

**TOWN OF ALTON  
ZONING AMENDMENT COMMITTEE  
MINUTES OF 2018-2019  
OCTOBER 22, 2018**

Members Present: Tom Hoopes  
Dave Hussey  
Phil Wittman  
Paul Larochelle

Others Present: John Dever, III, Code Official

John Dever called the meeting to order at 6:00 p.m. +/- . He noted that the committee would go through the amendments before them this evening and then review the minutes.

1. Old Business:
  - a) Proposed 2019 Amendments to the Alton Zoning Ordinance

Proposed Amendment #1. Nonconforming uses, structures and lots

John Dever noted that the nonconforming section of the Zoning Ordinance was the one that seemed to come to the ZBA the most for Special Exceptions and Variances. He noted that the language was not easy to interpret in many of the sections and was sometimes hard to fit to the specific situation. He noted that the amendment attempted to make the language clearer and more uniform. John Dever noted that Nic Strong had gone back to case law and the statutes in rewording the section. He noted that he had wanted to make it clearer about nonconforming uses and structures. He went on to say that one of the more common non-conforming uses in Alton was having multiple dwelling units on a single lot, for example, the cabins at the Christian Conference Center. He noted that although that was a residential use in a residential zone because there was more than one unit on the lot it was considered a nonconforming use. John Dever went on to say that nonconforming structures most usually involved setback issues.

John Dever ran through the language in the Non-conforming Uses, Structures and Lots section, noting in particular the sections that were peculiar to Alton's circumstances with multiple dwelling units on one lot and the ability to replace or expand those with Special Exceptions. He noted that the language in those sections was still being worked on. He also particularly pointed out the change from sill to foundation with regard to expanding buildings beyond existing elevations. John Dever stated that someone replacing a crawl space with a rubble foundation with a crawl space with a concrete foundation would not require a Special Exception, but adding a full foundation would. The existing language would require anything below the sill to require a Special Exception. He then went over the language regarding replacing nonconforming structures that were voluntarily removed, noting that the wording here had been added not too long ago and did not permit additional bedrooms or any increase in the nonconformity of the structure. It was noted that the ZBA had recommended during certain applications that the building be moved to make it more, or even fully, conforming and that happened in some cases.

Proposed Amendment #2. Off premises signs.

John Dever stated that he had determined that there was no need to proceed with any amendment to

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the off premises signs section of the Zoning Ordinance.

Proposed Amendment #3. Condominiums

John Dever stated that this amendment proposed changing the number of units allowed in multi-family condominium development from four to five to match the multi-family dwelling definition.

Proposed Amendment #4. Stormwater Management

John Dever stated that originally Stormwater Management dealt strictly with the construction of new homes. He noted that the proposal was for lots that were not subject to shoreland permitting but on lots that required management of runoff during and after construction or development instead of allowing it all to run across abutting property.

Proposed Amendment #5. Product Storage Area

John Dever noted that this proposed amendment was to deal with the outdoor storage of things like storage containers that were stored onsite but marketed offsite. He noted that Nic Strong had suggested that there may be the need for a Zoning Ordinance section for this use rather than adding it to the Table of Uses and including a definition because the wording he had suggested was going beyond a simple definition into how the use should be permitted.

Proposed Amendment #6. Residential Rural Zone

John Dever stated that the Zoning Ordinance generally kept single family homes to one per lot of record but in the Residential Rural Zone it stated that single family homes required one acre per dwelling unit. It could be argued in that case that five single family homes could be put on one five acre lot because it specified an acre per dwelling unit. John Dever stated that Jim Sessler, Esq., had looked at the language and had agreed that he could not defend that against someone who wanted to put more than one single family on a lot in that district. Deleting the language "per dwelling unit" meant that the requirement would be a minimum one acre lot for one single family dwelling.

It was noted that it was important to have the Zoning Ordinance be clear and easily understood by anyone who needed to access it. Paul Larochelle asked if there was a zoning map for the town. John Dever stated that there was a zoning map that showed the districts by color but it was a fairly small map that was somewhat hard to read. Paul Larochelle asked that the zoning map be put back into the Zoning Ordinance.

2. New Business

None.

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3. Approval of minutes: September 11 (distributed at October 2<sup>nd</sup> meeting) and October 2, 2018 (distributed by email)

Tom Hoopes mentioned a show on NHPR that had aired regarding short term rentals.

Tom Hoopes **MOVED** to approve the minutes of September 11, 2018, as written. Dave Hussey seconded the motion and it **PASSED** unanimously.

Tom Hoopes **MOVED** to approve the minutes of October 2, 2018, as written. Dave Hussey seconded the motion and it **PASSED** unanimously.

4. Distribution of Minutes

None.

John Dever noted that the next meetings were already scheduled for Tuesday, November 13<sup>th</sup>; and Tuesday, November 27<sup>th</sup>. All at 6:00 p.m.

**PUBLIC INPUT:**

There were no members of the public present.

At 7:00 p.m. +/- the meeting ended.

Respectfully submitted,

Nic Strong  
Town Planner

Approved: November 13, 2018