

Town of Wilton, New Hampshire
Zoning Board of Adjustment
Approved Minutes
Tuesday, December 19, 2017

DATE: December 19, 2017

TIME: 7:30 PM

PLACE: Wilton Town Hall (Court Room)

PRESENT: Neil Faiman, Chair, Joanna Eckstrom, Andy Hoar, Carol Roberts, Jeff Stone
(Alternate for Paul Levesque)

ABSENT: Paul Levesque

Staff: Land Use Administrator Michele Decoteau

Present from the Community: Joe Camara, Stephanie Hogan, Jessie Salisbury, David Wirbal,
Alex Loverme

Chairman Faiman called the meeting to order at 7:30 pm and began by introducing members of the Zoning Board of Adjustment to the public. He stated that Alternate Jeff Stone will be sitting on the Board this evening for Paul Levesque

MINUTES:

July 11, 2017

J. Eckstrom MOVED to accept the minutes as written. C. Roberts SECONDED. (4-ayes, 0-nay, 1 abstain). Motion passes.

October 10, 2017

Line 67: Change quick to quit

J. Eckstrom MOVED to accept the minutes with the single correction. C. Roberts SECONDED. (5-ayes, 0-nay). Motion passes.

NOTICE OF PUBLIC HEARING:

Chairman Faiman announced that the ZBA has one Zoning Board of Adjustment application to review tonight and read the Public Hearing Notice into the record:

Case #: 12/12/17-1

N. Faiman opened the hearing by reading the legal notice and outlining the process.

David Wirbal has applied for a variance to [sections 5.3.1\(e\) and 5.3.1.1\(e\)](#) of the Wilton Zoning Ordinance, to allow the construction of a 140 square foot utility shed for the purpose of brewing craft beer as a home occupation on Lot M-73, 41 Greene Street.

D. Wirbal explained that he cannot brew beer for sale inside his home because the NH Liquor Commission must be able to inspect his operation at any time and cannot enter his residence. He will apply for a NH Liquor brewers license. This will not allow for sales on site.

N. Faiman asked about the size of the shed. D. Wirbal said not to exceed 12x 10.

N. Faiman asked if it will be climate controlled. D. Wirbal said yes it will. It is a small space so it will be easy to heat and cool.

J. Eckstrom asked what the quantity of beer he was planning to brew. D. Wirbal said two 5-gallon batches per month at this point.

N. Faiman clarified that this home occupation would not normally need a permit but only does since it will be done outside of the home and store materials outside the home. He is requesting relief from this rule.

J. Stone asked about cleaning and where it will take place. D. Wirbal said he will not have water in the shed and will clean inside his house. He uses organic cleaners and is on septic.

There was some discussion of Board of Health issues but they are outside of the jurisdiction of the ZBA.

A. Loverme, from the audience, asked about lighting for security. D. Wirbal responded that the lighting will be canvassed and pointed toward his house. He will use lights that are triggered.

A discussion ensued about the current lighting conditions shining on neighboring properties. D. Wirbal agreed to work with neighbors to adjust them.

A. Loverme, from the audience, asked about plans to cut trees. D. Wirbal said he wasn't planning on cutting trees, his house would shield neighbors from lights.

J. Eckstrom asked about windows in the shed. D. Wirbal said there will be windows but not as many as in the picture in the application.

S. Hogan, from the audience, asked about a site walk. The Board agreed that a site walk would be helpful since the application didn't show where precisely the shed would be located.

A. Hoar asked about lighting requirements. Do the lights need to be on all the time? N. Faiman added that lights should be downcast or baffled.

A discussion ensued about how much money this would make and if it was a hobby only. D. Wirbal said it was at this point a hobby but he might do more as he retired.

N. Faiman summarized that all activity other than washing would take place in the shed, no one – other than deliveries – will come to the property, and sales will not be done on site.

Abutters raised concerns about security. D. Wirbal stated he would use barring inside the shed and extend the home security system he had already to the shed.

Abutters raised concerns about property values. Many properties have sheds, but they don't have an attractive nuisance like brewing a controlled substance.

A. Hoar asked about setting a max amount of beer that can be brewed. J. Eckstrom asked why? N. Faيمان said that if this falls under the standard that no one will notice then there is no limit other than that. A. Loverme asked what if the business takes off. N. Faيمان said that would be covered under the Special Exception not required 5.3.1.1.

S. Hogan asked what if something goes wrong? N. Faيمان said that would go up to the Board of Health and the Building Inspector.

J. Camara asked is it two exceptions? N. Faيمان said yes, two variances are requested. N. Faيمان read Exhibit 1 – letter from Michael Goodie who wrote in support. The Board discussed outside versus exterior in 5.3.1.e and 5.3.1.1.e – does outside equal outdoors? N. Faيمان brought up that 6.6.1 in residential agricultural district allows for home occupation outside the home but not residential.

A. Loverme asked if this would change the zoning of D. Wirbal's house. N. Faيمان said no. A variance just sets aside or relaxes a regulation on a property.

C. Roberts MOVED, and A. Hoar SECONDED, to have a site walk on Sunday January 7, 2018, at 10 am and to continue the hearing until January 9, 2018, at 7:30 PM. However, if the weather looks dubious by January 5, 2018, this will be postponed until February 11, 2018, at 10 am for the site walk and February 13, 2018, at 7:30 PM for the hearing. (5-ayes, 0-nay). Motion passes. J. Eckstrom MOVED, and C. Roberts SECONDED, to close the hearing. (5-ayes, 0-nay). Motion passes.

NEW BUSINESS:

The Board discussed Michele Decoteau, Land Use Administrator's role. She will be

- accepting applications
- Providing meeting support
- Providing website help

Other items discussed were creating forms for the applications that are fillable pdfs.

ADJOURN:

C. Roberts made a MOTION that J. Eckstrom seconded to adjourn the meeting at 9:05PM. All in Favor.

Respectfully submitted by Michele Decoteau, Land Use Administrator

Exhibits on file at the Land Use office:

Exhibit 1: Letter from Michael Goodie in support of D. Wirbal's project

Approved Minutes from 07.11.17

Approved Minutes from 10.10.17