



Town of Wilton, NH

Zoning Board of Adjustment

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Case 6/14/05-1

Tuesday, June 14, 2005 — Notice

Reed Hubbard (owner) and Jamin Warren (applicant) have applied for a variance to Section 5.2.3 of the Wilton Zoning Ordinance, or alternatively for a special exception under Section 17.3 of the Ordinance, to permit the construction of a house on Lot J-112-1, at the corner of Island Street and Mill Street, which would be closer to Mill Street than otherwise permitted by the Ordinance.

The Town of Wilton Zoning Board of Adjustment will consider this application in a public hearing in the Wilton Town Hall Courtroom on Tuesday, June 14, 2005 at 7:30 p.m.

The application for this case, and any other documents submitted with it, are available for inspection in the Wilton Town Offices.

Documents

Zoning Board Application

- **Cover page** (48KB TIFF file, scanned from the application)
- **Variance application page** (40KB TIFF file, scanned from the application)
- **Justification for the variance** (4KB PDF file, scanned from the application)
- **Site plan** showing the lot and the proposed building (92 KB TIFF file, scanned from the application)

Submission from Stephen and Gail Proctor

- **Letter** (68KB PDF file, scanned from the original)
- **1979 Variance Decision** (44KB TIFF file, scanned from a photocopy of the original)
- **Real estate listing for the lot** (68KB TIFF file, scanned from a photocopy of the original)

Tuesday, June 14, 2005 — Continuation

You are hereby informed that the hearing on the application by Reed Hubbard (owner) and Jamin Warren (applicant) for a variance to Section **5.2.3** of the Wilton Zoning Ordinance, or alternatively for a special exception under Section **17.3** of the Ordinance, has been continued to the July 12, 2005 Zoning Board meeting. If granted, the variance or special exception would permit the construction of a house on Lot J-112-1, at the corner of Island Street and Mill Street, which would be closer to Mill Street than otherwise permitted by the Ordinance.

The case is being continued so that the applicant can provide the Zoning Board with copies of the deeds to lots J-112 and J-112-1 and copies of the Town tax assessor's cards for both lots, and can obtain an approval from the Town Road Agent for the proposed driveway location; and so that Zoning Board member Joanna Eckstrom can attempt to obtain a copy of the minutes of a Zoning Board meeting that granted a variance on Lot J-112 in 1979, and a copy of the 1979 Zoning Ordinance.

Minutes of the hearing.

Tuesday, July 12, 2005 — Decision

You are hereby informed that the application by Reed Hubbard (owner) and Jamin Warren (applicant) for a variance to Section **5.2.3** of the Wilton Zoning Ordinance, or alternatively for a special exception under Section **17.3** of the Ordinance, has been denied. If granted, the variance or special exception would have permitted the construction of a house on Lot J-112-1, at the corner of Island Street and Mill Street, which would be closer to Mill Street than otherwise permitted by the Ordinance.

The Zoning Board found that Lot J-112-1 had not been demonstrated to have been a lot of record at the effective date of the Zoning Ordinance, that Section **17.2** of the Ordinance is therefore not applicable, and that it is therefore not a buildable lot. Since construction of a home on the lot is not permitted at all, a variance or special exception to permit reduced setbacks for such construction would be irrelevant.

This decision is without prejudice to an applicant who might present compelling evidence regarding the lot-of-record status of the lot or who might obtain a lot size variance to permit residential construction on the lot.

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 Wednesday, August 10, 2005, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

Minutes of the hearing.