



**TOWN OF WILTON  
ZONING BOARD OF ADJUSTMENT BOARD MEETING  
APPROVED 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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Mr. Spear inquired what the total impact to the wetlands would be and what is the State minimum requirement. Mr. Degan stated that the total impact would be 2,575.00 square feet. Mr. Degan further stated that the State minimum requirement is 3,000.00 square feet.

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

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

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

*Voting: 5 ayes, Motion carried.*

Deliberation:

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

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

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

*Mr. Faiman re-opened Public Hearing*

*Voting:*

*Mr. Spear: aye*

*Mr. Levesque: aye*

*Ms. Eckstrom: aye*

*Mr. Stone: aye*

*Mr. Faiman: aye*

*Motion passed unanimously.*

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

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the variance or special exception shall expire. (Wilton Zoning Ordinance section 17.4). The Selectman, 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 within 30 days, and must fully specify all grounds on which the rehearing must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

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

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

The Draft Minutes from April 11, 2017 were reviewed.

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

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

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

*Voting: 4 ayes, Motion carried.*

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

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

The May 7, 2017 Draft Site Visit was reviewed.

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

*Voting: 4 ayes, Motion carried.*

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

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

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**Election of Members:**

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

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

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

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

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

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

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

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

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

Mr. Levesque recused himself.

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

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

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

Mr. Geiger outlined the intended uses for the property:

- Agriculture

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- Nature Studies
- Composting
- Farming for Children
- Experience learning, rather than Classroom learning
- Farm to be used as educational learning

Mr. Geiger stated the following uses for the Barn:

- Learning how to milk farm animals
- Drying herbs
- Teaching children crafts
- Day trips from schools
- After School Programs
- Camp Programs
- Lectures, Conferences and Workshops for adults

Questions from Board:

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

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

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

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

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

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

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

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Mr. Faiman asked questions from members of the public:

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

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

Discussion:

Board discussed the following topics:

- 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

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

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

Education for Sustainable Harmonious Living

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

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

To make such programs available to underprivileged children and adults.

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

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

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

*Voting:*

*Mr. Spear: aye*

*Ms. Eckstrom: aye*

*Mr. Stone: aye*

*Ms. Roberts: aye*

*Mr. Faiman: aye*

*Motion carried.*

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

The Selectman, 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 within 30 days, and must fully specify all grounds on which the rehearing must fully specify all grounds on which the rehearing is requested. (N.H. RSA 677:2)

Mr. Geiger thanked the Board.

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

**Other Business:**

N/A

**Adjournment:**

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

*Voting: 6 ayes, motion carried unanimously.*

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

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

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Respectfully Submitted,

Elizabeth Morison  
Secretary