

APPROVED January 4, 2007

**Call to order at 7:00 p.m.** by M. Perry at 7:00 p.m.

**Members Present:** Tim Morgan, Tim Kinnon, Steve Hurst, David Schaeffner-Alternate, Marcella Perry-Chairman, Monica Jerkins-Planning Assistant, and Carolyn Schaeffner-Recording Secretary

**Statement of Appeal Process**

The Chairman read a brief statement of the Appeal process. The purpose of this hearing is to allow anyone concerned with an Appeal to the 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 gage 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 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 has been or will be met.

**Approval of Agenda**

**The following cases have been requested to be continued by the applicant to the January, 2007 meeting.**

**Case Z06-38** **Map 23, Lot 3** **Special Exception**  
**Corinne Claunch** **41 Rustic Shores Road**  
Application submitted by Thomas W. Varney on behalf of Corinne Claunch to request a Special Exception from the Town of Alton Zoning Ordinance 2006, Article 300, Section 320 (B:2c) – Expansion of a Non-conforming Structure – to allow a basement to be constructed under a cottage located within the Rural Zone.

**Case Z06-39** **Map 23, Lot 3** **Variance**  
**Corinne Claunch** **41 Rustic Shores Road**  
Application submitted by Thomas W. Varney on behalf of Corinne Claunch to request a Variance from the Town of Alton Zoning Ordinance 2006, Article 300, Section 327 (A:3) – Setback Requirements – to allow a pre-existing non-conforming structure to be relocated 2', but still within the 10' setback requirement. The property is located within the Rural Zone.

**Motion** by M. Perry to accept the agenda as amended. Second by T. Morgan. No discussion. Vote unanimous.

**Case Z06-36** **Map 8, Lot 54** **Variance**  
**Alton & Barnstead School Districts** **Suncook Valley Road (NH Rte 28)**  
Application submitted by Alton & Barnstead School Districts to request a Variance from the Town of Alton Zoning Ordinance 2006, Article 300, Section 340 – Sign Regulations – to allow the installation of a 4x8 sign with a 2x8 message board below at the entrance to Prospect Mountain High School on NH Rte

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28 within the Rural Zone.

Noted that no one was present for this application.

M. Jerkins noted she was informed the case was only needed to be read into the record and no persons need be present.

M. Perry questioned RSA 674:54 that stated someone must be present for this application and referred to requirements for governmental applications on land use.

T. Kinnon noted the school board could be the representative with reference to the RSA mentioned.

M. Jerkins noted getting opinion of Attorney Sesser and get requirements in writing.

**Motion** by T. Morgan to continue case Z06-36 to the next meeting in January. Second by T. Kinnon. No discussion. Vote unanimous.

M. Jerkins clarified that her instruction came from Russ Bailey and Peer Kraft-Lund. Asked if all parties should be notified of this decision and what further instructions would be.

M. Perry noted all parties should be notified with regard to the RSA and someone should be present at the next meeting and that the applicant, Russ Bailey, Peer Kraft-Lund should be notified in writing.

**Case Z06-37**

**Map 34, Lot 33-97**

**Special Exception  
72 Rand Hill Road**

**Larry T. & Lynne E. Bollinger**

Application submitted by Larry T. & Lynne E. Bollinger to request a special exception from the Town of Alton Zoning Ordinance 2006, Article 300, Section 320 (A:3) – Change of Use - to allow stick built house to replace a manufactured home. The property is located within the Residential Zone.

D. Schaeffner recused himself for this case.

M. Jerkins read memo from Lund and Boyers. A manufactured home at Alton Bay Christian Conference Center is proposed to be replaced by a single-family dwelling. The new dwelling is within the setbacks and will have a lesser impact on the surroundings. The questions are: should it be denied and how can it seek relief. Should it be denied: it is in a campground that does not meet zoning standards of the zone; therefore the existing structure is non-conforming. Any reconstruction of the existing structure must be denied. How can it seek relief: because the article is from Residential Use #5 to Residential Use #1 of the Use Table, Article 320 A3, Non Conforming Uses, The Applicant to Process a Special Exception. Change of use and owner of a legally existing non-conforming use may not change the use to another non-conforming use without first obtaining a special exception from the ZBA. The ZBA shall not grant such a special exception unless the proposed non-conforming use is substantially less offensive to the neighborhood and the existing non-conforming use.

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Present for the case Robert Bollinger.

R. Bollinger noted mobile home in poor condition (distribute a photograph of present mobile home). Was told by Mr. Boyers it could be replaced with another manufactured home without going to the ZBA for a special exception. But would like to replace with stick built. Referred to plans distributed. Set back would be 60' from the road. Proposing to remove the 10x56 and replace with stick built. There would be 40 feet and 33 feet to abutting trailers on either side. The structure is a cape with shed dormer on the back, two bedrooms and one bath upstairs, downstairs has bathroom, bedroom, kitchen and living room. (28x36 stick built) Alton Bay Campmeeting Association Board of Directors (property owners) has approved this plan. Abutters (on Association property) have all been notified with no objections.

M. Perry asked about water and sewer.

B. Bollinger informed water is town and sewer is Conference Center sewer system.

T. Morgan asked who was noticed for this application.

M. Jerkins noted the association was noticed and the Executive Director is present tonight.

Open to public

In Favor

Bill Gray, resident of Alton in favor of this project.

Roger Sample, resident of Rand Hill Road and in favor of this project.

David Schaeffner resident of Alton and former resident of Conference Center and of the mobile home presently on the property and is in favor of this project.

In opposition

None seen or heard.

Closed public session

Special Exception Worksheet.

After reviewing the petition and after hearing all of the evidence and by taking into consideration personal knowledge of the property in question, the Town of Alton Zoning Board of Adjustment has determined as follows:

1. A plat has been accepted by the Planner in accordance with Alton Zoning Ordinance Section 420 b. and a recommendation has been made. All agree.
2. The specific site is an appropriate location for the use. All agree.

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3. Factual evidence is not found that the property values in the district will be reduced due to incompatible uses. All agree.
4. There is no valid objection from abutters based on demonstrable fact. All agree.
5. 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. All agree.
6. Adequate and appropriate facilities and utilities will be provided to insure proper operation of the proposed use or structure. All agree.
7. There is adequate area for safe and sanitary sewage disposal and water supply. All agree.
8. The proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan. All agree.

**Motion** by T. Kinnon to accept and approve the application for case Z06-37. Second by S. Hurst. No discussion. Vote unanimous.

**OTHER BUSINESS:**

1. Approval of Minutes: October 10, 2006; October 23, 2006  
October 10, 2006 minutes.

**Motion** by T. Kinnon to accept the minutes as amended and marked by M. Jerkins. Second by T. Morgan. No discussion. Vote unanimous.

October 23, 2006

**Motion** by M. Perry to accept the minutes as amended and marked by M. Jerkins. Second by T. Kinnon. No discussion. Vote unanimous.

2. Old Business: None.
3. New Business: None.

Correspondence: David Slade letter for Case Z06-34, Letter to Brian Boyers, also asked to give to ZBA Letter from Scott and Mary Cullen, 7 Anniversary Hill Road, Alton Bay, NH (encroachment and improper set-backs) situation has been clarified and taken care of. Mr. Boyers has researched this situation and this is now a civil matter and does not need action by the Town.

Referred to letter from David Slade. No motion necessary, just as information for the board.

Meeting dates for 2007 need to be approved. **Motion** by M. Perry to accept the 2007 meeting calendar with changes marked by M. Jerkins. Second by S. Hurst. No discussion. Vote unanimous.

T. Kinnon wanted to discuss receiving materials the night of the meeting. Referencing documents that need to be read and are many pages in length.

General discussion – not including pictures, cad drawings, abutter letters. General consensus that the

ALTON ZONING BOARD OF ADJUSTMENT  
ALTON TOWN HALL

December 7, 2006  
7:00 p.m.

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board should not accept multiple page documents that require reading at the meeting. Suggest applicants to strongly adhere to the deadlines.

T. Kinnon suggested a workshop. M. Jerkins noted this has been included in the 2007 calendar for the planning board and she can add this for the ZBA.

General discussion when to schedule a workshop for the Board. Agreed to meet January 4 meeting at 6:00 p.m. before the regular meeting. M. Jerkins to provide the Board with a copy of the application, and other forms used. Members to also inform M. Jerkins with any other suggestions.

**Motion** by M. Perry to adjourn. Second by T. Kinnon. No discussion. Vote unanimous.

Respectfully submitted,  
Carolyn Schaeffner, Recording Secretary