

TOWN OF WILTON
ZONING BOARD OF ADJUSTMENT

APRIL 8, 1992

VOTING BOARD: Chairman Neil Faiman; members Steve Blanchard, Herb Klein,
Tom Mitchell and Grayson Parker.

CLERK: Diane Nilsson

AGENDA: Alvaro Pabon - request for Variance.

Chairman Faiman called the meeting to order at 7:35 p.m.

Case # 4/8/92-1 PABON

Alvaro Pabon, Route 101 & Intervale Road (the site of the "Merit Tool" building) Lot L-027 in the Residential District, requested a Variance to the terms of Section 5.1 of the Wilton Zoning Ordinance to permit the resale of automobiles and light trucks.

Charles Reed represented Mr. Pabon & stated that there would be no changes to the existing building except for the addition of an overhead garage door. The applicant proposes to use the office portion of the bldg. for the sales office. The rest of the bldg. would remain unused because the State requires space for 5 cars to be available indoors. He further stated that there would be no autobody or auto repair of any kind at the site. The plans are to have no more than 35 cars on the lot at any time.

Mr. Reed then read the reasons for the granting of a Variance from the application. (See file.)

Abutter Peg Landry (71 Intervale Road) stated her objection to having a car lot in a residential neighborhood because of the long hours created by this type of business, the increase in traffic and the negative impact on property values to the area. She asked that if the Variance is granted that restrictions be put on the use of the property.

Neighbor Jack Skelly stated that this business would create incredible traffic congestion in the area and a hazardous traffic situation. He felt that this business would devalue his residence & would diminish the attractiveness of this area of Town. He further stated that this use would be an infringement of his rights as a property owner. He is against this type of commercial operation in a residential area.

Neighbor Diane Fox expressed her concern that this business would devalue her property.

Abutter Matthew Davidson felt that the traffic situation would be a major problem and that with 30 cars on the lot, there would be no room for customer parking.

Neighbor Stan Ferguson expressed his concern about the noise & increased traffic that would be created by this business. He felt this location was not a good choice for a car lot.

The public hearing portion of the meeting ended and the Board began its discussion.

Mr. Blanchard stated that there is heavy traffic all day long on Hwy 101 at that spot. The fact that Hwy 101 & Intervale Road come together at the site creates a major safety hazard, and he felt that there might be a better location for this type of business.

Mr. Mitchell felt that the lot is too small for this venture and would create dangerous traffic problems & congestion. He also felt that there were better locations for this business,

Mr. Klein stated his objection to this business at this site. He said that he would be against any external operation of this sort on this site due to the traffic problems & the strong objections of the abutters.

Mr. Parker stated his willingness to approve the Variance with some restrictions on the proposal.

Mr. Faiman felt that the traffic problems alone seemed sufficient grounds to disapprove the plan and felt that the Board was expressing rather strong sentiment toward disapproval.

MOTION: Mr. Mitchell moved to deny the Variance, seconded by Mr. Klein with all in favor.

Mr. Faiman stated that the application was denied and that the Board will draw up reasons for denial. The applicant will receive a written Notice of Decision in the mail within a few days.

He further stated that the Selectmen, any party to the action or proceedings, or any person 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 Tuesday, April 28, 1992, and must fully specify all grounds on which the rehearing is requested.

REASONS FOR DENIAL:

1. The proposed use would diminish property values in the area because it is too close to the surrounding residential property due to the exterior nature of the proposed activity.
2. Granting this Variance would not be in the public interest due to the effect on traffic and problems with safety from high volume activity at the intersection of Intervale Road and NH 101.
5. The use is contrary to the spirit of the ordinance because the obtrusively commercial activity and the high traffic volume are inconsistent with the residential neighborhood.

MOTION: Mr. Blanchard moved to accept the reasons for denial, seconded by Mr. Parker with all in favor.

APPROVAL OF MINUTES - February 12, 1992

MOTION: Mr. Mitchell moved to approve the 2/12/92 minutes, seconded by Mr. Blanchard with all in favor.

Mr. Parker stated that he would be leaving the Board when a new member is appointed to replace him.

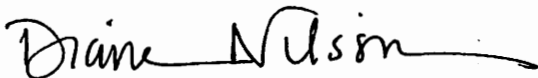
MOTION: Mr. Faiman moved to express the Board's appreciation for Grayson's work with the Board. The motion was seconded with all in favor.

MOTION: Mr. Blanchard moved to nominate Mr. Faiman to remain as Chairman of the Board, seconded by Mr. Klein with all in favor and Mr. Faiman abstaining.

MOTION: Mr. Faiman nominated Mr. Mitchell to serve as Vice Chair, seconded by Mr. Blanchard with all in favor and Mr. Mitchell abstaining.

MOTION: A motion was made and seconded to adjourn the meeting. All were in favor and the meeting was adjourned at 8:50 p.m.

Respectfully submitted,



Diane Nilsson, Clerk

Posted: 4/14/92

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