

**TOWN OF ALTON
ZONING BOARD OF ADJUSTMENT
PUBLIC HEARING
Thursday, October 7, 2021, at 6:00 PM
Alton Town Hall**

MEMBERS PRESENT

Thomas Lee, Chairman
Paul Monziona, Vice Chair
Frank Rich, member/clerk – excused absence
Paul LaRochelle, Selectman’s Representative
Tim Morgan, member
Mike Hepworth, alternate member – excused absence

OTHERS PRESENT

John Dever, III, Code Enforcement Officer

CALL TO ORDER

Chair Lee called the meeting to order at 6:08PM.

INTRODUCTION OF BOARD MEMBERS

Roll Call was taken for the Board members and individuals present at Town Hall.

APPOINTMENT OF ALTERNATES

No alternates were present.

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 in the Zoning Ordinance have been or will be met.

APPROVAL OF AGENDA

The Board reviewed the agenda. No changes were made.

Chair Lee made a motion to approve the agenda as presented. Mr. Morgan seconded the motion. Motion passed, 4-0-0.

NEW APPLICATIONS

Case #Z21-25 Janette Alimi & Brian Keenan, Owners	Map 21 Lot 5-6 Hopewell Road	Special Exception Lakeshore Residential (LR) Zone
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A **Special Exception** is requested from **Article 300, Section 319** of the Zoning Ordinance to permit an Accessory Dwelling Unit.

Chair Lee read the public notice into the record. The Board reviewed the application for completeness.

Mr. LaRochelle made a motion to accept the application as complete. Mr. Morgan seconded the motion. Motion passed, 4-0-0.

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

Chair Lee opened the hearing to input from the public in opposition of the application.

Chair Lee closed public input.

Discussion Case Z21-25 – Special Exception

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

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

Mr. LaRochelle stated the specific site **is** an appropriate location for the use. The Board agreed.

Mr. Morgan stated that actual evidence **is not** found that the property values in the district will be reduced due to incompatible land uses. It is a residential area and consistent with the use of the surrounding lots. The Board agreed.

Chair Lee stated there **is no** valid objection from abutters based on demonstrable fact. The Board agreed.

Mr. Monziona stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking. The Board agreed.

Mr. LaRochelle stated adequate and appropriate facilities and utilities **will** be provided to insure the proper operation of the proposed use or structure. The Board agreed.

Mr. Morgan stated there **is** adequate area for safe and sanitary sewage disposal and water supply. The Board agreed.

Chair Lee stated the proposed use or structure **is** consistent with the spirit of this ordinance and the intent of the Master Plan. The Board agreed.

Mr. Morgan made a motion to grant the request for a Special Exception for Case #Z21-25. Mr. LaRochelle seconded the motion. Motion passed, 4-0-0.

Case #Z21-26 Payde Stockman, Stockman Builders LLC, Agent for Michael and Tamara Fellman, Owners	Map 38 Lot 4 150 Spring Street	Special Exception Residential Rural (RR) Zone
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A **Special Exception** is requested from **Article 300, Section 320 H.3.** of the Zoning Ordinance to permit a new foundation under a nonconforming (for setbacks) structure.

Chair Lee read the public notice into the record. The Board reviewed the application for completeness.

Mr. LaRochelle made a motion to accept the application as complete. Mr. Morgan seconded the motion. Motion passed, 4-0-0.

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

Chair Lee opened the hearing to input from the public in opposition of the application.

Chair Lee closed public input.

Discussion Case Z21-26 – Special Exception

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

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

Mr. Morgan stated the specific site **is** an appropriate location for the use. Mr. Monziona noted the use is not changing, it is remaining residential. The Board agreed.

Chair Lee stated that actual evidence **is not** found that the property values in the district will be reduced due to incompatible land uses. It is a residential area and consistent with the use of the surrounding lots. The Board agreed.

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

Mr. LaRochelle stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking. There is adequate off-street parking. The Board agreed.

Mr. Morgan stated adequate and appropriate facilities and utilities **will** be provided to insure the proper operation of the proposed use or structure. The Board agreed.

Chair Lee stated there **is** adequate area for safe and sanitary sewage disposal and water supply. The Board agreed.

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

Mr. Monziona made a motion to grant the request for a Special Exception for Case #Z21-26 with the condition that if the cupola will exceed the 35' height limit set forth in the Zoning Ordinance, it will be reduced in height, omitted or obtain the necessary relief from the Zoning Board of Adjustment.; the space on the second level will be used as represented and provided in testimony. Mr. Morgan seconded the motion. Motion passed, 4-0-0.

Case #Z21-27 BMH Black Point LLC, John & Kathy Sartorelli, Principals	Map 44 Lot 24 Black Point Road	Special Exception Lakeshore Rural (LR) Zone
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A **Special Exception** is requested from **Article 300, Section 360** of the Zoning Ordinance to permit a garage as the primary structure on a lot.

Chair Lee read the public notice into the record. The Board reviewed the application for completeness.

Mr. LaRochelle made a motion to accept the application as complete. Mr. Morgan seconded the motion. Motion passed, 4-0-0.

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

Chair Lee opened the hearing to input from the public in opposition of the application.

Chair Lee closed public input.

Discussion Case Z21-27 – Special Exception

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

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

Chair Lee stated the specific site **is** an appropriate location for the use. The Board agreed.

Mr. Monziona stated that actual evidence **is not** found that the property values in the district will be reduced due to incompatible land uses. It is a residential area and consistent with the use of the surrounding lots. The Board agreed.

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

Mr. Morgan stated there **is no** undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking. The Board agreed.

Chair Lee stated adequate and appropriate facilities and utilities **will** be provided to insure the proper operation of the proposed use or structure. The Board agreed.

Mr. Monziona stated there **is** adequate area for safe and sanitary sewage disposal and water supply. The Board agreed.

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

Mr. Monziona made a motion to grant the request for a Special Exception for Case #Z21-27 with the condition the application obtain septic approvals from the New Hampshire Department of Environmental Services . Mr. Morgan seconded the motion. Motion passed, 4-0-0.

OTHER BUSINESS

1. Previous Business:
 - a. Master Plan Update – None.
 - b. ZAC Update- None.
2. New Business: None.
3. Approval of Minutes: ZBA meeting minutes of September 2, 2021
4. Correspondence: None.

ADJOURN

Mr. Monziona made a motion to adjourn. Mr. LaRochelle seconded the motion. Motion passed, 4-0-0.

The meeting was adjourned.

Respectfully Submitted,

Jennifer Riel

Jennifer Riel, Recording Secretary