



Town of Wilton, NH Zoning Board of Adjustment

Notice of Decision

The request by William Gagan for a variance to section 4.8 of the Wilton Zoning Ordinance and a special exception under section 17.3.1 of the Wilton Zoning Ordinance has been granted. It will allow the construction of a 6'x13' deck attached to the existing house on Lot J-118, 27 Island Street, where the deck will be less than the required distance from the Souhegan River and from one or more lot lines.

This decision shall expire if the construction or use permitted by it has not begun by Thursday, June 10, 2027. (Wilton Zoning Ordinance section 17.4)

The selectmen, any party to the action or proceedings, or any abutter 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, July 10, 2025, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

Amended Notice

By vote of the Zoning Board on July 8, 2025, this Notice of Decision has been amended to indicate that the relief granted is to allow an 6'x13' deck, as depicted in the plan submitted to the Zoning Board and as discussed at the hearing on June 10.

Findings of Fact

- The existing house on Lot J-118 was constructed pursuant to a variance and a special exception, granted in ZBA Case #1/9/24-1, to the same Zoning Ordinance provisions which are at issue in this application. The following facts were found in the decision of that prior case:
 - Lot J-118 is 0.078 acres. It is approximately 46 feet wide and 73 feet deep.
 - The lot is assessed / classified for residential use by the Town.
 - The Souhegan River runs directly along the back edge of the lot.
 - The applicant proposed to demolish an existing house and build a new house on most of the existing foundation.
 - The applicant proposed to remove existing foundation at the rear of the existing house and replace it with soil and grass, so that the new house would be 14' from the edge of the Souhegan River.
 - The applicant proposed to leave the existing foundation along the west side of the house, but to increase the setback of the house from the west lot line to 3–4 feet at the front of the house and to 12' at the rear of the house.
 - The 35 foot front setback and 15 foot side and back setbacks in the residential district leave a 16' x 23' building envelope.
- The house is shaped like an “L”, with the short leg parallel to and nearest to Island Street, the long leg perpendicular to Island Street, and the inner angle at the left rear of the house,

facing it from the street.

- The applicant now proposes to construct a 6'x13' deck in the recess at the left rear of the house.
- The deck would be 26' from the Souhegan River and 6.2' from side lot line.

Reason for the Decision

There will be no increased encroachment on any setback, and the denial of the requested relief would therefore be unreasonable.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Faiman", with a stylized, flowing script.

Neil Faiman, Chairperson
Wilton ZBA
July 14, 2025

Case #6/10/2025-1, decided Tuesday, June 10, 2025