

MINUTES

ZONING BOARD OF ADJUSTMENT, WILTON, NEW HAMPSHIRE

July 30, 1986

case # 86-9
86-10
86-11

ZBA Members present: Chairman Arlene Laurenitis, Tom Mitchell, Grayson Parker, Stephen Blanchard, Alternate Herbert Klein (replacing Eddie Lamminen), and Gail Proctor.

The meeting was called to order at 7:37 P.M. in the Town Hall Court Room. Chairman Laurenitis welcomed new alternate members Herbert Klein and Gail Proctor to the Board. The Chairman reported that she had received two applications for the Board secretary and she was in the process of following up the applicants with a telephone call. Chairman Laurenitis requested that Gail Proctor record the minutes of the hearins and perform the subsequent paperwork.

Case #9 Request of Suzan and Robert Blanchette of Park St. Wilton, N.H. for a Special Exception to the terms of Article V, Section B of the Z.O. to establish a beauty salon in a converted apartment.

Chairman Laurenitis read aloud the request to the Board and asked the applicants to described the nature of their proposal. A.L. noted the Board had previously inspected the property.

Suzan Blanchette then explained to the Board that she intended to use one room of an existing efficiency apartment as her salon. She intended to work 3 days a week, Wed, Thurs. and Fri. and the hours woul probably be 9-5

on Wed. and Thurs. and probably 12-8 on Fridays. S.B. stated that she would not be employing anyone else or plan on expanding her business later on. She would be working on only one customer at a time.

The applicants presented the Board with a sketch of the property that included the driveway and proposed customer parking area. Tom Michell reminded that Blanchettes that they would not be able to use the front yard for parking. The Blanchettes needed five parking areas (three for their personal use plus two for the customers). After discussing various alternatives to the parking arrangements, it was decided by the Board that two areas 9'x 18' located next to the garage would provide ample customer parking. The applicants would be able to the use the existing parking lot for their personal vehicles, (see attached plan for reference).

There was no comments from any abutters. S. Blanchette stated that the ones she had spoken to were favorable to the use. She will also be licensed by the State to operate the business.

Motion by S. Blanchard: To approve the Special Exception of Suzan and Robert Blanchette with the two designated customer parking spaces as submitted.

Second to motion by Tom Mitchell.

No further discussion.

Vote: 5-0 in favor of motion.

Case #10 Request of William & Sharon for a variance to ARTicle V, Section D of the zoning ordinance. Applicant wishes to resume a two-family use of their Highland St. home.

Chariman Laurenitis read the request of the Condra's to the public. She noted that Board members made an on-site visit to the property. Mr. Condra was then asked to present his case. Mr. Condra stated that:

1. In attempt to refinance his property to take advantage of lower interest rates and also to obtain money to do rennovations on the three room apartment, his application was rejected by a mortgage underwriter.

2. According to an appraiser, the property was illegally being used as a two-family dwelling.

3. The property was purchased as a two-family unit and to Mr. Condra's knowledge was always such (25-30 years).

4. In 1982 Mr. Condra and his family were the only users of the house (Mr. Condra 's brother-in-law was his tenant and will continue to be).

5. He requested an exemption on the water and sewer bill and the Town agreed to bill him for a single water and sewer hook-up.

5. Because Mr. Condra had a single unit water and sewer bill, the appraiser considered this a change of use.

Mr. Condra showed the Board the Town's assessor cards which listed the property as a two-unit dwelling with .8 acres of land. Mr. Condra explained to the Board that his property deed indicated the lot was one acre \pm . After some discussion, the Board felt if Mr. Condra's deed was correct, then he would be in compliance with the existing zoning and therefore did not need a variance.

The Board asked Mr. Condra to produce the deed for evidence. Mrs. Condra left the meeting and returned with the deed. The deed indicated that the lot was one acre \pm and given that information Stephen Blanchard moved that:

The property of William & Sharon Condra according to their deed is one acre \pm and therefore is not in violation of Article V, Section D of the zoning ordinance, therefore no variance is necessary for the resumption of a two-family use.

Motion seconded by Tom Mitchell.

The Board voted 5-0 in favor of the motion.

Chairman Laurenitis asked Mr. Condra to submit a copy of his deed for the ZBA records. Mr. Condra agreed.

Case #11 Request of Robert A. Bragdon for a variance to Article V, Section of the zoning ordinance. Applicant wishes maintain a duplex on .7 acres of land on Intervale Road.

Board member Stephen Blanchard disqualified himself from hearing on the case as he would be representing the applicant and making the presentation.

Chairman Laurenitis read the application to the public. Stephen Blanchard presented the case with the following statements:

1. The property line of Lot #55 runs through the middle of the house. (Owner is Martha Heater). Lot # 56 owned by Robert Bragdon and Lot #67 is also owned by M. Heater.

2. Proposal is to moved lot line of #55, 15' to the left (barn is to be removed) and to create a lot of .7 acres. Lot #56 will be moved 25' to create a .5 building lot.

3. Because of the situation, the property owners could not enjoy the full use of their land. This is the hardship.

The proposal is in character with the rest of the neighborhood.

4. The property is on town water and sewer and is zoned Residential.

Martha Heater explained to the Board that the house was built in the early 1800's as a duplex and has always been a duplex. She also stated that because of the lay-out of the

house, it was impossible to use it as a one-unit dwelling.

Chairman Laurenitis asked Mr. Blanchard to address the criteria for granting a variance. Mr. Blanchard stated:

1. That the proposal would not affect surrounding property values.
2. One building lot would be gained.
3. The house would be under one ownership.
4. That .7 of an acre is not inconsistent with other duplexes in town.
5. Neither party can enjoy the house or property as it exists.

Mr. Don Byrd, abutter felt that it was a logical solution for both parties.

Mr. Blanchard stated that the lot line changes would not affect the existing parking.

Motion: Grayson Parker then moved to accept the application as presented. Second to the motion by Tom Mitchell.

Vote: 5-0 in favor of motion. (Alternate G. Proctor replaced S. Blanchard)

Meeting adjourned at 8:49 P.M.

Gail Proctor
Acting Secretary