

**TOWN OF ALTON – ZONING BOARD OF ADJUSTMENT  
PUBLIC HEARING MINUTES  
December 5, 2019**

*APPROVED 1/2/2020*

**Members Present**

Paul Monzione, Chairman  
Frank Rich, Vice-Chair  
Tim Morgan, Member  
Paul LaRochelle, Selectman's Representative/Clerk  
Thomas Lee, Member

**Others Present**

John Dever, III, Code Enforcement Officer	Travis Couture, resident
Diane Loudon, applicant/resident	Amber Couture, resident
Mark Selfridge, resident	Bob Fenuccio, resident
Bonnie Belcastro, resident	Diane Eagles, resident
Margaret Kalishman, resident	Alan Piecuch, resident
Tina Belcastro, resident	Norman Ahn, applicant/resident
Marv Audet, resident	Rick Fiore, Jr., applicant/resident
Walter Garland, resident	Nancy Downing, resident
Roger Moeller, applicant	Jonathan Downing, resident
Tom Varney, Varney Engineering, LLC	Sam Hollo, resident
Andy McLeod, resident	Susan Marvin, resident
	Kelly Center, resident

**CALL TO ORDER**

Paul Monzione, Chair, called the meeting to order at 6:00pm.

**APPOINTMENT OF ALTERNATES**

Mr. Monzione stated no appointment of a member is necessary as there is a quorum of five members. Mr. Monzione stated there is not currently an alternate member to the Zoning Board, and if anyone is interested in serving on the board, please contact the Planning Office.

**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, which 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**

No changes were made to the Agenda.

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**Mr. Lee made a motion to accept the Agenda as presented. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.**

**CONTINUED FROM NOVEMBER 7, 2019**

<b>Case #Z19-24 Roger Moeller and Jennifer Robb, Applicants/Agents for Stephen A. &amp; Francee T. Longmuir, Owners</b>	<b>1543 Mount Major Hgwy. Map 20 Lot 1</b>	<b>Special Exception Rural (RU) Zone</b>
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A Special Exception is requested from **Article 400 Sections 401D.47 and 355** of the Zoning Ordinance to permit the use of Rural zone property for use as a seasonal Recreational Camping Park.

Mr. Monziona confirmed this application was accepted as complete at the November 7, 2019 meeting and stated a continuance was requested at that time by the applicant as the Board had questions regarding the details of the application, and additional time was requested to allow for the applicant to provide the information to assist the Board in making a determination.

Roger Moeller, applicant, stated he has done a lot of homework since the last meeting but there wasn't time to submit all of the additional information. Mr. Moeller stated he would like to ask for another continuation in order to present the information in its entirety. He summarized the information he has found to this point in response to the questions of the Board; he stated a survey would be conducted this week in order to submit an updated proposed plan with the topography as well as conceptual layout. Mr. Monziona asked if the applicant does obtain additional information, what is the deadline for the case to be heard at the next meeting. Mr. Dever stated that deadline would be December 19. Mr. Moeller stated he would have most of the necessary information except the well information as they need cold weather to firm up the driveway access for the driller to install a well; it's unclear whether that will happen in the next two weeks. He asked if he would be able to present the information at the hearing, if he has it. Mr. Morgan asked if the public would have time to view the public file with this information if it's not presented prior to the public hearing. Mr. Dever stated the well is going to get drilled, it's just a matter of when, and doesn't see it substantially changing the application. Mr. Lee stated the well was a real point of contention at the last meeting based on the proposed capacity of 100 campsites, which could be drastically reduced due to the well ability and believes this is important information to have before going forward. Mr. Moeller stated he agrees and wants to know that before going forward as well but he's not sure if he will have the well done before the next meeting. Mr. Moeller stated he has had test pits done and these indicate suitable soil for septic systems; the updated plans show there is adequate land set aside for tanks and leach fields, and pump stations where necessary; additional information regarding property values not being impacted has been obtained.

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Mr. Moeller stated he has discussed traffic with DOT officials regarding the traffic on Route 11 and their main concern was the line of sight at the entrance of the park and they would require that the rock near the edge of the road at the entrance be removed; a traffic study would not be required at this point. He stated he has talked to NH Electric Cooperative and they have a straightforward process of getting electric on site. Mr. Moeller stated he would have additional information to demonstrate that the proposed use is consistent with the Master Plan. Mr. Moeller asked for a continuance to the next meeting. Mr. Rich stated as Mr. Morgan pointed out, there is a finite amount of times to continue a case before it must be withdrawn and restarted. Mr. Dever stated two continuances are allowed. Mr. Rich noted there has already been one, and this would be the final, with reapplication necessary after this point. He stated Mr. Moeller doesn't know when the well will be done and the likelihood is that he will not have the critical information necessary for the Board to act at the next meeting, and asked if Mr. Moeller really wants the extension to the next meeting. Mr. Rich asked if the extension could be for a longer period. Mr. Dever replied yes, it could be extended to the February or March meeting. Mr. Moeller stated he has other time constraints as well and wants to remain with the extension to the January meeting. Mr. Monziona stated the number of sites would be greatly impacted by the well information. He stated he also wants to see additional information as to the number of sites expected to be put in on the property. Mr. Moeller stated the information he already has will impact that, and agrees the water supply is critical as well. Mr. Monziona noted the next meeting is scheduled for January 2, 2020.

**Mr. Morgan made a motion to grant the request for a continuance to January 2, 2020. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.**

Case #Z19-24 was continued to January 2, 2020.

**CONTINUED FROM NOVEMBER 7, 2019**

<b>Case #Z19-25 Richard J. Fiore, Jr., Richard J. Fiore, Sr., &amp; Arlene M. Fiore, Owners</b>	<b>19 Depot Street Map 27 Lot42</b>	<b>Special Exception Rural (RU) Zone</b>
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A Special Exception is requested from **Article 400 Section 401D.5.** of the Zoning Ordinance to permit the repairs of commercial trucks on the property when off site work is not an option.

Mr. Monziona confirmed this application was accepted as complete at the November 7, 2019 meeting and stated a continuance was requested by the applicant at that time.

Mr. Dever stated one of the things requested by the Board was input from the Board of Selectmen however that has not been received yet and the applicant has not met with the

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Board of Selectmen. He noted it was supposed to be addressed in-house. Mr. Monziona stated it was determined by the Board that there may be an interest of the Town, therefore recommended the Board of Selectmen weigh in on the case as the Town may be directly affected or have interests to protect; this was the reason for the continuance.

Richard J. Fiore, Jr., applicant, stated the only paperwork redone was in response to the review by the Conservation Committee. Mr. LaRochelle confirmed the applicant did not talk to the Town Administrator or the Board of Selectmen. Mr. Fiore replied that is correct. Mr. Monziona stated they are in the same situation as at the last meeting. He stated the concern is for the applicant and future repercussions if this exception were granted; the Town could then argue they were not notified. Mr. Monziona suggested that if this is continued again, that it would not count as one of the two continuances allowed. Mr. Dever stated he would follow up with the Town Administrator in the morning. Mr. Fiore stated he is fine with the continuance.

**Mr. Morgan made a motion to grant the request for a continuance to January 2, 2020 for Case Z19-25 and it will not count against the applicant. Mr. Lee seconded the motion. Motion passed, 5-0-0.**

<b>Case #Z19-26 Richard J. Fiore, Jr., Richard J. Fiore, Sr., &amp; Arlene M. Fiore, Owners</b>	<b>19 Depot Street Map 27 Lot 42</b>	<b>Variance Rural (RU) Zone</b>
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A Variance is requested from **Article 400 Section 401D.13.** of the Zoning Ordinance to permit the use of boat storage on the property.

**Mr. Morgan made a motion to grant the request for a continuance to January 2, 2020 for Case Z19-26 and it will not count against the applicant. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.**

**NEW APPLICATIONS**

<b>Case # Z19-27 Norman &amp; Elizabeth Ahn, Owners</b>	<b>147 Hopewell Rd., Map 21 Lot 5-10</b>	<b>Special Exception Lakeshore Residential (LR) Zone</b>
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A Special exception is requested from **Article 300 Section 360.2** of the Zoning Ordinance to permit construction of a storage building for owner’s boat and motorhome.

Mr. Monziona read the case into the record. The Board reviewed the application for completeness.

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**Mr. Morgan made a motion to accept the application as complete. Mr. LaRoche seconded the motion. Motion passed, 5-0-0.**

Norman Ahn, applicant and property owner, stated they are seeking a variance in order to build a 36' by 44' building for storage of their boat and motorhome. Mr. Monziona stated for the record, the application is seeking a special exception, not a variance. Mr. Ahn stated they are owners of the adjacent lot; due to the terrain, trees, other structures and a sand mound they are unable to build the additional structure on their lot. They propose to build the building exactly to the same specs as the existing barn which is 24' by 36'. In addition, if they build a smaller home on that lot, eventually that home would have a barn as well as on lot 9. Mr. LaRoche asked if there would be finished space above the storage area. Mr. Ahn stated he asked the contractor to provide trusses that provide for the storage floor but no floor would be installed so a future owner would have the opportunity to make it storage but it would remain unfinished, inaccessible space. Mr. Monziona noted there are no architectural elevation renderings presented. He stated that putting a uninhabitable structure on a buildable lot is now permitted under special exception and noted that in addition to the usual criteria, there is also the additional requirements that the architectural style, building size and height, and exterior building materials of the structure shall be visibly compatible with other buildings in the neighborhood. Mr. Monziona stated that in order to grant this request, the Board needs to determine what it will look like. Mr. Ahn explained the proposed plans of the building and stated the narrative includes that the materials will be the same as the existing barn. He stated the contractor is Steve Dana who is modeling it after the existing barn with the same trim, gable end, etc., just bigger and confirmed the colors and aesthetic features will be the same. Mr. Rich confirmed the structure is to be built on Lot 5-10 and the applicant's home is on Lot 5-09. Mr. Ahn stated that is correct and noted the tax map indicates 10 but the subdivision number is 9. Mr. Rich confirmed there is no one behind the property, on the other side of the road, whose view would be impeded by the barn. He stated it would not restrict the view of Lot 5-11. Mr. Rich asked if a home were to be built later on the property, would it be closer to the lake. Mr. Ahn confirmed that is correct. He stated he has met with the owner of Lot 5-11 and indicated he approves of the construction of the barn. Mr. Rich asked if the height would be more than the current barn. Mr. Ahn stated the ceiling height of the existing barn is 10'3" and for the motor home, he needs 11' of clearance so it will be about 12'4" for the ceiling height with the ridge height being 2' higher. Mr. Monziona confirmed there would be no water, only electricity going to the building.

Mr. Monziona opened the Public Hearing to input in support of the application being granted. None was indicated. He then opened the Public Hearing to input in opposition of the application being granted. None was indicated. Mr. Monziona closed the Public Hearing to public input.

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**Discussion:**

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

Mr. Lee stated that a plat/plan **has** been submitted in accordance with the Zoning Ordinance, Section 520B and a recommendation has been made. The Board agreed.

Mr. Morgan stated the specific site **is** an appropriate location for the use. Mr. Morgan stated he thinks this fits in well with the Warrant Article passed by the Town a few years ago. The Board agreed.

Mr. Rich stated that actual evidence **is not** found that the property values in the district will be reduced due to incompatible land uses. He stated this would only increase the values of the properties that are already established in the area. Mr. Monziona stated this is a compatible land use and no evidence was presented that values would be diminished. The Board agreed.

Mr. Monziona stated there **is no** valid objection from abutters based on demonstrable fact. He stated it was indicated that the one neighbor on the same side of the street was talked to and has no objections. 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. He stated this is a private property, and the building is for storage only. The Board agreed.

Mr. Lee stated adequate and appropriate facilities and utilities **will** be provided to insure the proper operation of the proposed use or structure. He stated its been dually noted that its strictly electrical and no water. The Board agreed.

Mr. LaRochelle stated there **is** adequate area for safe and sanitary sewage disposal and water supply. He stated this is not applicable here as there will be no sewage coming from it. The Board agreed.

Mr. Rich stated the proposed use or structure **is** consistent with the spirit of this ordinance and the intent of the Master Plan. Mr. Rich stated situations with barns and sheds were always an issue with the Town until two years ago when it was changed, to not require variances; it is in accordance with the spirit of the ordinance and the Master Plan. The Board agreed.

**Mr. Morgan made a motion to approve the application for Case #19-27 as proposed. Mr. Rich seconded the motion. Motion passed, 5-0.0.**

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<b>Case #Z19-28 Thomas W. Varney, P.E. Varney Engineering, Agent for Diane M. Loudon, Owner</b>	<b>74 Davis Rd., Map 7 Lot 14</b>	<b>Special Exception Rural (RU) Zone</b>
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A Special Exception is requested from **Article 400 Section 401** of the Zoning Ordinance to permit a commercial function facility.

Mr. Monziona read the case 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, 5-0-0.**

Tom Varney, Varney Engineering, stated he is here with Diane Loudon, owner, and the property is off Alton Mountain Road on Davis Road. He stated the property is somewhat in the middle of nowhere, and the owners established a house and barn in 2005, on a 280-acre lot in a rural zone. Mr. Varney stated Davis Road ends at their driveway. The barn and outside grounds are being proposed for use as a commercial function facility for weddings and social events. The barn has accommodations for entertainment and dining although as it is currently equipped, would require catering. The large field is available for parking. The number of functions will be limited on the property as it is a primary home and farm. Mr. Monziona disclosed that he knows the applicant and her husband socially and has been on the property. Although it's been a number of years, he stated he would recuse himself from hearing this case. Mr. Rich chaired the Board for this case. Mr. Varney noted a Site Plan is required from the Planning Board and on his plans he showed the large land and the area where the house and barn are located. Ms. Loudon presented a slide presentation showing the property. She stated this was both her husband's and her dream; although he passed away a couple years ago. Ms. Loudon stated she has so many people come up and be amazed at the beauty of the property. She stated she is committed to continual improvement of the property and she wants approval to develop the property as a commercial venue as she wants to share the beautiful property. Ms. Loudon stated this would help her generate income to maintain the property. She stated she wants to limit the number of events to about 5 a year, and limit the number of people to 100. Ms. Loudon noted she currently has a small apartment she utilizes as an Air BnB and this would part of the venue. She stated she also wants to sponsor live music and bring that to the Town on a regular basis; as well as offer farm-to-table dinners for the community; be a destination for quilting and yoga retreats and possibly be a choice location for business retreats. Ms. Loudon stated she has had requests to be a backdrop for movies although she has not pursued that yet. She presented a list of amenities of the property; she outlined the 2500' square foot post and beam barn with two floors, including a service area with a sink, refrigerators and warming drawers; a deck off the second floor for exit and access; there are two large indoor bathrooms, one

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of which is ADA compliant. Ms. Loudon stated there are about 15 miles of groomed trails; a 5000' square foot organic garden which provides flowers and vegetables with multiple perennial gardens throughout the property. She stated she has horses, goats, chickens and dogs to add to the ambiance. Ms. Loudon stated there is a pond on the property but it is not accessible as it's behind fencing, in the horse pastures. She stated she has plans for a kids play area as well; and noted there is plenty of parking area in open fields. Ms. Loudon stated the area roads recently had 8" of ledge pack put down along with furrows on the sides for drainage. Pictures of the buildings and property were presented and reviewed. Ms. Loudon stated they are committed to being responsible property owners and want to also help lift commerce in the area and are committed to continually improving the property and surrounding area.

Mr. LaRochelle asked if the applicant received the letter dated December 3, 2019 from Marlene Meinelt. Mr. Varney stated Ms. Meinelt's property is a vacant lot, on a somewhat abandoned road, surrounded by wooded lots. He stated Ms. Meinelt lives somewhere else and Ms. Loudon stated she has not met Ms. Meinelt, who gave them some difficulty at the time they were building their house as well. Mr. Varney noted the issues of concern by Ms. Meinelt would be addressed by the Planning Board. Mr. Morgan confirmed that if the exception were granted, they would be going before the Planning Board. Mr. Rich stated the Board of Adjustment Section 520 is the only part they are looking at and it includes mitigation of noise, headlights, and the specific items listed. Mr. Rich asked what the hours of operation would be in terms of mitigation of noise and limiting of noise. Mr. Varney noted the plans indicate quiet hours from 10:00pm to 10:00am, no music during these hours and they will use sound barriers when feasible. Ms. Loudon stated her intent is that it would be quiet during those hours and functions would take place likely around 10:00am and go no later than 10:00pm. Mr. Rich stated Ms. Loudon indicated there may be a regular event on Thursdays and asked if it would be weekly. Ms. Loudon replied she would expect once per month and if there were interest it could be year-round but she would be limiting tickets to 50 and all music will be inside. If there were music outside, it would be acoustic and no big speakers. Mr. Rich asked how they would mitigate headlights. Mr. Varney stated there are no houses nearby and they are separated by woods on the property lines. Ms. Loudon stated the closest house is more than a ½ mile away, over a hill. Mr. Dever stated he did a search on Google Maps and confirmed the closest house is over 1400' just to the entrance of her property. It was noted the parking area is completely surrounded by trees and vegetation. Mr. LaRochelle confirmed food would not be prepared on the premises. Ms. Loudon stated it would need to be catered, as the property is not setup with any more than refrigeration and warming features. Mr. Rich asked her thoughts on a vehicle safety plan. Ms. Loudon replied she wants to always have someone parking the cars with safety vests, flashlights, and installed area lighting to keep the area well lit. Ms. Loudon stated pedestrians would have to walk from the parking area across to the barn on pathways built off of the road. She stated there will be signage but she hasn't gotten those yet as she doesn't have the Town's approval yet. Ms. Loudon stated she is interested in having

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small weddings with people who are interested in and appreciate the barn and surrounding rural areas. She doesn't want to be a full-blown wedding venue.

Mr. Rich opened the Public Hearing to input in support of the application being granted.

Jonathan Downing, resident, stated he has known Ms. Loudon and her husband since they bought the lot. He stated the lot was clear-cut and a mess when they purchased it, and they have done many positive improvements to the property and believes this will be as well.

Sam Hollo, resident, stated he did the service for Mr. Loudon when he passed and has witnessed over the past year and a half, the incredible dedication on Ms. Loudon's part in finishing this magnificent project. He stated a lot of people would be able to use it and it will bring business to the Town.

Andy McLeod, neighbor, stated he has lived on Davis Road since 2001 and also witnessed the slash-cutting done on the property as well as the work done by the Loudon's to improve the property, which has been incredible. He stated that he has not noticed any problems with traffic during the few small events Ms. Loudon has had on the property, and is not bothered by it.

Susan Marvin, resident, stated she lives on Avery Hill, and stated Ms. Loudon is the most hospitable person, and it's incredible what they have already done on the property. She stated that even though she is a mile away, she has heard music at times but is fine with it as long as it stays contained and ends at 10:00pm. Ms. Marvin stated she has also used Ms. Loudon's Air BnB for family and hopes this project goes forward.

Kelly Center, resident, stated she met Ms. Loudon and her husband about nine years ago when they were looking for advice on bringing horses to the property. Ms. Center stated she has a degree in equine management and has been working with the Loudon's ever since. She stated the property is large and extensive and what they've done with it is amazing. Ms. Center stated that with what Ms. Loudon wants to do with it, she only sees good coming from it. She stated it will create jobs with cakes, decorating, etc. for a town that doesn't have a lot of store frontage.

Nancy Downing, resident, stated she is familiar with the project and have known the Loudon's since they came to Town, and attests to this being a very positive thing for the Town.

Mr. Rich opened the Public Hearing to input in opposition of the application being granted.

Bob Fenuccio, 35 Davis Road, stated he's not here to object to the approval and Ms. Loudon has done a beautiful job on the property but wanted to correct Mr. Varney's

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statement that the Davis Road ends at Ms. Loudon's property as it ends at his property line, then it's a private road the rest of the way. It was clarified it is a Class VI road at that point. Mr. Fenuccio stated there is a lot of traffic to and from Ms. Loudon's property and is concerned about the increase in traffic and headlights, as his house is only about 15' from the road. Mr. Rich asked how the traffic has been for the couple events Ms. Loudon has already had. Mr. Fenuccio replied there was definitely an increase in traffic but his main concern is the speed. Mr. LaRochelle asked if there is a speed limit posted on Davis Road. It was confirmed there are no speed limit signs posted. Mr. Rich suggested the Town put up a sign, and that might be helpful.

A resident, stated that before anyone lived in the area, people went four-wheeling down Davis Road, and it would start once they hit the dirt portion of the road as there is no differentiation between the road and the trails up top. However since the Loudon's have been there, that activity hasn't been as much. He suggested that more than a speed limit, a "children at play" sign may have more of an effect.

Mr. Rich closed the Public Hearing to public input. He noted the letter from Ms. Meinelt would be added to the record. Mr. Rich asked if the applicant wanted to comment in response to the public input. Mr. Varney stated Ms. Loudon revitalized 1200' of road from Bob's house to her property line. Mr. Dever explained Davis Road becomes a Class VI road and in order for the Loudon's to get the building permit, they had to meet conditions set by the Board of Selectmen and improve the road to the standards agreed upon. Mr. Dever stated Ms. Loudon is also responsible for maintaining that section of the road. Mr. Rich asked if she could put up signs if she wanted to. Mr. Dever replied she would need to discuss it with the Road Agent and Board of Selectmen. Ms. Loudon explained it's beyond Bob and Andy's place on the road and it was confirmed the Town maintains their portion of the road.

**Discussion:**

*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 Zoning Ordinance, Section 520B and a recommendation has been made. He stated it is an existing building and facility. The Board agreed.

Mr. Lee stated the specific site **is** an appropriate location for the use. He stated there is criteria that has to go through the Planning Board but the site is appropriate 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. He stated there was no direct evidence submitted on this point but there were a number of people who stated Ms. Loudon had improved the area. Mr. Rich stated the property values have likely improved dramatically

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with the improvements of the property over the years, as well as the utilization of the property now and in the future. The Board agreed.

Mr. Rich stated there **is no** valid objection from abutters, with the exception of Ms. Marlene Meinelt but most of what she is concerned about is to be addressed by the Planning Board. Mr. Rich stated it is a demonstrable fact that most of the people are in favor of Cold Spring Farm and what Ms. Loudon is trying to accomplish and make available for herself and her family. Mr. Morgan noted there was an objection from an abutter, which needs to be addressed in regards to traffic speeds and volume but doesn't believe it's sufficiently valid to override the special exception. 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. He stated they discussed this and there was some objection to the traffic going to and from but with some assistance, that traffic could be controlled and helped. Mr. LaRochelle stated the parking is not an issue as its private property and it will be for the Planning Board to decide how much parking is available. Mr. Morgan stated the one concern that was voiced with regards to traffic could be mitigated. The Board agreed.

Mr. Lee stated adequate and appropriate facilities and utilities **will** be provided to insure the proper operation of the proposed use or structure. He stated it's been more than demonstrated with the presentation that there are appropriate and adequate facilities as well as care taken to ensure the property is properly maintained. The Board agreed.

Mr. Morgan stated there **is** adequate area for safe and sanitary sewage disposal and water supply. He stated the property has its own well and septic system. The Board agreed.

Mr. Rich stated the proposed use or structure **is** consistent with the spirit of this ordinance and the intent of the Master Plan. Mr. Rich stated the Loudon family has done a commendable job in improving the property. It is something that is in the spirit of the ordinance and is the type of venue they should try to promote. He commended Ms. Loudon for her work as well as the thorough presentation. The Board agreed. Mr. Morgan stated several years ago the ZBA wrote the warrant article which is the basis for this special exception and what has been presented is entirely what was proposed and conceived at the time of the drafting of that article.

**Mr. Morgan made a motion to approve the application for Case #19-28 as proposed. Mr. Lee seconded the motion. Motion passed, 4-0.0.**

Mr. Monziona resumed his position as the chair of the Board.

**OTHER BUSINESS**

**1. Previous Business:**

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**a. Update on Proposed Zoning Amendments for 2019-2020**

The Board reviewed the Proposed Zoning Amendments as presented. Mr. Dever stated they would be presenting this to the Planning Board on December 17, 2019. He stated he met with Attorney Sessler who gave some suggestions for wording and he is working with Ms. Call on some definitions. Mr. Dever stated he would be presenting those as well. He stated they are also working on a publication with expanded definitions so people can understand clearly what is being proposed.

**2. New Business:**

Mr. Monziona stated he and Mr. LaRochelle are up for re-election in 2020 and noted the deadline for filing is January 22, 2020.

**3. Meeting Schedule for 2020:**

The Board reviewed the meeting schedule as presented for 2020. Mr. Monziona noted all meetings are the first Thursday of the month. The Board agreed by consensus to accept the schedule as presented.

**4. Approval of Minutes**

Meeting of November 7, 2019 – Edits were made:

Page 5- first paragraph: change “facility” to “facilities”; second paragraph- change “20-bedroom to 2-bedroom”.

Page 7- third paragraph: strike “the market” and replace with “a marked”;

Page 10- third paragraph: add “be” and “being”.

Page 10 – strike line 8.

Page 11 – fourth paragraph: change “she” to “he”.

**Mr. Rich made a motion to approve the minutes as amended. Mr. Lee seconded the motion. Motion passed, 5-0-0.**

**5. Correspondence:**

No correspondence was received.

**DISCUSSION**

Mr. Lee asked about the Town’s regulations regarding Air BnBs, noting some people have concerns, stating they have seen and heard of more of it happening. He asked if it’s a Zoning Board of Adjustment issue and whether they should try to get ahead of it. Mr. Dever stated it is something the Zoning Board of Adjustment would address, and noted they have been watching cases in surrounding communities, stating some towns and cities have defined short-term rentals and restricted such. Mr. Dever stated he has had this

**TOWN OF ALTON – ZONING BOARD OF ADJUSTMENT  
PUBLIC HEARING MINUTES  
December 5, 2019**

*APPROVED 1/2/2020*

discussion with the Town Planner and Town Administrator. He stated the City of Portsmouth case was recently found in favor of the city and their defined zoning restrictions. Also, legislation was introduced this year that there would be no restriction on it. Mr. Monziona confirmed the Supreme Court found the Portsmouth Zoning Regulations to be valid and suggested getting a copy of those to review for adoption and presentation next year to voters. The Board concurred it's a current issue that needs to be addressed specifically for the Town. Mr. Rich stated the Town does not currently have anything in the regulations regarding short-term rentals. Mr. Monziona stated they will also need to consider the grand-fathered clause and it will also be important how its presented to voters. Mr. Dever stated the City of Laconia has also addressed it in the past year.

Mr. Lee stated on the minutes from the last meeting, the paragraph regarding Mr. Fiore was very specific in regards to what he needed to do and pointed out that the "ball was dropped" but not on his part. Mr. Monziona agreed and stated that under the circumstances it is best to follow this course of action. Mr. Monziona stated that in regards to his recusal from the prior case, after he thought about it, he hasn't socialized with Diane or Alan in over 6 or 7 years but felt it was better all-around for him to recuse himself.

**ADJOURNMENT**

**Mr. Lee made a motion to adjourn. Mr. LaRochelle seconded the motion. Motion passed, 5-0-0.**

The meeting was adjourned at 8:07 pm.

Respectfully submitted,

Jennifer Riel, Recording Secretary