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APR 24 2012



Town of Wilton NH
Application to the Zoning Board of Adjustment
General Information, Page 1 of 3

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 C-121 Lot Size 1.702 ACRES

Street Address PETTEY 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 JAMES J. LILLEY & CHRISTINA L. LILLEY

Mailing address PO BOX 82

Mailing address

Town, State, ZIP DODGEVILLE, WI 53533

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 Christina Lilley Date APRIL 24, 2012

(continued on the next page)

clerk use only
Date and time received:
Received by:
Amount paid:
Case #:
Abutter list and labels included



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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 JAMES J. LILLEY & CHRISTINA L. LILLEY

Mailing address PO BOX 82

Mailing address _____

Town, State, ZIP DODGEVILLE, WI 53533

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 x *Christina Lilley* Date APRIL 24, 2012

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 MONADNOCK SURVEY, INC.

Mailing address PO BOX 607

Mailing address _____

Town, State, ZIP WILTON, NH 03086-0607

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 x *Christina Lilley* Date APRIL 24, 2012

Dan B. [Signature]
(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 654-2345 Evening phone
- Work E-mail DAWN.MONADNOCKE@TDS-NET 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):

THE LOT HAS 2 EXISTING SINGLE FAMILY RESIDENTIAL CONDOMINIUM UNITS WITH A COMMON AREA DESIGNATED FOR SEWAGE DISPOSAL. THE PROPOSED SEWAGE DISPOSAL SYSTEM IS WITHIN THE TOWN REQUIRED 35' FRONT SETBACK AND THE 75' POORLY DRAINED WETLAND SETBACK.

April 23, 2012

Zoning Board of Adjustment
Town of Wilton
Town Hall
42 Main Street PO Box 83
Wilton, New Hampshire 03086-0083

Re: Application for Variance
James J. Lilley
Christina L. Lilley
Lot C-121
Pettery Road

Dear Board Members:

This letter is to serve as authorization for representatives of Monadnock Survey, Inc. to represent our interests in the above- captioned matter to be presented to the Board.

Sincerely;

Christina L. Lilley 4/23/12
Date

Christina L. Lilley
PO Box 82
Dodgeville, WI 53533

ZBA APPLICATION ADENDUM

**PETTY ROAD CONDOMINIUM
JAMES L. & CHRISTINA L. LILLEY
LOT C-121-1, PETTY ROAD
CASE #12/05/XX**

APPLYING FOR A VARIANCE UNDER GENERAL PROVISIONS SECTION 4.2.1 INDIVIDUAL SYSTEMS AND RESIDENTIAL SECTION 5.2.3 SETBACKS

The requirement in that section that you want to change and how you want to change it:

To be able to construct a replacement sewage disposal system within the front building setback line and to be less than 75 feet from the poorly drained wetlands. The proposal will include maintaining the existing 1,000 gallon septic tank on Lot C-121-1 and placing a new combination septic tank and pump chamber on common land. The existing tank is approximately 5 feet from the wetlands and the proposed 2,500 gallon combination tank will be 14 feet from the wetlands. Both tanks are within the 35 feet front setback.

The proposed Effluent Disposal Area (EDA) will be 50 feet from the poorly drained wetland instead of the required 75 feet. The proposed location of the force main will be between the poorly drained soil and the back of the house being only 5 feet from the poorly drained wetlands.

**The Property is in the Residence District & Wetlands Conservation District.
The Property is not within the 100 year flood hazard boundary
The Property has 2 single family residential condominium units in addition to the common land.**

**The Property is serviced by on-site sewer and water systems.
The Total Area of the Property is 1.702 Acres.**

To grant the variance the Zoning Board must decide that it will satisfy each of the following five conditions:

1. THE PROPOSED USE WILL NOT DIMINISH SURROUNDING PROPERTY VALUES:

THE PROPOSED SYSTEM WILL BE OUTSIDE THE POORLY DRAINED WETLANDS THUS WILL ENHANCE THE VALUE OF THE SUBJECT PROPERTY THEREBY NOT DIMINISHING THE SURROUNDING PROPERTIES.

2. GRANTING THE VARIANCE WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST:

THE PROPOSED EDA IS ALLOWED UNDER STATE NH DES ENV-WQ 1008.04 MINIMUM DISTANCES TO BE 50 FEET FROM A POORLY DRAINED JURISDICTIONAL WETLAND.

3. HARDSHIP FOR AN AREA VARIANCE:

- I. THE VARIANCE IS NECESSARY TO ENABLE THE PROPOSED USE OF THE PROPERTY GIVEN THE SPECIAL CONDITIONS OF THE PROPERTY:

DUE TO THE SHAPE, SIZE AND TOPOGRAPHY OF THE LOT ALONG WITH THE EXISTING POND LOCATED IN THE CENTER OF THE LOT AND ALL OF THE ASSOCIATED WETLANDS AROUND THE POND

- ii. THE BENEFIT SOUGHT BY THE APPLICANT CANNOT BE ACHIEVED BY SOME OTHER METHOD REASONABLY FEASIBLE FOR THE APPLICANT TO PURSUE, OTHER THAN AN AREA VARIANCE:

NO OTHER REASONABLE LOCATION FOR THE PLACEMENT OF THE SYSTEM IS AVAILABLE ON THE SITE DUE TO THE POND/WETLANDS, WELLS AND BUILDING LOCATIONS.

SECTION 4.2 SANITARY PROTECTION - DESCRIBES THAT THE SANITARY WASTE WILL BE PROPERLY DISPOSED OF IN SUCH A MANNER AS TO PREVENT ALL HEALTH HAZARDS, WE BELIEVE THAT WE HAVE ACHIEVED THIS GOAL WITH THE INSTALLATION OF THE PROPOSED EDA SYSTEM.

4. GRANTING THE VARIANCE WOULD DO SUBSTANTIAL JUSTICE:

THE VARIANCE WILL ALLOW FOR THE CONTINUED USE OF THE RESIDENCES THAT HAVE EXISTED PRIOR TO THE ZONING REGULATIONS. ON THIS PARTICULAR LOT THERE IS NO OTHER OPTION AVAILABLE AT THIS TIME. THE EXISTING SYSTEMS ARE WITHIN THE POORLY DRAINED SOILS. THE VARIANCE WILL ALLOW THE PLACEMENT THE EDA LOCATION 50 FEET OR MORE FROM THE POORLY DRAINED SOIL (ALLOWED BY THE STATE, NOT ALLOWED BY THE TOWN). THE 75 FOOT SETBACK TO THE POND WILL BE MAINTAINED FOR BOTH THE STATE AND TOWN REGULATIONS.

5. GRANTING THE VARIANCE WOULD BE CONSISTENT WITH THE SPIRIT OF THE ORDINANCE:

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". THE PROPOSED SEWAGE DISPOSAL SYSTEM WILL ADDRESS THE EXISTING NEGATIVE ENVIRONMENTAL IMPACTS BY PLACING THE SYSTEM OUTSIDE THE POORLY DRAINED WETLAND LIMITS AND MAINTAINING THE 50 FOOT SETBACK ALLOWED BY THE STATE.