

**TOWN OF ALTON
ZONING AMENDMENT COMMITTEE
MINUTES OF 2018-2019
OCTOBER 2, 2018**

Members Present: Scott Williams
Tom Hoopes
Dave Hussey
Phil Wittman

Others Present: Nic Strong, Town Planner
John Dever, III, Code Official
Loring Carr

Scott Williams called the meeting to order at 6:00 p.m. +/-

There were no changes to the agenda.

1. Old Business:
 - a) Update on proposed amendments from 9/11/18 meeting

Nic Strong noted that the memo before the committee dated October 2, 2018, updated the items that the committee had discussed at the September 11th meeting. The committee went through the memo in order.

1. Non-conforming uses, structures and lots

Nic Strong noted that John Dever had wanted to run the amendment by the ZBA before finalizing it. John Dever asked that this be postponed until the next meeting.

2. Off premises signs.

John Dever was going to contact other towns to see how they handle these signs. He noted that Gilford did not allow off premises signs at all. He went on to say that when he worked in Chichester the issue had come up and it had been determined that only allowing off premises signs for businesses in town was not defensible. John Dever noted he was going to look at other communities including Concord, NH. Scott Williams asked if John Dever had looked into the scenic byway issue. John Dever stated that he had spoken to Lucy St. John and Walter Keuenhoff and had determined that the Town could apply to have areas along the scenic byway de-designated if, for example, they were already developed and therefore not scenic. Those areas would not then be subject to the restrictions of the scenic byway. The Town would have to discuss whether or not certain areas along Routes 28 and 11 should be de-designated.

3. Animated signs.

This item had been resolved and would no longer be proposed for 2019 amendments.

4. Conflict between Section 329, Condominiums and Section 463 Residential Rural Zone, and the definition of multi-family dwelling, and RSA 674:43

**TOWN OF ALTON
ZONING AMENDMENT COMMITTEE
MINUTES OF 2018-2019
OCTOBER 2, 2018**

Nic Strong stated that the committee had discussed this at the last meeting and determined to change the number of units allowed in condominiums to be five instead of four to be in line with the multi-family and workforce housing requirements.

5. Short term rentals

Nic Strong noted that the committee had determined to wait on this and see what might happen at the state level with regard to this issue.

6. Stormwater Management

Nic Strong stated that the proposal was to add language to the ordinance that would specify that a property owner is not allowed to divert stormwater onto someone else's land. She noted that she had looked at Section 359 of the Zoning Ordinance and found that there was plenty of language regarding prevention of off-site impacts from stormwater leaving a site, and language to encourage infiltration and natural drainage systems and so on. She suggested that the applicability section be expanded to include the type of development that was currently in question - construction or lot development that creates runoff that could potentially adversely affect neighboring properties. John Dever stated that the issue was property owners who diverted flow from where it used to be and sent it onto their neighbors' lots where it created washouts and flooding.

7. Duplex v. multi-family dwelling

Nic Strong noted that there was nothing for ZAC to work on - this issue was going to be addressed in the Site Plan Review Regulations to require a site plan for multiple duplexes on a single lot in the Residential Rural District.

8. Definition and criteria for sales of storage containers

John Dever distributed draft language for a definition of "Product Storage Area". He noted that this would be the type of business that had an amount of outdoor storage but would not have customers coming to the site - for instance, selling storage containers online. This would not necessarily have to be constrained to storage containers, he envisioned that this could include overflow storage for an automobile or heavy equipment dealership or other durable goods. John Dever went on to say that the Town had a definition for warehouse and this would be similar only the things that were being stored were stored outside. He noted that similar to a warehouse the products would be delivered to and stored on the site and then get shipped to wholesale or retail customers. He further noted that his suggested language included screening and the ZAC should consider which districts this would be permitted in and whether or not there should be some requirement for a certain classification of road be required for frontage.

John Dever noted that this draft was a place to start from and welcomed input from the committee members. He noted that this was for hard goods, not bark mulch or soil which were covered under

**TOWN OF ALTON
ZONING AMENDMENT COMMITTEE
MINUTES OF 2018-2019
OCTOBER 2, 2018**

Contractor's Storage Yard. Dave Hussey asked if this could create junkyards if cars were allowed to be stored. John Dever stated that he would factor that into the definition. It was noted that there would need to be plenty of room on the site for the storage, the screening, a place to turn around the delivery trucks, etc.

Scott Williams stated that the committee would review the language and come back to the next meeting to discuss it.

9. Specify in the Residential Rural District that only one single family dwelling is permitted per lot

Nic Strong stated that John Dever had had a question since the last meeting from someone who had interpreted the language in the Residential Rural District to mean that more than one single family dwelling could be built on a lot. The current language only specifies that a single family dwelling requires one acre per dwelling unit but with the other uses in the district being allowed to have multiple structures on one lot it was confusing. John Dever had discussed this with Jim Sessler, Esq., and was suggesting to specify that the minimum lot area for a single family dwelling is one acre.

Scott Williams asked if Accessory Dwelling Units were allowed in the Residential Rural District and suggested that it be specified in the district section not just in the Table of Uses. John Dever stated that there was a whole section on ADUs and also in the Table of Uses.

Nic Strong stated that for the next meeting the proposed amendments would be presented in the standard ballot amendment format for the committee to review further.

Scott Williams next suggested that the committee review the whole Table of Uses as that was a useful exercise to be done periodically to make sure that it makes sense. For instance, he had noticed that wind turbines were allowed in the Residential Commercial District which did not make sense to him and also that Commercial Function Facility was not allowed in that district. John Dever pointed out that in reality the Residential Commercial District was not very large.

2. New Business
 - a) Research into ZAC Committee

Dave Hussey stated that back when he had the idea for the committee he had spoken to Ken McWilliams and John Dever about it, but he had never really had the makeup of it. They decided they were going to have two Selectmen, two Planning Board and two ZBA, but there was never anything in the minutes about it and he just wanted to clear that up. Nic Strong pointed out that, in fact, the Planning Board minutes of June of 2011 indicated that Dave Hussey's idea was for two Selectmen, two Planning Board and two ZBA members to be on the ZAC. She noted that her research indicated that from 2012 to 2014 there were two members from each Board on ZAC but starting in 2015 only one Selectmen was assigned to the committee with an alternate and it had been

**TOWN OF ALTON
ZONING AMENDMENT COMMITTEE
MINUTES OF 2018-2019
OCTOBER 2, 2018**

that way ever since. She noted that there was no written record of why that happened and she had been unable to locate the video of the meeting.

Nic Strong suggested that there should be an odd number of members on the committee and that bylaws should be written to establish this and also to establish a quorum and other management items. She noted that five members was a manageable number and she thought that it should be two Planning Board, two ZBA and one Selectman, noting that was the makeup she was used to.

Loring Carr stated that was not the way the committee was set up. Tom Hoopes stated that this was probably the most constructive committee due to the communication between the three different groups and the understanding of why the changes were being proposed. Dave Hussey thought that two members from each Board should be encouraged to come. John Dever stated that one Selectman and one alternate would allow for a five member committee. Scott Williams stated that the Code Enforcement Officer and Planner should be present at the meetings and added to the bylaws. Scott Williams thought that three members from each Board would be his preference to get a better cross section of opinions. Dave Hussey thought that at least two should be encouraged and if more could make it the better.

4. Distribution of Minutes

The minutes of September 11, 2018, were distributed for approval at the next meeting.

PUBLIC INPUT:

Loring Carr asked that a packet be made available for the public. Tom Hoopes stated that it was rare to have any public at these meetings. Loring Carr went on to say that he did not know about the storage container definition. He thought they should be regulated the same as boats and noted that he found both offensive. John Dever stated that boat storage was allowed in certain areas. Loring Carr suggested using the same kind of regulation.

Dave Hussey noted that the Board of Selectmen had changed a law to do with septic systems when he was in office, the pre-treatment systems, and he wondered if that was being waived a lot. John Dever noted that they were being used but it was waived sometimes. He noted that when there really was an issue people were bringing in their designs using that system anyway. He noted that if the tanks were close but the leachfield was further away the Selectmen were waiving it. John Dever stated that the lots that were a problem were quite often coming in with a clean solutions system designed right off the bat. Dave Hussey stated that was important around the lake.

The committee set the next three committee meeting dates: Monday, October 22nd; Tuesday, November 13th; and Tuesday, November 27th. All at 6:00 p.m.

Scott Williams noted that Loring Carr was going to be part of a petition warrant article to change the Lakeshore Residential District frontage. Dave Hussey asked where the petition was. John Dever stated that there were particular dates that petitions had to be submitted by. Nic Strong noted that

**TOWN OF ALTON
ZONING AMENDMENT COMMITTEE
MINUTES OF 2018-2019
OCTOBER 2, 2018**

they had to be submitted between 90 - 120 days from town meeting so that was the middle of November to middle of December. Dave Hussey asked what had happened to the petition article that had been handed in by Brendan Twomey. Nic Strong stated that she did not have a petition; they were not allowed to be handed in yet. Dave Hussey stated he handed it in. Nic Strong noted that petitions were submitted to the Board of Selectmen not the Planning Board. She stated that she had no knowledge of any petition and noted that it was too early to submit them. Dave Hussey stated that it was handed in at a Planning Board meeting with the American Legion. John Dever stated that there was a legal timeframe and a petition cannot be submitted before that certain date. Dave Hussey stated he would tell Brendan Twomey about that. Dave Hussey asked again if the petition was laying around anywhere. Nic Strong stated that she had never seen it. Dave Hussey stated that Brendan Twomey had been directly affected by the change to the frontage measurement and that he had handed in the petition the same night the Legion was before the Planning Board.

At 7:00 p.m. +/- Dave Hussey MOVED to adjourn. Tom Hoopes seconded the motion and it PASSED unanimously.

Respectfully submitted,

Nic Strong
Town Planner

Approved: October 22, 2018