



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

**RECEIVED**

**General Information, Page 1 of 3**

AUG 19 2010

TOWN OF WILTON NH

**Property Information**

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 H-66 Lot Size 5.4 Acres

Street Address 110 Isaac Fye Hwy

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 Donald H. Sienkiewicz

Mailing address 110 Isaac Fye Hwy

Mailing address \_\_\_\_\_

Town, State, ZIP Wilton NH 03086

**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 [Signature] Date 8-19-10

(continued on the next page)

<b>clerk use only</b>	
Date and time received: <u>8/19/10 @ 2:05 pm</u>	
Received by: <u>HS</u>	Amount paid: <u>99.00</u>
Case #: _____	<input checked="" type="checkbox"/> Abutter list and labels included



**Town of Wilton, NH**  
**Application to the Zoning Board of Adjustment**  
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**General Information, Page 2 of 3**

**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  Date 8-19-10

**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)



# 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 654-8811  Evening phone \_\_\_\_\_

Work E-mail dhs@dhslandlaw.com  Personal e-mail \_\_\_\_\_

### 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):

sign permit <sup>for sign</sup> on lot line or possibly  
in right-of-way



**Town of Wilton, NH**  
**Application to the Zoning Board of Adjustment**  
**(Revised January 2010)**  
**Appeal of an Administrative Decision**

If any Town official or board has denied you permission to do something, refused to issue you a permit or other approval, or has taken enforcement action against you, and the decision or action is based on what you believe to be an incorrect interpretation or application of the terms of the Wilton Zoning Ordinance, you may appeal that decision to the Zoning Board.

The Zoning Board does not have any authority to review a discretionary decision to commence formal or informal enforcement proceedings, or a decision based on any law or regulation other than the Wilton Zoning Ordinance.

If you wish to appeal an administrative decision to grant a permit or other approval for the use of property not belonging to you, please use the *Third-Party Appeal of Administrative Decision* Form.

For more information, please refer to RSA 674:33, I(a) and RSA 676:5.

**An appeal of an administrative decision must be filed within 30 days of when the decision was made.**

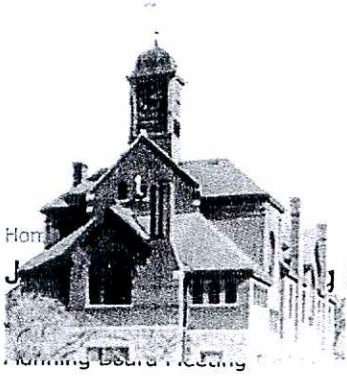
You must attach a copy of the decision notice with this appeal. If the decision was made by a board, you should also attach a copy of the minutes of the meeting at which the decision was made. **The Zoning Board cannot review an informal or verbal decision.**

What is the decision that you are appealing? \_\_\_\_\_  
Denial of permit for location of sign on lot line or on  
right-of-way

What Town official or board made the decision? Planning Board or Selectmen

What sections of the Zoning Ordinance was the decision based on? 3.1.16, 3.1.18, 6.2.4, 16.1.d

Why do you believe that the decision was incorrect? \_\_\_\_\_  
Board Town's historical practice is not to enforce 35' setback;  
setback does not or should not apply to signs; location of right-of-  
-way is unknown, Town should not prevent residents from  
harmless practice on ground of legal technicality.



# WILTON, NH PLANNING BOARD

Hon. Jeff Kandt  
July 21, 2010 Planning Board Meeting

**Date/Time of Meeting:**

07/21/2010 7:30pm - 10:00pm

**Location:**

Wilton Town Hall meeting room

**Application Deadline:**

June 29, 2010

**Minutes for this Meeting:**

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**TOWN OF WILTON  
PLANNING BOARD MEETING  
DRAFT MINUTES**

**DATE:** June 21, 2010

**TIME:** 7:30 P.M.

**PLACE:** Wilton Town Hall Courtroom

**PRESENT:** Wilton Planning Board Members: Chairman Jeff Kandt (arrived late), Alec MacMartin (left early), John Shepardson, Walter Zuber, Matt Fish, Alternate Sue Egan, Board of Selectman representative Steve McDonough, and Clerk Heather Loewy Nichols.

Mr. Fish opened the meeting at 7:00 p.m. and explained that he would be Acting Chair until Mr. Kandt arrives.

*Mr. Fish appointed Sue Egan to the Board as a voting member in place of Jeff Kandt.*

**1. Minutes:**

- June 16, 2010

*A MOTION was made by Mr. Shepardson and SECONDED by Mr. McDonough to approve the minutes of June 16, 2010 as amended.*

*Voting: 6 ayes; motion carried unanimously.*

- July 7, 2010

*A MOTION was made by Mr. MacMartin and SECONDED by Mr. Shepardson to approve the minutes of July 7, 2010 as amended.*

*Voting: 5 ayes; motion carried with Mr. Fish abstaining.*

**Continuations:**

- 2. PB10-005-SPR-William & Nancy McKay** – An application for a site plan review of a proposed erosion plan for a single residential structure with a driveway, well, and septic system in Lot C-043 on Davisville Road.

**Minutes for this Meeting:**

- 
- *Amendment to Note 1 with regards to the construction sequence*
  - *Addition of a note regarding use of the drives; specifically that the existing drive will be abandoned*
  - *Addition of a note regarding maintaining the leaching basin*
  - *Submittal of a letter from Dawn Bach, stating that there has not been fill occurring in the lowland area and substantiating the applicant's representation that test borings have been done with the result that there has been no fill added to the area*
  - *Addition of a note stating that wall engineering will be submitted with the Building Permit Application for any areas over 4'.*

*Voting: 6 ayes; motion carried unanimously.*

*Jeff Kandt joined the Board and Sue Egan was placed on the Board for Neil Fairman as voting members at 8:15 p.m.*

- 3. 004-SA – Donald Sienkiewicz-** An application for a 17" x 28" painted plywood sign at 110 Isaac Frye Hwy, Lot H-066.

*Steve McDonough and Walter Zuber stepped off the Board as voting members.*

Mr. Sienkiewicz appeared before the Board and explained that the statute was written in 1862 and it talked about barb wire fences as public nuisances. He stated that he thinks that the statute was written to keep obstructions out of the road and noted that the proposed sign is not an obstruction.

Mr. McDonough stated that Kayla's Cleaning Service has a new sign that has never been approved by the Board and commended Mr. Sienkiewicz for at least coming to the Board.

Mr. MacMartin read a letter from Town Counsel stating that signs cannot be placed in the right of way.

*After discussion, a MOTION was made by Mr. Shepardson and SECONDED by Mr. MacMartin to deny the application because it is against the law.*

*Voting: 5 ayes; motion carried unanimously.*

*Steve McDonough and Walter Zuber returned to the Board as voting members.*

- 4. PB10-005-SPR-William & Nancy McKay** – An application for a site plan review of a proposed erosion plan for a single residential structure with a driveway, well, and septic system in Lot C-043 on Davisville Road.

**\*\*reopened from earlier in the meeting\*\***

*A MOTION was made by Mr. Fish and SECONDED by Mr. Shepardson to reopen the McKay application.*  
*Voting: 6 ayes; motion carried unanimously.*

*A MOTION was made by Mr. Zuber and SECONDED by Mr. Shepardson to accept the application.*  
*Voting: 6 ayes; motion carried unanimously.*

*A MOTION was made by Mr. Zuber and SECONDED by Mr. McDonough to conditionally approve the application subject to completion of the following items, as stated in the original approval motion:*

- *Plan Number to be added to the Reference Plan section*
- *Amendment to Note 1 with regards to the construction sequence*