



Town of Wilton, NH Zoning Board of Adjustment

Notice of Decision

The request by The J&L Revocable Trust of 2013 (owner) and Andrew Luongo (applicant) for variances to sections 8.1 and 8.5 of the Wilton Zoning Ordinance and/or a variance to section 8.2.2 of the Wilton Zoning Ordinance has been granted. It will allow the single-family residential use of Lots D-101 and D-102, 325 Gibbons Highway, in the Industrial District, and a lot line adjustment between the two lots which will result in a lot with less than the required frontage.

This decision shall expire if the construction or use permitted by it has not begun by Thursday, July 8, 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, August 7, 2025, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

Findings of Fact

- D-102 is a 30 acre lot in the Industrial District, with 220' of frontage on NH Route 101 (Gibbons Highway). In its southeast corner is a single-family house built in 1969.
- D-101 is a six acre lot in the Industrial District, with no frontage on any road. It is located in the southwest corner of D-102.
- The applicant proposes a lot line adjustment which would transfer the southeast corner of D-102 ("Parcel A") to D-101.
- New D-101 would then have 12.3 acres and 200' of frontage on Gibbons Highway, and new D-102 would have 23.4 acres and 22' of frontage on Gibbons Highway.
- The applicant proposes to build a single-family house on new D-102.
- The new house would be accessed by an easement over new D-101, which would coincide with the existing driveway as far as the existing house.
- Residential uses are prohibited in the Industrial District. The existing house is grandfathered, and the applicant has requested a variance to sections 8.1 and 8.6 of the Zoning Ordinance to allow the proposed new house.
- New D-102 would have less than the 200' of frontage required in the Industrial District, and the applicant has requested a variance to section 8.2 of the Zoning Ordinance to allow the creation of a lot with less than the required frontage.
- D-102 is bounded to the east by the Souhegan River, which is a protected river under the Shoreland Protection Act.
- Much of D-102 is burdened by steep topography.

Reasons for the Decision

- Property Values

- One additional house on 30 acres on a major state highway, set back hundreds of feet from any lot line, would not even be noticeable.
- Spirit of the Ordinance, Public Interest:
 - The lot line adjustment and new house would have no effect on the public health, safety, or welfare, nor on the existing character of the area. The traffic impact of a single additional house using an existing driveway on NH-101 would be undetectable.
- Hardship
 - Topography, river proximity, and limited frontage strongly limit any industrial use of the property, so allowing the proposed residential use is not inconsistent with the purpose of the residential use restrictions in the Industrial District.
 - Residential uses are permitted almost everywhere in town, and therefore presumptively reasonable.
 - Denying the variances would have the effect of depriving the applicant of any reasonable use of the property.
- Substantial Justice
 - Granting the variances will not have any effect on any interest of other property owners or of the Town generally, while denying the variances would effectively deprive the applicant of any beneficial use of Lot D-102.

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 #6/10/2025-2, decided Tuesday, July 8, 2025