

May 24, 2010

Town of Wilton
Town Hall
Zoning Board of Adjustment
42 Main Street
Wilton, NH 03086

RE: Application for Special Exception for Babineau-Sirois Property
Wilton Tax Map D; Lots 20, 21, 22, 70 & 71 and Map B: Lot 83
Wilton, NH
KNA Project #06-0627-2

Dear Sir or Madam:

Enclosed, please find material relative to an Application to the Zoning Board of Adjustment for a project called Babineau-Sirois Property. Specifically, the following list of information has been included with this letter:

1. Completed General Information section of the application;
2. Fully executed Application for a Special Exception;
3. Updated project abutters list;
4. Two (2) sets of mailing labels;
5. Appropriate application fee calculated as follows:
Application Fee \$75 +
\$4 per abutter at 27 abutters = \$108
Total fee = \$183
6. Supporting project plans (7 copies).

The subject project involves the construction of an access drive off of Holt Road and an open drainage system. In order to reasonably access this property, the construction of the proposed access drive will impact an area of jurisdictional wetlands. As the enclosed plans depict, 1,764-sf of wetland impact is being proposed. This Application for a Special Exception seeks approval for this area of wetland impact.

We trust that we have enclosed sufficient material for this application to be placed on the next available agenda. Please do not hesitate to contact the writer should you have questions or comments, or if you need further material.



Town of Wilton, NH
 Application to the Zoning Board of Adjustment
 (Revised January 2010)

General Information, Page 1 of 3

RECEIVED

Property Information

MAY 25 2010

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.

Map D; Lots 20, 21, 22, 70 & 71

Tax Map and Lot Number Map B; Lot 83 Lot Size 131 Acres total

Street Address Holt Road

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 T. Arthur Babineau, 1997 Irrevocable Trust, Patricia Babineau (Trustee & Marie L. Sirois

Mailing address 19 Appletree Green

Mailing address _____

Town, State, ZIP Nashua, NH 03062

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 Patricia M. Babineau (Trustee) Date 5/21/10
Marie L. Sirois

(continued on the next page)

clerk use only	
Date and time received: _____	Amount paid: _____
Received by: _____	<input type="checkbox"/> Abutter list and labels included
Case #: _____	



Town of Wilton, NH
Application to the Zoning Board of Adjustment
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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 _____

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 *Patricia M. Anderson (Trustee)* Date *5/21/10*
Marie L. Simon

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 Keach-Nordstrom Associates, Inc.

Mailing address 10 Commerce Park North, Suite 3

Mailing address _____

Town, State, ZIP Bedford, NH 03110

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 *Patricia M. Anderson (Trustee)* Date *5/21/10*
Marie L. Simon

(continued on the next page)



Town of Wilton, NH
Application to the Zoning Board of Adjustment
(Revised January 2010)

General Information, Page 3 of 3

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) 627-2881 Evening phone _____

Work E-mail abasso@keachnordstrom.com Personal e-mail _____
com

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):

The proposal is to construct an access drive off of Holt Road to access Map D; Lots 20, 21, 70 and 71 along with accompanying drainage improvements. The application made to the Wilton Zoning Board of Adjustment is for a 1,764 sf permanent wetland impact and 72 lf of intermittent stream impact which is associated with the construction of said access drive and drainage improvements. This impact is necessary for the reasonable development of the parcels and falls under the criteria of section 11.4 of the Zoning Ordinance.



Town of Wilton, NH
Application to the Zoning Board of Adjustment
(Revised January 2010)

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? 11

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

See Attached

Application For A Wetland Special Exception

Explain why your proposed use satisfies the requirements of the Zoning Ordinance.

Babineau-Sirois Property
Map D; Lots 20, 21, 22, 70 & 71 and Map B: Lot 83
Holt Road
Wilton, New Hampshire

KNA Project No. 06-0627-2

The proposed project entails the construction of a 1,450 lf access drive off of Holt Road along with the associated drainage improvements. The parcels are located in the General Residence/Agriculture Zoning District and are undeveloped. The terrain is primarily composed of hilly woodlands. Several areas classified as jurisdictional wetlands and intermittent streams encumber the site. Approximately 85.98 acres of the developable portion of Lots 20, 21, 70 and 71 are completely separated from Holt Road due to jurisdictional wetlands. Consequently, in order to access this portion of the lots, a wetland and intermittent stream impact is required. Approximately 1,764 sf of wetland impact and 72 lf of intermittent stream impact are proposed.

The proposed wetland impact has been minimized by crossing at the narrowest portion of the wetland complex. A 60" HDPE culvert has been proposed to preserve the connectivity of the intermittent stream under the access drive. The culvert bottom will be buried 2' at the upstream end and 1' at the downstream end, which will allow the culvert to have a "natural" bottom. The proposed pipe size closely mimics the 6' to 7' width of the existing stream in this area to allow uninterrupted flow of water during wet periods.

On May 10, 2010, the Wilton Conservation Commission voted to send a favorable recommendation to the Zoning Board of Adjustment for approval of the requested Wetland Special Exception.

With respect to the conditions set forth in Section 11 of the Zoning Ordinance, please note the following:

- *To prevent the development of structure and land uses on naturally occurring wetlands which would contribute to pollution of surface and ground water by sewage.*

The wetland crossing is essential to the productive use of the developable portion of land that is isolated from Holt Road due to said wetland. The construction of the access drive will not create any sewage and the stormwater will be properly managed according to Alteration of Terrain standards. Future building lots will be constructed according to the New Hampshire Department of Environmental Services regulations in regard to septic design so no surface or ground water will be contaminated.

- *To prevent the destruction of natural wetlands which provide flood protection.*

The portion of the lots being develop is not located within a 100-year flood plain according to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for the town of Wilton, New Hampshire, Map number 33011C0432D, effective date September 25, 2009. The proposed 60" HDPE culvert under the access road was designed to achieve the following:

- Is not a barrier to aquatic organism passage and sediment transport;
- Accommodates high flows, maintains low flows for aquatic organism passage;
- Does not cause an increase in frequency of flooding or overtopping banks;
- Preserves or restores connectivity;
- Does not cause erosion, aggradation or scouring upstream or downstream of crossing;
- Does not cause water quality degradation.

- *To prevent unnecessary or excessive expenses to the town to provide and maintain essential services and utilities which arise because of inharmonious use of wetlands.*

The proposed access drive will be private, so the town will not incur any maintenance costs. The proposed culvert was sized to provide uninterrupted flow during wet seasons and thus will not affect the amount of storm water upstream or down stream of the proposed crossing.

- *To encourage those uses that can be appropriately and safely located in wetland areas.*

According to section 11.4(a) streets, roads and other access ways can be permitted in the Wetlands Conservation District if it is essential to the productive use of the land not so zoned. Since 85.98 acres of the subject parcels are developable, but separated from Holt Road due to jurisdictional wetlands, it is essential to the productive use of that land to minimally impact the wetland and allow access to that portion of the lots.

Abutter's List
Babineau-Sirois Property
Wilton, NH
KNA#06-0627-2
Updated 05-18-10

Tax Map	Lot	Owner/Applicant
D B	20, 21, 22, 70 & 71 83	T. Arthur Babineau 1997-Irrev. Trust (Patricia Babineau-Trustee) & Marie L. Sirois 19 Appletree Green Nashua, NH 03062
Tax Map B	Lot 81	Abutter Robert R. Sr. & Terri Carson 255 Forest Road P O Box 82 Wilton, NH 03086
B	82	Roger Chappell 17 Federal Hill Road Milford, NH 03055
B	84	Stephen G. & Gail A. Proctor 16 Mill Street P O Box 845 Wilton, NH 03086
B D	85 39 & 40	T. Arthur Babineau 1997-Irrev. Trust (Patricia Babineau-Trustee) & Marie L. Sirois 19 Appletree Green Nashua, NH 03062
B	86	Steven D. Paro 6 Burton Highway P O Box 368 Wilton, NH 03086
B	123	Peter F. Young 343 South Prospect Street Burlington, Vt. 05401-3504
B	124	Stanley T. & Claudia B. Young 915 Isaac Frye Highway Wilton, NH 03086

D	19-2	Richard P. & Linda J. Farrington 78 Putnam Hill Road Wilton, NH 03086
D	19-5	Patricia A. Townsend 69 Putnam Hill Road Wilton, NH 03086
D	19-6	Susan Manha Revocable Trust Susan Manha (Trustee) Revocable Trust 77 Putnam Hill Road Wilton, NH 03086
D	23	Archie and Patricia Thompson 115 Holt Road Wilton, NH 03086
D	24	Archie Thompson 115 Holt Road Wilton, NH 03086
D	25	Scott A. & Theresa Thompson 119 Holt Road Wilton, NH 03086
D	28	Pierce D. & Deana M. Willems 103 Holt Road Wilton, NH 03086
D	31	Jeanette F. Loverme 85 Holt Road Wilton, NH 03086
D	32	Thomas P. & Aura J. Herlihy 67 Holt Road P O Box 1067 Wilton, NH 03086
D	35	Jason P. & Lori Markaverich 77 Holt Road P O Box 691 Wilton, NH 03086

D	55	Courtney Howard c/o Ingrid Howard 55 Holt Road Wilton, NH 03086
D	69	Dennis A. & Nancy L. Claire 137 Burns Hill Road P O Box 141 Wilton, NH 03086
D B	72 96	State of NH Division of Forests & Lands 172 Pembroke Road Concord, NH 03302-1856
D	74	Joan C. Pellerin Trust Joan C. Pellerin (Trustee) P O Box 299 Wilton, NH 03086
D	154	Thomas Conrad Susan Wolff-Conrad 4 Pilgrim Avenue Orleans, MA 02653
D	155 & 156	Paul W. Wassell c/o Amanda Wassell 75 Old Amherst Road Mont Vernon, NH 03057
J	135	Wilton-Lyndeborough Co-Op District c/o SAU 63 P O Box 1149 Wilton, NH 03086

Professionals to be notified:

Land Surveyor

Anthony M. Basso
Keach-Nordstrom Associates, Inc.
10 Commerce Park North, Suite 3
Bedford, NH 03110

Wetland Scientist

Robert Prokop

Wetland Consulting Services

15 Bisson Lane

Merrimac, MA 01860