

**TOWN OF WILTON**  
**ZONING BOARD OF ADJUSTMENT**  
**AUGUST 11, 2015 APPROVED MINUTES**

The Wilton Zoning Board of Adjustment held its regular monthly meeting on August 11, 2015 at 7:30PM in the Town Hall Courtroom. Present were ZBA Members Carol Roberts, Joanna K. Eckstrom, Andy Hoar, Paul Levesque and Chairman Neil Faiman; applicants Paul and Christine Tedder. As Sorrell Downing was on vacation, Ms Eckstrom served as Clerk.

**Call to Order** Mr Faiman called the meeting to order at 7:30PM and announced the agenda: -

**Minutes of July Meeting** - Ms. Eckstrom said had e-mailed several questions / corrections to clerk but Sorrell hadn't had chance to respond. Approval of minutes from July deferred until September.

**Case Number 8-11-15-1** Christine and Paul Tedder have applied for a variance to section 17.1(e) of the Wilton Zoning Ordinance, to allow the replacement of an existing barn on Lot E-13, 16 Russell Hill Road, which is closer to a lot line than allowed by the Ordinance, with a new barn which would be larger, but no closer to the lot line.

Mr. Faiman cited details of the case and explained the procedure for the hearing to the Tedders.

Mr Tedder said they wish to replace existing wood pole barn (on cinder blocks) 40'6" x 21' with a slightly larger metal barn (40' x 28'). Old barn was built around 1980; was there when they bought property. It was thought that barn encroaches upon setback, therefore need variance. Same location as old barn is now is best for new barn. Lot is 2.5 acres and is bordered by Blood Brook, along Route 101, and there is a raceway – sluice from old mill – that runs between brook and barn.

Mr Levesque asked if site is in floodplain. Christine Tedder said no, according to info she had gotten from Mr Condra when they wanted to put path for horses on property.

Mr Hoar asked how far is back of barn from property line? Not exactly sure ...

Mr Faiman has seen the actual deed and it appears that beginning boundary is at north side of brook. Looking at tax maps and the boundary, it appears that barn is much further from the 35 minimum set back, suggesting that a variance is not needed.

All members of board had driven by property and agree that back of barn to middle of brook or north side of brook is much further than 35 ft.

On a motion by Ms Eckstrom, seconded by Mr Hoar, the Zoning Board unanimously "determined that the variance requested by Christine and Paul Tedder is unnecessary. The requested variance to section 17.1(e) of the Wilton Zoning Ordinance would have allowed the replacement of an existing non-conforming barn on Lot E-13, 16 Russell Hill Road, with a new, larger barn. The existing barn was thought to be non-conforming because it was closer to a lot line than allowed by section 6.2.4 of the Ordinance. The Zoning Board found that, although the location of the lot line in question is not completely clear, it is undisputed that it is no farther south than the southern bank of Blood Brook, which is more than thirty-five feet from the existing barn, so the existing barn is not non-conforming, section 17.1(e) of the Ordinance does not apply, and no variance is required."

Mr Faiman advised that 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, September 10, 2015, and must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

There being no other business before the board, the meeting adjourned at 8:00PM.

Respectfully submitted,

Joanna K. Eckstrom

ZBA Member, Acting Clerk.