

TOWN OF WILTON

ZONING BOARD OF ADJUSTMENT

JULY 10, 1996

VOTING BOARD: Chairperson Neil Faiman; members Steve Blanchard, Tom Mitchell & Carol Roberts; alternate member Joanna Eckstrom.

CLERK: Diane Nilsson

AGENDA: Michael Dell'Orto - Variance  
The Wilton Center School, Inc. (Kaj-Agge Arends Revocable Trust) Special Exc.  
The Wilton Center School, Inc. (First Unitarian Church Red House) Special Exc.

Mr. Faiman called the meeting to order at 7:40 p.m. and announced that Case # 1 (Michael Dell'Orto variance) has been withdrawn. He also stated that Case # 2 (Kaj-Agge Arends Revocable Trust) did not have the signature of the owner accompanying the application. After discussion with the applicant, the Board decided to continue this case until the August meeting with the hope that the signature would have arrived by then.

Case # 7/10/96-3 WILTON CENTER SCHOOL, INC.  
Wilton Center School, Inc., Lot C-075, Isaac Frye Highway (First Unitarian Church Red House) in the Residential District, requested a special exception under the terms of Section 5.3.6 of the Wilton Zoning Ordinance to permit the operation of a school.

Before proceeding with the case, Mr. Blanchard stated that his parents are abutters to the Red House, and he wanted the Board's opinion as to whether or not he should hear the case. After discussion, the Board decided that they had no objection to him hearing the case.

Mr. Faiman pointed out that in order to hear the Red House case, the Board needs a letter of authorization from the owner of the property. The applicant explained that John Griffith, the chairman of the Prudential Committee of the church was now on his way to the meeting. Mr. Faiman stated that the case could go ahead while waiting for Mr. Griffith.

Susan Arends, representing The Wilton Center School, Inc., explained that she is proposing a school for 10 children, grades 1 - 3, in the upstairs portion of the Red House. She has applied to the NH Dept. of Education for licensing as a non-public school. The hours would be 9:30 a.m. to 1:30 p.m. M-F. There would be one full-time teacher and two part-time teachers; one would work 2X week for 45 minutes and the other would work 4X week for one hour.

Mr. Griffith arrived and signed the application, giving permission for the hearing to go ahead.

Mr. Faiman read the requirements for schools (5.3.6) by reading Section 4.4 (Special Exceptions).

Mr. Griffith stated that Sunday School attendance at the Red House varies from 6-15 students each week. There is a coffee hour in the building each Sunday plus Church dinners about once a month. The Red House is also rented out to other groups to use.

Mr. Faiman opened the hearing to public comment and began by reading a letter dated July 9, 1996 from Rick & Joan Natoli, neighbors to the property, in which they voiced their opposition to a school in Wilton Center because of the impact increased traffic would have on the residential neighborhood. (See file).

John Griffith stated that the Red House was the homestead of former Atty General, William French Smith, and therefore might be on the Historic Register of buildings. Tax Assessor Dick Rockwood stated that even if it was on the Historic Register, any restrictions would most likely be limited to the external facade of the building, not the inside.

Abutter Helene Orsi submitted and read a letter dated July 10, 1996, in opposition to a school in Wilton Center because of the potential for negatively affected property values, the impact increased traffic and noise would cause to the tranquility of the residential neighborhood, and she questioned whether the private well and septic system at the site are adequate for the proposed school. (See file).

Neighbor Cindy DiSalvo expressed her concern about the increase in traffic, especially in winter, and mentioned that in winter of '88/'89 the Pine Hill School used the Red House, the Unitarian Church and Andy's Playhouse for temporary classrooms and that there were many traffic problems at that time.

Neighbor Jackie <sup>Kahle</sup> Kale was also concerned about an additional increase in traffic in Wilton Center. She noted that there has already been an increase in traffic due to the Arends' home business. She was also concerned about an increase in noise levels when the children go outside for recess.

Ms. Arends responded that the children would be transported to the Hampshire Hills Sports Center during winter and would take walks in warmer weather. There were no plans for any play equipment to be built on the Red House property.

Neighbor Dom DiSalvo stated that when Pine Hill used the Red House, there was not room on the property for kids to play so they were allowed to use the field next door.

Dick Rockwood wanted the applicant to explain what having a school in Wilton Center would do for the Town and how she thinks it would affect property values in the neighborhood. Ms. Arends responded that a one-room schoolhouse with one teacher and ten children did not seem to her to be a huge intrusion in the neighborhood and in fact might add a certain ambiance to the area. She stated that she was not a professional real estate broker and could not comment on diminution of property values.

Mr. Rockwood stated that Wilton Center is the only Historic District in the town and he asked the Board to consider the properties surrounding the elementary school and the high school and what has happened to the property values in these areas, before condemning Wilton Center to the same fate.

Neighbor Al Litchfield, a member of the church, also had problems with the idea of increasing traffic in the area, which has already increased greatly due to the Arends' home business and gravel trucks from Temple.

Trevor Arends, co-applicant, stated that he did not feel that this small school would increase traffic at all significantly and he noted that since speeds were lowered on Highway 101, more cars are driving through Wilton Center than used to. He further stated that their intention is to keep the school very quiet and abate any noise concerns.

Neighbor Michael Stedman had concern for the dangers children would face in walking on the roads in Wilton Center. She walks the roads herself and has had many close calls.

Mr. Litchfield, Chairman of the Building and Management Committee for the Unitarian Church, stated that from personal experience with maintaining the Red House, there have been horrendous problems with water there. There were weeks at a time when the well was dry in the summer and there were times in the winter when the pipes froze in the bathroom and kitchen due to lack of adequate insulation. The septic system is in good condition but the water is a problem.

Ms. Eckstrom asked if Ms. Arends would be involved at all with the school. She answered that she would not be involved.

The Board deliberated, discussing Tumbleweeds Child Care in downtown Wilton among other things. Ms. Roberts felt that the water facilities and the traffic increase were problems. Ms. Eckstrom was concerned that the applicant was not an employee and was wondering who would supervise the operation. Mr. Blanchard was very concerned about the water problem. Mr. Mitchell stated that it is difficult to determine whether the character of the neighborhood would be negatively affected by a project such as this because it is so subjective.

Mr. Faiman suggested the Board conduct a straw poll including reasons for the vote:

Mr. Blanchard	No	Public facilities (water) problem
Ms. Eckstrom	No	Public facilities (water) problem
Mr. Mitchell	No	Public facilities (water) problem plus traffic increase problem
Ms. Roberts	No	Public facilities (water) problem plus traffic increase problem

MOTION: Mr. Blanchard moved to deny the application for a special exception on the Red House property because several criteria for special exceptions (Section 4.4) have not been met. The motion was seconded by Mr. Mitchell with all in favor.

Mr. Faiman stated that the application was not approved. The applicant will receive written notice of disapproval and the reasons for disapproval in the mail. He further stated that the applicants, 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 July 30, 1996 and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:22)

Mr. Faiman then reminded all present that Case # 7/10/96-2 Wilton Center School, Inc. (The Arcnds property) will be continued to August 14, 1996 at 7:30 p.m.

MOTION: Ms. Eckstrom moved to continue Case# 7/10/96-2 to August 14, 1996, seconded by Mr. Blanchard with all in favor.

The Board discussed the Reasons for the decision and decided that the denial was based on the inadequacy of the water supply to meet the needs of the proposed school as indicated by the testimony of the Chairman of the Church's Building and Management Committee and anecdotal testimony.

MOTION: Mr. Mitchell moved to adopt the above statement as the Reasons for denial, seconded by Mr. Blanchard with all in favor.

#### OTHER BUSINESS

MINUTES - May 8, 1996

MOTION: Ms. Eckstrom moved to approve the 5/8/96 minutes as written, Mr. Faiman seconded and both were in favor. Mr. Blanchard, Mr. Mitchell and Ms. Roberts abstained.

MOTION: Mr. Mitchell moved to adjourn the meeting. His motion was seconded and all were in favor.

The meeting was adjourned at 9:40 p.m.