



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

General Information, Page 1 of 3

RECEIVED
OCT 29 2013
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 F 98-1 Lot Size N/A

Street Address 195 ISAAC FRYE HWY

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Zoning District (check one):

- ☐ Residential ☒ General Residence and Agricultural
☐ Commercial ☐ Industrial ☐ Office Park

NOV 19 2013

TOWN OF WILTON NH

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 Senator Development LLC

Mailing address 266 Bartemus Trail

Mailing address Nashua NH 03063

Town, State, ZIP _____

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 10/24/13

(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

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Name HillTOP CAFE

NOV 19 2013

Mailing address 195 ISAAC FRYE HWY

Mailing address _____

TOWN OF WILTON NH

Town, State, ZIP WILTON, NH 03086

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 10/24/13

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)



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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 603-554-6536 ☐ Evening phone _____

☐ Work E-mail _____ ☒ Personal e-mail bullfrind@gmail.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):

EXPAND CAFE SEATING FROM 14 TO 24 SEATS.
EXPAND HOURS OF OPERATION FROM 8-5 PM MON - SAT
TO 8-5 AM MON - SUN WITH FRID - SAT - SUN DINNER 6-9 PM
CHANGE EXTERIOR NEW DOORS + WINDOW "SEE PHOTO"
SEE ATTACHMENT A.



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Application for a Variance, Page 1 of 2

When, because of the specific characteristics of your property, the Zoning Ordinance unreasonably restricts your use of your property without a corresponding public benefit, the Zoning Board may grant a Variance, which modifies or sets aside particular requirements of the Ordinance.

The specific section of the Zoning Ordinance to be varied: 6.1

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

GENERAL FARMING. Building altered for use as cafe within
the scope of extended agricultural commerce.

To grant a variance, the Zoning Board must decide that it will satisfy each of the following five conditions. Please explain why you believe that each of the following statements is true. (Use additional sheets of paper if necessary.)

1. Granting the variance would not be contrary to the public interest: We have over-
whelming public support

2. Granting the variance would be consistent with the spirit of the Ordinance: The ordinance
grants agricultural use, and gives agricultural business unspecified
rights. I believe the spirit of the ordinance gives farming a lot of
freedom so that farming has the chance to be economically viable

3. Granting the variance would do substantial justice: Both to the farm and the cafe.
The neighborhood and town would benefit. The cultural and
economic life of the farmstead, and the usefulness of it to the neighborhood
is substantially^{improved} by the service of the cafe.

4. The proposed use will not diminish surrounding property values: No, on the contrary,
the proposed use will improve surrounding property
values.

(continued on the next page)



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5. Literal enforcement of the provision of the ordinance would result in unnecessary hardship.
Complete just one of sections 5(a), 5(b), or 5(c):

5(a) i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property:

ii. The proposed use is a reasonable one:

We propose that the "Cafe" food service can be viewed as an intrinsic farm related business. It provides processed farm product, similar to ice cream, cheese, wool crafts. It improves sales of all other farm products and benefits the whole farmstead and surrounding community.

iii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

5(b) i. The property cannot be reasonably used in strict conformance with the ordinance:

ii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

5(c) Hardship resulting from a physical disability.

i. The variance is necessary to make reasonable accommodations to allow a person with a recognized physical disability to reside in or regularly use the premises:

ii. The variance is in harmony with the general purpose and intent of the zoning ordinance:



**Town Of Wilton
Building Department**

42 Main Street • P.O. Box 83 • Wilton, NH 03086

Phone: (603) 654-3960 • Fax: (603) 654-6663

EMC Alternatives Sales *Pick of*
EMCKAUGHLIN @ Wilton
Alternative Sales. net.
ERIC.
> 2100. <
Conte.

August 20, 2013

Lincoln Geiger
4 Corners Farm
195 Isaac Frye Highway
Wilton, NH 03086

Subject: Hilltop Cafe site plan

Dear Mr. Geiger,

I have reviewed the current site plan for your cafe and find the following requirements need to be verified for compliance or revised in an updated site plan.

There is a **variance** issued by the Zoning Board of Adjustment dated June 8, 2010 that is part of your site plan approval. It has **three requirements**: capacity is limited to fourteen (14) seats, hours of operation are limited to 8 AM to 5 PM Tuesday through Saturday and **no exterior changes** to the building are permitted. The seating you are using at this time may exceed the limit of fourteen, especially if outdoor seating is included in the count. Your hours of operation may be different from those stated in the variance. You have a modification to the building in progress that has included changing a garage opening to a standard door. This change is technically contrary to the "no exterior change" clause so it probably needs to be reviewed and approved. It is noted that you already have approval and permits for the conversion of former garage space to kitchen space.

The original site plan review included a letter from Sandford Engineering stating that the existing septic system was adequate for fifteen (15) seats capacity if using paper service and seven (7) seats for china service. This issue needs to be resolved to insure there is sufficient septic capacity for dish washing and other sanitary requirements.

The drawing in the current site plan approval needs to have the room designated as storage changed to seating if that is how it will continue to be used. It is also necessary to implement the note on this drawing regarding ADA compliance, which will require a ramp for access to the main entrance.

Please submit an application to the Planning Board for the needed updates to the site plan for the Hilltop Cafe.

Sincerely,

John Shepardson

John Shepardson, Building Inspector

cc: Wilton Selectmen
Planning Board

Capacity change