

Town of Wilton, NH
Application to the Zoning Board of Adjustment
(Revised August 2022)

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 LOT A-47-1 Lot Size 14.5 Acres
Street Address 74 STAGE COACH 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 DAWN RYAN
Mailing address 74 STAGE COACH ROAD
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 *Dawn Ryan* Date 2-27-23

RECEIVED
FEB 27 2023

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BY:

clerk use only	
Date and time received: <u>2/27/2023</u>	
Received by: <u>[Signature]</u>	Amount paid: <u>\$ 245</u>
Case #: <u>03/14/23-01</u>	<input checked="" 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 _____

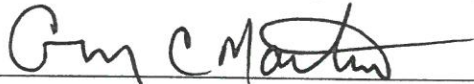
Mailing address _____

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  Date 2-27-23

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 Gregory C MATTISON

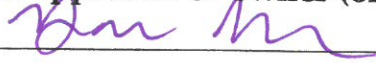
Mailing address MATTISON Contracting, LLC

Mailing address 7 Arrowwood Dr

Town, State, ZIP New Boston, NH 03070

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 (only if a representative is named)

Signature  Date 2/27/23

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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 603 660 0061 Evening phone _____

Work E-mail Gm@MattisonContracting.com Personal e-mail _____

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 (attach additional pages as necessary):

As depicted on A-1, construction of a 8'x12' single story conditioned space whose goal is to enclose the open space left between the existing home and new addition created as per the prior ZBA notice of decision dated 12/8/20. Referenced perimeter foundation wall is a continuation of the new rear wall that was deemed to meet all applicable setbacks referenced during the prior approved decision. Please see accompanying application requesting relief from the ZBA. Attachments include A1, 1-A, 1, 2, 3, 4 for reference.

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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: 17.1 § 6.2.4

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

now conforming structure may not be extended or enlarged, etc.
Ms. KIAN wishes to extend the previous approved setback/
extensions of the house to include a 8' x 8' area.

review

To grant a variance, the Zoning Board must find that it will satisfy each of the following five conditions. Please explain why you believe that each of the following statements is true (attach additional pages as necessary).

These five conditions come from the New Hampshire statutes and decisions of the state Supreme Court. Unless you are familiar with Zoning law, the language of these conditions probably does not mean what you think it means. If you have not applied for a variance before, we recommend that you consult with the Wilton Land Use Administrator or obtain professional advice.

1. Granting the variance would not be contrary to the public interest: Proposed additions
will not have any impact on adjacent property/neighbors.
Proposed Addition will not further encroach upon the
35' setback.

2. Granting the variance would be consistent with the spirit of the Ordinance: as the spirit of the
ordinance is to promote, protect health, safety, etc. -
this addition would remove existing life safety hazards
that exist currently in the space. (Stair heights due to elevations

3. Granting the variance would do substantial justice: The applicant would be adversely affected if the application
is denied due to the life safety hazards that exist.
Building addition would only create safer homestead.

4. The proposed use will not diminish surrounding property values: No changes of use of
the property. The house is 200 years old, the new addition
would make the house safer which in turn would not
affect surrounding house values.

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5. Literal enforcement of the provision of the ordinance would result in unnecessary hardship. Complete section 5(a), 5(b), OR 5(c):

5(a) i. Owing to special conditions of the property that distinguish it from other properties in the area:

The proposed addition will not move the house closer to the stage coach Road. The house is non-conforming as it is 200 years old

ii. 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:

General Public, would not be affected as proposed is on the rear of the building as indicated and is a continuation of a approved ZBA decision

iii. and the proposed use is a reasonable one:

The proposed addition will not change how the non conforming structure has been used for 200 years. The proposed would eliminate hazards that have existed for as many years

5(b) Owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it

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:

Proposed addition will in no way change the use of the property. Accordingly, the value of the surrounding properties cannot be diminished if the variance is granted. Current Life safety hazards will be addressed, all of which to in the spirit of the zoning ordinance.