



# Town of Wilton, NH Zoning Board of Adjustment

## Notice of Decision

The request by North Farm LLC (owner) and Erich O. Mueller (applicant) for a special exception under section 11.4(a) of the Wilton Zoning Ordinance has been granted. It will allow the improvement and enlargement of an existing wetland crossing, in order to allow a driveway to access a proposed business on Lot C-102, Gibbons Highway.

This decision shall expire if the construction or use permitted by it has not begun by Friday, July 11, 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, August 10, 2023, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

### Findings of Fact

- Lot C-102 is an 8.1 acre lot on the south side of NH Route 101 in the Commercial District.
- The lot is bounded by Route 101 on the north and by Blood Brook on the south.
- The lot is bisected by an east-west wetland system which drains to Blood Brook.
- The dry portions to both the north and south of the wetlands are potentially usable, but the southern portion is inaccessible without crossing the wetlands.
- An old access road at the east end of the lot crosses a narrow portion of the wetlands, essentially a seasonal runoff stream, over a corrugated 12" iron culvert.
- The applicant proposes to cross the wetland at the existing crossing, replacing the iron culvert with a larger 24" RCP culvert.
- The total wetland impact would be 100 sq.ft., and 200 sq.ft. of temporary impact.

### Reasons for the Decision

- The proposed access way, including the wetland crossing, is essential to the productive use of the dry land south of the wetland.
- The proposed location minimizes the impact of the crossing on the wetland.
- Because the access reuses the existing wetland crossing, the actual new impact on the wetland is negligible, and the improved culvert technology functionally improves the wetland impact.

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  
July 12, 2023

Case #6/13/2023-5, decided Tuesday, July 11, 2023