



Town of Wilton, NH Zoning Board of Adjustment

Notice of Decision

Following a rehearing, the administrative appeal by the John and Kristen Marois Revocable Trust has been granted. The applicant will not be required to pay an impact fee for a newly constructed accessory dwelling unit in the existing home at Lot B-39-3, 303 Curtis Farm Road. This decision reverses the Zoning Board's May 12 denial of the appeal.

In accordance with Section 25.10(a) of the Wilton Zoning Ordinance, which gives the Zoning Board broad authority to consider appeals of impact fees, the Board found that, regardless of whether an impact fee for the construction was properly "assessed" when the Planning Board adopted the impact fee schedule, the failure, not just when the building permit was issued, but at any time up through completion of construction, to inform the applicant that the project would be subject to a multi-thousand dollar fee, was so fundamentally unfair that the imposition of the fee cannot be allowed to stand.

The selectmen, any party to the action or proceedings, or any person directly affected thereby may apply for a rehearing of this decision. A request for a rehearing must be filed in writing with the Zoning Board of Adjustment on or before Thursday, August 13, 2020, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

Sincerely,

Neil Faiman, Chairperson
Wilton ZBA

Case #5/12/20-1, decided Tuesday, July 14, 2020