

approved by Bd 4/30/86

MINUTES

Case No. 86-2

Case No. 86-5

Zoning Board of Adjustment, Wilton, N.H.

April 9, 1986

ZBA Members Present: Acting Chair Arlene Laurenitis, Tom Mitchell, Eddie Lamminan, and Stephen Blanchard.

The meeting was called to order at 8 P.M. and the board heard the following two applications after accepting the minutes as presented by A.L. with one correction made by E.L. and S.B.

1. Case 86-2, application by High Mowing School of Abbot Hill Road for a Special Exception to Article V. Section C.1. to alter the use of existing buildings in the Resident/Ag. zone.

Appearing for High Mowing were Carey Hughes, *Lon Rossi*, and . They showed the board a plan illustrating the present dormatory and the two new proposed dormatories as well as changes in the driveway. They explained that there will be twice as much square footage in the new dormatories as the old one, but the extra space will be used to house the same number of students as present with the addition of lounges, laundry rooms, and other spaces. The present dormatory building will remain and be used for classrooms, but may be removed in the future. The school already has a new septic system and adequate water. The school does not intend to increase the present number of students. The new buildings will be of the same style as existing school buildings. More space for parking is planned to coincide with the new buildings. Although the two new dormatories will create more light than the one present dormatory, there are no neighbors nearby.

The board heard from no abutters. The ZBA reviewed the criteria outlined in Article V. Section C.1. with the applicant and found that the proposed use would not bother surrounding property owners because of lights, noise, odors or other factors; would not effect the value of surrounding property; had adequate water and sewerage facilities and parking; and would not detract from the attractiveness of the town.

Tom Mitchell made a motion to grant High Mowing School the Special Exception to Article V. Section C.1. as per the application.

Seconded by Stephen Blanchard

Passed by unanimous vote.

2. Case 86-5. Application by Nancy E. Davis of Main Street for a Special Exception to Article V. Section B and a Variance to Article V. Section A. to operate a craft shop on an existing front porch in the Residential District.

Acting Chair Arlene Laurenitis stated that she had asked the applicant to apply for a Variance too so the board could decide which (Special Exception or Variance) would apply in her case. She also stated that the board had received a letter from one abutter, Souhegan Wood Products, stating that they had no objection to the application.

Nancy Davis explained that she sewed her own crafts and wished to sell these, possibly other people's crafts and craft supplies on her front porch. Her intention was to sell craft supplies mainly.

T.M. addressed the issue of whether the applicant needed a Special Exception for a home occupation or a Variance for the craft shop. He explained the difference between the two to the applicant and said his opinion was that the selling of craft supplies did not in itself preclude a Special Exception, but that the volume and scope of the intended business was an important factor. He stressed, and A.L. later cited the regulation Article V. Section B.2., that when a home occupation outgrows the standards set by the ZBA, it must relocate to a commercial district.

Nancy Davis assured the board that the intended business would be very small. She works part-time, so would keep the craft shop open a minimum of hours, perhaps 3 hrs./day, plus 9-5 on Sat. and 2-5 on Sunday. The open porch is 8' x 22' and would not be enclosed initially. To start, craft supplies for sewing, macrame, knitting and crochet would be kept in a 4' x 8' box on the porch. She expects a maximum of two customers at once.

At this point the ZBA members agreed that Nancy Davis could proceed with a Special Exception application instead of a Variance, based upon the proposed volume and scope of the business.

The board began to address the issue of adequacy of parking for the craft shop. The Davis house is located at the corner of Main St. and Defoe Alley. Defoe Alley is the only entrance for the Davis' driveway and an abutter, Alice Deschamps' driveway, to Main Street. Nancy Davis said she had 4 parking spaces in her yard and 4 vehicles in the household, but that she would make her sons park elsewhere (on the lawn) during open hours. Board members expressed concern over adequacy of parking and pointed out that Article V. Section B.2. requires that there be sufficient off street parking for employees, customers and suppliers, with up to 2 additional spaces allowed to be added.

Two abutters were present: Alice Deschamps and Marlene Lefrancois. Alice Deschamps was opposed to the proposed use because of parking and access problems. She stated that she already sometimes has problems getting out of her driveway because someone is blocking it. Traffic from the Davis household has backed into her porch. Cars parked on Main St. make it difficult for her to see oncoming traffic <sup>when</sup> coming out of Defoe Alley. Presently she pays for winter plowing of Defoe Alley. Alice Deschamps said Defoe Alley was a town road but has not been maintained for 20 years.

E.L. asked Road Agent Charlie McGettigan whether Defoe Alley was a town road.

Mr. McGettigan replied that it had not been maintained by the town for 20 years. He also stated that there were problems with allowing parking on Main St. because it is so busy.

E.L. said the determination of the status of Defoe Alley could affect his decision. He asked Mr. McGettigan about putting up a "no parking" sign on Main St., but board members decided it would not really be effective in stopping parking.

T.M. asked whether the craft shop would create excessive congestion and what the Davis' would do about winter parking.

Mrs. Davis replied that she did not know if the shop would be successful and stay open that long.

T.M. said that the ZBA has to look at all the possibilities.

Abutter Marlene Lefrancois said she has no problems with the parking and was not opposed although she expressed some concern about her children on bikes.

Nancy Davis asked about allowing parking across Main St.

The board found problems with this idea because of getting permission from the owner, maintaining the spaces, and problems crossing the busy street.

At this point the board decided that they needed to see a written plan showing parking before they could decide the case. They decided to continue the hearing to April 30, 1986 when they would have viewed the site and would see the plan. T.M. suggested that the board review all the criteria to determine now if any further information was needed on any other item. The board went through the other criteria and found there were no potential fire hazards (no flammable craft supplies would be kept). Lights could be an issue if there were evening hours. T.M. felt the shop hours should be specified for the board to make a decision. Mr. Davis said they would say normal business hours: 9-5 M-Sat, possibly one evening until 8 P.M., and Sunday 1-5. No noise or odors from the use was anticipated. The value of surrounding properties and the town appearance could be enhanced by an enclosed porch. Water and sewerage were not a factor in the craft shop. No employees are anticipated now. If enclosed, the porch would still be able to be reverted to residential use. If enclosed, the porch would be glass and would be heated in winter by opening the door to the house or by a space heater.

T.M. pointed out that there could be no exterior storage.

E.L. asked abutters if they had questions besides the parking. No. Marlene Lefrancois suggested signs be put up that children were there and no parking was allowed on Main St.

Alice Deschamps reiterated her concerns about parking, her access to Main St. and that the Davis' maintain their own part of Defoe Alley. She said that adding 2 more parking spaces could cause cars to back up onto her porch.

E.L. said that possibly the board could impose limitations to protect her use of the street.

Stephen Blanchard made a motion to continue the Davis hearing to April 30, 1986 until the applicant presents the board with a plan for parking. Tom Mitchell seconded. Passed Unanimously.

Meeting adjourned at 9:45 P.M.

NOTICE OF DECISION

ZONING BOARD OF ADJUSTMENT, WILTON, NEW HAMPSHIRE

Case No: 86-2

You are hereby notified that the appeal of High Mowing School for a Special Exception to the terms of Article V, Section C.1. of the zoning ordinance has been GRANTED as per the application by the affirmative vote of at least three members of the zoning board of adjustment.

Arlene A. Laurentis

Acting Chairman

April 10, 1986

Date