

AMENDED APPLICATION - 4/24/17



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

## General Information, Page 1 of 3

RECEIVED  
APR 24 2017  
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 H56-2-3-4-5 Lot Size 13.131 AC Combined  
Street Address BADGER FARM RD

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 GAIA EDUCATION OUTREACH INSTITUTE  
Mailing address PO BOX 397 WILTON, NH 03086  
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 Lincoln Geiger Board Chair Date 3/27/2017  
LINCOLN GEIGER

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clerk use only	
Date and time received:	_____
Received by:	_____ 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 John G. [Signature] Date 4/23/17

**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 \_\_\_\_\_

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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 [redacted]  Evening phone SAME  
 Work E-mail [redacted]  Personal e-mail SAME

**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):

To USE THE Property for an educational USE, as  
a FARM and ~~WATER~~ NATURE Experiential Learning Center.  
To Build a farm house and Barns and other  
OUT BUILDINGS for this use.  
This use falls outside the zoning ordinance.



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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 B

The requirement in that section that you want to change, and how you want it changed:  
TO ADD The educational use under general  
Agriculture and forestry

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: Most NaborS  
are very supportive.

2. Granting the variance would be consistent with the spirit of the Ordinance: As Res/Ag zoning  
The Teaching People about Ag and NATURE is  
Much within the Spirit of the Ordinance and  
will add value to the understanding of the Rural Life

3. Granting the variance would do substantial justice: Practical learning of Agriculture and Nature Skills  
brings Real results in Positive relations  
TO Rural Life.

4. The proposed use will not diminish surrounding property values: NO. People may  
Seek to Live close to have Access for  
children in such Programs.

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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:

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ii. The proposed use is a reasonable one:

*the use of land and forest for the education in Agriculture and Nature skills can only happen on the land and in Nature.*

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

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

*The Res/Ag zoning does not specifically allow education as a use, but for the educational use of agriculture, to inform and teach we need a*

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

*variance*

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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:

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

*to have ag in the zoning, it would seem reasonable to allow teaching on a farm as well. Our farm would produce: food, fuel, handcrafts, educational programs*

## WARRANTY DEED


**Carlo A. Simoni and Anne Simoni**, husband and wife, of P.O. Box 527 Onera 1840, New Zealand,

FOR CONSIDERATION PAID, grant to:

**GEO Institute a/k/a Gaia Education Outreach Institute**, a New Hampshire non-profit corporation, of P.O. Box 397, Wilton, New Hampshire 03086,

WITH WARRANTY COVENANTS:

Four tracts of land situated on the easterly side of Badger Farm Road in Wilton, County of Hillsborough and State of New Hampshire, shown as Map H Lot 56-2, 2.385 acres; Map H Lot 56-3, 2.664 acres; Map H Lot 56-4, 2.368 acres; and Map H Lot 56-5, 5.714 acres as shown on plan of land entitled "Subdivision Plan, Map H/Lot 56, Carlo A. & Anne Simoni, Badger Farm Road & Isaac Frye Highway, Town of Wilton, Hillsborough County, New Hampshire", and recorded in the Hillsborough County Registry of Deeds as Plan No. 36540. Reference is made to said plan for a more particular description of the premises conveyed.

 Subject to a Trail Easement granted to the Town of Wilton as shown on the plan, that easement being dated August 8, 2009 and recorded in the Hillsborough County Registry of Deeds in Book 8131, Page 1852.

Together with the benefit of the Declaration of Private Way and Drainage Easement and Maintenance Agreement dated August 8, 2009 and recorded in the Hillsborough County Registry of Deeds in Book 8131, Page 1855.

Subject to current use taxation. Buyer shall be responsible for any current use change tax when and if such tax is imposed.

Meaning and intending to convey a portion of the premises as conveyed by Charles O. McGettigan, Jr., as Trustee of the Charles O. McGettigan, Jr. Revocable Trust to said Carlo A. Simoni and Anne Simoni by deed dated September 4, 2008 and recorded in the Hillsborough County Registry of Deeds in Book 8016, Page 1197.