



Town of Wilton, NH Zoning Board of Adjustment

Notice of Decision

The request by Dawn Ryan for variances to sections 6.2.4 and 17.1 of the Wilton Zoning Ordinance has been granted. It will allow the construction of an addition at the rear of the existing house on Lot A-47-1, 74 Stagecoach Road, where the house is closer to the front lot line than allowed by the Zoning Ordinance, and the Ordinance does not allow the enlargement of a non-conforming building.

This decision shall expire if the construction or use permitted by it has not begun by Friday, March 21, 2025. (Wilton Zoning Ordinance section 17.4)

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, April 20, 2023, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

Findings of Fact

- Lot A-47-1 has an area of 14.5 acres.
- The existing house on Lot A-47-1 is a historic house which long predates the Zoning Ordinance.
- The house is a non-conforming building as defined by Section 3.1.22 of the Zoning Ordinance because it fails to meet the front setback requirement of Section 6.2.4 of the Ordinance.
- Section 17.1(e) of the Ordinance prohibits the extension or enlargement of a non-conforming building.
- The proposal is to enclose an 8'x12' recess in the back of the house, which was left after a prior addition on the back of the house in accordance with a variance granted in Wilton ZBA Case #12/8/2020-3.
- All construction pertaining to the proposed addition would conform with the setback requirements
- The addition would not be visible from anywhere not on the lot.

Reasons for the Decision

- The requested variance satisfies the tests for Spirit of the Ordinance, Public Interest, Substantial Justice, and Neighboring Property Values because the proposed addition could not conceivably be a detriment to the Town or to the Neighborhood.
- The property has the special condition of having a historic house whose placement was completely normal when it was built, and still is consistent with the character of the neighborhood, and is located on a large lot. Therefore, the proposed construction does not in any way increase the degree of nonconformity, and the restriction of Section 17.1(e) of the Ordinance is unnecessary to protect the community from the the adverse consequences of expansion of nonconforming structures in this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Faiman". The signature is fluid and cursive, with a long horizontal flourish at the end.

Neil Faiman, Chairperson
Wilton ZBA
March 24, 2023

Case #3/14/2023-1, decided Tuesday, March 21, 2023