



TOWN OF WILTON ZONING BOARD OF ADJUSTMENT

Draft Minutes

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8 **DATE:** October 7, 2020

9 **TIME:** 7:30 PM

10 **PLACE:** Remote

11 **PRESENT:** Neil Faiman, Chair; Joanna Eckstrom, Vice-Chair; Jeff Stone; Paul Levesque;
12 Andy Hoar; Peter Howd, Alternate; Judith Klinghoffer, Alternate

13 **Absent:**

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

15 **Attendees:** Scott Thompson (applicant), Lynn Pentler, Lynne Stone

16

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

18 Meeting was opened at 7:35 PM by N. Faiman. He read the Emergency Declaration and the Right to
19 Know information.

20 **2) Introduction of Board members by the Chairperson**

21 Roll call attendance:

22 P. Howd – here, alone

23 J. Stone – here, Lynne Stone

24 P. Levesque – here, alone

25 A. Hoar – here, alone

26 J. Klinghoffer – here, alone

27 N. Faiman – here, Lynn Pentler

28

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

30 *Case #09/08/20-1*

31 *Scott Thompson has applied for a Special Exception under section 17.3 and a variance from section 6.2.5*
32 *of the Wilton Zoning Ordinance, to permit the construction of a single-family home and the location of a*
33 *septic disposal field on Lot D-23, Holt Road, both of which would be closer to lot lines than would*
34 *otherwise be permitted by the Ordinance.*

35 In response to a question by J. Eckstrom, N. Faiman responded that Mr. Thompson only needed to apply
36 for the Special Exception and the single variance. The second variance requested would be addressed with
37 the Special Exemption.

38

39 S. Thompson presented his case. He has an odd shaped lot that is extremely small and wants to build a
40 single family home on this lot of record. The only place that a house and septic system can be built would
41 be if the ZBA reduces the setbacks. The house he has planned would be fit into the neighborhood – they
42 are all single family homes.

43

44 S. Thompson referred to the site plan and reviewed the measurements. M. Decoteau shared the site plan
45 that showed the limited buildable portion of the lot if all setbacks were observed. The location of the
46 septic was also pointed out.

47

48 N. Faiman asked the Board members if they had had an opportunity to drive by the lot. The Board said
49 they had and noted the hole that had been dug and the trailer. S. Thompson said the hole will be the cellar
50 hole. The Board said they all thought the hole was the septic hole. N. Faiman showed pictures from both
51 ends of the lot. S. Thompson said the trailer is located behind where the house will be located.

52
53 J. Klinghoffer confirmed that the lot was previously owned by S. Thompson's father. S. Thompson said
54 yes, his father owned the lot. J. Klinghoffer asked about the purpose of breaking off this small lot from
55 the larger lot. The Board confirmed that S. Thompson's lot is a lot of record and has been an independent
56 lot for many many years. Small lots are not uncommon on Holt Road.

57
58 P. Levesque said there were two issues with this lot. It is an undersized lot and the setbacks. Will this
59 need one variance or two. J. Eckstrom said that the size won't need a variance. N. Faiman said Section
60 17.2 allows him to put a house on the lot, even though the lot is small. Setbacks aren't affected this
61 section. In Section 17.3 the ZBA is given the power to grant a Special Exception to reduce lot line
62 setbacks under specific conditions. This also requires a specific site plan.

63
64 P. Levesque asked if this was going to be a single story house. S. Thompson said he was planning a one
65 bedroom ranch. P. Levesque asked about the square footage of the proposed house. S. Thompson said it
66 was 24 x32 feet or 768 square feet. P. Levesque asked about water. S. Thompson said that it would be
67 Town Water. J. Stone said the drawing showed a two-bedroom septic. M. Decoteau said that the smallest
68 septic size designed is a two-bedroom septic size. J. Stone asked for clarification of the location of the
69 basement hole. N. Faiman shared pictures he took at the north and south ends of the lot. The shared
70 driveway was pointed out and oriented on the plan. The trailer that is currently on the lot is behind where
71 the cellar hole is located.

72
73 The Board discussed how to proceed. The Board decided to focus on the Variance first. The Variance
74 relief being requested is from Section 6.2.5 – Location of On-site disposal fields. The Board discussed the
75 density of lots on Holt Road and that town water is available but town sewer is not available.

76
77 N. Faiman reviewed two past cases of variances for septic systems in setbacks on small lots. In both of
78 the cases, the septic systems was an enviroseptic system. On both case, it was explained to the Board why
79 this particular design was an appropriate choice for that location.

80
81 The Board discussed remaining concerns. The Board asked that the applicant provide testimony from the
82 septic designer:

- 83 1. Evaluation of the concentration of septic fields in a small geographic area? There are a lot of
84 small lots on Holt Road each with a septic system and Town water. What are the concerns about
85 many septic systems in small lots.
- 86 2. Why he believes those concerns are not an issue here
- 87 3. Is this an enviroseptic system?
- 88 4. How does this compare to an Enviroseptic
- 89 5. Why this system? Why this is appropriate for this location?
- 90 6. Is there a superior system but prohibitively expensive?

91
92 The Board agreed they did not have enough information to make a decision at this point and requested
93 that S. Thompson bring his septic designer to the next meeting.

94
95 **J. Eckstrom MOVED continue the discussion on the Variance until October 27, 2020, at**
96 **7:30 PM to take testimony from the septic designer. P. Levesque SECONDED.**

97 Roll call vote:

98 J. Eckstrom – aye
99 P. Levesque – aye
100 A. Hoar – aye
101 J. Stone – aye
102 N. Faiman – aye. Motion carries.

103
104 **J. Eckstrom MOVED continue the discussion of the Special Exception until October 27,**
105 **2020, at 7:30 PM. A. Hoar SECONDED.**

106 Roll call vote:
107 J. Eckstrom – aye
108 P. Levesque – aye
109 A. Hoar – aye
110 J. Stone – aye
111 N. Faiman – aye. Motion carries.

112
113 The Board advised S. Thompson not to do any major work until the case is concluded.

114
115 **4) Minutes of previous meetings**

116 Minutes of August 24, 2020
117 Line 43 ... “or” not “and”
118 Line 96 ... “had voted”
119 Line 97 ...”that Alec”

120
121 **J. Eckstrom MOVED to approve the minutes of 08.24.20 as corrected. P. Levesque**
122 **SECONDED.**

123 Roll call vote:
124 J. Eckstrom – aye
125 P. Levesque – aye
126 P. Howd – aye
127 A. Hoar – aye
128 J. Stone – aye
129 J. Klinghoffer – abstain
130 N. Faiman – aye. Motion carries.

131
132 **5) Review of the Land Use Administrator**

133 **P. Howd MOVED to go in to Non Public Session under 91-a:3IIa at 8:42PM. J. Eckstrom**
134 **SECONDED.**

135 Roll call vote:
136 A. Hoar – aye
137 J. Stone – aye
138 P. Levesque – aye
139 J. Stone – aye
140 J. Klinghoffer – aye
141 N. Faiman – aye. Motion carried.

142
143 **J. Eckstrom MOVED to seal the minutes from the Non-pubic session. P. Howd**
144 **SECONDED.**

145 Roll call vote:
146 A. Hoar – aye
147 J. Stone – aye
148 P. Levesque – aye
149 J. Stone – aye
150 J. Klinghoffer – aye
151 N. Faiman – aye. Motion carried.

152

153 **6) Adjournment**

154 **A. Hoar MOVED to adjourn at 8:52 PM. P. Howd SECONDED.**

155 Discussion: Hearing none the chair asked for a roll call vote.

156 Roll call vote:

157 A. Hoar – aye

158 J. Stone – aye

159 P. Levesque – aye

160 J. Stone – aye

161 J. Klinghoffer – aye

162 N. Faiman – aye. Motion carried

163

164 Respectfully submitted by Michele Decoteau, Land Use Administrator

165 Approved on XX.XX.XX