



**Town of Wilton, NH**  
**Application to the Zoning Board of Adjustment**  
 (Revised January 2011)

**General Information, Page 1 of 3**

**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 Map B Lot 14 Lot Size 61.537 acres

Street Address Cram Hill 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 Pierre E. Provost IV 1993 Trust and Lura S. Provost 1993 Trust

Mailing address 68 Milk Street

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

Town, State, ZIP Westwood, MA 02090

**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 Lura S. Provost, Trustee Date May 19, 2011  
 Lura S. Provost, Trustee

(continued on the next page)

**RECEIVED**

MAY 26 2011

TOWN OF WILTON NH

clerk use only	
Date and time received: <u>5/26/2011</u>	
Received by: <u>JLF</u>	Amount paid: <u>\$154</u>
Case #: _____	<input type="checkbox"/> Abutter list and labels included



**Town of Wilton, NH**  
**Application to the Zoning Board of Adjustment**  
 (Revised January 2011)

**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 Lura S. Provost, Trustee Date May 19, 2011  
 Lura S. Provost, Trustee

**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 Robert V. McKenney, Esq.

Mailing address McKenney Law Offices, P.C.

Mailing address 109 Ponerah Road, #3

Town, State, ZIP Amherst, NH 03031

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 Lura S. Provost, Trustee Date May 19, 2011  
 Lura S. Provost, Trustee

(continued on the next page)



**Town of Wilton, NH**  
**Application to the Zoning Board of Adjustment**  
 (Revised January 2011)

**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) 672-5200  Evening phone \_\_\_\_\_

Work E-mail rvm@mckenneylaw.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):

SEE ATTACHED

---



---



---

## REQUEST FOR EXTENSION OF SPECIAL EXCEPTION

The Applicant was granted a Special Exception by the Town of Wilton Zoning Board of Adjustment ("ZBA") on December 11, 2007 and an extension of the Special Exception on October 13, 2009. The Special Exception permitted a wetland impact resulting from the construction of a roadway as part of a subdivision of Wilton Lot B-14, Cram Hill Road (Lyndeborough) and Lyndeborough Tax Map 238, Lot 19 into fourteen (14) residential lots. The ZBA permitted a wetland impact of up to 2,703 square feet for the roadway crossing.<sup>1</sup> The extension to the Special Exception expires on December 17, 2011 unless the ZBA grants the relief requested herein and extends the Special Exception through January 27, 2014. The request for an extension of the Special Exception to January 27, 2014 coincides with the expiration of the United States Army Corps of Engineers permit expiration date.

On May 6, 2009, subsequent to the ZBA granting the Special Exception, the Applicant was granted approval from the Town of Wilton Planning Board ("Planning Board") to create a thirteen (13) lot subdivision with all buildings and septic systems to be located within Wilton. The Planning Board agreed to the Applicant's request to extend the period in which active and substantial development or building can begin up to thirty six (36) months from approval, finding that conditions prevailing in the real estate market constituted "good cause". The Applicant is also requesting the Planning Board's approval to extend the deadline for the project so that active and substantial development or building is not required to take place until January 27, 2014, consistent with the extension requested herein.

Section 17.4 of the Wilton Zoning Ordinance permits extensions of time for the Applicant to exercise the rights accorded by the Special Exception for good cause shown beyond the reasonable control or contemplation of the Applicant and not prejudicial to the intent and spirit of the Zoning Ordinance. Consistent with the Applicant's presentation before the Planning Board, conditions prevailing in the real estate market not contemplated by the Applicant when she first presented her development plan before Wilton's land use boards, constitutes good cause to grant an extension of the Special Exception through January 24, 2014. The relief requested herein is not prejudicial to the intent and spirit of the Wilton Zoning Ordinance.

---

<sup>1</sup> Since the ZBA approval, the project was further refined to lessen the wetland impact by the installation of a drop culvert, lessening the impact to the wetlands.