



**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 K-89 Lot Size .22 acres

Street Address 23 Clark Ct

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 Susan M Latham

Mailing address P O Box 881

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 Susan M Latham Date 5-26-22

(continued on the next page)

**RECEIVED**  
MAY 27 2022

**clerk use only**

Date and time received: \_\_\_\_\_

Received by: MBD Amount paid: \_\_\_\_\_

Case #: 06/10/22-1 ☒ Abutter list and labels included



**Town of Wilton, NH**  
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**General Information, Page 2 of 3**

**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 Susan M Latham

Mailing address P O Box 881

Mailing address \_\_\_\_\_

Town, State, ZIP Wilton NH 03086

**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 Susan M Latham Date 5-26-22

**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 Susan M Latham Date 5-26-22

(continued on the next page)



**Town of Wilton, NH**  
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**General Information, Page 3 of 3**

**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 [redacted]

☐ Work E-mail [redacted] ☐ Personal e-mail [redacted]

**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):

*I would like to replace an existing 2 car garage with a 2 car garage w/ 2 bedroom 1 bath ADU above. Size would be 2' wider than what is there now. Will not change distance to lot line.*

*Since this is a detached ADU I am requesting this be approved for Variance.*

*My purpose for doing this is to give my single daughter and her son a place to live as she is not able to afford what is available out there. Thank you*



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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: 5.5:3.b and 5.1.d

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

States that ADU must be attached to main dwelling. I would request that it be detached as to replace the garage w/ another garage w/ ADU above.

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: The 2 car garage with ADU above would bring up the neighborhood not be contrary. It is pretty much going to not change the footprint
2. Granting the variance would be consistent with the spirit of the Ordinance: ADUs are allowed, I am just requesting it be detached. ADU will be under 800 sq. ft. There is parking for 2 in garage and 6 cars can fit in the driveway.
3. Granting the variance would do substantial justice: Personally it will give my daughter and grandson a place to reside close by but not in my home as they do now. She needs my help in all aspects of raising this child.
4. The proposed use will not diminish surrounding property values: It may even up surrounding property values

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This will make a second dwelling on the property. There is already a structure in the same spot and that will be replaced in same footprint.



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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: 5.5:3 / 5.5:1 \*

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

States that ADU must be attached to main dwelling. I would request that it be detached as to replace the garage w/ another garage w/ ADU above.

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: The 2 car garage with ADU above would bring up the neighborhood not be contrary. It is pretty much going to not change the footprint
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This will make a second dwelling on the property. There is already a structure in the same spot and that will be replaced in same footprint.

\* 5.5:1 - ADU would not be attached therefore variance needed.





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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:

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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:

*IF I were to attach ADU to the existing home much of the yard would be lost. It would be difficult to attach to home because of footprint of house.*

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

*See email attached*

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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:

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## Michele Decoteau

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**From:** [REDACTED]  
**Sent:** Friday, May 27, 2022 8:43 AM  
**To:** Michele Decoteau  
**Subject:** RE: ZBA Application

I just am not sure how to answer that

If i add on to the house i would lose the screen porch and would take up alot of yard. It would also involve losing some of the new deck. Also it would be close to existing garage and i dont know what the rules would be on that. I do not think that there would be any setback issues as it would not go close to any surrounding property

The easiest, most sensible and best appearance would be from replacing garage with another garage and 2 bedroom apartment above.

Probably not the best answer but thats what i have.

Thank you

Sent from my T-Mobile 4G LTE Device

----- Original message -----

**From:** Michele Decoteau <mdecoteau@wiltonnh.gov>  
**Date:** 5/27/22 8:09 AM (GMT-05:00)  
**To:** [REDACTED]  
**Subject:** ZBA Application

Hello!

I have your application but you did not answer question 5.b.ii.

This is what I said in my last email: Please fill out Question 5.b ii. The Hardship is about your lot that makes putting the ADU attached to the house difficult. If you expand your house footprint, would you be able to add the ADU inside? Or would you be running into setbacks? Just tell us what is holding you back from just following the rules.

If you can answer this even via email, I can add it to the application.

Thank you!!

Michele

ID	Owner Name	Owner Address	Owner Cit	Owner Stz	Owner Zip
<del>K-73</del>	<del>SIEGERT, DAVID &amp; HEIKA</del>	55 MAPLE STREET	WILTON	NH	03086
K-74 ✓	TIGHE FAMILY TRUST, J & B	C/O BRENDA F TIGHE TRUSTEE	WILTON	NH	03086
K-75 ✓	MITCHELL, RICHARD H	27 CLARK COURT	WILTON	NH	03086
K-81 ✓	BERGIN JR, ELMER S	26 CLARK COURT	WILTON	NH	03086
K-87 ✓	KILGORE, KEVIN D	22 CLARK COURT	WILTON	NH	03086
K-90 ✓	BUDD, ROSS S	15 CLARK COURT	WILTON	NH	03086
K-92 ✓	MARTIN, JESSE J	18 RUSSELL STREET	WILTON	NH	03086
K-93 ✓	LEHOULLIER, STEVEN & HEATHER	57 MAPLE STREET	WILTON	NH	03086
<del>K-94</del>	<del>BOUTHILLETTE JR, GERRY</del>	1 SEAN DRIVE	MONT VEI	NH	03057

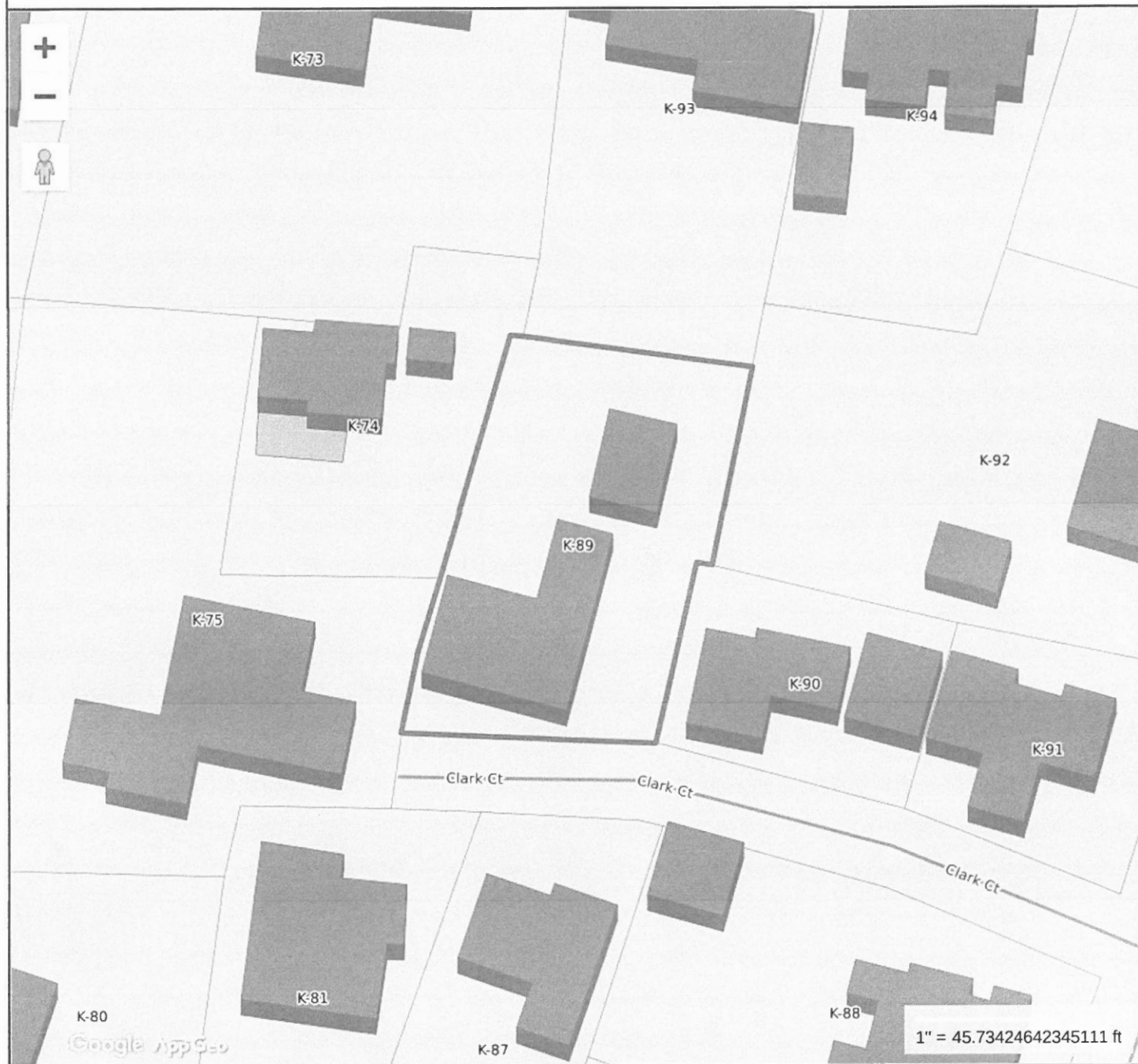
K-89 Susan Hathorn

8 abutters

23 Clark Ct  
PO Box 881



# 23 Clark Court



**NRPC**  
Nashua Regional Planning Commission

MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

Nashua Regional Planning Commission makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 11/16/2018  
Data updated 10/25/2018

Print map scale is approximate.  
Critical layout or measurement  
activities should not be done using  
this resource.