



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

DATE: May 9, 2017
TIME: 7:30 PM
PLACE: Wilton Town Hall Courtroom

PRESENT: ZBA Board Members: Chairman Neil Faiman, Paul Levesque, Joanna Eckstrom, Bob Spear, Alternate Jeff Stone (voting for Andy Hoar), Carol Roberts, Secretary: Elizabeth Morison.

Attendance: Applicant Elaine Kalhori, Michael Bergeron, Robert Degan Monadnock Survey, Inc., Daniel Szilagyi, Applicant Lincoln Geiger Gaia Outreach Institute, Andrew Kennedy 4 Corners Farm.

PUBLIC HEARING

Chairman Faiman opened the meeting at 7:30 PM.

Continued Case # 4/11/17 – 1 – Kalhori:

- *Elaine Kalhori has applied for a special exception under section 11.4(a) of the Wilton Zoning Ordinance, to allow the construction of a driveway that would cross a wetland area on Lot H-19, Gage Road. (Case #4/11/17-1).*

A Site Visit was held on 5/7/17. Chairman Faiman, Ms. Eckstrom, Mr. Levesque and Mr. Hoar attended. Mr. Stone had visited the site previously in a Conservation Commission role. Mr. Spear viewed it via Google Earth.

Mr. Robert Degan from Monadnock Survey, Inc. is representing Ms. Elaine Kalhori. Mr. Degan reviewed sight plan. Mr. Degan stated that most of the property is landlocked on the other side of wetlands. Mr. Degan pointed out where proposed driveway would cross wetlands, with minimal impact to the wetlands.

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43 Mr. Spear inquired what the total impact to the wetlands would be and what is the State
44 minimum requirement. Mr. Degan stated that the total impact would be 2,575.00 square feet.
45 Mr. Degan further stated that the State minimum requirement is 3,000.00 square feet.
46

47 Ms. Eckstrom inquired if a driveway permit was received. Mr. Degan stated that the State had
48 made an approval for a logging driveway almost one year ago.
49

50 Mr. Faiman asked if there were any additional questions. There were no additional questions
51 from the Board.
52

53
54 *A MOTION was made by Ms. Eckstrom and SECONDED by Mr. Levesque to close the Public*
55 *Hearing.*

56
57 *Voting: 5 ayes, Motion carried.*
58

59 Deliberation:

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61 The Board determined that seeing the site after the heavy rain, they had viewed the worst
62 conditions.
63

64 Ms. Eckstrom stated that if the applicant wanted to use the land than the proposed driveway is
65 the best access. Ms. Eckstrom inquired if it would be appropriate to ask Mr. Stone, on behalf of
66 the Conservation Commission, if the Conservation Commission had any issues with the
67 proposed wetlands crossing. Mr. Stone stated that the Conservation Commission had raised no
68 objections or concerns.
69

70
71 *A MOTION was made by Ms. Eckstrom and SECONDED by Mr. Levesque grant a special*
72 *exception under section 11.4(a) of the Wilton Zoning Ordinance to approve wetland crossing as*
73 *shown on plan, (Lot H-19, Gage Road)*
74

75
76 *Mr. Faiman re-opened Public Hearing*
77

78 *Voting:*

79 *Mr. Spear: aye*
80 *Mr. Levesque: aye*
81 *Ms. Eckstrom: aye*
82 *Mr. Stone: aye*
83 *Mr. Faiman: aye*

84 *Motion passed unanimously.*
85

86 Mr. Faiman stated, if construction has not begun or the use has not commenced within two (2)
87 years of the granting of the variance or special exception, or May 9, 2019 whichever is later, then

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88 the variance or special exception shall expire. (Wilton Zoning Ordinance section 17.4). The
89 Selectman, any party to the action or proceedings, or any person directly affected thereby may
90 apply for a rehearing of this decision. A request for a rehearing must be filed in writing with the
91 Zoning Board of Adjustment within 30 days, and must fully specify all grounds on which the
92 rehearing must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

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94 Ms. Kalhori and Mr. Bergeron thanked the Board for their time and decision.

95

96

97 **Minutes: April 11, 2017 Draft Minutes**

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99 The Draft Minutes from April 11, 2017 were reviewed.

100

101 The following edits were noted and made to the 4/11/17 minutes:

102

- 103 • Page 1, line 16: Correction to spelling of Bergeron”
- 104 • Page 2, line 57: Mr. Stone noted spelling correction “Survey”
- 105 • Page 2 line 63: Mr. Stone noted to change mucky to “muck”.

106

107 *A MOTION was made from Ms. Eckstrom and SECONDED by Mr. Levesque to approve the*
108 *minutes from April 11, 2017 as amended.*

109

110 *Voting: 4 ayes, Motion carried.*

111 *Ms. Roberts, Mr. Spear abstained, noted was not present at April 11, 2017 meeting.*

112

113

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115 **Minutes: May 7, 2017 Draft Site Visit – Kalhori**

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117 The May 7, 2017 Draft Site Visit was reviewed.

118

119 *A MOTION was made from Ms. Eckstrom and SECONDED by Mr. Levesque to approve the May*
120 *7, 2017 Site Visit Minutes as submitted.*

121

122 *Voting: 4 ayes, Motion carried.*

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124 *Ms. Roberts, Mr. Spear, and Mr. Stone abstained, noted were not present at May 7, 2017 Site*
125 *Visit.*

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128 Ms. Roberts joined the Meeting at 7:45PM.

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134 **Election of Members:**

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136 Mr. Faiman stated that Ms. Eckstrom, Mr. Levesque and Mr. Faiman have been re-appointed for
137 2017. Mr. Stone has also been appointed for a three year term.

138
139 *A MOTION was made by Ms. Roberts and SECONDED by Ms. Eckstrom to nominate Mr.*
140 *Faiman as Chairman.*

141
142 *Voting: 5 ayes, Motion carried.*
143 *Mr. Faiman abstained.*

144
145 *A MOTION was made by Mr. Levesque and SECONDED by Mr. Faiman to nominate Ms.*
146 *Roberts as Co-Vice Chair.*

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148 *Voting: 5 ayes, Motion carried.*
149 *Ms. Roberts abstained.*

150
151 *A MOTION was made by Ms. Levesque and SECONDED by Mr. Faiman to nominate Ms.*
152 *Eckstrom as Co-Vice Chair.*

153
154 *Voting: 5 ayes, Motion carried.*
155 *Ms. Eckstrom abstained.*

156
157
158 **Case #5/9/17-1 – Gaia Educational Institute:**

- 159
- 160 • *Gaia Education Outreach Institute has applied for a variance to section*
161 *6.1 of the Wilton Zoning Ordinance to permit the construction and use of a*
162 *farm house barns and other outbuildings for an educational use, as a farm*
163 *and nature experiential learning center, on Lots H-56-2, H-56-3, and H-*
164 *56-5, Badger Farm Road. (Case #5/9/17-1)*

165
166 Mr. Levesque recused himself.

167
168 Mr. Faiman stated that Mr. Stone, Ms. Roberts, Ms. Eckstrom, and Mr. Spear will be voting on
169 this application.

170
171 Mr. Stone, Ms. Roberts, and Mr. Spear have made a drive by.

172
173 Mr. Geiger is the Director and Chair for Gaia Education Outreach Institute and will be
174 representing himself. Mr. Geiger stated that Gaia had purchased adjoining lots (H-56-2, H-56-3,
175 H-56-4) a couple of years ago with 3 families.

176
177 Mr. Geiger outlined the intended uses for the property:

- 178
- 179 • Agriculture

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- 180 • Nature Studies
- 181 • Composting
- 182 • Farming for Children
- 183 • Experience learning, rather than Classroom learning
- 184 • Farm to be used as educational learning
- 185

186 Mr. Geiger stated the following uses for the Barn:

187

- 188 • Learning how to milk farm animals
- 189 • Drying herbs
- 190 • Teaching children crafts
- 191 • Day trips from schools
- 192 • After School Programs
- 193 • Camp Programs
- 194 • Lectures, Conferences and Workshops for adults
- 195

196 Questions from Board:

197

198 Mr. Spear inquired if Barn is considered to be a Conference Center. Mr. Geiger explained that
199 the barn is simple. Mr. Geiger further stated that they might use High Mowing School or
200 Waldorf Pinehill School's Auditorium for larger audiences.

201

202 Ms. Eckstrom inquired if the three lots would be combined and would only one of the lots have
203 the buildings on it. Mr. Geiger stated that at this time, he is unable to combine lots because they
204 are owned by other families. Mr. Geiger further stated that only one lot will have the barn on it.
205 Mr. Geiger also stated that he is trying to raise money to purchase the lots and then become one.

206

207 Mr. Faiman inquired if Gaia would commit to a consolidation and would they be planning to
208 build other structures on the property. Mr. Geiger stated that once the other lots are paid off he
209 would consolidate. Mr. Geiger also stated that there are plans to build native American
210 structures, (wigwam) for Native American Studies.

211

212 Ms. Eckstrom inquired if the building of the farmhouse would be for Gaia. Mr. Geiger stated
213 that yes and it would house 2 families, Gaia's and a farm hand family. Later in the meeting, Ms.
214 Eckstrom also inquired if driveway is accessible from all lots. Mr. Geiger showed where the
215 driveway is on plan and and that it crossed two lots.

216

217 Ms. Stone inquired which lots would be used for what buildings. Mr. Geiger stated that lot H-
218 56-2 was for the barn. Lot H-56-3 was for the farmhouse.

219

220 Mr. Spear inquired how many acres is the lot for the barn. Mr. Geiger reviewed site plat and
221 pointed out that lot H-56-2 is 2.155 contiguous dry land and .023 wetland.

222

223 Ms. Roberts inquired as to when the barn will be built. Mr. Geiger stated that the barn was
224 constructed last fall and its' total size is 24'x 32'.

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225

226 Mr. Faiman asked questions from members of the public:

227

228 Mr. Levesque inquired if this would need State approval. Mr. Geiger stated that Gaia is an
229 Education Institute, not a school, therefore no State approval is needed.

230

231 Mr. Kennedy, abutter 67 Hearthstone Road, (Temple-Wilton Community Farm, 4 Corner Farm)
232 inquired as to what the impact to the community would be and expressed his opinion that what
233 Mr. Geiger is doing is adding to the “Community up on the Hill”. Mr. Kennedy also explained
234 that 4 Corner Farm is a production farm for young adults 18-35 years old. There is no
235 duplication.

236

237 Discussion:

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239 Board discussed the following topics:

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241

- Property is zoned Residential/Agriculture – are schools allowed – property is not a state licensed school.
- Property is primarily a Farm – is variance needed
- Should Special exceptions be applied to farming/educational agenda
- Permitted uses in Residential/Agriculture Districts
- Impact to Community
- Need for Planning Board Review

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250 *A MOTION was made by Ms. Eckstrom and SECONDED by Mr. Spear to decline to grant*
251 *requested variance because the Board finds proposed use is a permitted use, the educational*
252 *activity being an integral and accessory to the agricultural and ecological use of the property*
253 *according to Gaia Education Outreach Institute’s Mission Statement as of May 9, 2017 which is*
254 *attached to the Notice of Decision. The Zoning Board recommends that the applicant consult*
255 *with the Planning Board as to whether a Site Plan Review is required.*

256

257

258 Mr. Stone read Gaia Education Outreach Institute’s Mission Statement from their website:

259

260

Education for Sustainable Harmonious Living

261

262 To establish and maintain an educational institution on a working biodynamic farm in order:

263

264 To educate children and adults through experiential learning in the arts and sciences including
265 but not limited to: Agriculture, horticulture, forestry, ecology, home economics, nutrition,
266 cottage industry, wilderness care, crafts and survival skills.

267

267 To make such programs available to underprivileged children and adults.

268

269 The creation of these programs are intended to help people engage with the natural world,
270 building from within in each person a sense of unity and belonging. To foster practical,

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271 emotional and intellectual relationships to the life creating nature that surrounds us stimulating
272 the development of a fruitful healthy person, community, ecology and world.

273
274 .

275 *A MOTION was made by Ms. Eckstrom and SECONDED by Mr. Spear to amend original*
276 *language to include Gaia Education Outreach Institute's Mission Statement to be attached to the*
277 *Notice of Decision.*

278

279 *Voting:*

280 *Mr. Spear: aye*
281 *Ms. Eckstrom: aye*
282 *Mr. Stone: aye*
283 *Ms. Roberts: aye*
284 *Mr. Faiman: aye*

285 *Motion carried.*

286

287 Mr. Faiman stated, if construction has not begun or the use has not commenced within two (2)
288 years of the granting of the variance or special exception, or May 9, 2019 whichever is later, then
289 the variance or special exception shall expire. (Wilton Zoning Ordinance section 17.4).

290

291 The Selectman, any party to the action or proceedings, or any person directly affected thereby
292 may apply for a rehearing of this decision. A request for a rehearing must be filed in writing
293 with the Zoning Board of Adjustment within 30 days, and must fully specify all grounds on
294 which the rehearing must fully specify all grounds on which the rehearing is requested. (N.H.
295 RSA 677:2)

296

297 Mr. Geiger thanked the Board.

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300 Mr. Faiman reviewed the responsibilities of the Zoning Board with the ZBA Members.

301

302 **Other Business:**

303

304 N/A

305

306 **Adjournment:**

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308 *A Motion was made by Mr. Spear and Seconded by Ms. Eckstrom to adjourn the meeting.*

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310 *Voting: 6 ayes, motion carried unanimously.*

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312 Chairman Faiman declared the meeting adjourned at 9:45 PM.

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315 The next scheduled monthly meeting will be held on the second Tuesday of the following month, June
316 13, 2017.

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318

319 Respectfully Submitted,

320

321 Elizabeth Morison

322 Secretary

323

DRAFT