

Town of Milton
"Variance" Application

Date Received: _____ Public Hearing: Aug 24, 2023

Applicant(s) Name: Daniel + Patricia Nihan

Mailing Address: 182 Elm St. Milton, NH 03851

Phone: 603-652-8835

Land Owner's Name(s): Daniel + Patricia Nihan revocable trust

Map# 000045 Lot # 000001 Zone: _____

Physical Address of Property: 182 Elm St. Milton, NH 03851

Note: This application is not acceptable unless all required statements have been made.

A "Variance" is requested from Article: _____, Section: _____ of the Milton Zoning Ordinance to permit:

Service + sales of automobiles. Small operation. see attached info
info for an idea of scope/scale. formerly Cornerstone motor
works of Groveland, MA

Facts supporting this request:

1. The Variance will not be contrary to the public interest because: (In responding to this question, please address: (1) Whether granting the variance would alter the essential character of the locality, and (2) Whether granting the variance would threaten public health, safety or welfare.)

operation is invisible from street or any gutters. Contracts
will be in place with clean harbors to remove any used fluids.
This is my home property. It will be kept clean as the last one
was.

2. The spirit of the ordinance is observed because:

It is in line with a previous town resolution to increase
commerce in the area of route 75 at exit 17.

3. Granting the variance would do substantial **justice** because:

The variance affects no one adversely and adds a Certified Master auto Tech to the resources of the local population and allows me to support my family

4. The **values** of surrounding properties are not diminished because:

No one will see it or hear it

5. Literal enforcement of the provision of the ordinance would result in an **unnecessary hardship**. Special conditions of the property distinguish it from other properties in the area because:

38.77 acres, operation is invisible. The land cannot be used easily for its zoned purpose due to the turnpike on one side and limited Elm St. frontage due to how the state reconstructed the road.

(A) Denial of the variance would result in unnecessary hardship because:

(i) No fair and substantial relationship exists between the general purposes of the ordinance provision and the specific application of that provision to the property because:


"

(ii) The proposed use is a reasonable one because:

"

(B) If the criteria in subparagraph (A) above are not established, explain why the property cannot be used in strict conformance with the ordinance and why a variance is therefore necessary to enable a reasonable use of it:

Without approval I cannot provide for my family and would be forced to sell/develop our 38 acre property and begin searching for a new property I can work + live on.

Applicant's Signature: 

Date: 7-17-2023

Property Owner(s) Signature: 

Date: 7-17-2023