



## TOWN OF WILTON ZONING BOARD OF ADJUSTMENT

### *Approved Minutes*

**DATE:** October 13, 2020  
**TIME:** 7:30 PM  
**PLACE:** Remote  
**PRESENT:** Neil Faiman, Chair; Joanna Eckstrom, Vice-Chair; Jeff Stone; Paul Levesque; Andy Hoar; Peter Howd, Alternate; Judith Klinghoffer, Alternate  
**Absent:**  
**Staff:** Michele Decoteau, Land Use Administrator  
**Attendees:** Scott Thompson (applicant), Lynn Pentler, Lynne Stone

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

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

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

Roll call attendance:  
P. Howd – here, alone  
J. Stone – here, Lynne Stone  
P. Levesque – here, alone  
A. Hoar – here, alone  
J. Klinghoffer – here, alone  
N. Faiman – here, Lynn Pentler

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

*Case #09/08/20-1*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Roll call vote:

J. Eckstrom – aye

P. Levesque – aye

A. Hoar – aye

J. Stone – aye

N. Faiman – aye. Motion carries.

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

Roll call vote:

J. Eckstrom – aye

P. Levesque – aye

A. Hoar – aye

J. Stone – aye

N. Faiman – aye. Motion carries.

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

#### **4) Minutes of previous meetings**

##### Minutes of August 24, 2020

Line 43 ... “or” not “and”

Line 96 ... “had voted”

Line 97 ...”that Alec”

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

Roll call vote:

J. Eckstrom – aye

P. Levesque – aye

P. Howd – aye

A. Hoar – aye

J. Stone – aye

J. Klinghoffer – abstain  
N. Faiman – aye. Motion carries.

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

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

Roll call vote:

A. Hoar – aye

J. Stone – aye

P. Levesque – aye

J. Stone – aye

J. Klinghoffer – aye

N. Faiman – aye. Motion carried.

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

Roll call vote:

A. Hoar – aye

J. Stone – aye

P. Levesque – aye

J. Stone – aye

J. Klinghoffer – aye

N. Faiman – aye. Motion carried.

**6) Adjournment**

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

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

Roll call vote:

A. Hoar – aye

J. Stone – aye

P. Levesque – aye

J. Stone – aye

J. Klinghoffer – aye

N. Faiman – aye. Motion carried

Respectfully submitted by Michele Decoteau, Land Use Administrator  
Approved on 10.27.20