

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.)

Nicole Hughes

APPLICANT'S NAME

Nicole Hughes

OWNER'S NAME

296 Belden Hill Rd

PROPERTY LOCATION

5253

2450

627

100

27

0.8

WLR MAP#

VOLUME

PAGE

TAX MAP #

LOT #

ACREAGE

296 Belden Hill Rd

ADDRESS

296 Belden Hill Rd

ADDRESS

R-2A

ZONING DISTRICT

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.

A variance is being requested for a front-yard setback of 30'3" in lieu of the required 50'.

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.

- Non-conforming Structure was built in 1946.
- The previous addition built in 1973 was not properly insulated and will not allow room to expand the Kitchen within the existing footprint for their growing family.
- The existing structure currently is located in the front yard setback, sitting 30'3" back and is not compliant with the 50' setback within the zoning regulations.

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 (~~not consolidated into 1-2 PDF's Maximum~~), emailed to michael.wright@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 ☒ NO

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

IS THE SUBJECT PROPERTY LOCATED IN THE FLOOD PLAIN? ☐ or ☒ NO

WHEN WAS THE SUBJECT PROPERTY PURCHASED? 6/28/16

IN WHAT YEAR WAS THE MAIN STRUCTURE CONSTRUCTED? 1940

SITE COVERAGE PROPOSED: 11.96%
(AS PERCENTAGE OF SITE)

BUILDING COVERAGE PROPOSED: 5.01%
(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.

Nicole LaMonica

APPLICANT'S SIGNATURE

Nicole LaMonica

OWNER'S SIGNATURE

Nov 9, 2022

DATE

Nov 9, 2022

DATE

Cassie @
ClarkConstruction.net

nickilamonica@gmail.com

EMAIL ADDRESS

203-939-0252

TELEPHONE

917-776-2610

TELEPHONE

Town of Wilton

Geographic Information System (GIS)



Date Printed: 10/17/2022



*Wetlands flagged 10-4-22, Mary Jaehning,
soil scientist 203 431 8113*

MAP DISCLAIMER - NOTICE OF LIABILITY

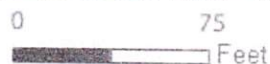
This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Wilton and its mapping contractors assume no legal responsibility for the information contained herein.

*Approx. location of
flagged wetland line.
Norwalk River watershed*

Zoning Effective: July 28, 2017

Planimetrics Updated: 2014

Approximate Scale: 1 inch = 75 feet



PFIZER – JÄHNIG
ENVIRONMENTAL CONSULTING

October 17, 2022

Wetland Delineation Report

296 Belden Hill Road

Wilton, Connecticut

Introduction:

A wetland delineation was conducted at 296 Belden Hill Road on October 4, 2022 by Mary Jaehnig, soil scientist. The property is located on the eastern side of the road and supports a single family dwelling.

The topography descends to the east from the road. A wetland is located along the far eastern property line and was flagged in the field with pink ribbon labeled 1 to 13. The site is within the watershed to the Norwalk River.

The Inland Wetlands and Watercourses Act (Connecticut General Statutes 22a-38) defines inland wetlands as “land...which consists of any soil types designated as poorly drained, very poorly drained, alluvial, and floodplain.” Watercourses are defined in the act as “rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon the state or any portion thereof.” The act defines intermittent watercourses as having a defined permanent channel and bank and the occurrence of two or more of the following characteristics: A) evidence of scour or deposits of recent alluvium or detritus, B) the presence of standing or flowing water for a duration longer than a particular storm incident, and C) the presence of hydrophytic vegetation.

Soils:

Soil samples were obtained using an auger. Features noted include color, texture and depth to wetland indicators. Soils were classified according to guidelines established by the USDA NRCS.

The upland soil on site is Paxton fine sandy loam. This soil is deep, well drained and formed in glacial till. The depth to the water table usually exceeds 6 feet below grade and the depth to bedrock usually exceeds 5 feet below grade.

PFIZER – JÄHNIG
ENVIRONMENTAL CONSULTING

The wetland soil is Timakwa muck. This soil is very deep, very poorly drained and formed in decomposing organic material over a mineral substrate. The water level is located close to the surface throughout the year with periods of ponding.

Submitted by,

A handwritten signature in cursive script that reads "Mary Jaehnig".

Mary Jaehnig

00140684

RECORD & RETURN TO:
Atty David Fabrizi
3548 Main Street
Stratford, CT 06614

VOL: 2450 PG: 627

WARRANTY DEED - STATUTORY FORM


TO ALL PERSONS TO WHOM THESE PRESENTS SHALL COME, KNOW YE THAT Stephen Vincent Dryer and Stephanie Lynn Allgood both of 296 Belden Hill Road, Wilton, CT 06897, for consideration of THREE HUNDRED NINETY ONE THOUSAND FIVE HUNDRED & 00/100 DOLLARS (\$391,500.00), grant to Nicole Hughes of 141 Main Street, Apt. #8, Norwalk, CT 06851, with WARRANTY COVENANTS, all that certain real property known as 296 Belden Hill Road, Wilton, CT 06897, being more particularly described in Schedule A attached hereto and made a part hereof.

Said Premises are conveyed subject to:

1. Any and all provisions of any municipal, ordinance or regulation or public or private law with special reference to the provisions of any zoning regulations and regulations governing the said Premises.
2. Real property taxes on the current Grand List and any municipal liens or assessments becoming due and payable on or after the delivery of this Deed.
3. Such additional encumbrances, if any, as more particularly set forth in Schedule A attached hereto.

In all references herein to any parties, persons, entities or corporations, the use of any particular gender or the plural or singular number is intended to include the appropriate gender or number as the text of the within instrument may require.

IN WITNESS WHEREOF, the Grantors have caused these presents to be executed on this 27th day of June, 2016.



Stephen Vincent Dryer, Grantor



Stephanie Lynn Allgood, Grantor

Signed, sealed and delivered in the presence of or attested by:

Witness:


Michael P. Murray

Witness:


Heather Brown


Conveyance Tax Received
TOWN \$ 978.75
STATE \$ 2936.25

STATE OF CONNECTICUT

COUNTY OF FAIRFIELD

} Lori A. Kaback
} ss. New Canaan Town Clerk of Wilton
}

Personally appeared Stephen Vincent Dryer and Stephanie Lynn Allgood, signers and sealers of the foregoing instrument, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained in the capacity therein stated, before me, on this 27 day of June, 2016.



Michael P. Murray
Commissioner of the Superior Court

00140684

VOL: 2450 PG: 628

SCHEDULE A

PROPERTY DESCRIPTION

All that certain piece or parcel of land with the improvements thereon situated in the Town of Wilton, County of Fairfield and State of Connecticut, currently known as 296 Belden Hill Road bounded and described as follows:

Commencing at the center of a certain cedar tree in the easterly line of Belden Hill Road, so-called, the center of said tree being in a straight line twenty-three (23) feet north-westerly from the center of a certain monument set in the driveway on land now or formerly of George R. Barringer; thence running slightly northwesterly along the easterly side of said easterly line of Belden Hill Road, a distance of two hundred thirty-six and five-tenths (236.5) feet to a monument set where a stone wall marks the northwesterly line of the land hereby conveyed; thence running northeasterly in a straight line along the center line of said stone wall a distance of one hundred twenty-five (125) feet to a point where the center line of the stone wall hereafter mentioned; thence running southeasterly in a straight line along the center line of the stone wall last herein mentioned, which marks the northeasterly boundary of the land hereby conveyed, a distance of two hundred thirty-six and five-tenths (236.5) feet; thence running in a straight line southwesterly a distance of one hundred fifty-seven (157) feet to the point or place of beginning at the center of said cedar tree:

Being in quantity 33,346.5 square feet, more or less and bounded Northwesterly, Northeasterly and Southeasterly by land now or formerly of George R. Barringer; and Southwesterly by Belden Hill Road.

Said Premises are conveyed subject to the following:

1. Real Estate Taxes to the Town of Wilton hereinafter due and payable.
2. Sewer Use Charges hereinafter due and payable.

Received For Record
Jun 28, 2016 AT 03:20P
Lori A. Kaback
Wilton Town Clerk



from 238 Danbury Rd, Wilton, CT 06897
to 296 Belden Hill Rd, Wilton, CT 06897

5 min (1.9 miles)



via US-7 S and CT-106 S

Fastest route now due to traffic conditions

238 Danbury Rd

Wilton, CT 06897



Head southwest toward US-7 S

374 ft



Turn left onto US-7 S

0.6 mi



Turn right onto CT-106 S

1.2 mi



Turn right onto Belden Hill Rd

 Destination will be on the right

381 ft

296 Belden Hill Rd

Wilton, CT 06897







