



Town of Wilton, NH
Application to the Zoning Board of Adjustment
 (Revised January 2011)

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 D-99 Lot Size 24.06 AC.

Street Address 304 Gibbons Highway

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 Roger Chappell Holdings, LLC

Mailing address 199 Union Street

Mailing address _____

Town, State, ZIP Milford, NH 03055

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 See attached letter of Authorization Date _____

(continued on the next page)

clerk use only	
Date and time received: _____	
Received by: _____	Amount paid: _____
Case #: _____	<input 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 Better Built Homes, LLC

Mailing address 3 Tech Circle

Mailing address _____

Town, State, ZIP Amherst, NH 03031

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 See attached Letter of Authorization Date _____

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 Fieldstone Land Consultants c/o Nathan Chamberlin

Mailing address 206 Elm Street

Mailing address _____

Town, State, ZIP Milford, NH 03055

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

Signature See attached Letter of Authorization Date _____

(continued on the next page)



Town of Wilton, NH Application to the Zoning Board of Adjustment (Revised January 2011)

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 672-5456 Evening phone _____

Work E-mail _____ Personal e-mail _____
nrchamberlin@fieldstonelandconsultants.com

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 (use this page; attach additional pages as necessary):

The applicant is seeking a special exception for 1,200 Sq.Ft. of wetland impact in accordance with Section 11.4 of the Wilton Zoning Ordinance for the construction of a road to access Lot D-99 for a 8 Lot Conventional Subdivision.



Town of Wilton, NH
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(Revised January 2010)
Application for a Special Exception

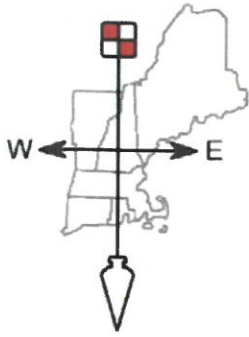
A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board. Most special exceptions have a list of requirements; the Zoning Board can only approve the special exception if it finds that all the requirements are satisfied.

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 4.4 of the Zoning Ordinance.

What section of the Zoning Ordinance defines the Special Exception that you are applying for? 11.4

Explain why your proposed use satisfies the requirements of the Zoning Ordinance: _____

The special exception is for wetland impacts associated with the construction of a road to
access the property. This is a permitted use by special exception in the Wetland Conservation
District.



FIELDSTONE

LAND CONSULTANTS, PLLC

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

May 23, 2023

Ms. Caryn Case
Land Use Administrator
Town of Wilton
42 Main Street
Wilton, NH 03086

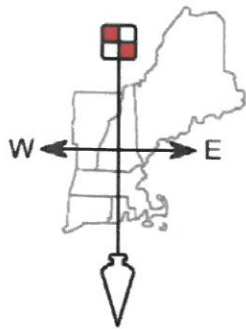
RE: **Special Exception, Better Built, Homes - Rivers Edge Subdivision**
Tax Map Parcel D-99
304 Gibbons Highway, Wilton, NH

Dear Ms. Case;

As authorized agent for the property owner and the applicant, Fieldstone Land Consultants, PLLC is writing this letter to state that to the best of our knowledge and belief, all the information provided for the above referenced application is accurate.

Very truly yours,
Fieldstone Land Consultants, PLLC

Nathan R. Chamberlin, P.E.



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Land Planning ♦ Septic Designs

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SPECIAL EXCEPTION CRITERIA
WETLAND CONSERVATION DISTRICT
Tax Map Parcel D-99
304 Gibbons Highway, Wilton, NH

May 23, 2023

Prepared For:
Better Built Homes, LLC

Project / Wetland Overview:

In accordance with the Town of Wilton zoning regulations a special exception will be required from the Wetland Conservation District related to the construction of Rivers Edge Road, drainage improvements, and associated grading in order to access buildable portions of the lot for a 8 lot residential subdivision. The subject site is 24.06-acre lot located on the south side of NH Route 101 and east of the Souhegan River in the Residential District (R). The site is predominately unmanaged pine and hardwoods which have been recently logged.

The site is marked by a unique hardship based up on the proximity to the Souhegan River and the associated State and local regulations. The site has approximately 1,200 linear feet (LF) of shoreline along the western boundary of the property which results in a large portion of the property legally undevelopable. Additional wetlands largely associated with ephemeral stormwater runoff create further limitations on the reasonable use and development of the property.

A wetland impact of 1,200 square feet (SF) is required in order to access significant portions of the buildable areas of the lot. The proposed roadway is 20 feet wide and extends 690 LF. There is an existing culvert onsite as part of a gravel woods road which provides access to the southern portion of the property. The existing culvert is undersized and characterized by significant scouring around the outlet structure. The proposed crossing has been designed to the east of this existing crossing in order to take advantage of the site topography which will result in less grading and overall wetland impact required.

The wetlands onsite were delineated in November 2019 by certified wetland scientist Christopher A. Guida, CWS. and field located using survey instruments. The wetlands are largely associated with ephemeral runoff and intermittent streams which transect the property in an east-to-west orientation. The wetland complex empties into the Souhegan River, over 200 feet from the proposed area of impact. The wetlands on site are generally characterized as Palustrine, Forested, Broad-leaved/Deciduous (PFO1) with minor components of Riverine, Intermittent, Unconsolidated Bottom, Cobble-Gravel/Sand (R4UB1/2) associated with the ephemeral runoff and intermittent streams.

Functions and Values:

The primary functions and values of the wetland system are filtration and attenuation of sediment, pollutants and stormwater. Auxiliary functions and values, as defined by the US Army Corps of Engineers Highway Method Workbook Supplement, include production export, nutrient removal, sediment retention and stabilization. The subject palustrine wetlands serve to physically filter sediment, support the vegetative uptake of nutrients and to provide for infiltration of stormwater into groundwater through the moderately-to-excessively drained soils present on the site. The wetlands bordering the Souhegan River are much more effective at retaining sediments and excess nutrients, such as nitrogen and phosphorus, than the proposed impact areas which are much more related to the conveyance of stormwater runoff.

The proposed site development will not adversely affect these functions and values since the wetland crossing has been designed to minimize impact and maintain hydrologic connectivity of the wetland system. The location was selected to take advantage of existing site topography and reduce overall grading associated with the wetland crossing. With the exception of some grading the wetland itself will remain unaltered. The overall functions and values of the wetland complex will be supplemented by the two engineered stormwater management areas which will provide additional treatment and infiltration of stormwater.

Special Exception Criteria Section 11.4 Wetland Conservation District:

The subject site is proposed to be developed into an Eight (8) Lot Subdivision Development. Section 11.4 of the of the Wilton Zoning Ordinance (WZO) states that impacts in the Wetland Conservation District associated with access are permitted by special exception.

The enumerated items below correlate to the questions in Section 4.4 of the WZO pertaining to Special Exceptions:

- a. The proposed use is not permitted by the Ordinance in the absence of a Special Exception. Per WZO Section 11.4(a) "Streets, roads and other access ways.... if essential to the productive use of land not so zoned and if so located and constructed as to minimize any detrimental impact of such uses upon the wetlands."
- b. The proposed use is consistent with and will not substantially affect the character of the neighborhood in which it is proposed.
The proposed site plan shows a layout that would fit in well with the surroundings as it would provide open space area along the river and significant buffering to a majority of the abutting land owners.
- c. The proposed use will comply with section 4.6, Performance Standards.
The proposed project shall be conducted and operated in a manner to minimize negative

environmental impacts to neighboring properties from emissions of smoke, noise and odors, vibrations, discharges, and storm water runoff, and shall conform to all State and Federal regulations and the following performance standards.

- d. The proposed use will not cause any unreasonable diminution of surrounding area property values.
Given this expansion would cause no negative impacts to the surroundings, we do not believe that this proposal would have any negative impacts on the surrounding property values. In contrast, new development will often increase the value of the neighborhood and surrounding property values.
- e. The effect of the proposed use on traffic in the neighborhood and in the Town will generally be acceptable.
The project proposes the development of 20 units as part of a cluster subdivision. The access to the subdivision will be directly off NH Route 101, resulting in very little additional traffic to the surrounding area or impact to the nearby neighborhoods.
- f. Sewer, water and other public facilities are adequate for the proposed use.
Units are to be serviced by on-site sewage disposal systems and municipal water.
- g. Adequate off-street parking is available for the proposed use.
Each proposed unit provides for garages and off-street driveway parking.
- h. The proposed use will not be detrimental to the attractiveness of the Town.
The proposed site plan shows a layout that would fit in well with the surroundings as it would provide open space area along the river and significant buffering to a majority of the abutting land owners.
- i. The proposed use is consistent with the spirit of the Zoning Ordinance.
Granting this Special Exception would allow for the productive use of the existing property and as a cluster development will result in the conservation of more than 15 acres of open space supporting passive recreation. The project will meet all state and federal requirements for this type of housing and would be the same as other projects completed in neighboring communities by the applicant. The layout will meet all dimensional requirements and will provide open space along the river to buffer it from the surrounding areas. We believe this Special Exception is consistent with the WZO by providing additional housing for the population in the area while resulting in no negative impacts on the surrounding areas.
- j. The proposed use meets all other criteria enumerated in the section of the Ordinance which permits the particular Special Exception.
The proposed project will minimize negative environmental impacts to neighboring

Better Built Homes, LLC
Tax Map Parcel D-99 – Wilton NH
Special Exception Criteria

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properties from emissions of smoke, noise and odors, vibrations, discharges, and storm water runoff, and shall conform to all State and Federal regulations and the following performance standards.

We do believe that there is a unique hardship in this case as a direct consequence of the special conditions of the property due to its size, geometry, frontage along the river and the surrounding undevelopable land resulting from state and local setbacks applied to the Souhegan River. The proposed design accommodates these land use restrictions to the greatest degree practicable while allowing for reasonable use of the property.

This information was prepared by:
Fieldstone Land Consultants, PLLC



Nathan R. Chamberlin, P.E.
Project Manager