

November 19, 2004

TO: Mr. William Condra, Wilton Building Inspector

RE: Paul Lafontaine  
Application for a Building Permit on Lot A21-2

I am objecting to the issuance of an Application for a Building Permit to Paul Lafontaine on Lot A21-2 for the following reasons:

Under RSA 676:13 (I) "The building inspector shall not issue any building or occupancy permit for any proposed construction, remodeling or maintenance which will not comply with any or all zoning ordinances~ building codes or planning board regulations which are in effect."

The period of 14 days to file an appeal appears to conflict with RSA 676: 13 (III) which states "The Building Inspector shall adopt a form or set of standards specifying the minimum contents of a completed application for any building permit. Upon submission of a completed application, the building inspector shall act to approve or deny a building permit **within 30** days.

The Building Inspector told me that in Wilton one only had 14 days to file an objection, but was not able to quote me the location of the rule in the Wilton Land Use Laws and Regulations where that rule could be found and told me that to be effective my objections would have to be filed before November 22, 2004. In order to reserve and preserve my rights to object to the Building Application (and possible approval), I am following his verbal instructions and submitting my objections to the Application for a Building Permit for Lot A21-2 on November 19, 2004.

Before examining the lack of compliance with applicable ordinances and regulations, it must be noted that the application for a building permit is premature since the subdivision is under a lawsuit and an upcoming cowi review. Irreparable harm can occur if my due process rights are not taken into account in reference to the lawsuit.

To the best of my knowledge the person applying for the building permit is a renter and there is no indication on the Application by the property owner indicating his approval of the request.

The proposed storage/workshop with garage is in the Watershed District of Wilton and must conform to the rules set forth for that part of Wilton.

The proposed building is in violation of Section 14.3.3 of the Ordinance regarding Setbacks, which states "No residence" building, structure, feed lot, outflow from building drainage, septic system or its containment area shall be located less than 200 feet from open water and perennial streams, nor less than 150 feet from intermittent streams, the 100 floodplain, the deeded flowage rights to the State of New Hampshire Flood Control System, or **any wetland.**"

It appears that the location of the proposed building will be within 150 feet of a wetland and an intermittent stream, which is contrary to the Wilton Setback Ordinance for the Watershed District. (See attached Site Plan report and comments by Spencer Brooks at a Planning Board hearing relating to the same property.)

There needs to be an inspection by a independent Wetlands Scientist to determine the full extent and flow of the intermittent stream that seems to go into Mill Brook.

There is no approved Driveway Permit for Lot A21-2 or a curb cut as depicted on the Plat as outlined under RSA 236:13.

There is no safe-sight distance onto the Burton Highway from the driveway.

There is no Letter of Approval from the Wilton Fire Chief.

The proposed building application is not in conformance with Wilton Ordinance 4.1 -- Alteration and removal of Materials.

The proposed building application is not in conformance with Wilton Ordinance 4.6 -- Performance Standards.

The proposed building application is not in conformance with Wilton Ordinance 4.6.6 -- Stormwater Runoff.

The proposed building is not in conformance with Wilton Ordinance 3.1.31-- Structures.

The proposed building application is not in conformance with NH DES Env Wt 303.04 (g) (1) and Env. Wt. 101.77.

The proposed building application is not in compliance with NH DES Env Wt 101.86, Env Wt 101.57 and any other appropriate rules in Env Wt 100-800.

The proposed building application is not in compliance with NH DOT Standards Specifications, 101.36 and 101.107.

The private way is not in conformity with subdivision regulations and plat standards, 6.1 P, 6.3 B, C, H, J, L, P, Q, R, X, W, Y and 9.3,9.4,9.5,9.6,9.7.

The lot in question does not have the required frontage **on** a Class V road.

For all of the above reasons, I am requesting that the Application for a Building Permit on Lot A 21-2 be denied.

November 19, 2011

I also ask that the Savings Clause - Section 23.0 - of the Wilton Land Use Laws and Regulations be considered -using the strictest interpretations, whether local, state or federal -when reviewing this request.



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Attachments