



**TOWN OF WILTON
ZONING BOARD OF ADJUSTMENT BOARD MEETING
APPROVED MINUTES**

DATE: January 10, 2017
TIME: 7:30 PM
PLACE: Wilton Town Hall Courtroom

PRESENT: ZBA Board Members: Chairman, Neil Faiman, Co-Vice Chairman Carol Roberts, Paul Levesque, Joanna Eckstrom, Andy Hoar, Secretary: Elizabeth Morison.

Attendance: Wilton Conservation Commission Members Jeff Stone, Robert Degan Monadnock Survey, Inc.

PUBLIC HEARING

Chairman Faiman opened the meeting at 7:30 PM.

Minutes: December 13, 2016 Draft Minutes

The Draft Minutes from December 13, 2016 were reviewed.

The following edits were noted and made to the 12/13/16 minutes:

- Page 2, line 65: Mr. Raney to be replaced by Mr. Shepardson
- Page 2, line 65: Mr. Faiman to be replaced by Ms. Eckstrom
- Page 2, line 65: Misspelling of Raney
- Page 2, line 74: Mr. Raney to be added
- Page 2, line 76: "Town Counsel" to be added to sentence
- Page 2, line 86: "Ms. Eckstrom moved that the Board grant the request of the Waiver to the impact fee. Moved to grant because land owner was not noticed of impact fee. Motion was not seconded" to be added.
- Page 3, line 91: Mayberry to replace Nabor

A MOTION was made from Mr. Hoar and Seconded by Ms. Eckstrom to approve the minutes from December 13, 2016 as amended.

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Voting: 4 ayes, Motion carried.

Ms. Roberts abstained, noted was not present at December 13, 2016 meeting.

Case # 1/10/17-1 - Sanders

Mr. Faiman read case and explained procedures of the hearing:

- Penelope J. Sanders has applied for a variance to section 17.1(b) of the Wilton Zoning Ordinance, to allow the continued residential use of the existing house on Lot F-168, 598 Gibbons Highway, and also its commercial use as a manager's office, in connection with the proposed merger of Lots F-168 and F-167 and expansion of the existing self-storage facility on Lot F-167. The variance is required because residential uses are not permitted in the Industrial District (section 8.5 of the Ordinance) and because the house is closer to the front lot line than is allowed in the Industrial District (section 8.2.4 of the Ordinance).

Mr. Degan from Monadnock Survey, Inc. is representing Ms. Penelope J. Sanders and Mr. Rodney A. Sanders. Mr. Degan passed out updated copies of application and site plan to the Board. Mr. Degan explained application and reviewed the site plan with the Board.

Mr. Degan stated that the applicants wish to merge their properties and expand the existing self-storage facility on lot F-167. The existing house on lot F-168 would become a manager's office and residence, proposing the manager would live in the house. Mr. Degan also stated that there would be new fencing and parking would be added next to the building. Mr. Degan further stated that the proposed expanded business would add value to the property.

Mr. Faiman opened the Hearing to questions from the Board:

Mr. Faiman asked if the house is inhabited at this time? Mr. Degan stated that he was not sure.

Ms. Eckstrom inquired if there was room to expand the self storage on the existing lot. Mr. Degan stated no, that the lot is full.

Mr. Levesque inquired as to the amount of land with the lots. Mr. Degan stated that one lot (F-168) is approximately 2 acres (1.988 acres) and the other lot (F-167) is approximately 4 and ½ acres (4.508 acres).

Mr. Degan stated that it had been suggested that the applicants could knock down the existing storage unit and expand, but they would like to have a manager live in the existing house, noting that the size of the house is 870 square feet.

Discussion of how the existing storage facility was run ensued. Mr. Degan stated that the business is basically a self service facility, clients use a code to get into the facility. Mr. Degan noted that the neighborhood is already largely a mixed use neighborhood, pointing out White

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Home Collections and House by the Side of the Road are existing commercial properties. Mr. Degan also noted that there are residential homes across the street, too.

Mr. Hoar questioned if two driveways are permissible on the same lot. Mr. Faiman stated that two lots are entitled to two curb cuts. Mr. Degan stated that the applicants are applying to DOT for driveway.

Ms. Eckstrom asked what will happen with the existing garage. Mr. Degan stated that he was unsure.

Mr. Levesque inquired if there was plumbing in existing house and noted how small the existing home is. Mr. Degan stated that yes there is existing plumbing and that there is a septic system in the back of the home.

Ms. Eckstrom inquired as to what the setback is from the road (Rt. 101). Mr. Degan stated that it is 80 feet line setback from the road and that the house is bisected by the 100 feet line setback.

Mr. Degan further stated that not much would change to the existing exterior of the house.

Ms. Eckstrom asked if there were any plans for further expansion. Mr. Degan responded by stating that they would have a hard time to expand further, indicating there is not enough room on existing lots.

Mr. Faiman asked if the Board had any more questions.

A MOTION was made by Mr. Hoar and SECONDED by Ms. Eckstrom to close the Public Hearing.

Voting: 5 ayes, Motion carried unanimously.

Deliberation:

Discussion commenced regarding non-conforming use of building. Board agreed that whole area is mixed use. Ms. Eckstrom questioned if house could ever go back to strictly residential use. Ms. Roberts noted if once returned to just residential use, could it then be considered a home office.

Mr. Faiman asked Board if what the applicants want to do is that a reasonable request. Board agreed that it is a reasonable request.

A MOTION was made by Ms. Eckstrom and SECONDED by Mr. Levesque to grant approval of the application by Penelope J. Sanders for a variance to section 17.1(b) of the Wilton Zoning Ordinance. The variance will allow the existing house on Lot F-168, 598 Gibbons Highway, to be used as a manager's residence and office for the self-storage facility on Lot F-167 when Lots F-167 and F-168 are merged and the self-storage facility is expanded, as described in the

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application to the ZBA and shown on the plan labeled "Conceptual Site Plan / Lots F-167 & F-168 / Prepared for Wilton Self Storage / Wilton, New Hampshire / November 9, 2016."

A MOTION was made by Mr. Hoar and SECONDED by Ms. Eckstrom to re-open Public Hearing.

Mr. Faiman asked if there was any further clarification needed. Mr. Degan stated that there was none.

Voting for Approval:

Mr. Levesque – aye

Mr. Hoar – aye

Ms. Roberts – aye

Ms. Eckstrom – aye

Mr. Faiman – aye

Voting: 5 ayes, Application was approved unanimously.

A Motion was made by Ms. Eckstrom and SECONDED by Ms. Roberts to accept reasons of decision as outlined in application submitted by applicants this evening.

Voting: 5 ayes, Motion carried unanimously.

Mr. Faiman stated that this decision shall expire if the construction or use permitted by it has not begun by Thursday, January 10, 2019. (Wilton Zoning Ordinance section 17.4) The selectmen, any party to the action or proceedings, or any person directly affected thereby may apply for a rehearing of this decision. A request for a rehearing must be filed in writing with the Zoning Board of Adjustment on or before Thursday, February 9, 2017, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

Mr. Degan thanked the Board for their time.

Other Business:

Mr. Stone stated that he was also present as a representative of the Wilton Conservation Commission and that he was attending as a prospective member of the ZBA Board.

Mr. Stone had several questions in regards to being a Zoning Board Member.

Mr. Faiman gave an overview of the Zoning Board:

- ZBA Members are appointed by Selectman
- There are up to 5 regular Members and up to 5 Alternates
- ZBA meets once a month - 2nd Tuesday of the month
- 1-3 Cases per meeting
- Site Visits

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- Alternates are allowed to give input on applications, discuss applications with other Board Members during the hearing, but are not allowed to vote unless sitting in for an absent Member from the Board.

Discussion regarding recusing oneself occurred. Mr. Faiman noted that to recuse oneself is a judgment call. Mr. Faiman also noted if you are an abutter, definitely need to recuse oneself.

Mr. Faiman recommended to read the Zoning Ordinances and to plan on attending seminars.

Mr. Faiman announced that Elizabeth Morison has returned as Secretary for the Wilton Zoning Board of Appeals.

A Motion was made by Mr. Hoar and Seconded by Mr. Levesque to adjourn the meeting.

Voting: 5 ayes, motion carried unanimously.

Chairman Faiman declared the meeting adjourned at 8:40 PM.

The next scheduled monthly meeting will be held on the second Tuesday of the following month, February 14, 2017.

Respectfully Submitted,

Elizabeth Morison
Secretary