



# Town of Wilton, NH Zoning Board of Adjustment

## Notice of Decision

The request by Chris Bourdon for a variance to section 5.2.1 of the Wilton Zoning Ordinance has been granted. It will allow the creation of three dwelling units in the existing building on Lot J-122, 3 Mill Street.

The decision was made by a vote of five in favor, none opposed, on a motion to approve at the Tuesday, June 9, 2026 hearing on the application.

This decision shall expire if the construction or use permitted by it has not begun by Friday, June 9, 2028. (Wilton Zoning Ordinance section 17.4)

The selectmen, any party to the action or proceedings, or any abutter may request a rehearing of this decision, as provided by N.H. RSA 677:2. A request for a rehearing must be filed in writing with the Zoning Board of Adjustment using the form which is available on the Zoning Board web site at <[https://www.wiltonzba.org/how\\_to\\_apply.html](https://www.wiltonzba.org/how_to_apply.html)> or in the Wilton Land Use Office.

### Findings of Fact

- Lot J-122 is a 0.17 acre lot in the Residential District and the Downtown Residential Overlay District.
- Approximately 3/4 of the lot area is occupied by a 5500 sq. ft. pre-zoning industrial building.
- Industrial uses are not permitted in the Residential District.
- The applicant has developed the building with with one dwelling unit and an ADU.
- The applicant proposes 3 dwelling units, of 2600, 1800, and 1060 sq. ft.
- Section 5.2.1 of the Zoning Ordinance requires 1/3 acre / dwelling unit, so the lot is non-conforming even for a single dwelling unit. Section 17.2(a) allows a single family dwelling on a non-conforming lot, and Section 5.5 allows an ADU.
- The expansion would require parking for no more than two additional vehicles.
- The necessary parking spaces are available in a carport area under the building, as shown on photographs submitted to the Zoning Board at the June 9 hearing.

### Reasons for the Decision

- **Granting the variance would not be contrary to the public interest** because adding one more unit to the existing building will increase housing supply and likely increase surrounding property values.
- **Granting the variance would be consistent with the spirit of the Ordinance** because the plan will stay within the current foot print of the building.
- **Granting the variance would do substantial justice** because it will create a new housing unit for Wilton, increasing the low housing supply.

- **The proposed use will not diminish surrounding property values** because increasing the finished square footage and the quality and quantity of dwelling units in the building will increase its value, which will be reflected in property values in the surrounding area.
- **Literal enforcement of the provision of the ordinance would result in unnecessary hardship because, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it:** For historical reasons, the applicant has a very large building, easily suitable for three dwelling units, on a very small lot which does not allow them, in a district which only allows residential uses. Without the ability to construct three reasonably sized dwelling units in the building, the applicant will be left with ~ 2000 sq.ft. of essentially useless space, denying him a reasonable use of the property.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Fauman". The signature is fluid and cursive, with a long horizontal flourish at the end.

Neil Fauman, Chairperson  
Wilton ZBA  
June 16, 2026

Case #5/12/2026-1, decided Tuesday, June 9, 2026