



Town of Wilton, NH
Application to the Zoning Board of Adjustment
 (Revised January 2010)
General Information, Page 1 of 3

RECEIVED

MAY 25 2010

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-96-1 Lot Size 0.178acres

Street Address 21 Maple St., Wilton, NH

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 Greater Nashua Habitat for Humanity


Mailing address _____

Mailing address P.O. Box 159

Town, State, ZIP Nashua, NH 03061-0159

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  Date 5/25/2010

(continued on the next page)

clerk use only	
Date and time received: <u> 5/25/10 </u>	<u> 4:00pm </u>
Received by: <u> D. Mills </u>	Amount paid: <u> \$ 111.00 </u>
Case #: _____	<input checked="" type="checkbox"/> Abutter list and labels included



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Applicant

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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 _____

Mailing address _____

Mailing address _____

Town, State, ZIP _____

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 _____

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 _____ Eric Jensen _____

Mailing address _ PO Box 472 _____

Mailing address __ 5 Milford St. _____

Town, State, ZIP _ Brookline NH 03033 _____

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 5/25/2010

(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 _ 603-801-5946 ____ Evening phone __ 603-672-1577 ____

Work E-mail _ERIC.JENSEN@NASHUAHABITAT.ORG _

Personal e-mail _ INKYSDAD4EVER@CHARTER.NET _

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):

____ We at Habitat for Humanity wish to build a 900sq. ft., two-bedroom residential home on the corner of Russell St. and Maple St., specifically Lot K-96-1. This property is in the Residential District and in the Aquifer Protection District. Currently Wilton Zoning law, sect. 5.2.3, requires a 35' setback from the street. We are requesting a variance from this setback requirement along Russell St., allowing us to have a 21' setback to the house and a 15' setback to the porch while maintaining all other setback requirements. (see attached plan)

A similar variance had been granted to a previous owner (Priscilla McGrath, case #9/11/07-5) but that variance expired on 9/25/09. _____



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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: SECTION 5.2.3 SETBACKS

The requirement in that section that you want to change, and how you want it changed: 35' Setback from street; would like it reduced to 21' to the building and 15' to the porch along Russell St'

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:

The proposed residence will still meet or exceed the distance from the street that the existing residences currently have.

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

The building would not be any closer to the street than the current dwellings.

Under section 4.0 General Provisions Section 4.6 Performance Standards states "all land use activities shall be conducted and operated to minimize negative environmental impacts to neighboring properties". Therefore the variance was sought from the Front Setback verse the Wetland Setback

3. Granting the variance would do substantial justice:

Allows the lot to be used for its intended use - the placement of a residential building on the lot.

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

The new building construction will be consistent with the values of the surrounding buildings.

The lot size is consistent with the surrounding lots that are between 0.1 ac. and 0.3 ac.

Lot will be serviced by town sewer and water. Use is permitted within the zone.

(continued on the next page)



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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: ___
Due to the shape of the lot and the brook in the back strict conformance to the ordinance creates a building envelope that is only 12 feet wide at the narrowest section. Holding the back and side setbacks the proposed building is moved towards the front of the property and falls within the Front Setback line. If the Front Setbacks were held than there would still be a requirement for a Rear and Wetland Setback Variance.

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

The 50 foot setback from the wetland (Section 11.6) exceeds the rear setback line pushing the setback into the lot further than it normally would be.

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



May 24, 2010

Abutters List

Greater Nashua Habitat for Humanity
Map K Lot 96-1
21 Russell Street
Wilton, NH

Lot Number

Name

K-96 Priscilla F. McGrath Trust
19 Russell Street
Wilton, NH 03086

K-106 Cynthia J. Salisbury
71 Maple Street
PO Box 755
Wilton, NH 03086

K- 97-1 Jean L. Parker Rev. Trust
PO Box 736
Wilton, NH 03086
Handwritten: c/o Parker, 34942 Double Eagle Court, Zephyr Hills, FL. 33541-2683

K-92 Amanda M. DeLuca
18 Russell Street
Wilton, NH 03086
Handwritten: Victoria Bullard, 181 Nashua St., Milford, NH 03055

K-95 Arthur F. O'Leary
Louise A. O'Leary
65 Maple Street
Wilton, NH 03086

K-39 Walter J. Fredette
Leona Fredette
65A Maple Street
Wilton NH 03086

K-40 Donald R. McGettigan, Sr.
68 Maple Street
PO Box 77
Wilton, NH 03086
Handwritten: c/o 31 Foster Rd, Milford, NH 03055-3610
Additional: see back

K-105-2 William B. Abbott, Trustee
K-105-3 E.J. Abbott Trust
48 School Street
Hudson NH 03051

1. SUBDIVISION PLAN WILTON, NEW HAMPSHIRE PREPARED FOR VERONICA MAHONEY SCALE 1"=20' DATED APRIL 20, 1988. PREPARED BY HOWARD G. WAINWRIGHT, L.L.S. (HCRD PLAN NO. 27-59)

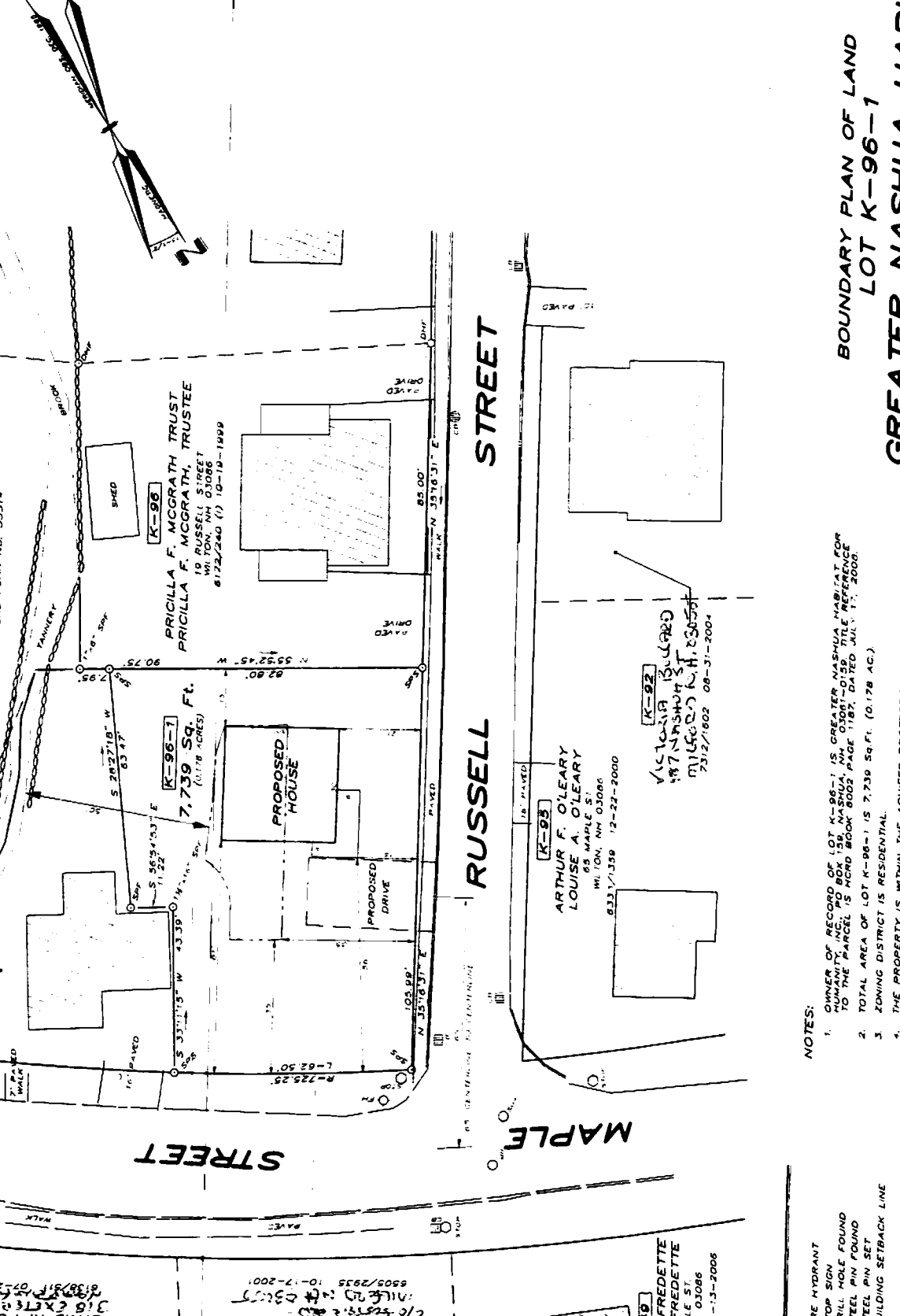
2. SUBDIVISION PLAN OF LAND LOT K-105 E.J. ABBOTT TRUST WILTON, NEW HAMPSHIRE SCALE 1"=40' DATED OCTOBER 24, 2006. LAST REVISION FEBRUARY 19, 2007. PREPARED BY THIS OFFICE (HCRD PLAN NO. 35314)

K-105-2
 E.J. ABBOTT TRUST
 WILLIAM M. ABBOTT, TRUSTEE
 48 SCHOOL STREET
 WILTON, NH 03086
 2744/912 12-28-1979
 HCRD PLAN NO. 35314

K-106
 CYNTHIA J. SALISBURY
 21 MAPLE ST.
 WILTON, NH 03086
 3090/274 01-31-1998

K-42
 DONALD R. McGETTIGAN, SR.
 C/O 5555 2 RD
 WILTON, NH 03086
 5505/2955 10-17-2001

K-40
 WALTER J. FREDETTE
 LEONA G. FREDETTE
 66A MAPLE ST.
 WILTON, NH 03086
 7788/1284 11-13-2006

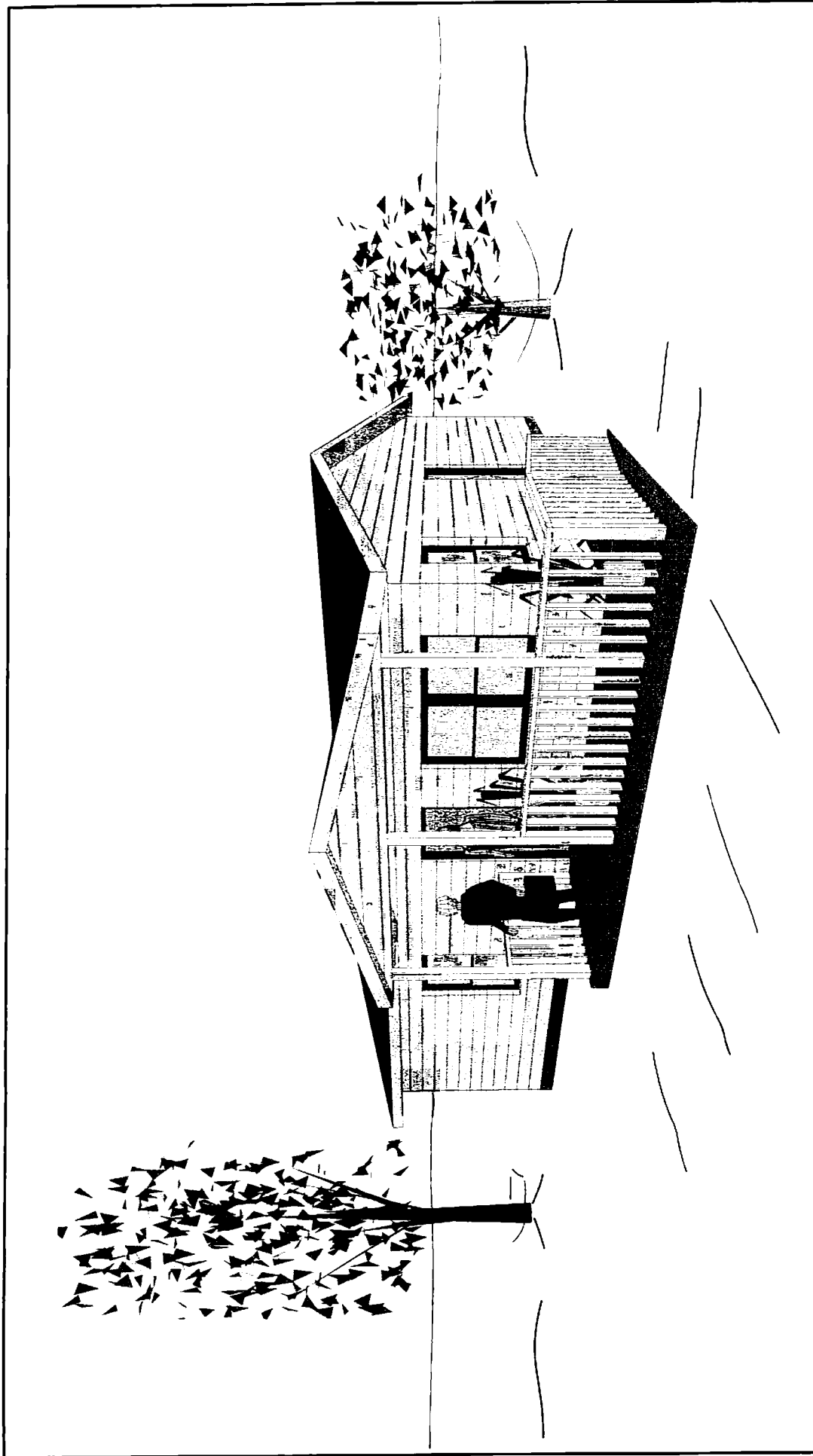


BOUNDARY PLAN OF LAND
LOT K-96-1
GREATER NASHUA HABITAT
FOR HUMANITY, INC.
WILTON, NEW HAMPSHIRE
SCALE: 1" = 20'
MAY 24, 2010

- NOTES:**
- OWNER OF RECORD OF LOT K-96-1 IS GREATER NASHUA HABITAT FOR HUMANITY, INC. PO BOX 158 NASHUA, NH 03086. TITLE REFERENCE TO THE PARCEL IS HCRD BOOK 8002 PAGE 1182 DATED JULY 11, 2008.
 - TOTAL AREA OF LOT K-96-1 IS 7,739 Sq. Ft. (0.178 AC).
 - ZONING DISTRICT IS RESIDENTIAL.
 - THE PROPERTY IS WITHIN THE AQUIFER PROTECTION DISTRICT.
 - THE PROPERTY IS NOT WITHIN THE 100 YEAR FLOOD HAZARD BOUNDARY AS DEPICTED ON F.I.A. FIRM MAP COMMUNITY PANEL NO. 330102004B DATED APRIL 15, 1980.

- LEGEND**
- FHD FIRE HYDRANT
 - STOP SIGN
 - DMH DRILL HOLE FOUND
 - SPY STEEL PIN FOUND
 - SP5 STEEL PIN SET
 - BUILDING SETBACK LINE

REV	DATE	DESCRIPTION	DR	CK
FILE	1494	TYPE	BND	IDX
			1-9-BND0768	FB
				198



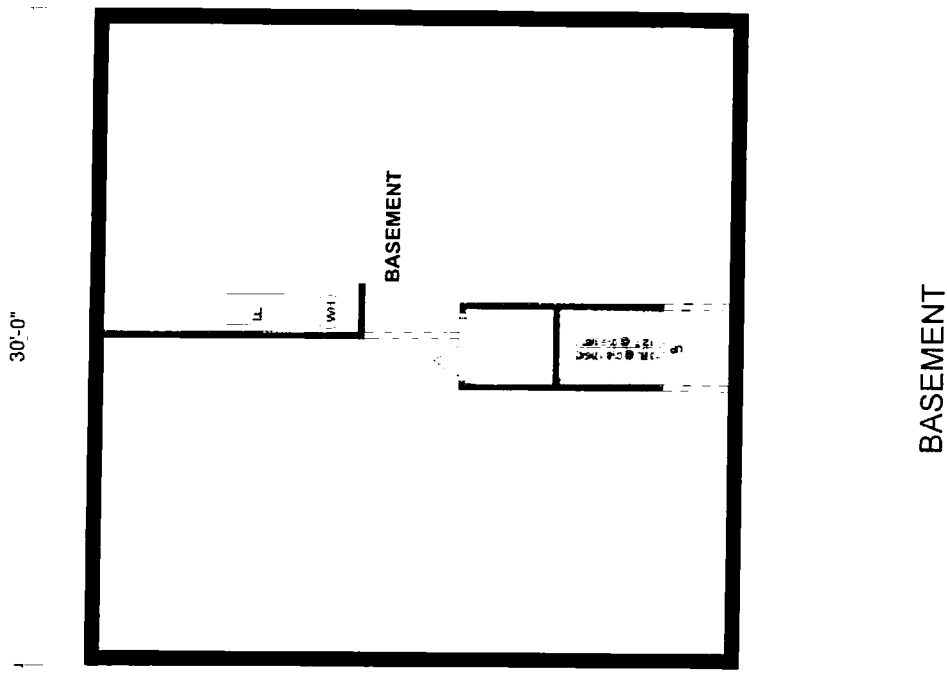
D2S-04SWB
2 Bedroom
Detached House

Perspective

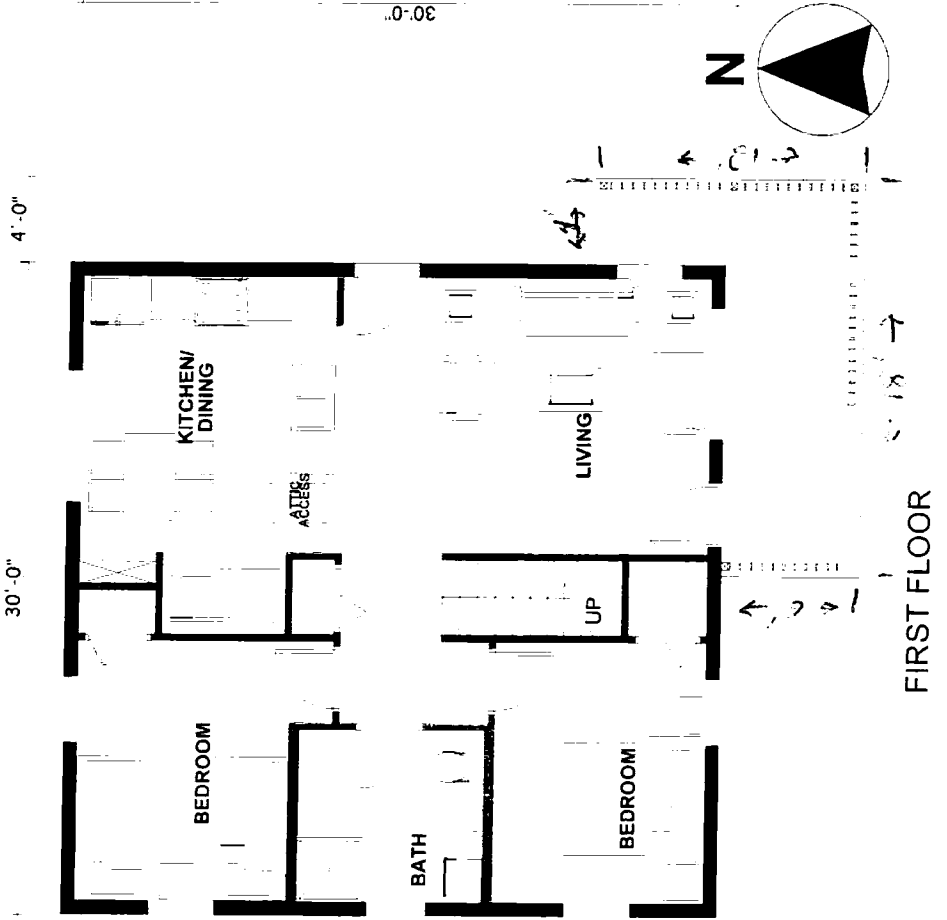
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Revisions:	
01	05/17/2001
02	08/11/2001

Page No.:
A - 1.0



BASEMENT



FIRST FLOOR

Revisions:	Page No.:
01 04/24/2001	A - 1
02 11/13/2002	

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D2S-04SWB Schematic Floor Plan
 Scale: 3/16" = 1'-0"

2 Bedroom Detached House

