



## TOWN OF WARNER

P.O. Box 269, 5 East Main Street  
Warner, New Hampshire 03278-0059  
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### Zoning Board of Adjustment NOTICE OF DECISION

**Date of Decision:** February 14, 2024

**Application for a Variance**

**Case:** 2024-02

**Applicant:** Paul Fasoli

**Agent:** Paul Fasoli

**Owner/s:** Paul and Cassandra Fusoli

**Address:** 130 Couchtown Road

**Map/Lot:** Map 11, Lot 40

**District:** R3

**Description:** Truck upfitter and tow truck assembly. Seeking a Variance to the terms of TABLE 1 Retail and Services, Section 14 Auto Repair, Auto Service Station or Garage of the Warner Zoning Ordinance.

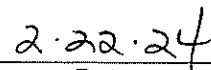
You are hereby notified that on February 14, 2024 the Zoning Board of Adjustment voted to **DENY** a Variance to the terms of TABLE 1 Retail and Services, Section 14, Auto Repair, Auto Service Station or Garage of the Warner Zoning Ordinance. By a vote of 5 to 0.

**The Board's decision was based on the following findings/criteria:**

1. The variance will be contrary to the public interest because of the wear and tear of trucks traveling on a road that has weight restrictions at certain times of the year and concerns over the storage of a large quantity of hydraulic oil and possible environmental impacts.
2. The noise created from grinding, drilling and welding when the garage doors are open would be disruptive to the quiet nature of a rural community.
3. The business does not qualify as a home business because the proposed garage is larger than 25% of the total floor area of the dwelling. In addition, the home occupation ordinance section, 2.T., states, "the sales, rental, maintenance or repair of automobiles, motor vehicles or small engines shall not be permitted as a Home Occupation."
4. The ordinance for the R-3 residential zone allows for some exceptions in regard to home occupations and agricultural businesses. A truck/automotive repair business does not fit within the rural character of the neighborhood.
5. There was no evidence that this property is unique or has special conditions that distinguish it from other properties in the area to qualify as a hardship.

**Summary:** Following a public hearing on February 14, 2024 the board denied the Variance by a vote of 5 to 0.

  
**Barbara Marty, Chair**  
Zoning Board of Adjustment

  
**Date**

Warner Zoning Board of Adjustment Note: The New Hampshire RSA 677:2: provides that the Board of Selectmen, any party to the action, or any person directly affected has a right to appeal this decision within 30 days after the date of the decision. This notice has been placed on file and made available for public inspection in the records of the ZBA.