



**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 F-99-1 Lot Size 40 acres

Street Address Pine Hill Drive

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 Pine Hill Waldorf School

Mailing address 77 Pine Hill Drive

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 \_\_\_\_\_ Date \_\_\_\_\_

(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 and also A Child's Nature — Care and Education

Mailing address P.O. Box 112

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

Town, State, ZIP Peterborough, NH 03458

## **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 \_\_\_\_\_

## **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 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 603.654.2662 ☐ Evening phone \_\_\_\_\_

☐ Work E-mail peggyw@achildsnature.org ☐ 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):

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The purpose of the requested variance is to allow full-day child care, including infant/toddler care, pre-school, and kindergarten, for children ages six weeks to six years, and before- and after-school care for children ages four to fourteen years, on the Pine Hill Waldorf School campus. (The adult and adult/child educational activities permitted by the special exceptions granted in ZBA cases 1/17/12-1 and 6/12/12-1 would not be affected by this variance.)

Care would be provided by Pine Hill Waldorf School and/or by A Child's Nature — Care and Education, which is an independent non-profit licensed daycare corporation.

Hours of operation would be limited to 6:30 am to 6:30 pm, Monday through Friday, year round.

Care might be provided in the main Pine Hill building (77 Pine Hill Drive), the Bluebell Cottage (69 Pine Hill Drive), and/or the two Children's Village buildings (9 and 11 Pine Hill Drive).

No more than 116 children would be cared for at one time.

(discussion continued on the back of this page)

The proposed use would be subject to non-residential site plan review by the Wilton Planning Board as a change/expansion of the existing use of the Pine Hill Waldorf School campus.

The variance is necessary because Wilton Zoning Ordinance sections 5.3.6 and 6.1(a) allow grade schools in the Res/Ag district (by special exception), and allow day care (by special exception, and only in private homes), but do not allow for preschools, kindergartens, and dedicated day care facilities.

Pine Hill has offered kindergarten in the main building on its present campus for over 25 years, which is clearly grandfathered. The Bluebell Cottage was added about 15 years ago as a nursery school space; it is not clear that this addition ever underwent site plan review. The Children's Village was constructed in 2012, with special exceptions granted by the ZBA (cases 1/17/12-1 and 6/12/12-1) and site plan review by the Planning Board, but it is not entirely clear from the ZBA applications and decisions exactly what uses were permitted.

Therefore, the purpose of the requested variance is to explicitly set out uses which we believe are appropriate to the existing buildings on the property, consistent with historical use or with the intentions behind the construction of the new new buildings, and consistent with the spirit of the Zoning Ordinance. This variance request is not a waiver of Pine Hill's right to continue uses permitted by right, by grandfathering, or by previous explicit Town permission.

The requested number of children is based on the square footage of the space available for care and the state DHHS regulations. Two classrooms in the main building have historically been used for kindergarten classes of 20 children each. The Bluebell Cottage is large enough for 14 children, and the two Children's Village buildings are each large enough for 31 children. This comes to a total of 116 children.

Note that this is simply the total number of children that can be cared for in the appropriate spaces; it is not a proposed increase in the total number of children at the Pine Hill campus. In particular, there have always been two kindergarten classes of 20 children, more or less; the Cottage has been used intermittently for pre-school for over a decade; and infant, toddler, and pre-school use of the new Children's Village buildings was permitted by the Zoning and Planning Boards in 2012.

A Child's Nature is New Hampshire DHHS licensed and accepts state scholarship payments for low-income families needing full day childcare services.



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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:

We request a variance to the permitted uses of the General Residence and Agricultural District,

to allow daycare, pre-school, kindergarten, and before- and after-school care as accessory to the  
grade school use of existing buildings on the Pine Hill Waldorf School campus.

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: There is a need for quality daycare  
in the community. The Zoning Ordinance recognizes the importance of daycare by allowing in-home  
daycare as a permitted use in the Res/Ag district. Daycare using existing Pine Hill facilities would  
have minimal neighborhood impact.

2. Granting the variance would be consistent with the spirit of the Ordinance: See previous.

3. Granting the variance would do substantial justice: Early childhood care and education is a natural  
and intrinsic part of Pine Hill's mission. The Pine Hill facilities lend themselves naturally to child care.  
The lot size, layout, and parking facilities allow the child care to be added with minimal offsite impact.

4. The proposed use will not diminish surrounding property values: The buildings and surrounding  
areas to be used for child care are extravagantly set back from abutting properties. The use will  
be essentially unnoticeable from off the premises.

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**Application for a Variance, Page 2 of 2**

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:

The size of the lot and setbacks to the buildings insulate the neighborhood from the adverse effects that one might associate with a daycare center. Child care is a natural secondary use in conjunction with a school.

ii. The proposed use is a reasonable one:

Childcare is a needed service in the community, and is permitted (in-home) in this district.

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

The large lot size, existing buildings, and other features of the Pine Hill Campus are unique characteristics which make the proposed use exceptionally appropriate.

**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: