



TOWN OF WILTON ZONING BOARD OF ADJUSTMENT

Approved Minutes

DATE: August, 24, 2020
TIME: 6:00 PM
PLACE: Remote Only
PRESENT: N. Faiman (Chair), Jeff Stone, Paul Levesque, Andy Hoar, Jeff Stone, Peter Howd (Alternate), Joanna Eckstrom, Judith Klinghoffer
Absent: Bob Spear
Staff: Michele Decoteau, Land Use Administrator
Attendees: Lynn Pentler, Elizabeth Levesque, Gail Hoar, Lynne Stone

1) Call to order by the Chairperson

N. Faiman opened the meeting at 6:05 PM. He read the emergency declaration and right to know information.

2) Roll call attendance

Roll call attendance

N. Faiman –here, with Lynn Pentler

J. Eckstrom – here, alone

P. Howd – here, alone

J. Klinghoffer – here, alone

A. Hoar – here, Gail Hoar

J. Stone – here, Lynne Stone

P. Levesque – here, Elizabeth Levesque.

3) Public hearings continued from previous meetings

Case #06/14/20 – 1 - Marois

This is a rehearing request by Building Inspector, N. Ditri. N. Faiman reviewed the case. The voting members on the rehearing will be J. Eckstrom, P. Levesque, A. Hoar, J. Stone, and N. Faiman.

N. Faiman said that this is meeting to decide if the ZBA will or will not hold a rehearing. The Board discussed the letter and the concerns raised. The primary point of discussion was the conversation that both the Applicants, the Marois, and the Building Inspector, recount that took place in December 2019 where impact fees were discussed. Some of the Board members said they had not realized this was part of the record but did agree it was part of the record.

The Board reviewed the standards for granting a rehearing: new evidence that wasn't available before or a technical error.

J. Eckstrom MOVED to deny the request for a rehearing because no new evidence was presented that was not previously available and there was no technical error by the Board .

A. Hoar SECONDED.

Roll call vote:

J. Eckstrom – aye

A. Hoar – aye

J. Stone – aye

P. Levesque – nay

N. Faiman – aye. Motion carries

4) Other business

J. Eckstrom MOVED to go into Non-public Session at 6:41PM for statutory reason outlined in RSA 91-A.3 1(l) Consideration of legal advice provided by legal counsel. J. Stone SECONDED.

J. Eckstrom – yes

P. Levesque – yes

A. Hoar – yes

J. Stone – yes

B. Spear – yes

N. Faiman – yes

P. Howd – yes

J. Klinghoffer - yes. Motion passed.

A. Hoar MOVED to return to Public Session at 6:59PM. P. Howd SECONDED.

J. Eckstrom – yes

P. Levesque – yes

A. Hoar – yes

J. Stone – yes

B. Spear – yes

N. Faiman – yes

P. Howd – yes

J. Klinghoffer - yes. Motion passed.

P. Howd MOVED to seal the minutes due to attorney client privilege. J. Eckstrom SECONDED.

J. Eckstrom – yes

P. Levesque – yes

A. Hoar – yes

J. Stone – yes

B. Spear – yes

N. Faiman – yes

P. Howd – yes

J. Klinghoffer - yes. Motion passed.

5) New business

Schedule

The Board discussed if they would be able to meet on Sept 8 and Nov 8 since they were election days. The Board decided to meet on those days if needed since the meetings started after voting concluded and vote counters would not be needed this year.

Town Counsel

The Select Board had voted to ask the Land Use Boards to find other counsel and not use DTC. N. Faiman said that Alec MacMartin, Michele Decoteau and he were working together to find counsel possibilities.

6) Adjournment

A. Hoar MOVED to adjourn at 7:01 PM. J. Eckstrom SECONDED.

J. Eckstrom – yes

P. Levesque – yes

A. Hoar – yes

J. Stone – yes

B. Spear – yes

N. Faiman – yes

P. Howd – yes

J. Klinghoffer - yes. Motion passed.

Respectfully submitted by Michele Decoteau, Land Use Administrator

Approved on 10.13.20