

Stephen and Gail Proctor  
P.O. Box 845 16 Mill St.  
Wilton, NH 03086

TO: PLANNING BOARD  
RECEIVED  
APR 25 2005

To: Selectmen Town of Wilton  
Wilton, NH 03086

TOWN OF WILTON, NH

April 25, 2005

Re: Pending Sale of Lot J 112-1 Corner of Island St. and Mill Street

Issue: We are notifying the Selectmen and other Town Boards with our concerns about the pending sale of Lot J 112-1 which is directly across the road from our residence at 16 Mill Street Lot J 108. At issue is not the propriety of the sale of Lot J 112-1 and the probable development, but the impact and consequences of the splitting off of the ownership from the adjacent Lot J 112 which currently is a 4 unit apartment building.

Background: Being long time residents of the neighborhood, we can attest to the fact that Lot J 112-1 has always been part of the open-space or yard for the residences of the building on Lot J 112. Up until its conversion in 1979 to a 4 unit apartment building from a two family duplex, the "field" had been used as a common neighborhood space, mostly for children's play and family recreation.

ZBA Decision: Gordon Billipp purchased the property and in 1979 ZBA Case #5, he approached the Board with a request for a variance to expand the building into 4 apartments. We attended the meeting and expressed our concerns about parking issues and the amount of open area needed to accommodate additional tenants. Lot 112, by itself, being substandard, did not meet the existing criteria for 4 units. The ZBA granted the request with the condition that the "western border of the property be maintained as a parking area" (see att.). Tenants and owner have never complied to this condition. Some tenants park on the west side (first floor tenants) however, the second floor tenants have always park on Lot J 112-1 on the Mill St. side.

Right of Ways? - Label Art: Soon after, Billipp also closed off the dirt road/driveway on the west side of the building that connected the Label Art parking area with Island St. It is not clear to us if this was a legally correct action or not.

ZBA Minutes: Twice the TownHall Office Staff has tried to locate the ZBA Minutes of the meeting of Case #5 October 8,1979. At the time of this letter writing, they had not been able to readily locate the records. The copy of the enclosed Notice of Decision is from our personal records.

Action Request: We are asking the Selectmen and relevant Town Boards to review this matter to ensure that it is indeed a proper transaction before any finalization of sale is completed. Once again, the concern is the impact on Lot J 112 and the 4 apartments when Lot J 112-1 is no longer under the same owner. How would the concerns on possible issues such as the status of a non-conforming use (4 unit apt), reassigning parking outside of setbacks, and the preservation of open space be addressed?

Sincerely,



Stephen G. Proctor

Gail Proctor

cc: Planning Board, Zoning Board of Adjustment, Building Inspector

encl. ZBA Notice of Decision

encl. Coldwell Banker Ashton-Kilgore Realty Listing Sheet