



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

General Information, Page 1 of 3

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AUG 23 2012

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 E-37 / (E-37-2) Lot Size 11.375 AC. TOTAL / 5.653 AC. E-37-2

Street Address 172 RUSSELL 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 DENIS R. VIENS

Mailing address 37 SHASTA DRIVE

Mailing address _____

Town, State, ZIP LONDONDERRY, NH 03053

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 *Denis R Viens* Date 8/15/12

(continued on the next page)

clerk use only	
Date and time received: <u>8/23/12 3:03pm</u>	
Received by: <u><i>D Miller</i></u>	Amount paid: _____
Case #: _____	<input type="checkbox"/> 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 _____

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 Dennis R. Viers Date 8/15/12

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 FIELDSTONE LAND CONSULTANTS, PLLC

Mailing address 778 ELM STREET, SUITE C

Mailing address _____

Town, State, ZIP MILFORD, NH 03055

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 Dennis R. Viers Date 8/15/12

(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 603-672-5456 Evening phone cell - 603-801-2848

Work E-mail caguida@fieldstonelandconsultants.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):

THE PROPOSED USE IS FOR THE CONSTRUCTION OF A SINGLE FAMILY RESIDENTIAL DRIVEWAY WHICH REQUIRES THE CROSSING OF A POORLY DRAINED WETLAND AREA IN ORDER TO ACCESS THE BUILDABLE AREA OF THE LOT. THE PROPOSED CROSSING IS IN CONJUNCTION WITH A PROPOSED SUBDIVISION OF A SINGLE 11.375 ACRE LOT WITH AND EXISTING RESIDENTIAL DWELLING INTO A 5.653 ACRE LOT (NEW) AND A 5.723 ACRE LOT (REMAINDER). ALTHOUGH THE WETLANDS ON SITE TRANSECT THE LOT, THE PROPOSED DRIVEWAY IS ALONG THE ROUTE OF AN EXISTING WOODS ROAD WITH AN EXISTING CROSSING CONSTRUCTED OF FIELDSTONE. THE EXISTING CROSSING IS ALSO LOCATED AT THE NARROWEST POINT OF WETLAND AND WILL SERVE TO MINIMIZE WETLAND IMPACT (650 SQUARE FEET); ANY ADDITIONAL WETLAND IMPACT OTHER THAN THE EXISTING CROSSING WILL BE ONLY TO CONSTRUCT THE PROPOSED DRIVEWAY IN ACCORDANCE WITH THE TOWN OF WILTON DRIVEWAY REGULATIONS. IN ACCORDANCE WITH WILTON ZONING ORDINANCE SECTION 11.4 WETLAND CONSERVATION DISTRICT, SPECIAL EXCEPTIONS; SUBSECTION a. STREETS, ROADS AND OTHER ACCESS WAYS ARE PERMITTED IF SO LOCATED AND CONSTRUCTED AS TO MINIMIZE ANY DETRIMENTAL IMPACT OF SUCH USES UPON THE WETLANDS. THE PROPOSED CROSSING HAS BEEN LOCATED AND DESIGNED AT THE NARROWEST POINT OF WETLAND AND ALONG THE EXISTING WOODS ROAD CROSSING IN ORDER TO MINIMIZE WETLAND IMPACT ASSOCIATED WITH THE DRIVEWAY CONSTRUCTION.



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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.

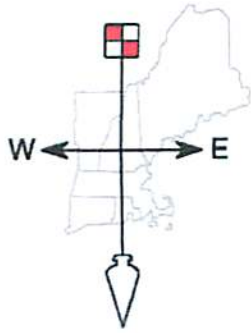
What section of the Zoning Ordinance defines the Special Exception that you are applying for? 11.4a

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

AS OUTLINED ABOVE, IN ORDER TO MINIMIZE ANY DETRIMENTAL IMPACT TO THE WETLAND, THE PROPOSED DRIVEWAY HAS BEEN LOCATED AND DESIGNED ALONG THE ROUTE OF AN EXISTING WOODS ROAD, WHICH HAS AN EXISTING FIELDSTONE CROSSING AND IS LOCATED AT THE NARROWEST POINT OF THE WETLAND WHICH BISECTS THE PROPERTY. ANY ADDITIONAL WETLAND IMPACTS WILL BE ONLY TO UPGRADE THE EXISTING WOODS ROAD AND CROSSING TO MEET THE DRIVEWAY REGULATIONS OF THE TOWN OF WILTON.

SECTION 4.4 - SPECIAL EXCEPTIONS

- a. THE PROPOSED USE OF STREETS, ROADS AND OTHER ACCESSWAYS WHICH IMPACT THE WETLAND CONSERVATION DISTRICT IS NOT PERMITTED WITHOUT A SPECIAL EXCEPTION FROM THE ORDINANCE.
- b. THE PROPOSED USE (WETLAND DISTURBANCE ASSOCIATED WITH SINGLE FAMILY DRIVEWAY CONSTRUCTION) IS CONSISTENT WITH AND WILL NOT SUBSTANTIALLY AFFECT THE CHARACTER OF THE NEIGHBORHOOD WHICH IS RURAL RESIDENTIAL AND FORESTED LAND.
- c. THE PROPOSED USE WILL COMPLY WITH SECTION 4.6 - PERFORMANCE STANDARDS. THE PROPOSED USE AS A RESIDENTIAL DRIVEWAY WILL NOT CREATE EXCESSIVE OR OBJECTIONABLE VIBRATIONS, NOISE, ODOR, SMOKE, DISCHARGES OF HAZARDOUS WASTE OR MATERIALS AND ANY STORMWATER RUNOFF WILL BE ALLOWED TO INFILTRATE INTO THE GROUND BEFORE LEAVING THE SITE AND ALL PROPOSED BUILDINGS WILL BE SETBACK A MINIMUM OF 50 FEET FROM THE DELINEATED JURISDICTIONAL WETLANDS.
- d. THE PROPOSED USE IS SIMILAR TO EXISTING USES IN THE AREA AND WILL NOT CAUSE ANY UNREASONABLE DIMINUTION OF OF SURROUNDING AREA PROPERTY VALUES.
- e. THE EFFECT OF THE PROPOSED USE ON TRAFFIC IN THE NEIGHBORHOOD WILL GENERALLY BE ACCEPTABLE AS THE PROPOSAL IS FOR A SINGLE RESIDENTIAL DWELLING AND WILL BE LOCATED AND DESIGNED TO MEET TOWN DRIVEWAY REGULATIONS.
- f. SITE WILL BE SERVICED BY ON-SITE SEPTIC SYSTEM AND WETLAND WILL BE ADEQUATE FOR THE PROPOSED USE.
- g. THE PROPOSED USE WILL HAVE ADEQUATE OFF-STREET PARKING.
- h. THE PROPOSED USE AS A SINGLE FAMILY RESIDENTIAL DWELLING AND DRIVEWAY WILL NOT BE DETRIMENTAL TO THE ATTRACTIVENESS OF THE TOWN.
- i. THE PROPOSED USE OF SINGLE FAMILY RESIDENTIAL DWELLING AND DRIVEWAY WHICH MINIMIZES WETLAND IMPACT IS CONSISTENT WITH THE SPIRIT OF THE ZONING ORDINANCE.
- j. THE PROPOSED USE MEETS ALL OTHER CRITERIA ENUMERATED IN THE SECTION OF THE ORDINANCE (11.4a) WHICH PERMITS THIS PARTICULAR SPECIAL EXCEPTION.



FIELDSTONE

LAND CONSULTANTS, PLLC

Surveying + Engineering
Land Planning + Septic Designs

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www.FieldstoneLandConsultants.com

July 17, 2012
FLC#357.01 / MDP

List of Abutters
Tax Map Lot Number E-37
Wilton, New Hampshire

Map E, Lot 37
Denis R. Viens
37 Shasta Drive
Londonderry, NH 03053

Map E, Lot 21
Sally M. Davidson Trust
Michael Davidson Trustee
68 Russell Hill Road
Wilton, NH 03086

Map E, Lot 38
SPNHF
54 Portsmouth Street
Concord, NH 03301

Map E, Lot 20
New England Forestry Fdn.
32 Foster Street
P.O. Box 1346
Littleton, MA 01460-4346

Map E, Lot 35 & 36
Charles K. Crawford
311 Kimball Hill Road
Wilton, NH 03086

Fieldstone Land Consultants, PLLC
778 Elm Street, Suite C
Milford, NH 03055

