

TOWN OF WILTON – RED LINE
Zoning Board of Adjustment

DATE: January 11, 2022
TIME: 7:30 PM
PLACE: Wilton Lyndeborough Cooperative School cafeteria, 57 School St., Wilton NH
PRESENT: Neil Faiman (Chair), Jeff Stone, Paul Levesque, Judith Klinghoffer (alternate), Peter Howd (alternate), Joanna Eckstrom (Vice-Chair and attending remotely)
Staff: Michele Decoteau, Board Secretary
Attendees: Karen Artemik, Bill Artemik, Patricia Sluz

1) Call to order by the Chairperson

N. Faiman opened the meeting at 7:34 PM. He introduced the Board members. J. Eckstrom, attended remotely, and confirmed she could not attend in person due to illness; she could hear and be heard. P. Howd excused himself from the meeting for a family matter.

2) Minutes of previous meetings

December 14, 2021

J. Stone provided a redline version. M. Decoteau provided her notes to clarify a question on page 3, K. Artemik said she did not know how the business, rather than “this” would be advertised.

J. Eckstrom MOVED to approve the minutes from December 14, 2021, as amended by J. Stone and further amended at this meeting. P. Levesque SECONDED.

Discussion:

J. Stone asked B. Artemik if a manufacturing license and an FFL class 7 license were the same. B. Artemik confirmed they were the same.

Roll call vote:

J. Stone – yes

P. Levesque – yes

N. Faiman – yes

J. Klinghoffer – yes

J. Eckstrom – yes. Motion carried. (5 – yes, 0-no, 0 abstain).

January 8, 2022

The Board asked that the minutes reflect that the site walk was only outside.

J. Stone MOVED to accept the minutes from January 8, 2022, as amended with the note. P. Levesque SECONDED.

Discussion: None

Roll call vote:

J. Stone – yes

P. Levesque – yes

N. Faiman – yes

J. Klinghoffer – yes

J. Eckstrom – abstain. Motion carried. (4 – yes, 0-no, 1- abstain).

3) Public hearings continued from previous meetings

Case #1119/21-1

Karen and William Artemik have requested a special exception under section 5.3.1 of the Wilton Zoning Ordinance to allow a firearms exchange business as a home occupation on Lot F-42-3, 106 Intervale Road.

N. Faiman opened the Public Hearing by reading the Public Notice. He reviewed the history of the case.

B. Artemik said he would be manufacturing firearms and these are custom. He would not be selling retail. Traffic would be minimal and as noted at the site walk, there was adequate parking. He is not sure how he will be advertising. B. Artemik provided photos of the types of firearms he expects to be putting together. He noted that it is only the parts that have serial numbers that need to be sent to an FFL holder.

In response from a question from the Board, B. Artemik cited he is less expensive, closer, and friendlier than going to a retail store. Many people shop on line for a greater selection of parts.

In response to a question from the Board, B. Artemik said that once he has the firearm and the customer comes to his house, the approval from the state is usually instantaneous. He said that the State of NH gives approval for handguns and the federal government gives approvals for long guns.

In response to a question from the Board, B. Artemik said he does not provide training on firearms to customers.

B. Artemik provided documents to the Board: Federal Firearms License 01 expires 09.1.23, Federal Firearms License 07 expires 12.01.24, and License to sell Pistols and Revolvers from the State of New Hampshire, signed by Wilton Police Chief Eric Olesen expires 09.22.23

In response to a question from the Board, B. Artemik said he gets a paper copy of an inspection report if ATF does an inspection. ATF doesn't tell him when or how frequent inspections will be.

In response to a question from the Board, B. Artemik said he had a work room, about 14 x 14 foot in the basement where he has a bench to work on. He meets people there to sign paperwork. It is two rooms from where the gun safes are located.

The Board asked for abutter comments. P. Sluz read her response to the Artemiks' letter.

The Board and applicants discussed whether to put limits on customer's shooting on his property. It was also discussed that this application is only for the transfer of firearms. The applicants and the Board discussed what business hours would be needed.

P. Levesque MOVED to close the public hearing and move to deliberations. J. Stone SECONDED.

Discussion: None

Roll call vote:

J. Stone – yes

P. Levesque – yes

N. Faiman – yes

J. Klinghoffer – yes

J. Eckstrom – yes. Motion carried. (5 – yes, 0-no, 0- abstain).

The Board discussed the intensity of the commercial enterprise in a residential district and determined this would be low intensity. The Board discussed some possible conditions such as hours of operation, no customers discharging firearms, and stating the scope of the application.

J. Klinghoffer MOVED to grant the application for a Special Exception for a Home Occupation with the following qualifications:

1. No discharging firearms by customers on the property

2. Hours of operation are 8am to 5pm during the week and Saturday mornings

3. The application only refers to transfer sales not manufacturing.

J. Stone SECONDED.

J. Eckstrom MOVED to reopen the public hearing. J. Stone SECONDED.

Discussion: None

Roll call vote:

J. Stone – yes

P. Levesque – yes

N. Faiman – yes

J. Klinghoffer – yes

J. Eckstrom – yes. Motion carried. (5 – yes, 0-no, 0- abstain).

Vote on the Special Exception:

Discussion: None

Roll call vote:

J. Stone – yes

P. Levesque – yes

N. Faiman – yes

J. Klinghoffer – yes

J. Eckstrom – yes. Motion carried. (5 – yes, 0-no, 0- abstain).

N. Faiman reviewed the appeal process and reviewed the site plan requirements.

4) Rules of Procedure

The Board decided to table these discussions until more members could be in attendance.

5) Communications and invoices

Noted.

6) Adjournment

J. Klinghoffer Moved to adjourn at 8:44 PM. P. Levesque SECONDED.

Discussion: None

Roll call vote:

J. Stone – yes

P. Levesque – yes

N. Faiman – yes

J. Klinghoffer – yes

J. Eckstrom – yes. Motion carried. (5 – yes, 0-no, 0- abstain).

List of any Exhibits from the meeting

Three photographs of firearms

Federal Firearms License 01 expires 09.1.23

Federal Firearms License 07 expires 12.01.24

License to sell Pistols and Revolvers from the State of New Hampshire, signed by Eric Olesen
expires 09.22.23

Letter from P. Sluz

Respectfully submitted by Michele Decoteau, Board Secretary

Approved on 02.08.22