



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 B-42 Lot Size 1.5 Acres

Street Address 231 Curtis Farm 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 Kenneth Stickney + Maxine Stickney

Mailing address P.O. Box 485

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 *Kenneth Stickney* Date 04.19.18

Maxine L. Stickney 04.19.18
 (continued on the next page)

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 *Keith C. Stearns* Date 04.19.18
Maxine L. Stickney 04.19.18

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 _____ Evening phone _____

Work E-mail _____ 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):

See attached

Kenneth C. and Maxine L. Stickney – Lot B-42

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Proposed Use:

- We wish to build a 26' x 40' garage for personal and hobby use. We are asking for a variance as the only realistic location for the garage is too close to the lot line of abutting lot D-84-10 by 10'. We are specifically asking for a variance to section 6.2.4 allowing us to build a garage to within (25') of this lot line. We are not infringing on any other lot lines as required. We are supported by our neighbors by placing the garage at this location to best accommodate all our abutters and impact of the view from the street. We have attached a scale drawing based upon a septic design survey we have recently had completed.



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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? N/A

Explain why your proposed use satisfies the requirements of the Zoning Ordinance: No special exception is being sought. We are not asking to run a business in our home.



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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: Section 6.2.4

The requirement in that section that you want to change, and how you want it changed:
Section 6.2.4 prohibits structures within the 35' setback. We want to build a garage within 25' of the setback.

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: See attached

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

3. Granting the variance would do substantial justice: See attached

4. The proposed use will not diminish surrounding property values: See attached

(continued on the next page)

Conditions for the Variance:

1. Granting the variance for this garage would maintain the rural aesthetics of the neighborhood and not affect the neighbors' view and quality of life.
2. The zoning preamble states: "The purpose of this ordinance is to promote and protect the health, safety, prosperity, convenience or general welfare of the inhabitants, as well as efficiency and economy in the process of development of the incorporated Town of Wilton, by the promotion of good civic design and arrangements including protection of farmlands and open space; by wise and efficient expenditures of public funds; by the adequate provision of public utilities and other public requirements; and by other means. The Articles of this Ordinance take precedence over the articles of the "Wilton Code of Building and Sanitation" and supersede all "Zoning Ordinances" previously adopted by the Town of Wilton, New Hampshire."

We feel we are keeping in accordance with the spirit of the ordinance by trying to be as least invasive and as considerate as we can while trying to build our garage as well as locating said structure in the least intrusive location to our neighbors. We are also replacing our septic system soon and don't want to occupy the only other location for the system with our garage.

3. By granting this variance it allows us to maintain the rural character of our yard and neighborhood. If we need to construct it elsewhere, we only have one other option, which will be too close to our newly installed leach field and will be directly below our neighbor's house. This location has ledge and would require the removal of our buffer to the neighbor.
4. This variance if granted would not diminish the property values as it seeks to minimize the effect on surrounding homes as the garage will not be visible from the road or in the neighbors' view. If placed in the other location, it would adversely affect the abutting neighbors and the view from Pead Hill Rd.



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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:

N/A

ii. The proposed use is a reasonable one:

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:

See attached

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:

N/A

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

5(b)

i. The property cannot be used in strict accordance with the ordinance because there is no other realistic location for this garage because of the layout of the lot, topography, and needed septic system location. The garage we are proposing isn't large but doesn't fit on the lot without either geographical challenges and unavoidable neighbor impact.

ii. The hardship is a consequence because of the presence of close abutting residences, existing structures, ledge, lot configuration, and topography which has limited septic system location possibilities.

Applicant/Property Owner:

Lot B-42
Kenneth C. Stickney
Maxine L. Stickney
231 Curtis Farm Road
P.O. Box 485
Wilton NH 03086

Abutters:

Lot B-42
Kenneth C. Stickney
Maxine L. Stickney
231 Curtis Farm Road
P.O. Box 485
Wilton NH 03086

Lot D84-10
Jasper S. Ainslie
Marcy M. Ainslie
99 North Road
Hancock NH 03449

Lot B-43
Mary E. Usuriello
84 Pead Hill Road
P.O. Box 1021
Wilton NH 03086

Lot B-57
Marcia J. Gibbons Rev Trust
Marcia J. Gibbons TTE
218 Curtis Farm Road
P.O. Box 195
Wilton NH 03086

Lot B-37
Pollock Rev Trust
Nancy C. Pollock TTE
254 Curtis Farm Road
Wilton NH 03086

Lot B-36
Grayson L. Parker
Natalie Parker
179 Pead Hill Road
Wilton NH 03086

Lot B42-1
Kathleen B. McDonnell
235 Curtis Farm Road
Wilton NH 03086