



**TOWN OF WILTON
ZONING BOARD OF ADJUSTMENT BOARD MEETING
APPROVED MINUTES**

DATE: July 14, 2015
TIME: 7:30 PM
PLACE: Wilton Town Hall Courtroom

PRESENT: ZBA Board Members: Chairman Neil Faiman, Vice-Chairman Andy Hoar, Paul Levesque, Joanna Eckstrom, Carol Roberts, Secretary Sorrell Downing.
Applicants: Carl Michaud, Rob Degan, Bill and Karen Artemik, Abutter: Joe Maxwell,
Representative from the Wilton Conservation Commission Bart Hunter.

PUBLIC HEARING

Chairman Faiman opened the meeting at 7:30 PM.

Minutes 4/14/15

The Minutes from 4/14 were reviewed.

A MOTION was made by Ms. Eckstrom and SECONDED by Mr. Hoar to approve the minutes from 4/14/15 as submitted.

Voting: 5 ayes, motion carried unanimously

Case #7/14/15-1 – Bugeau

Bugeau Realty, LLC has applied for a special exception under section 8.6.1 of the Wilton Zoning Ordinance, to permit the industrial use of Lot B-100, 343 Forest Road for a crematorium, where the lot does not meet the area requirements for the Industrial District, as specified in the section 8.2.1 of the Ordinance.

Mr. Faiman outlined the procedures for the hearing and reiterated the “deliberation: clause discussed at the 4/14/15 meeting which stated that after the Board discussed the case, the case will be re-opened for discussion with the applicant and the public in case a fact was overlooked, misinterpreted or forgotten.

Mr. Degan from Monadnock Survey represented the applicant.

- The proposed use is not permitted by the ordinance in the absence of a special exception.
- The proposed use is consistent with the and will not substantially affect the character of the neighborhood in which it is proposed.
- The proposed use will comply with Section 4.6 performance standards.
- The proposed use will not cause any diminution of surrounding property values
- The effect of the propose use on traffic in the neighborhood and in the town will generally be acceptable.
- Sewer, water and other public facilities are adequate for the proposed use.
- Adequate off street parking is available.
- The proposed use will not be detrimental to the attractiveness of the town.
- The proposed use will provide the needed service to the community.
- The proposed use meets all other criteria enumerated in the section of the ordinance with permit the particular special exceptions.

Mr. Hoar asked about the proposed use of the garage and stall as marked on the map distributed. Mr. Degan stated the stall was removed. Ms. Eckstrom recently visited with property and stated the only buildings on the property are the house and the barn. The house will be given to the Wilton Fire department to burn. The fire chief is currently testing the property for asbestos before burning.

Mr. Hunter, Chairman of the Wilton Conservation Commission asked that the applicant not disturb the wetlands on the property. Mr. Degan marked the wetlands on the map and all activity on the property will be at the barn.

- The driveway will remain gravel
- There will be little activity on the property other than deliveries which will be done via a side garage door. Cremations take only 1.5 hours.
- These cremations will be done one at a time. There will only be one unit.
- The emissions are 100% clean.
- The smoke stack will reach up 5 feet from the roof of the barn.
- The barn side has been shortened.
- The barn will have a cottage style siding.
- The field will remain as grass.
- There can be around 50 cremations each year, but this number is not predictable.

Mr. Maxwell, abutter, asked about the emissions from the cremation of a person who had mercury dental fillings. Mr. Michaud responded that by adding selenium to the retort, the two elements bond together and no harmful elements go up the stack. Mercury fillings will become less of an issue in the future as dentist no longer use this process.

Ms. Roberts asked if Mr. Michaud's business model included allowing other funeral homes to use the facility. Mr. Michaud has a strong relationship with the funeral home in Peterborough and they will likely want to use the proposed crematorium as the procedures Mr. Michaud plans to use pay more attention to detail than the others in the

state and this five peace of mind to families mourning the less of a loved one. Mr. Michaud will use a vacuum vs. a broom to effectively gather the more of a loved one's remains for the family. Strictly heat is used to cremate the body, no lye.

The Wilton Fire Chief ha verbally stated there is no need for a sprinkler system on the site. Mr. Michaud will install a security system as well as a fire alarm.

Ms. Eckstrom asked about the implanted devise in people and the possibility of explosion if cremated without removal. Mr. Michaud stated this is the funeral directors responsibility to ensure these are removed before cremation. The client signs off on a series of medical history questions before cremation. The funeral director will remove any devices also if the client authorizes.

A MOTION was made by Ms. Eckstrom and SECONDED by Mr. Levesque to close the public.

Voting: 5 ayes, motion carried unanimously

Mr. Faiman asked the board member for questions or concerns. None were stated. Mr. Faiman reopened the public hearing and asked the members of the audience for any questions or concerns. None were stated.

A MOTION was made by Ms. Eckstrom and SECONDED by Mr. Levesque to approve the special exception under section 8.6.1 of the Wilton Zoning Ordinance, to permit the industrial use of Lot B-100, 343 Forest Road, for a crematorium, where the lot does not meet the are requirements for the Industrial District as specified in section 8.2.1. of the Ordinance.

Voting: 5 ayes, motion carried unanimously

YES-Ms. Roberts

YES-Ms. Eckstrom

YES-Mr. Faiman

YES-Mr. Hoar

YES-Mr. Levesque

Mr. Michaud, Mr. Hunter, Mr. Degan and Mr. Maxwell departed

Case #7/14/15-2 – Artemik

Karen L. Artemik has applied for a variance to section 5.2.3 of the Wilton Zoning Ordinance, to allow the construction of a shed on Lot F-42-3, 106 Intervale Road, which will be closer to a lot line than is permitted by the Ordinance.

The applicant outlined the proposal for the shed to be built at the specified location (2 feet from the lot line).

There is not another flat space on the property at F-42-3 to put the 12'x24' stick shed built to match the house on the property. Photographs were supplied but difficult to see inclines on the property in the photos.

The abutters do not have a problem with the placement of the proposed shed as it is a wooded area and housed at F-42-1 and F-42-2 site close to the road and the shed will be further back toward the river. The applicant's property resembles a "backlot" on the map.

Currently the property owners of F-42-3 have a temporary tent garage as well as an existing metal shed sitting on blocks. The proposed larger shed will have fittings in the ground. It will also have two windows and two doors and has been designed by the applicant.

No driveway changes will be made.

Several board members expressed interest in seeing the property and the challenges of the placement of the shed as stated by the applicants. The concern is for future abutters who may have an objection to the placement of the proposed shed.

A MOTION was made by Ms. Roberts and SECONDED by Mr. Levesque to continue case #7/14/15-2 to Tuesday, July 28, 2015 for a 7:00 PM site walk at Lot F-42-3, 106 Intervale Road, followed immediately at 7:45 with a hearing at the Wilton Town Hall.

Voting: 5 ayes, motion carried unanimously

Other Business

Mr. Levesque asked about the reappointment and it was determined Mr. Levesque would be up for reappointment in March 2016.

Mr. Faiman stated the best email to reach him is neil.faiman@wiltonzba.org

A MOTION was made by Mr. Levesque and SECONDED by Ms. Roberts to adjourn the meeting.

Voting: 5 ayes, motion carried unanimously

The next meeting will be held August 11, 2015 at 7:30 PM.

Chairman Faiman declared the meeting adjourned at 8:55 PM.

Respectfully Submitted,
Sorrell Downing