



ZONING BOARD OF ADJUSTMENT

WILTON

NEW HAMPSHIRE 03086

MINUTES APRIL 12, 1989

The Zoning Board of Adjustment met on Wednesday, April 12, 1989 in Town Hall Courtroom. Chairman Thomas Mitchell called the meeting to order at 7:30PM. Members present were Arelene Laurenitis Alternate, George Infanti, Grayson Parker and Cindy Harris and Secretary Joanna K Eckstrom. Press represented by Ron Bitten.

Mitchell called the only case forward. Peter and Celeste Oberg of Coburn Rd Milford, request a Special Exception to terms of Article V Section C (old ordinances) to allow a day care facility for 40 children on Prince St in the residential district. Property is currently owned by Richard and Laura Pisapia. Present for the applicants were Richard Pisapia, Micky Pieterse of Marsha Foster Realty and John Allard Contractor.

Site plan sketches which would be presented to the Planning Board on Apr 19 were distributed by the Secretary to the Board members.

Mr Oberg introduced proposal noting that State regs regarding Day Care facilities. Barn is 1596 s.f. State requires 35 s.f. per child. He explained that to improve visibility/access to day care driveway entry/egress would be made one way. Applicants felt there'd be concern for this so had incorporated improvements in plans. Oberg said there was parking for four, head in near barn.

Board member consensus that parking was not sufficient. Contractor John Allard showed ways that parking could be increased should it be required by Board. Richard Pisapia who owns and lives at property now said that there were definite measures that could be taken to improve both parking and visibility.

Arlene Laurenitis asked if State had requirements for parking. Oberg said no, only requirements for s.f. per child for interior space and play area space. Allard said the proposal calls for a 3029 s.f. play area which was more than required by State.

Cindy Harris asked reason for 40 children. Could there be less (20)? Mr and Mrs Oberg responded that reason for 40 is economics; probably not feasible to make all these conversions to property for less than that number.

Mitchell asked about hours of operation. Celeste said hours would be 6:30 am to 6:00 pm. Age group would be infants to 10 year olds. Added that with this age span, before/after school program could be included if there was a need. She said the State sets requirements for number of caretakers based on ages of children. Mitchell asked about regulation. Allard said the State. State licenses, does visits and does spot checks for compliance as well.

Mitchell asked that noise factors be addressed. Celeste said day care program would be structured. "Noise" would be that of children at play, not that of children running around uncontrolled. Also, there is a school directly across the street. Didn't feel that the addition of day care there would increase noise factor. George Infanti asked what about after (public) school hours, from 3 to 6. Again the school and its play area was cited by Mrs Oberg.

Stephen Blanchard, Maple St, presented as an abutter stating his concern

was for traffic increasing in an already busy area.

Pisapia said that he has been distracted over the years as a resident by people and traffic standing at corner, but he feels also that this is controlled by crossing guards. He didn't see additional traffic as a concern, because out of the forty prospective cars dropping kids off at the day care, a significant number of these cars could be making a simultaneous drop-off to the elementary school.

Blanchard said there is a need for day care. Said the neighborhood had always been full of children. Repeated that traffic is a major consideration as is visibility.

Pisapia repeated that there are easy ways to improve visibility, such as removing some of the forsythia and keeping them trimmed.

Mitchell noted that other than play area and parking, there are no changes planned for outside.

Grayson Parker asked about signs. Celeste said what they put there would be inconspicuous, certainly under 4 x 4, and would have only the name of the facility to let people know they're there.

James Martin, tenant in the barn apartment expressed concern about noise from 40 kids. Allard said that facility would operate weekdays only. Barn is well-constructed and with planned addition of insulation and suspended ceilings, noise would be kept to a minimum. Infanti, who is in the insulation business, said that no one could promise total noise free environment.

Comments from the floor came from Joanna Eckstrom. Has nieces who live on Livermore St. As to day care adding more noise to area after school, she said that play area for school is open to public and many people play there between 3 and 6; little leagues have games later than that. Didn't see day care as problem.

Pisapia commented as neighbor of the school yard saying that it's not the kids playing from 3 to 6 that are problem; it's teenagers from 6 to 9, unsupervised, who create the disturbing noise.

Steve Blanchard asked for the record if Special Exceptions can only be granted to the owner of a property. Mitchell responded that this was so for Home Occupations, but not for Day Care, as this special exception is.

Other discussion. Parker sought clarification on signs. Would there be something to show traffic flow? Allard said there be one way signs. Celeste Oberg said this concerned them too and that written instructions would be made for clients as well as having signs for traffic flow.

Returning to parking issue, Pisapia said there are two parking spaces for tenant (Martin) but only one is used. Arlene Laurenitis asked what would happen if tenant came home at 5 to find his parking space blocked or if his exit was blocked in the morning? She and Cindy Harris saw this as problem. That is, people dropping off and picking up and spending a long time at it.

Cindy Harris said not everyone drops and runs, that some children need more time to be dropped off than others. Celeste Oberg responded that in the beginning, as people and places are new for everyone, this could take longer; she sees this as temporary.

Pisapia noted that besides parking within the lot a majority could park on Prince St (where there is now public parking) and walk their kids to the day care. This is something that already happens on occasion now for school, church, etc.

Arlene said it is this Board's function to determine that there is adequate parking. Allard insisted that additional parking could be easily made if Board determined there wasn't enough. They have addressed parking as it currently exists and have allowed for increasing or improving if it became necessary. Allard doesn't think there'd be 10 cars there at once dropping off. The facility would have a schedule; they'd know who was coming and when. They'd also know how many employees they'd have there at any given time. Again, the schedule and the census would determine this.

There was no further discussion.

Arlene Laurenitis moved to grant the request for Special Exception as presented by the applicants. Second by George Infanti.

Grayson Parker moved to amend the motion to read, grant the request for Special Exception as presented, conditional upon traffic flow being as shown on plan presented, from Prince to Tremont. Infanti seconded. Amendment was approved unanimously.

Vote on the amended motion was three against, two in favor. Laurenitis, Infanti and Harris voted against. Parker and Mitchell for. The Special Exception is denied.

Mitchell advised the Obergs of the decision and of their right to appeal, within twenty days.

In other business, motion to approve minutes of March meeting made by Infanti, second by Cindy Harris. Approved unanimously.

Infanti moved to table Boards' voting a new slate of officers, second by Parker. Unanimous to table until Selectmen have appointed new members to Board.

Meeting was adjourned at 8:50 PM.

Respectfully,

Joanna K Eckstrom
Secretary



ZONING BOARD OF ADJUSTMENT
WILTON
NEW HAMPSHIRE 03086

April 13, 1989

Celeste and Peter Oberg
Colburn Road
Milford, NH, 03055

Re: Request for Special Exception

Dear Mr and Mrs Oberg,

You are hereby given notice that your request for Special Exception to the terms of Article V Section C of the Zoning Ordinances has been denied.

It is the opinion of a majority of the Board that there is inadequate parking for the proposed day care center.

Under the terms of RSA 677:2, you may request a rehearing by the Board of Adjustment. Within twenty days of this notice of decision, you must submit your written request describing the reasons you believe it may be necessary for a new hearing and/or why the original decision of the Board may be unlawful or unreasonable. Please address your request to:

Wilton Zoning Board of Adjustment
PO Box 83
Wilton NH 03086

Upon receipt of your request for rehearing, the Board must decide to grant or deny the rehearing within ten days.

Respectfully,

A handwritten signature in cursive script, appearing to read "Joanna K. Eckstrom".

Joanna K Eckstrom
Secretary

ADDITIONS TO MINUTES OF APRIL 12, 1989

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¶4 "Presently 4 parking spaces in front of barn - 2 for each dwelling unit. Need parking for 4 full-time employees, 4 spaces for tenants, then additional spaces for parents. Plan showed possible future parking of 8 spaces where four are now proposed. With four proposed spaces, there are no spaces set aside for parents."

¶6 insert: 35 sf/child interior space, 50 sf/child play area.

¶8 insert: ages of children. (Infants 4 to 1 caretaker; 5 yr olds 12 to 1 caretaker.)

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¶11 insert: "one is used. [He proposed 4 additional spaces by moving the 4 spaces for 2 living units onto the present lawn and shrub area in front of the barn and using present spaces immediately behind those for day care parents. Entry to the 4 living unit spaces would be through the day care spaces.] Arlene"

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¶1 insert: than others. [Harris said she allows herself at least fifteen minutes to drop her children off at a babysitter.]

¶3 insert: "adequate parking. [Arlene Laurenitis said she was not convinced that there was adequate parking. The plan for 4 spaces for staff and 4 spaces for 2 living units provided no permanent space for day care parents.]

¶2 insert at ¶ end. [Arlene Laurenitis noted regulation specifies adequate off street parking so street parking can not be considered.

¶3 In addition, Arlene was concerned about increased traffic problems and crowding on the ¼ acre lot which already has two living units on it.