

WILTON ZONING BOARD OF APPEALS - RESIDENTIAL VARIANCE APPLICATION - ZBA#

Please consult the Zoning Regulations when applying for a variance, particularly Section 29-13.

Please TYPE or print clearly... (See last 2 pages for brief explanation.)

Trillium Architects

16 Bailey Avenue, 2nd Flr, Ridgefield, CT 06877

APPLICANT'S NAME

ADDRESS

Gregg Jones & Jan Hilgeman

14 Nutmeg Lane, Wilton, CT 06897

OWNER'S NAME

ADDRESS

14 NUTMEG LA

R-2

PROPERTY LOCATION

ZONING DISTRICT

2538, 2059, 2553

2556

0276

118

8

3.39

WLR MAP#

VOLUME

PAGE

TAX MAP #

LOT #

ACREAGE

VARIANCE DESCRIPTION: In the space below, please state concisely the section(s) of the Zoning Regulations proposed to be varied and the specific variance requested (i.e: Request a variance of Section 29-__ to allow ____ (an addition, a pool, average lot width, or whatever) with ____ in lieu of the required _____. For instance, a variance request for a building addition that encroaches into the required fifty foot rear setback area by 7 feet would read as follows: "Request a variance of Section 29-5.D to allow a building addition with a 43 foot rear yard setback in lieu of the required 50 feet." ATTACH SEPARATE SHEETS AS REQUIRED.

Request a variance of Section 29-5.D to allow a new Roof Overhang/Eave over 2nd Floor with a 35.5 foot setback in lieu of the required 40 feet.

HARDSHIP DESCRIPTION: In the space below, state the specific conditions pertaining to the perceived "exceptional difficulty or unusual hardship" with respect to the parcel of land, not generally encountered within the zoning district, which would make development in full accordance with the existing Zoning Regulations extremely difficult. ATTACH SEPARATE SHEETS AS REQUIRED.

14 NUTMEG LANE
JAN HILGEMAN & GREGG JONES

We purchased 14 Nutmeg Lane in October 2022; our hope and plan is to enjoy the home as an extended family with our son, Christopher, and daughter-in-law, Casey – and hopefully grandchildren in the near future. Chris and Casey have been living in the house since we closed last year. Gregg and I plan to “age in place” and want to create a space where we can comfortably and independently do so (i.e. single-level living, relatively easy access to the second floor for as long as possible, etc.).

The proposed project is for a change in the roof from a gable roof into a hip roof. The proposed hip roof continues the eave around the corner of the garage, extending into the side setback further. There is an existing variance here for further than we are asking for. The proposed hip roof connects to a new addition that includes the enhancement of the existing 2nd entrance to the south, new living & dining areas, and a new ensuite bedroom with laundry facilities.

The property is more or less trapezoidal in shape – narrower to the south and wider to the north. Much of the northern 2/3 of the site consists of a pond and wetlands. The house is situated in the remainder of the site, with the southernmost elevation of the house spanning completely across the site from side yard setback to side yard setback to the east and west, and has a prior minor variance for the eave on the southeast corner of the garage that was added in the late 1990's. The house is about 40' from the Wetlands Setback to the north and sits entirely within the 100' Wetland Regulated Area. To minimize further side yard infringement, and to avoid the existing septic system in the front yard and visual impact from the street elevation, we looked to the rear of the house for the addition while trying to avoid substantial impact to the Wetlands.

We looked at a number of ways to minimize, or eliminate altogether, any additional variance. We would be happy to discuss possible options with the ZBA.

THE FOLLOWING MATERIALS ARE REQUIRED:

- * Please see **SPECIAL INSTRUCTIONS DURING COVID** at: [Application Forms / Materials | Wilton CT](#)
* All submitted plans and documents shall bear an **original signature, seal, and license number** of the professional responsible for preparing each item. Maps should be **folded, not rolled**.

- ☒ **APPLICATION FORM**
- ☒ **A-2 SURVEY** of the subject property showing all existing building and site conditions.
- ☒ **SITE DEVELOPMENT PLAN** showing all proposed additions, amendments and/or site improvements, including building elevations, septic systems, wells, and all measurements pertaining to the application, such as location and distance(s) of proposed structures and/or improvements from the subject property lines.
- ☒ **LOCATION MAP** - available here: [map.pdf \(wiltonct.org\)](#). Site location shall be identified on map.
- ☒ **DIRECTIONS** to subject property from Town Hall, 238 Danbury Road, Wilton, CT (e.g. hand-written, computer-generated or similar).
- ☒ **LIST OF PREVIOUS ZONING VARIANCES** – available here: [History of Previous Variances | Wilton CT](#)
- ☒ **PHOTOGRAPHS** of property showing building and site conditions from all geographic perspectives.
- ☒ **ONE COPY OF DEED** (Available in Town Clerk's Office)
- ☒ **LIST OF OWNERS WITHIN 500'** of any portion of the subject property as shown by Tax Map & Lot #.
[See online GIS instructions at: [owner list 500 ft gis directions 0.pdf \(wiltonct.org\)](#)]
- ☒ **ENVELOPES**, addressed to each property owner within 500' of any portion of subject property.
[See "Envelopes Instructions" at: [envelopes instructions.pdf \(wiltonct.org\)](#)]
- ☒ **ELECTRONIC SUBMISSION** of all materials (**Consolidated into 1-2 PDFs Maximum**), emailed to michael.wrinn@wiltonct.org and daphne.white@wiltonct.org
- ☒ **TWO #10 (4"x 9.5") PLAIN ENVELOPES** addressed to the applicant (No Return Address)
- ☒ **\$310 FILING FEE** payable to: Town of Wilton

IS THE SUBJECT PROPERTY LOCATED WITHIN 500 FEET OF THE **MUNICIPAL BORDER**? ☐ or ☒

IS THE SUBJECT PROPERTY LOCATED WITHIN THE **PUBLIC WATER SUPPLY WATERSHED BOUNDARY**?
YES or **NO** [If YES, see DPH Addendum Form here: [watercompanvanddphnotification.pdf \(wiltonct.org\)](#)]

IS THE SUBJECT PROPERTY LOCATED IN THE **FLOOD PLAIN**? ☐ or ☒



WHEN WAS THE SUBJECT PROPERTY **PURCHASED**? October 11, 2022

IN WHAT YEAR WAS THE MAIN STRUCTURE **CONSTRUCTED**? 1974

SITE COVERAGE PROPOSED: 7.2%
(AS PERCENTAGE OF SITE)

BUILDING COVERAGE PROPOSED: 4.6%
(AS PERCENTAGE OF SITE)

THE APPLICANT understands that this application is to be considered complete only when all information and documents required by the Board have been submitted.
THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his or her knowledge and belief; and hereby grants visitation and inspection of the subject property as described herein.

	03/20/2024	Duncan@TrilliumArchitects.com	(203) 438-4540
APPLICANT'S SIGNATURE	DATE	EMAIL ADDRESS	TELEPHONE
	03/20/2024	JanMHilgeman@outlook.com	845.548.6800
OWNER'S SIGNATURE	DATE	EMAIL ADDRESS	TELEPHONE

ZONING BOARD OF APPEALS
TOWN OF WILTON, CONNECTICUT
Town Hall Annex, 238 Danbury Road, Wilton, CT 06897

HELPFUL INFORMATION FOR VARIANCE APPLICATIONS

1. WHAT IS A VARIANCE? A VARIANCE is an exception granted by the Zoning Board of Appeals (ZBA) from the terms or standards of the Zoning Regulations for an individual property where, because of special conditions, a literal enforcement of the Regulations would result in exceptional difficulty or unusual hardship. However, a variance MUST still be in harmony with the general intent of the Town's Plan of Conservation and Development and not contrary to public welfare.
2. The granting of a VARIANCE is a fine balance between attempting to maintain the Town's Plan of Conservation and Development of uniformly regulated districts, and the need to provide relief from the terms or standards in individual circumstances. VARIANCES are granted only for individual parcels and for particular purposes.
3. It is the applicant's obligation to present and establish hardship. Financial impacts or self-created conditions or an inability to use a property at its maximum potential or reasons that the proposed change would not adversely affect the neighborhood are not considered a hardship in this context. Hardship is generally seen as a physical or restrictive imposition beyond the reasonable control of the owner.
4. The ZBA may attach conditions to a granted VARIANCE in order to make them more in harmony with the purpose of the Zoning Regulations. Typical conditions that could be attached to a setback variance might include the installation of a screen or buffer.
5. Prior to submitting an application for a residential or commercial variance, please consult with the office staff and become familiar with the current Zoning Regulations which apply towards the property or project in question. The office staff can help answer questions and guide you in finding the information required for a complete application. Professional Land or Resource Planners and Land Use Attorneys may also be helpful.
6. Complete applications for either a RESIDENTIAL or COMMERCIAL PROPERTY VARIANCE are received in the ZBA Office, located within the Planning and Zoning (P&Z) Office in the Town Hall Annex, 238 Danbury Road, Wilton, CT, 06897. The office is open Monday through Friday, 8:00 A.M. to 4:00 P.M. Telephone: (203) 563-0185.
7. Please **TYPE** or print clearly all materials and application forms.
8. The deadline for receipt of a completed application is the **TWENTY FIFTH (25) of EACH MONTH**, for eligibility for a PUBLIC HEARING the following month. Only a complete application can be accepted.
9. The ZBA has scheduled meetings on the third Monday of each month, excluding August. If the third Monday is a holiday, the meeting is held on Tuesday. A copy of the official meeting schedule may be obtained online: [Application Forms / Materials | Wilton CT](#)
10. Much of the required information may be found by researching the land records online, per instructions provided. .

BRIEF EXPLANATION OF REQUIRED APPLICATION MATERIALS

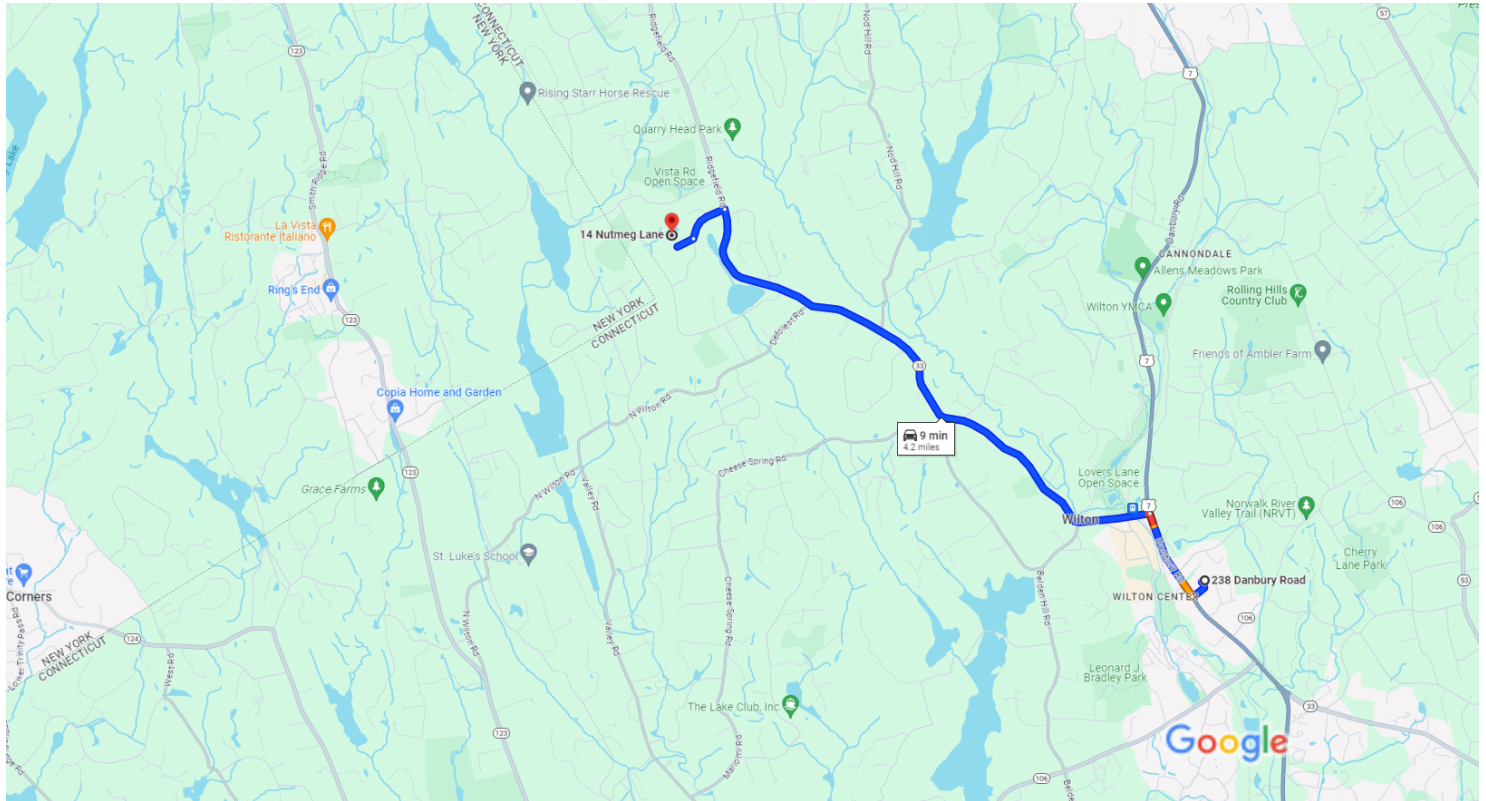
<u>WLR MAP #</u>	Wilton Land Record map number filed in the Town Clerk's Office.
<u>VOLUME and PAGE</u>	Deed reference filed in the Town Clerk's Office. Also available here under Book & Page: Vision Government Solutions (vgsi.com)
<u>TAX MAP #, LOT #</u>	Refers to Assessor's records. Available here: Vision Government Solutions (vgsi.com) .
<u>ACREAGE</u>	Refers to the acreage of the subject parcel.

<u>LOCATION MAP</u>	Available here: map.pdf (wiltonct.org)
<u>CLASS A-2 SURVEY MAP</u>	Prepared by a licensed Connecticut Land Surveyor. Consult Town Clerk's Office and/or Building Dept microfiche for filed surveys.
<u>SITE DEVELOPMENT PLAN</u>	A map drawn to scale and in tandem with the above survey showing the existing and proposed conditions, including building elevations.
<u>LIST OF PREVIOUS ZONING VARIANCES</u>	Recorded in the Town Clerk's Office and also available here: History of Previous Variances Wilton CT
<u>LIST OF OWNERS WITHIN 500'</u>	Name and <u>mailing</u> address of the owners of properties within 500 feet of any portion of the subject property, including public and semi-public parcels. Directions here: owner_list_500_ft_gis_directions_0.pdf (wiltonct.org)



238 Danbury Rd, Wilton, CT 06897 to 14 Nutmeg Ln,
Wilton, CT 06897

Drive 4.2 miles, 9 min



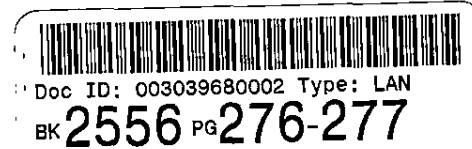
Map data ©2023 2000 ft

238 Danbury Rd
Wilton, CT 06897

- ↑ 1. Head southwest toward US-7 N/Danbury Rd
89 ft
- ↩ 2. Turn left toward US-7 N/Danbury Rd
72 ft
- ↪ 3. Turn right toward US-7 N/Danbury Rd
0.1 mi
- ↪ 4. Turn right onto US-7 N/Danbury Rd
0.5 mi
- ↩ 5. Turn left onto CT-33 N/Ridgefield Rd
3.2 mi
- ↩ 6. Turn left onto Carriage Rd
0.3 mi
- ↪ 7. Turn right onto Nutmeg Ln
0.1 mi

14 Nutmeg Ln
Wilton, CT 06897

Return to:
 Michael Rosten, Esq.
 Cohen & Wolf
 320 Post Road West
 Westport, CT 06880



WARRANTY DEED (Statutory Form)

Michael E. Rowe, for the consideration of **One Million Three Hundred Twenty Thousand (\$1,320,000.00) Dollars** paid, grant to **Jan M. Hilgeman and Gregg Elliot Jones, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP**, all that certain property situated in the Town of Wilton, County of Fairfield and State of Connecticut, known as **14 Nutmeg Lane, Wilton, Connecticut**, with WARRANTY COVENANTS, more particularly described as follows:

ALL THAT CERTAIN piece, parcel or tract of land, with the buildings and all other improvements thereon or hereafter placed thereon, situated in the Town of Wilton, County of Fairfield and State of Connecticut, known and designated as Lot #22 on a certain map entitled, "Resubdivision Map prepared for F. Sheffield Faulkner and Joan F. Faulkner, Wilton, Connecticut," now on file in the office of the Town Clerk of said Wilton and numbered twenty-five hundred thirty-eight (2538), reference thereto being had.

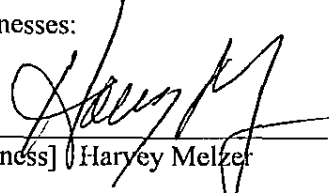
TOGETHER WITH a right to pass and repass for all lawful purposes in common with others over and across the southeasterly twenty-five (25) foot strip of Lot #8 on .said. map for a distance of two hundred sixty and 54/100 (260.54) feet from Nutmeg Lane as set forth in a reservation in a deed from F. Sheffield Faulkner and Joan F. Faulkner to Andrew J. Schrader; III et ux, recorded in the Wilton Land Records in Book 124 at Page 513, and a right to pass and repass for all lawful purposes in common with others over and across the southeasterly twenty-five (25) foot strip of Lot #7 on said map for two hundred sixty and 54/200 (260.54) feet from Nutmeg Lane as set forth in a reservation in a deed from F. Sheffield Faulkner to Siegfried Snellman recorded in Book 131 at Page 289 of the Wilton Land Records.

The premises are conveyed subject to the following:

1. Any restrictions or limitations imposed by governmental authority, including the zoning and planning rules and regulations of the Town of Wilton.
2. Taxes of the Town of Wilton next becoming due and payable.
3. The riparian rights of others in and to the stream crossing said premises and shown on said Map No. 2538.
4. Notes and 20' Wide Drainage Easement as shown on Map No. 2538.
5. Restrictive covenants and agreements in a deed dated February 16, 1967, recorded in Book 124 at Page 513 of the Wilton Land Records.
6. Driveway maintenance agreement contained in a deed recorded in Book 131 at Page 289 of the Wilton Land Records.
7. The effect, if any, of variance from the Town of Wilton dated July 15, 1996, and recorded in Book 1003 at Page 34 of the Wilton Land Records.

Signed this 6 day of October, 2022.

Witnesses:

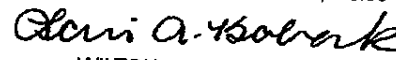

[witness] Harvey Melzer


Michael E. Rowe

L.S.

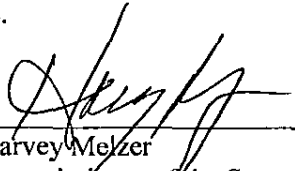

[witness] Sandra L. Brady

CONVEYANCE TAX RECEIVED
TOWN: \$3,300.00 STATE: \$12,500.00

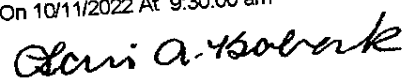

WILTON, CT TOWN CLERK

STATE OF CONNECTICUT)
) ss. New Canaan
COUNTY OF FAIRFIELD)

The foregoing instrument was acknowledged before me this 6 day of October, 2022, by Michael E. Rowe, personally known to me.


Harvey Melzer
Commissioner of the Superior Court

Received for Record at Wilton, CT
On 10/11/2022 At 9:30:00 am

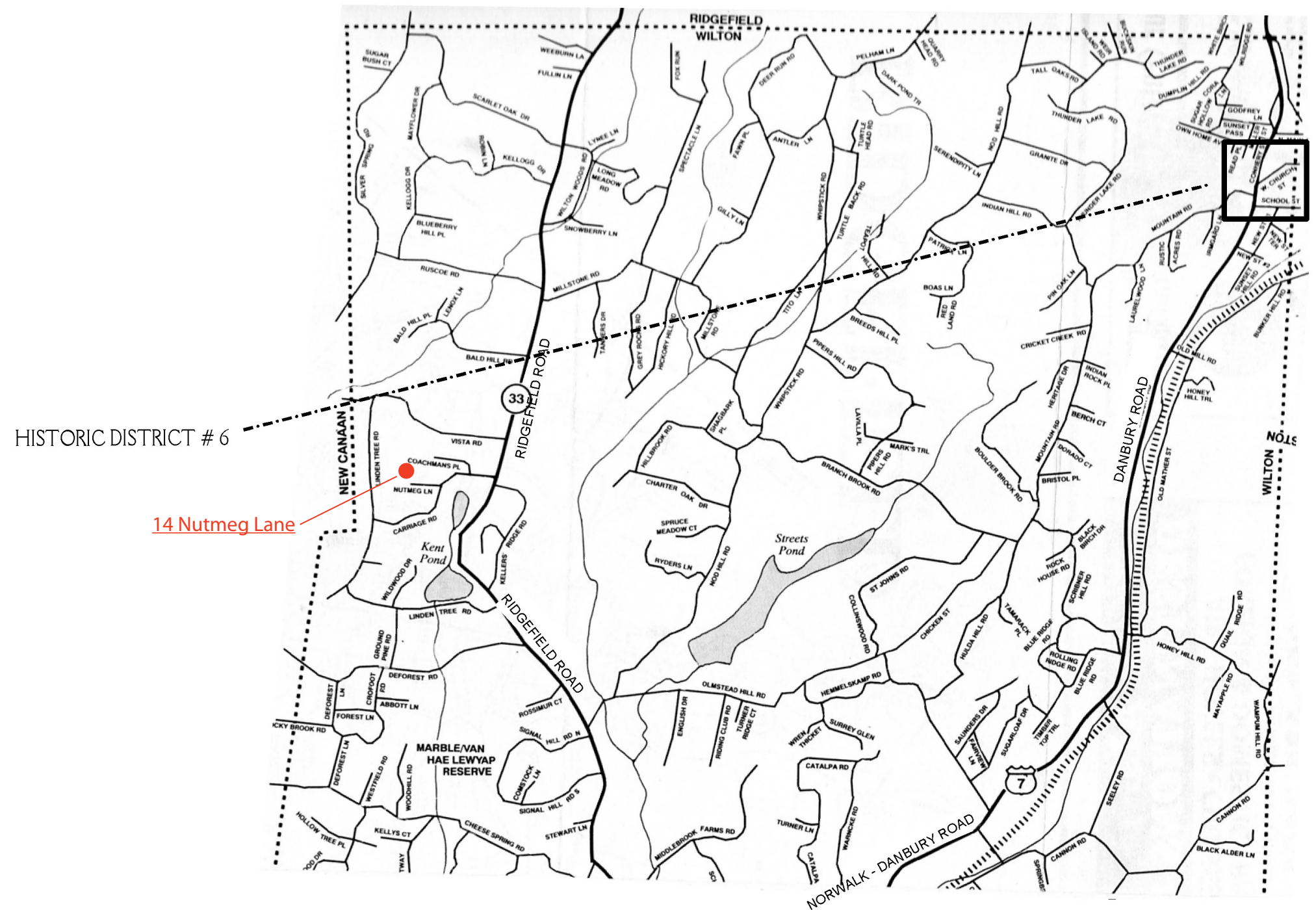


List of Past Zoning Variances

	A	B	C	D	E	F	G	H
2	Street Name	Street #	Owner	Variance Description	Status	ZBA #		
2745								
2746		545	Lokey	to permit reduction of side yd rqrmnt from 30' to 28.6' for foundation and variance to permit side yd rqrmnt from 30' to 22.94' for roof overhand	Foundation Granted; Roof overhang not in violation	70-11-68		
2747								
2748		567	Rosario/McMurray	to allow parcel (B-1) w/ex'g residence to have avg width of 189+/-' in lieu of 200', so parcel B-2 can be combined with McMurray property to form a bldg lot	Denied	85-9-35		
2749								
2750		596	Close	no info	??	56-10-26		
2751								
2752		634	Hellmut Hetz	to permit lot area of 1.62+/- ac in lieu of 2 ac and an avg lot width less than 200'; also variance for pool 20"+/- from side prop line	Granted lot area; Denied pool	75-8-40		
2753								
2754		634	Hellmut Hetz	to permit lot area of 1.76+/- ac in lieu of 2 ac & an avg lot width less than 200' to complete a proposed subdivision	Denied	75-6-28		
2755								
2756		644	Jones/DeForest	to permit avg width of 180.80' in lieu of 200'	Granted	85-10-42		
2757								
2758		668	Berkey	to permit increase in intensity of nonconforming setback to allow extension of a sunroom/porch & bdr with a 7' side yd setback in lieu of 40' & a 36' front yd setback in lieu of 50' (.363 ac in R-2A zone)	Granted 1/14/87; Extinguished by owner 2/23/06 in connection with variance 06-01-01 [Vol. 1854, Pg 4]	87-01-02		
2759								
2760								
2761	N. Bald Hill Rd							
2762								
2763	N. Main St							
2764		Ggtown	Sharp	to allow use of residence in R-1A zone for General Business; & variance to permit business pking in R-1A zone	Granted GB use; Denied pking request	86-10-84		
2765								
2766		& corner Rt 7 (Ggtwn)	Ridgefield Supply	for location of model house	Granted	61-6-11		
2767								
2768								
2769	Nutmeg Lane							
2770								

<i>Number</i>	<i>Owner</i>	<i>Street #</i>	<i>Street Name</i>	<i>Description</i>	<i>Status</i>
#99-03-09	HANRAHAN	610	NOD HILL ROAD	a variance of Section 29-5.D to allow a building addition with a 26 foot front yard setback in lieu of the required 50 feet. Said property is owned by Brendan Hanrahan and consists of 2.249 acres in an R2-A District as shown on Assessor=s Map #52, Lot #21.	GRANTED
#97-06-26	HANRAHAN	610	NOD HILL ROAD	requests a variance of Section 29-5.D. to allow a building addition with a 37 foot front yard setback on Nod Hill Road, in lieu of the required 50 feet. Said property is owned by Brendan & Nancy Hanrahan and consists of 2.249 acres in an R2-A District as shown on Assessor=s Map #52, Lot #21	GRANTED
#97-04-17	HANRAHAN	610	NOD HILL ROAD	request a variance of section 29-5.D to allow for a building addition with a 30 foot front yard setback on Indian Hill Road, in lieu of the required 50 feet and a 45 foot front yard setback on Nod Hill Road, in lieu of the required 50 feet. Said property is owned by the Estate of W. DeForest c/o Gregory M. Perry, Executor and consists of 2.249 acres in an R-2A District as shown on Assessor=s Map#52, Lot#21.	GRANTED
#98-05-20	DEFOREST	612	NOD HILL ROAD	a variance of Section 29-4.B.(6) to allow the front yard setback to be measured from the property line rather than from where the lot meets the minimum width requirements. Said property is owned by Patricia F. DeForest and Gregory M. Perry and consists of 2.243 ? acres in an R-2A District as shown on Assessor=s Map #52, Lot #21-1.	GRANTED
#96-07-15	STOCK	14	NUTMEG LANE	a variance of Section 29-5.D to allow an addition (garage) with a 30 foot setback in lieu of the required 40 feet. Said property is owned by Frederick J. Stock, Jr. and Gail King Stock and consists of 3.385 acres in an R-2A District as shown on Assessor=s Map #118, Lot #8.	GRANTED
#97-06-25	FOSTER	71	OLD BELDEN HILL ROAD	requests a variance of Section 29-5.D. to allow a building addition with a 16 foot side yard setback in lieu of the required 40 feet. Said property is owned by John and Doon Foster and consists of 2.0 acres in an R2-A District as shown of Assessor=s Map #97, Lot #9.	GRANTED
#97-05-18	SAUNDERS	3	OLD BOSTON ROAD	a Notice of Appeal from a determination of the Zoning Enforcement Officer concerning an apartment in a barn. Said property is owned by Alan Sanders and consists of 3.1323? acres in an R-2A District as shown on Assessor=s Map #110, Lot#47.	DENIED

MAP of TOWN of WILTON LOCATING HISTORIC DISTRICTS



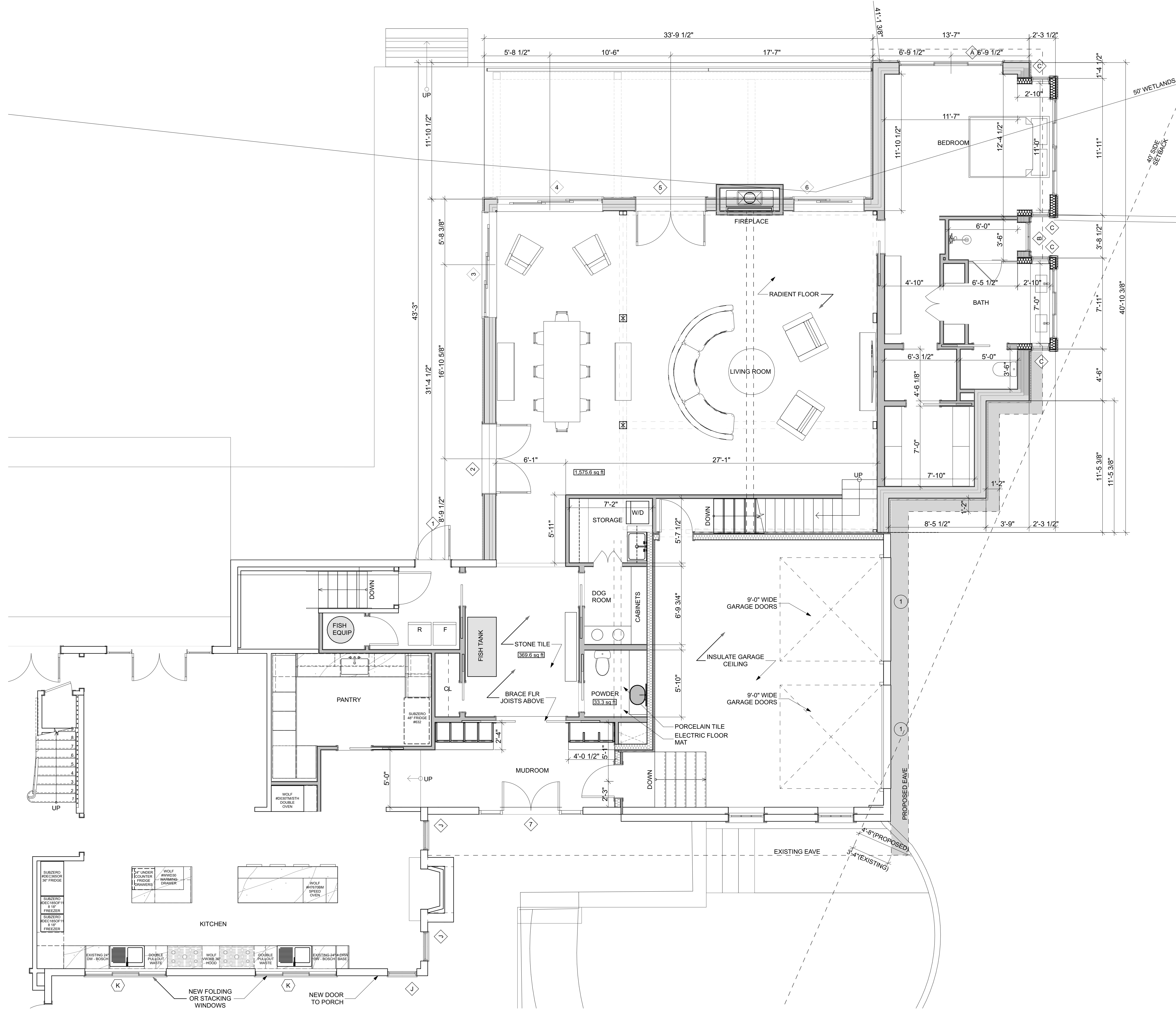






List of Owners within 500 feet

118-1 O'HALLORAN MATTHEW F 88 CARRIAGE RD WILTON CT 06897	118-2 COMO ROBERT L & ROBIN GOLDIN 78 CARRIAGE RD WILTON CT 06897	118-3 MEYER TIMOTHY & SHANNON 58 CARRIAGE RD WILTON CT 06897
118-4 SCOTT JAMIE E 15 NUTMEG LA WILTON CT 06897	118-5 JACKSON CHRISTOPHER M & 20 NUTMEG LA WILTON CT 06897	118-6 KIM CHUNGSUN 18 NUTMEG LA WILTON CT 06897
118-7 DEBERNARDIS FRANCIS & MELISSA 16 NUTMEG LA WILTON CT 06897	118-8 HILGEMAN JAN M & 14 NUTMEG LA WILTON CT 06897	118-9 LIPPER GRAEME M & CATHERINE G 12 NUTMEG LA WILTON CT 06897
118-10 MARTIN ELEANOR S 4 NUTMEG LA WILTON CT 06897	118-11 MALBURG TIMOTHY W 32 CARRIAGE RD WILTON CT 06897	118-12 LUBEL JASON & ASHLEY 7 COACHMANS PL WILTON CT 06897
118-13 MEKEN EUGENE & ANTONIA 9 COACHMANS PL WILTON CT 06897	118-14 HICKEY DANIEL C V & JENNIFER L 11 COACHMANS PL WILTON CT 06897	118-15 CHRIST COLIN W & JESSICA M 12 COACHMANS PL WILTON CT 06897
118-16 BARTOLOMEA ATALIE H 10 COACHMANS PL WILTON CT 06897	118-24 PETO LUCY C & ROBERT J 35 VISTA RD WILTON CT 06897	118-30 MORELLO MAURIZIO J & 31 CARRIAGE RD WILTON CT 06897
118-31 MITCHELL JANE E 45 CARRIAGE RD WILTON CT 06897	118-32 PANTOLIANO NANCY SHEPPARD 55 CARRIAGE RD WILTON CT 06897	119-1 NAGELLI VENKATA N & 57 VISTA RD WILTON CT 06897
119-2 FAIRCHILD LINDA F 61 VISTA RD WILTON CT 06897	119-3 ALBANESE RUSSELL S & RACHEL B 73 VISTA RD WILTON CT 06897	130-23 NULTY ALICE L ESTATE OF 308 RED FOX RD STAMFORD CT 06903
130-24 MARCHELLOS LINDA J AS TR & 230 LINDEN TREE RD WILTON CT 06897	130-25 SOLOMON MARK & KYLA 220 LINDEN TREE RD WILTON CT 06897	131-1 LYNCH DAVID NIXON 83 VISTA RD WILTON CT 06897
131-2 FLORY BERNADETTE V 95 VISTA RD WILTON CT 06897	131-8 O'MEARA JULIANN & BRENDAN 262 LINDEN TREE RD WILTON CT 06897	131-9 LANZI DANIEL C & RONDA M 250 LINDEN TREE RD WILTON CT 06897



No.	Item	Date

Hilgeman Jones
Residence
14 Nutmeg Lane
Wilton, CT 06897

First Floor
Plan

NOT For Construction

sheet: A 1.1
scale: as shown
PLAN NORTH

1 First Floor
SCALE: 1/4" = 1'-0"



2 South Elevation
SCALE: 1/8" = 1'-0"



1 East Elevation
SCALE: 1/8" = 1'-0"



No.	Item	Date

Hilgeman Jones
Residence
14 Nutmeg Lane
Wilton, CT 06897

Elevations
NOT For Construction

sheet: 3
scale: as shown
PLAN NORTH