300 Section 327.A.2.

617

618 Mr. Mankus stated the variance will not be contrary to the public interest. Mr. Morgan stated he  
619 agreed. There is not much change. This is to allow within the 25 ft setback and there is minimal  
620 change to the current situation. The Board agreed.

621

622 Mr. Morgan - The request is in harmony with the spirit of the zoning ordinance, the intent of the  
623 master plan, the convenience, health, safety, and character of the district within which it's  
624 proposed. The same sort of criteria apply here as to the prior one, and he agrees that it's in  
625 harmony. The Board agreed.

626

627 Mr. LaRoche stated by granting the variance substantial justice will be done. The Board agreed.

628

629 Vice Chair Lee - Values of surrounding properties; the request will not diminish the value of the  
630 surrounding properties. The Board agreed.

631

632 Chair Rich stated for purposes of this subparagraph unnecessary hardship means that owing to  
633 special conditions, the property, it distinguishes itself from other properties in the area. No fair or  
634 substantial relationship exists between the general public purposes of the ordinance provision and  
635 the specific application and the proposed use is a reasonable one. The Board agreed.

636

637 **Motion: to grant the variance the Case Z25-31 in regards to Article 300 Section 327.A.2 to**  
638 **allow the building within the 25 ft property front setback with the condition of a State**  
639 **approved septic system.**

640 **Motion made by Vice Chair Lee. Second by Mr. Morgan. Vote was unanimous.**

641

642 Chair Rich - Variance is requested for Article 300, Section 327A-A-3, allowing the building to be  
643 within a 10-foot property side setback.

644

645 **Public Input:**

646 Chair Rich asked if there was anyone that would be against this variance. Hearing none. Seeing  
647 none. He asked if there was anyone in the public that was in favor of the variance? Seeing none.  
648 Hearing none. Chair Rich closed public input.

649

650 Chair Rich stated the variance will not be contrary to the public interest There has been no  
651 demonstrated fact that it will be contrary to the public interest. The Board agreed.

652

653 Mr. Mankus stated the spirit of the ordinance. The request is in harmony with the spirit of the  
654 zoning ordinance, the intent of the master plan, and with the convenience, health, safety, and  
655 character of the district within which it is proposed. The Board agreed.

656

657 Mr. Morgan stated that substantial justice will be done. Big improvement for the applicant and not  
658 a detriment to the town. The Board agreed.

659

660 Mr. LaRochelle stated the request will not diminish the value of the surrounding properties. The  
661 Board agreed.

662

663 Vice Chair Lee stated for purpose of this subparagraph on unnecessary hardship. which means that  
664 owing to special conditions of the property that distinguish it from other properties in the area 1)  
665 fair and substantial relationship exists between the general public purposes of the ordinance  
666 provision and the specific application of that provision to the property and 2) the proposed use is a  
667 reasonable one. The Board agreed.

668

669 **Motion: to grant a variance request for Case Z25-31, Article 300 Section 327.A.3 with the**  
670 **condition of a State approved septic system.**

671 **Motion by Mr. LaRochelle. Second by Mr. Mankus. Vote was unanimous.**

672

673 **Approval of Minutes:**

674 Chair Rich in regards to ZBA meeting minutes of July 10, 2025, any changes?

675

676 Mr. LaRochelle stated at the very end under adjournment change Chair Lee to Chair Rich.

677

678 Mr. Morgan had a couple of suggestions. Line 565, change who to which and line 560 change  
679 mention to dimension.

680

681 **Motion: to approve the July 10, 2025 minutes as amended.**

682 **Motion by Mr. Morgan. Second by Mr. LaRochelle. Vote was unanimous.**

683

684 **Correspondence:**

685 Chair Rich asked Ms. Ditri if there was any correspondence. She said no.

686

687

688 **ADJOURNMENT**

689 **Motion: to adjourn.**

690 **Motion by Vice Chair Lee. Second by Mr. Mankus. Vote was unanimous.**

691

692 The meeting was adjourned at 8:34 PM.

693

694 Respectfully Submitted,

695 Laura Zuzgo