



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 Lot Size 97

Street Address 317 FOREST 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 Robert & Patricia Booraem

Mailing address 110 Putnam Hill Road

Mailing address _____

Town, State, ZIP Lyndeborough, NH 03082

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 *Supan A. Maguire* Date 3/30/21

(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 Service Experts, c/o Randy Norwalt

Mailing address 98 Amherst Street

Mailing address _____

Town, State, ZIP Amherst, NH 03031

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 *Randy Norwalt* Date 3/30/21

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 Fieldstone Land Consultants, PLLC

Mailing address 206 Elm Street

Mailing address _____

Town, State, ZIP Milford, NH 03055

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 *Randy Norwalt* Date 3/30/21

(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 (603) 672-5456 ☐ Evening phone _____

☒ Work E-mail _____ ☐ Personal e-mail _____
CAGuida@FieldstoneLandconsultants.com

Proposed Use

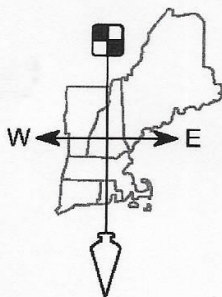
Explain what you want to do with the property. (Do you want to build a building, subdivide a lot, have a business, ...).

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):

Re-apply for Variance previously granted Tuesday,
August 14, 2012 per Case #8/14/12-1; Please See Attached



FIELDSTONE

LAND CONSULTANTS, PLLC

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

March 30, 2021

Town of Wilton
42 Main Street
P.O. Box 83
Wilton, NH 03086

RE: Tax Map B, Lot 97
317 Forest Road
Wilton, NH 03086
Zoning Board of Adjustment

To Whom It May Concern:

The undersigned being the owner of the above referenced lot hereby authorizes Fieldstone Land Consultants, PLLC to act as their agent in filing and seeking necessary Federal, State, and Local approvals.

Very truly yours,

Signature: B. Norwalt

Print: Bryan Randy Norwalt Date 3/30/21

2794.00



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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: 4.2(b), 12.3(c), and 17.1(d)

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

Application is to request variances previously granted 8/14/12 that would allow for the replacement of two
non-conforming buildings and to install a state approved septic system; please see attached.

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)



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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:

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

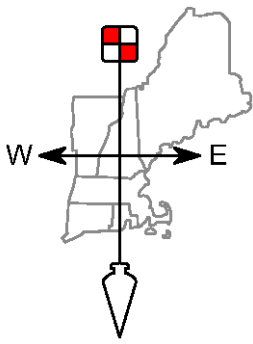
ii. The hardship is a consequence of special conditions of the property that distinguish it from other properties in the area:

See Attached

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:



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Variance Criteria

Variance from Sections

4.2(b) – General Provisions and Performance Standards,

Sanitary Waste Disposal

12.3(c) – Aquifer Protection District,

Permitted Uses

17.1(d) – Non-Conforming Uses and Buildings,

Non-Conforming Buildings,

Structures, and Uses

Tax Map Parcel B-97

317 Forest Road, Wilton, NH 03086

March 30, 2021

Prepared For:

Service Experts

On Tuesday, August 14, 2012 variances were granted for sections 4.2.1(c), 12.3(c), and 17.1(d) as per Case #8/14/12-1, which have since expired. Our request is to reapply for the similar variances which were originally granted; Sections 4.2(b) General Provisions and Performance Standards, Sanitary Waste Disposal, 12.3(c) – Aquifer Protection Distract, Permitted Uses, 17.1(d) – Non-Conforming Uses and Buildings, Non-Conforming Buildings, Structures, and Uses.

These variances would allow on Lot B-97, 317 Forest Rd, the construction of a septic system in high permeable soils 93 feet from wetlands, where the ordinance would require a 125 foot setback and the replacement of two non-conforming buildings by an enlarged and extended single-family home (which no longer exists, new replacement home will be equal to or less than the original 32 foot by 64 foot dwelling and garage of 30 foot by 24 foot) with attached garage, on a lot with only 0.5 acres of non-wetland area outside of 100 year flood zone on 4 acre lot of record.

The numbered items below correlate to the questions asked in the Town Application for a Variance.

1. Granting the variance would not be contrary to the public interest because:

Granting this variance would allow for the replacement of two non-conforming buildings and septic system outside the 100 year flood plain where a vacant lot currently exists. The original variance allowed for the construction of a 32 foot by 64 foot dwelling with a garage of 30 foot by 24 foot and placement would be set back from the road and wetlands to the furthest extents practicable while maximizing the building area. Proposed dwelling would utilize existing septic system installed CA2013112411 and would not adversely affect the water quality or aesthetics of the property as previously granted.

Service Experts

Variance Criteria – Variance from Sections 4.2(b), 12.3(c), and 17.1(d)

Tax Map Parcel B-97 – 35 White Birch Point Road

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

Allowing this variance would be consistent with the original decision from August 14, 2012 which allowed for the construction of a septic system and replacement of two non-conforming structures. Building area is outside 100 year flood plain and Letter of Map Amendment (LOMA)-FEMA is in progress. Additionally erosion controls would be implemented to minimize water pollution and protect wildlife habitat by the wetlands and adjacent Stony Brook. Septic system approved CA2013112411 and is installed but not approved yet for operation.

3. Granting the variance would do substantial justice because:

Granting this variance would allow for the replacement of two non-conforming buildings and associated septic system on only 0.5 acres of non-wetland area outside 100 year flood plain within 4.0 acre existing lot of record. Granting this variance would do substantial justice because it would allow for the productive use of the property, and have no negative effect on the environment or the general public.

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

Granting this variance maintains the existing residential use of the property. The replacement of the two non-conforming buildings with updated septic system to current standards on a currently vacant lot outside 100 year flood zone would increase the surrounding property values keeping with the aesthetic of neighboring properties along Forest Road.

5. Literal enforcement of the provisions of the ordinance would result in unnecessary hardship.

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

The currently vacant lot consists of Stony Brook and associated wetlands to the South and East of the lot making the only buildable area (approximately 0.5 acres of a 4.0 acre lot) in the Northwest corner. In addition to the highly permeable soils this lot cannot be improved without a variance granted by the town.

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

As stated previous this lot consists of a set of special conditions (approximately 0.5 acres of buildable area of a 4.0 acres lot of record outside 100 year flood zone) which make this lot difficult to develop unless variances are granted, LOMA-FEMA currently pending. The re-granting of this variance would allow for replacement of non-conforming buildings and previously approved septic system CA2013112411 to receive operational approval.