

Wilton Zoning Board of Adjustments
Application for Barbara Pinet and Leslie Thigpen
Lot A-64 Burton Highway

Proposed Use: We wish to construct an energy-star 1,256 sq. ft. single-family residence with a full finished basement containing a two car garage under. Our goal is to accomplish the project with as little environmental impact to the lot as possible. We will also be working with the UNH Cooperative Extension as a Coverts Cooperator to enhance and protect the forest and wildlife on the lot.

In order to accomplish the building without greatly affecting the site, we would like the Zoning Board of Adjustments to grant a variance allowing us to build closer than the 200 ft. setback required by the Watershed District Zoning Ordinance 14.3.3. We have an existing site plan that shows the location of the residence allowing for the 200 ft. setback and a small drawing done by us along with a topographic map showing a natural flat shelf that exists and would allow the building to take place with very little environmental impact.

Below are the main points which we would like the Board to consider regarding the location of the house on the lot:

1. The proposed house is to be a "green" house - our intent is to build without chemicals and as environmentally safe as possible. We are working with the New Hampshire Sustainable Energy Association in developing a plan for sustainability and renewable energy sources.
2. The lot is a very sloped lot with a natural shelf in the slope occurring from 100 to 175 ft. back from Mill brook. Building in this location would minimize the environmental impact by reducing the need to remove large portions of sloping land and disturbing the natural run off that now occurs.
3. The owners are purchasing and installing a Presby Enviro-Septic system which rates very high with the NH Department of Environmental Services and would help to protect Mill Brook.
4. The owners have contacted the NHDES regarding another Presby piece of septic system which could potentially make the sewer water almost as de-all as drinking water. This is the De-Nyte system and is only being installed with the approval of the NHDES at this time.
5. Less tree cutting close to the brook would be necessary if the house was located slightly closer, rather than back behind the 200 ft. setback. From that distance more trees and slope would have to be removed in order to obtain a view of the brook.

Every professional person that has walked our lot has agreed that placement of the house on the natural shelf would best serve the conservation efforts for the lot. The remaining statements are to give the Board some history of our efforts to date to maintain the environmental integrity of the site. Meridian Land Services has been contracted to

perform test pits and to determine a viable building site. Upon receiving, what the owners thought was an acceptable test pit and building site, they purchased the 19.81 acre parcel with the intent of building their final home and becoming good land stewards. While the site plans were under development, we contracted New England Cedar Homes to design our "green" house plans. The plans are for a cedar passive solar home with a wrap-around deck to view the natural surroundings. Solar orientation and design have been done and the feasibility of using micro-hydroelectric has been researched. The owners have spoken with Harland Savage about the dam and would like to continue those conversations based on the outcome of this application. The county forester Jonathan Nute has been out to the site to make some observations and provided guidance on good forest management and enhancing the existing wildlife by creating wildlife food plots. Mr. Nute also commented on the natural shelf and its viability as a good building site. The goal of the owners is to place the house as naturally as possible into the landscape while minimizing environmental impacts and achieving passive solar gain.

Unfortunately, the Watershed District Ordinance was not disclosed to the owners until after the house plans and solar orientation work had been done. The ideal location of the house would be closer than the 200 ft. setback required by Section 14.3.3 of the Watershed District Ordinance. After review of the site plan, done according to the existing restrictions, it was felt that the 200 ft. setback, in this case, would create a hardship to both the lot and potentially to the brook by increasing the amount of excavation work and removal of the natural slope. There is also potential for hardship to the wildlife and trees by requiring heavier cutting to obtain a view of the brook than the closer site would require. Placing the house site back behind the 200 ft. setback will require erecting major retaining walls, a longer and steeper driveway that would also require retaining walls. In general, we feel that granting the variance to the setback would allow all aspects of building this home to minimize negative environmental impacts to the site.

Five Conditions:

- I. The proposed use will not diminish surrounding property values: The proposed house is to be a custom cedar home and will be comparable in value to other homes in the area.
2. The intent of the ordinance is to preserve the quality of the water of Mill Brook and the health and welfare of Wilton's residents. The owners are very conservation-minded and the intent is for a "green" house, free from the use of chemicals in both the construction and in the maintenance of the home. The owners engage in organic gardening practices and do not have the intention of having a lawn which would require the use of fertilizers. The owners are willing to take an extra measure in paying for and installing the most environmentally friendly septic system available today.
3. a. A variance to build the residence 50 to 100 ft. closer than the 200 ft. setback is necessary due to the slope of the lot and the closer location benefits from the existence of a natural shelf on which to build.

4. Granting the variance and allowing the residence to be placed on the naturally occurring flat shelf would minimize the environmental impact, while allowing the owners a view of the brook with very limited tree cutting being necessary.
5. Granting the variance will not impact the quality of the water of Mill Brook due to the efforts to be made by the owners to purchase and install a septic system which is considered by the State of NH to be "superior in treating wastewater" than conventional septic systems. The owners are dedicated to improving and/or protecting the environment through their land stewardship values and volunteer efforts to conservation organizations. The owners would be willing to grant a limited cut easement within the 200 ft. setback area, which would further protect Mill Brook and the wildlife that depend on it.