



TOWN OF WILTON ZONING BOARD OF ADJUSTMENT

Draft Minutes

5

6

7

8 **DATE:** August, 24, 2020

9 **TIME:** 6:00 PM

10 **PLACE:** Remote Only

11 **PRESENT:** N. Faiman (Chair), Jeff Stone, Paul Levesque, Andy Hoar, Jeff Stone, Peter Howd
12 (Alternate), Joanna Eckstrom, Judith Klinghoffer

13 **Absent:** Bob Spear

14 **Staff:** Michele Decoteau, Land Use Administrator

15 **Attendees:** Lynn Pentler, Elizabeth Levesque, Gail Hoar, Lynne Stone

16

17

18 **1) Call to order by the Chairperson**

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

21

22 **2) Roll call attendance**

23 Roll call attendance

24 N. Faiman –here, with Lynn Pentler

25 J. Eckstrom – here, alone

26 P. Howd – here, alone

27 J. Klinghoffer – here, alone

28 A. Hoar – here, Gail Hoar

29 J. Stone – here, Lynne Stone

30 P. Levesque – here, Elizabeth Levesque.

31

32 **3) Public hearings continued from previous meetings**

33 *Case #06/14/20 – 1 - Marois*

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

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

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

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

46 **A. Hoar SECONDED.**

47 Roll call vote:

48 J. Eckstrom – aye

49 A. Hoar – aye

50 J. Stone – aye

51 P. Levesque – nay

52 N. Faiman – aye. Motion carries

53

54

55 **4) Other business**

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

58 **Stone SECONDED.**

59 J. Eckstrom – yes

60 P. Levesque – yes

61 A. Hoar – yes

62 J. Stone – yes

63 B. Spear – yes

64 N. Faiman – yes

65 P. Howd – yes

66 J. Klinghoffer - yes. Motion passed.

67

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

69 J. Eckstrom – yes

70 P. Levesque – yes

71 A. Hoar – yes

72 J. Stone – yes

73 B. Spear – yes

74 N. Faiman – yes

75 P. Howd – yes

76 J. Klinghoffer - yes. Motion passed.

77

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

80 J. Eckstrom – yes

81 P. Levesque – yes

82 A. Hoar – yes

83 J. Stone – yes

84 B. Spear – yes

85 N. Faiman – yes

86 P. Howd – yes

87 J. Klinghoffer - yes. Motion passed.

88 .

89 **5) New business**

90 Schedule

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

94

95 Town Counsel

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

99

100 **6) Adjournment**

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

102 J. Eckstrom – yes

103 P. Levesque – yes

104 A. Hoar – yes

105 J. Stone – yes

106 B. Spear – yes

107 N. Faiman – yes

108 P. Howd – yes

109 J. Klinghoffer - yes. Motion passed.

110

111 Respectfully submitted by Michele Decoteau, Land Use Administrator

112

113 Approved on XX.XX.XX