



Town of Wilton, NH

Application to the Zoning Board of Adjustment

(Revised January 2011)

General Information, Page 1 of 3 **RECEIVED**

JUL 26 2016

Property Information

TOWN OF WILTON NH

Describe the lot involved in the application (the lot that you want to build a building on, subdivide, conduct a business or other activity on, etc.). If more than one lot is involved, then describe them all in this space if it is convenient, or attach additional copies of this page.

Tax Map and Lot Number K-72 Lot Size .552 acres

Street Address 47 Maple Street, Wilton

Zoning District (check one):

- Residential
 General Residence and Agricultural
 Commercial
 Industrial
 Office Park

Relevant Overlay Districts (check any that apply):

- Research and Office Park
 Floodplain Conservation
 Watershed
 Wetlands Conservation
 Aquifer Protection
 Elderly Housing

Owner

If the application involves multiple lots with different owners, attach additional copies of this page.

Name Diocese of Manchester

Mailing address PO Box 310

Mailing address _____

Town, State, ZIP Manchester, NH 03105

This application must be signed by the owners of all lots involved in the application.

I approve the submission of this application. If an applicant or representative is named on the next page, the person named there has my permission to represent me before the Wilton Zoning Board.

Signature See letter from Diocese of Manchester Date July 26, 2016

(continued on the next page)

clerk use only	
Date and time received: <u>7/26/16</u> <u>1:10 pm</u>	
Received by: <u>D Miller</u>	Amount paid: <u>\$ 160.00</u>
Case #: _____	<input checked="" type="checkbox"/> Abutter list and labels included



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Applicant

The applicant is the person who actually wants to build the building, conduct the business, etc. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

Same as owner

Name **Rev. Robin R. Lunn**

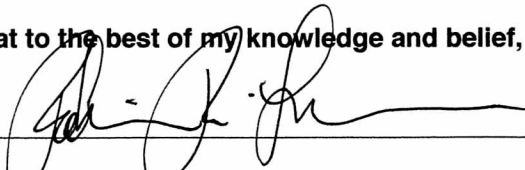
Mailing address **31 Jennison Road**

Mailing address _____

Town, State, ZIP **Milford, NH 03055**

Signature of Applicant or Owner

I certify that to the best of my knowledge and belief, all information provided in this application is accurate.

Signature  Date **7/26/2010**

Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name _____

Mailing address _____

Mailing address _____

Town, State, ZIP _____

I authorize the above-named representative to submit this application and to speak before the Zoning Board on my behalf.

Signature of applicant or owner

Signature _____ Date _____

(continued on the next page)



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Contact Information

How can we get in touch with the applicant or the applicant's representative, if there are questions about or problems with the application? Provide at least one of the following. If you provide more than one, please check your preferred form of contact.

This information is for: the applicant the representative.

Daytime phone [redacted] Evening phone **same**
 Work E-mail _____ Personal e-mail [redacted]

Proposed Use

Explain what you want to do with the property. (Do you want to build a building, subdivide a lot, have a business, ...).

Explain why you need the Zoning Board to let you do it. (The building will be too close to the lot line; the Planning Board wouldn't approve your subdivision; your lot is in a zoning district where businesses aren't allowed; ...).

Be specific. Identify the section or sections of the Zoning Ordinance that apply. If lot sizes or configurations or building placements are relevant, provide a scale drawing or plan showing all relevant information, such as lot lines, setbacks, present and proposed structures on your lot and neighboring lots, etc.

Description of proposed use and need for ZBA approval (use this page; attach additional pages as necessary):

See attached



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Application for a Special Exception

A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board. Most special exceptions have a list of requirements; the Zoning Board can only approve the special exception if it finds that all the requirements are satisfied.

Note that in addition to the specific requirements that may be listed for a particular special exception, all special exceptions are subject to the general requirements in Section 4.4 of the Zoning Ordinance.

What section of the Zoning Ordinance defines the Special Exception that you are applying for? 5.2.3

Explain why your proposed use satisfies the requirements of the Zoning Ordinance: _____

Section 17.3 allows for reduced lot lines when there is no alternative location for the proposed new structure. We are seeking a Special Exception so that a new accessible entryway can be built on the existing 1880 church structure so that safe access to both floors can be obtained.



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Application for a Variance, Page 1 of 2

When, because of the specific characteristics of your property, the Zoning Ordinance unreasonably restricts your use of your property without a corresponding public benefit, the Zoning Board may grant a Variance, which modifies or sets aside particular requirements of the Ordinance.

The specific section of the Zoning Ordinance to be varied: 5.1, 5.2.1, 5.3.3.b, 16.21.2, 16.2.1.3

The requirement in that section that you want to change, and how you want it changed:

See attached

To grant a variance, the Zoning Board must decide that it will satisfy each of the following five conditions. Please explain why you believe that each of the following statements is true. (Use additional sheets of paper if necessary.)

1. Granting the variance would not be contrary to the public interest: _____

See attached

2. Granting the variance would be consistent with the spirit of the Ordinance: _____

See attached

3. Granting the variance would do substantial justice: _____

See attached

4. The proposed use will not diminish surrounding property values: _____

See attached

(continued on the next page)



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Application for a Variance, Page 2 of 2

5. Literal enforcement of the provision of the ordinance would result in unnecessary hardship.
Complete just one of sections 5(a), 5(b), or 5(c):

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

ii. The proposed use is a reasonable one:

iii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

5(b) i. The property cannot be reasonably used in strict conformance with the ordinance:

See attached

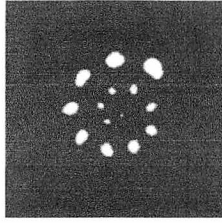
ii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

See attached

5(c) Hardship resulting from a physical disability.

i. The variance is necessary to make reasonable accommodations to allow a person with a recognized physical disability to reside in or regularly use the premises:

ii. The variance is in harmony with the general purpose and intent of the zoning ordinance:



REV. ROBIN R. LUNN, M.DIV.

31 Jennison Road • Milford, NH 03055 • Tel 802-579-6065

47 Maple Street is a beautiful 1880's timbered church building situated on a half-acre lot with a five-bedroom ranch-style rectory built in the 1970's. ***The pre-existing non-conforming nature of this lot makes the repurposing of the property very challenging. Even if a fully residential use is desired, the property would still require a variance for density.***

Additionally, the Diocese of Manchester has imposed a long list of restrictions on what uses are prohibited on this site including "live performances inconsistent with the faith and morals of the Roman Catholic Church" and business that offer "non-therapeutic massages or tattoos." The specific prohibitions on operating a church that provides "worship, religious ceremony or observance, or religious meeting by any denomination, sect or organization other than those part of or recognized by Grantor or other Roman Catholic Dioceses as official Roman Catholic entity" has meant that ***there are very few options available for this property.*** When the proposal for **The Sanctuary @ 47 Maple** was accepted by the Diocese of Manchester we believed that we could meet the restrictions placed on the property AND continue offering a space that would support the community with a faith-based center of work and learning.

We wish to reform the historic church use to an emerging 21st century "church" use by converting the rectory into two housing units (1st floor 2 bedroom ADA & 2nd floor 3 bedroom, both below market); moving the Open Cupboard food pantry from the rectory into a portion of the fellowship/parish hall; converting the remainder of the fellowship/parish hall into a 39 seat non-profit breakfast and lunch café enabling us to continue to offer the Senior Meal monthly; converting the sanctuary into a co-working space (think business incubator) for up to 20 people a day as well as hosting educational and community events weekends and evenings. The property will be owned and operated by a NH faith-based 501.c.3 called **Sanctuary47** with the slogan **Work.Eat.Learn.Live.**

Proposed hours of operation:

Weekdays – 7am to 9pm

Weekends – 7am to 11pm

The specific section of the Zoning Ordinance to be varied: 5.1, 5.2.1, 5.3.3.b, 16.21.2, 16.2.1.3

The requirement in that section that you want to change, and how you want it changed:

5.1 – To allow for a mixed use (duplex, café, food pantry, co-working, event space) in a residential zone;

5.2.1 – To allow 2 housing units on a half-acre lot served by public sewer and water;

5.3.3 – To allow off-street parking within the setbacks

16.2.1.2 & 16.2.1.3 - To allow an appropriately sized and located signs not to exceed 50 square feet by 8 feet tall freestanding and not to exceed 50 square feet total on the buildings

To grant a variance, the Zoning Board must decide that it will satisfy each of the following five conditions. Please explain why you believe that each of the following statements is true.

1. Granting the variance would not be contrary to the public interest:

-because it would allow the continuance of needed services on the site while providing jobs and job training, space for small businesses and non profits to be started, affordable housing and a continuance of the 136 year faith-based community center;

2. Granting the variance would be consistent with the spirit of the Ordinance:

-because 17.1 of the Wilton Zoning Ordinance acknowledges that there are properties just like 47 Maple Street that are pre-existing non-conforming and that in order to continue to operate the property in a use similar to the original intention certain parts of the ordinance must be set aside.

3. Granting the variance would do substantial justice:

-there is no scenario where this property can be used without either tearing down the existing church structure or granting a variance to allow relief from certain aspects of the Zoning Ordinance. This proposal seeks to continue in the spirit of Sacred Heart Catholic Church and provide a valuable community asset;

4. The proposed use will not diminish surrounding property values:

-because the use is substantially similar to the former use with similar traffic patterns and community commitments;

5. Literal enforcement of the provision of the ordinance would result in unnecessary hardship:

5(b) i. The property cannot be reasonably used in strict conformance with the ordinance:

-because there is no use allowed due to both Zoning and owner restrictions without a variance being granted for this property.

ii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

-because this property is unique in Wilton as the only property with a 7000 square foot church and 2400 square foot rectory on a half acre. Additionally, the restrictions placed by the Catholic Diocese of Manchester are unique to this site alone.