



# 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 C79-C83 Lot Size 17.70 C79=6.50 C83=11.20

Street Address 602 Isaac Frye Highway

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 Peter & Pamela Clemens

Mailing address 602 Isaac Frye Highway

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 *Peter Clemens* Date 3/21/19

*Peter Clemens* (continued on the next page)

<b>clerk use only</b>	
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 *James P. Clemens* Date 3/29/19

**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 603-400-3030  Evening phone 603-400-3030

Work E-mail \_\_\_\_\_  Personal e-mail pamelalynneclermens@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):

we would like to request a special exception 5.3.2  
for the use of a bed + breakfast w/ tea  
party events and tea gifts. The historic dwelling  
and location beckon those who enter to relax  
and enjoy a cup of tea with friends. We  
would like to continue to share this special  
place with others and a special exception  
for a (home occupation) <sup>(6.6.1)</sup> utilizing both the house  
and the barn is required to do so. We feel  
we meet the criteria ~~outlined~~ as we have  
outlined in the attached document.



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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? *5.3.2 and 4.4.1*

Explain why your proposed use satisfies the requirements of the Zoning Ordinance: *We would like to utilize a portion of the property main dwelling and barn to offer overnight accommodations and events. This will remain as our primary residence. All supporting documentation for our application is attached. Seven letters of support from abutters and area residents are also attached.*



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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: 5.3.1f + 6.6.1a, 6.6.1e

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

we would require a variance to increase the parking allowed to accommodate our guests as a hub w/tea events the business would be seen from the road

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 support from abutters, neighbors and many in the Wilton community and small businesses. 7 letters of support are included with our application
2. Granting the variance would be consistent with the spirit of the Ordinance: we are consistent with the spirit of the ordinance as we have repaired and preserved the historic aesthetics and charm of the community
3. Granting the variance would do substantial justice: we wish to continue to maintain the property as well as promote community fellowship with our events and guests. We promote other Wilton businesses to our visitors.
4. The proposed use will not diminish surrounding property values: property values have increased as we have repaired the property from its previous condition of decay. Our current property value has increased \$200k from the purchase price

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**Application for a Variance, Page 1 of 2**

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The specific section of the Zoning Ordinance to be varied: section 5.3

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

would like approval for special exception for  
a bed and breakfast home occupation

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 support from abutters, neighbors and  
the Wilton community of small businesses  
7 letters of support are included w/application

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

we are  
consistent with the spirit of the ordinance as we  
have repaired and preserved the historic aesthetics  
and charm of the community

3. Granting the variance would do substantial justice:

We wish to continue  
to maintain the property as well as promote  
community fellowship with our events  
and guests

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

property values  
have increased as we have repaired the  
property from its previous condition of decay.  
~~Our~~ Our current property value has  
increased \$200K from the purchase price

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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:

*This will allow for the productive use of the existing property*

ii. The proposed use is a reasonable one:

*the proposed use is reasonable: to fit the needs and desires of the community, and parking will be a need for guests.*

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

*the property is large and costly to maintain an income is necessary to continue to maintain as the taxes alone have increased 6K in 4yrs*

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:

\_\_\_\_\_  
 \_\_\_\_\_