



Town of Wilton, NH Zoning Board of Adjustment

Notice of Decision

The request by The Clinton & Heidi Wilder Revocable Trust of 2022 for a special exception under section 11.4(a) of the Wilton Zoning Ordinance has been granted. It will allow a driveway to cross a wetland area to access a buildable area at the rear of the property on Lot D-133-2, Wilson Road.

This decision shall expire if the construction or use permitted by it has not begun by Thursday, May 14, 2026. (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, June 13, 2024, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

Findings of Fact

- These facts are based on the testimony and plans submitted by the applicant's engineer, and a site visit on Saturday, May 4.
- The lot size is 2 acres.
- The north side of the lot fronts for approximately 290 feet on Wilson Road.
- The lot is bisected by an east-west wetland area.
- There is a gap between the western edge of the wetlands and the western edge of the lot, which is about 20 feet wide at its narrowest.
- Allowing for lot line and wetland setbacks, the lot has an effectively unusable building envelope between the wetlands and Wilton Road, and a usable building envelope south of the wetlands.
- The applicant proposes to cross the wetlands at a narrow "neck", with a total disturbance of 595 sf.

Reasons for the Decision

- It is practical to build behind the wetlands and impractical to build in front of them.
- Avoiding the wetlands by passing through the gap to their west would maximize the impact on the neighboring lot.
- The point chosen to cross the wetland minimizes the impact of the crossing.

Conditions

The driveway is to be located and the wetland crossing is to be constructed as shown on the plan labeled "Proposed Wetland Crossing / Map D, Lot 133-2 / Prepared for Cattledog Construction & Excavation, LLC / Wilton, NH" and dated March 4, 2024, which is included in the ZBA case file.

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
May 15, 2024

Case #4/9/2024-1, decided Tuesday, May 14, 2024