

**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 H Lot Size 019

Street Address 24 Gage Rd Wilton NH

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 Elaine L. Kalhori

Mailing address 24 Gage Rd, Wilton NH 03086

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

Town, State, ZIP \_\_\_\_\_

**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 Elaine Kalhori Date 3/27/23

(continued on the next page)

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| <b>clerk use only</b>                                |  |
| Date and time received: <u>MARCH 27, 2023 1145am</u> |  |
| Received by: <u>CSL</u>                              | Amount paid: <u>\$225 -</u>  |
| Case #: <u>04/11/23-03</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 Elaine R. Doherty Date 3/27/23

**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 \_\_\_\_\_

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 (only if a representative is named)**

Signature \_\_\_\_\_ Date \_\_\_\_\_

(continued on the next page)

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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 603 - 566-2345 ☐ Evening phone \_\_\_\_\_

☐ Work E-mail \_\_\_\_\_ ☐ Personal e-mail ELKALHORI@GMAIL.COM

**Proposed Use**

- ① **Explain what you want to do with the property.** (Do you want to build a building, subdivide a lot, have a business, ...).
- ② **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):

- ① CONVERT APPROXIMATELY 150 SQUARE FEET OF BASEMENT  
SPACE INTO A SMALL HAIR SALON.
- ② SECTION 5.3.1.1.b OF THE "SPECIAL EXCEPTION NOT REQUIRED" CAN  
NOT BE SATISFIED, DUE TO SALON CLIENT VISITS.

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**Application for a Special Exception**

A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board. Every special exception is allowed by some section or subsection of the Ordinance. Most special exceptions have a list of requirements; the Zoning Board can only approve the special exception if it finds that all the requirements are satisfied.

**Note that in addition to the specific requirements that may be listed for a particular special exception, all special exceptions are subject to the general requirements in Section 4.12 of the Zoning Ordinance.**

What section of the Zoning Ordinance defines the Special Exception that you are applying for? 5.3.1.1(b)

Explain why your proposed use satisfies the requirements of the Zoning Ordinance (attach additional pages as necessary):

- see attached -

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**WILTON LAND USE LAWS AND REGULATIONS**  
**ZONING ORDINANCE**

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**5.2      Lot Requirements.**

- 5.2.1      Area. Minimum lot size one-half (0.5) acre per dwelling unit when served by both public water and sewer and one (1) acre per dwelling unit for lots not served by both public water and sewer. Wetlands, water bodies and land contained in the 100 year floodplain must be excluded from the calculation of the minimum lot area. *(Amended March 1992, March 2020)*
- 5.2.2      Frontage. One hundred (100) feet on a public right-of-way, Class V or better.
- 5.2.3.      Setbacks. Thirty-five (35) feet front. Fifteen feet (15) for all other lot lines. For each corner lot, the side setback abutting the street shall be thirty-five (35) feet. No buildings or associated uses, including but not limited to swimming pools, antennas and satellite dishes, are permitted in the setback. *(Amended March 1991, March 1994)*
- 5.2.4.      *(Reserved) (Amended March 1991)*
- 5.2.5      Structure height. Not to exceed forty-five (45) feet or two stories.

**5.3      Special Exceptions.**

The following uses will only be allowed as special exceptions by the Zoning Board of Adjustment and site plan review and approval by the Planning Board. (See also Section 4.12) *(Amended March 2022)*

**5.3.1      Home Occupations.** Any home occupation shall be permitted as a special exception provided it complies with the requirements of this section. When considering an application for a home occupation, the Zoning Board of Adjustment shall consider the location of the proposed use, the area of the lot, the type and density of surrounding development, existing buffers and screens between the proposed use and surrounding development, and the compatibility of the proposed use with the surrounding neighborhood. *(Amended March 1992)*

- ✓ a. The home occupation shall be incidental and secondary to the use of the dwelling unit as a residence. *(Amended March 1992)*
- ✓ b. Home occupations shall be carried on by the resident owner, ~~resident members of the owner's family, a resident tenant, or resident members of the tenant's family.~~
- N/A c. Two (2) non-family employees are permitted on the premises.
- ✓ d. No additions or changes shall be made to the residence that will make it impractical to revert the building to purely residential use. *(Amended March 1992)*
- N/A e. Exterior storage of materials or equipment is prohibited. *(Amended March 1992)*
- ✓ f. In addition to the parking area required for the primary residential use, sufficient off-street parking shall be provided for any ~~non-resident employees, customers and suppliers~~ who may normally be expected to need parking at one time. Driveways may be used for client parking. Where additional space is desired, a maximum of two (2) parking spaces is permitted; however, those spaces shall not be located in the front yard. Parking spaces shall be a minimum of nine feet by eighteen feet (9' X 18') per space.
- ✓ g. Traffic generated by the home occupation shall not create safety hazards or be substantially greater in volume than would normally be expected in the neighborhood. *(Amended March 1992)*
- ✓ h. Home Occupations shall be conducted in accordance with all Town regulations, state laws and licensing requirements. *(Amended March 1992)*

**WILTON LAND USE LAWS AND REGULATIONS**  
**ZONING ORDINANCE**

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- N/A i. When a business outgrows the standards established for a home occupation, it must relocate into a commercial or industrial district.

5.3.1.1 Special Exception Not Required  
(Adopted March 1998)

A home occupation may be conducted without a special exception from the Zoning Board of Adjustment and without site plan review by the Planning Board provided that, in addition to the requirements of the preceding section (5.3.1), it also satisfies the following standards:

- ✓ a. The home occupation shall occupy no more than 20% of the existing, gross heated floor area of the primary residence or the structure in which the home occupation is operated.
- b. There shall be no customer or client visits to the premises and commercial traffic for the delivery or pick-up of materials associated with the home occupation shall be limited to five visits per week. (excluding regular US Postal Service residential service).
- ✓ c. The home occupation shall not employ any non-resident full time or part time employees on the premises.
- d. No signs are allowed to advertise a home occupation.
- ✓ e. There shall be no outside operation(s) related to the home occupation.

5.3.2 Bed and Breakfasts. Up to four lodging units may be created and rented in an existing dwelling, and meals may be provided to the persons renting the lodging units. The requirements for a bed and breakfast are the same as those for a home occupation, except that requirement 5.3.1 a., shall not apply.

5.3.3 Houses of Worship. Houses of worship including, but not limited to, churches, synagogues, parish houses, mosques, convents and other accessory uses subject to the following conditions (Amended March 2018):

- a. Minimum frontage of 200 feet on a Class V or better road;
- b. No off-street parking shall be located within the setbacks nor within the front yard;

5.3.4 Hospitals, emergency medical centers and clinics. Hospitals, emergency medical centers and clinics subject to the following conditions:

- a. Minimum frontage of 200 feet on a Class I, II or IV road;
- b. Primary ingress or egress shall be adequate for the use proposed without having a detrimental impact on the neighborhood.

5.3.5 Civic and municipal buildings.

5.3.6 Schools and day care centers.

- a. All public or non-public schools, kindergarten and grades 1 through 12, that come under the rules adopted by the state board of education and administered by the State Department of Education must receive a special exception from the Zoning Board of Adjustment under section 5.3. Home education as defined by RSA 193-A is not required to receive a special exception under section 5.3.1. (Amended March 2000, March 2014)
- b. Any in-home day care and pre-school defined as the regular care or education in a dwelling unit of children not residents of that dwelling unit, that requires state licensing under RSA 170-E, also requires a special exception as a home occupation under section 5.3.1. If state licensing is not required, then the in-home day care, pre-school, or kindergarten is not required to obtain a special exception. (Amended March 12, 1996, March 2014)