



Town of Wilton, NH Zoning Board of Adjustment

Notice of Decision

The request by Faby Gagné and Luc Sirois for a special exception under section 6.6.1 of the Wilton Zoning Ordinance, to allow fiber arts workshops as a home occupation on Lot A-30, 325 Burton Highway and Stiles Farm Road, has been granted, subject to the conditions enumerated below.

This decision was made at a rehearing on the proposed special exception, following an initial approval on Tuesday, April 14, 2026, and requests for a rehearing by abutters Kenton Blagbrough and Howard Preston which were granted on May 21, 2026.

This decision was made by a vote of five in favor, none opposed, on a motion to approve at the Tuesday, June 9, 2026 rehearing on the application.

This decision shall expire if the construction or use permitted by it has not begun by Friday, June 9, 2028. (Wilton Zoning Ordinance section 17.4)

The selectmen, any party to the action or proceedings, or any abutter may request a rehearing of this decision, as provided by N.H. RSA 677:2. A request for a rehearing must be filed in writing with the Zoning Board of Adjustment using the form which is available on the Zoning Board web site at <https://www.wiltonzba.org/how_to_apply.html> or in the Wilton Land Use Office.

Other Decisions

The original application for this case was for a special exception to allow fiber arts workshops, rental of a dressage arena, raising cashmere goats, and growing Christmas trees and lavender on Lots A-21-1 and A-30 as home occupations.

The request with regard to raising cashmere goats and growing Christmas trees and lavender was denied without prejudice Tuesday, April 14, because the proposed of uses are permitted as of right.

The request with regard to renting the dressage ring was denied Tuesday, May 12. A request for rehearing was denied Tuesday, June 9.

The present decision deals only with the request to allow fiber arts workshops.

Conditions of Approval

1. Workshops may be conducted either by the applicant or by an outside instructor.
2. The applicant will be on site during all workshops.
3. In addition to the applicant and the instructor, there will be no more than 15 participants in a workshop.
4. Workshops may be held on no more than two days in a calendar month, except that a third day is allowed in no more than two months of each year.

5. One or more workshops may be held on any workshop day, but no more than 15 total vehicle round trips associated with the workshops are allowed on any workshop day.
6. Workshops will begin no earlier than 9:00 a.m. and will end no later than 6:00 p.m. or sunset, whichever is earlier.
7. The applicant will meet the sanitary needs of the applicants either by providing portable toilets or by allowing workshop participants to use a toilet in the house.
8. Only non-toxic dyes will be used in the workshops, and no dyes will be disposed of on the property.
9. Any portable toilets will be placed on the back side of the barn to screen them from the road.

Findings in Support of the Decision

These findings are based on

- the application,
- the plans and documents submitted with the application,
- testimony by the applicants and abutters at the hearings on the application,
- written submissions from the applicants and abutters at the hearings on the application,
- observations by the Zoning Board members at the April 2 site visit,
- personal familiarity knowledge of the Zoning Board members with the property and the neighborhood, and
- the motions for rehearing,

All section references below are to sections of the Wilton Zoning Ordinance, as amended by Town Meeting in March of 2026.

General

1. Lot A-30 is a 12.8 acre lot in the General Residence and Agricultural District.
2. The applicant proposes to conduct small-group fiber-based craft workshops in the existing barn on the lot.

Access

1. Lot A-30 has frontage on Class VI Stiles Farm Road (also known as Old Peterborough Road and Old County Road). The house and barn on the lot were constructed pursuant to building permits issued in accordance with approval from the Select Board under RSA 674:41, I(c).
2. The eastern portion of Stiles Farm Road, where the lot is located, is in “old woods road” condition, suitable for pedestrians and horses, but not generally suitable for vehicular traffic; but the portion that the lot directly fronts on was improved by a previous owner.
3. The lot is accessed by way of a private drive from Burton Highway over Lot A-21-1 (which is held in common ownership with Lot A-30) to Stiles Farm Road. (A portion of the private drive is shared under easement with adjacent Lot A-21-2).
4. During a site visit on April 2, the Zoning Board members drove over the private drive to reach the lot, and found it to be no better or worse than the typical Wilton unpaved rural driveway.

Required Frontage

1. Lots in the General Residence and Agricultural District are generally required to have “Two hundred (200) feet [frontage] on a public right-of-way, Class V or better.” (Section 6.2.3)
2. However, Section 17.2 provides that “Where a lot of record at the time of the effective date of this Ordinance has less area and/or frontage than herein required in the District in which it is located: (a) The lot may be used for a single family dwelling if permitted in that district subject to New Hampshire Water Supply and Pollution Control Division approval and subject to all district regulations applicable to lots within the district wherein the lot is located with the exception of lot size and/or frontage. (b) The lot may be used for any non-residential use permitted in the district in which it is located in compliance with maximum density requirements, setbacks, and New Hampshire DES Water Supply and Pollution Control Division regulations.”
3. The Ordinance defines a “lot of record” as “Land designated as a separate and distinct parcel in a legally-recorded deed filed in the record of Hillsborough County, New Hampshire.” (Section 3.1.19)
4. The lot was a lot of record prior to and at the time of adoption of the adoption of the Wilton Zoning Ordinance.
5. Thus, while the lot is nonconforming with regard to frontage, the house, barn, and proposed home occupation are permitted under the same conditions as on any other lot in the General Residence and Agricultural District.

The Proposed Use is a Home Occupation

1. *Section 3.1.2: Home Occupation [definition]* “A business operated in a building that is incidental and subordinate to the use of the building or lot for residential purposes in compliance with the criteria established for home occupations in section 5.3.1 or 6.6.1 of this Ordinance.”
2. *A business:* The proposed fiber arts workshops will be an organized activity offered to clients on a regular basis in exchange for payment, and are clearly a business.
3. *Operated in a building:* They will be conducted in the barn, which is a building.
4. *Incidental ... to the use of the building or lot for residential purposes:* They will be organized and managed by a resident property owner, who will also be present at the workshops, and are therefore incidental to the residential use of the property.
5. *Subordinate to the use of the building or lot for residential purposes:* They will be an occasional (no more than 14 days in a year) use of a portion of an accessory building (the barn) on the property, and are therefore subordinate to the residential use of the property.

Compliance with Section 6.6.1 — Home Occupations (General Residence and Agricultural District, Special Exceptions)

1. *Section 6.6.1: “The ZBA may, in appropriate cases subject to appropriate conditions, permit home occupations in compliance with the requirements of this section, Section 5.3.1 Home Occupations and Section 4.10 Performance Standards. The provisions of Section 5.3.1 shall govern home occupations in this district except as otherwise provided for below.”*
2. *Section 6.6.1(a): “The home occupation shall not be evident from the road or other public right-of-way.”* The workshops will be conducted inside the barn. Portable toilets, if used, will be placed behind of the barn.
3. *Section 6.6.1(b): “Materials or equipment stored outside must be adequately screened from adjacent public rights-of-way and properties.”* There is no proposal to store materials or equipment outside. Portable toilets, if used, will be placed behind of the barn.

4. *Section 6.6.1(c): "Only retail sales which are customary and incidental to the home occupation are permitted."* No retail sales are proposed. Sale of materials or supplies to participants would be customary and incidental to the workshop activity.
5. *Section 6.6.1(d): "Separate structures may be constructed or placed to accommodate the home occupation if screened from surrounding development and suitable for reversion to a use ancillary and incidental to a residential or agricultural use."* There are no proposed separate structures.
6. *Section 6.6.1(e): "The home occupation use shall be clearly subordinate and secondary to the primary use of the property as a residence."* See points 4 and 5 under "The Proposed Use is a Home Occupation" above.

Compliance with the Conditions of Section 5.3.1 — Home Occupations (Residential District, Special Exceptions)

1. *Section 5.3.1: "Home occupations shall be permitted by special exception provided that all home occupations existing or proposed on a lot, taken together, comply with the requirements of this section."* No other home occupations have been approved on this lot. This provision would come into effect if another home occupation was approved in the future.
2. *"When considering an application for a home occupation, the Zoning Board of Adjustment shall take into account the location of the proposed use, the area of the lot, the type and density of surrounding development, existing buffers and screens between the proposed use and surrounding development, and the compatibility of the proposed use with the surrounding neighborhood."* The workshops will take place in a barn, which is on an essentially untravelled road, on a 13 acre lot which is surrounded by wooded properties and is several hundred feet from any other dwellings. They will have virtually no effect on the surrounding neighborhood.
3. *"Where one or more home occupations are already being conducted on a lot pursuant to a special exception under this section, any new home occupation will require a new special exception and site plan review that encompass all present and proposed home occupations on the premises."* No other home occupations are being conducted on the lot.
4. *Section 5.3.1(a): "Home occupations shall be incidental and secondary to the use of the associated dwelling unit as a residence."* See points 4 and 5 under "The Proposed Use is a Home Occupation" above.
5. *Section 5.3.1(b): "Home occupations shall be carried on by the resident owner of the dwelling unit, resident members of the owner's family, a resident tenant, or resident members of the tenant's family."* The workshops will be conducted by a resident owner of the dwelling unit.
6. *Section 5.3.1(c): "A maximum of two non-family employees are permitted on the lot."* The only proposed employees are the presenters who will be hired to present the workshops, of whom there will be no more than two for a workshop.
7. *Section 5.3.1(d): "No additions or changes shall be made to the residence that will make it impractical to revert it to purely residential use."* No changes to the residence are proposed.
8. *Section 5.3.1(e): "Exterior storage of materials or equipment is prohibited."* No exterior storage of materials is proposed.
9. *Section 5.3.1(f): "In addition to the parking area required for the primary residential use, including for all dwelling units on the lot, sufficient off-street parking shall be provided for any non-resident employees, customers and suppliers who may normally be expected to need parking at one time. Driveways may be used for client parking. Where additional space is desired, a maximum of two (2) parking spaces is permitted; however, those spaces shall not be located in the front yard or in a setback. Parking spaces shall be a minimum of nine feet by eighteen feet (9' X 18') per space."* The Board members observed that

parking is available adjacent to the barn and at the house, and the applicant points out that parking is also available in mouth of the private drive where it enters Stiles Farm Road.

10. *Section 5.3.1(g): “Traffic generated by home occupations shall not create safety hazards or be substantially greater in volume than would normally be expected in the neighborhood.”* A maximum of 15 vehicle round trips each on a maximum of 14 days in a year is not substantially greater in volume than would normally be expected on a town road like Burton Highway, nor will it create a safety hazard.
11. *Section 5.3.1(h): “Home occupations shall be conducted in accordance with the conditions of the special exception permitting them and all Town regulations, state laws and licensing requirements, including, without limitation, this Section 5.3.1.”* This is an operational requirement of compliance with all applicable regulations. It does not impose any distinct new requirement.
12. *Section 5.3.1(i): “When a business outgrows the standards established for home occupations, it must relocate into a commercial or industrial district.”* This is an operational requirement that a home occupation not exceed the limits that were set for it when it was approved. It does not impose any distinct new requirement.

Compliance with Section 4.12 — Special Exceptions (General Provisions and Performance Standards)

1. *Section 4.12: “Any Special Exceptions permitted by this Ordinance may be granted by the Zoning Board of Adjustment only upon a finding that the proposed use, structure or activity:”*
2. *Section 4.12(a): “is not permitted by the Ordinance in the absence of a Special Exception”.* The proposed use is a home occupation which, as a commercial use, is not permitted as of right in the General Residence and Agricultural District.
3. *Section 4.12(b): “is consistent with and will not substantially affect the character of the neighborhood in which it is proposed;”* See point 2 under section 5.3.1 above.
4. *Section 4.12(c): “will comply with sections 4.10–4.10.11 inclusive of this Chapter ...”* See Section 4.10 below.
5. *“... and will not jeopardize the health or safety of anyone on or off the site.”* There is no reason to believe that the proposed use would jeopardize the health or safety of anyone on or off the site.
6. *Section 4.12(d): “will not cause diminution of surrounding area property values;”* This follows from section 6.6.1, point 2, “not evident from the road”; section 6.6.1, point 3, “no outside storage of materials or equipment”; section 5.3.1, point 2, “compatibility of the use with the surrounding neighborhood”; and section 5.3.1, point 6, “traffic generation”.
7. *Section 4.12(e): “will not have an unacceptable effect on traffic in the neighborhood or in the Town;”* See point 10 under section 5.3.1 above.
8. *Section 4.12(f): “will have adequate offstreet parking, if required;”* See point 9 under section 5.3.1 above.
9. *Section 4.12(g): “will not be detrimental to the attractiveness of the Town;”* A use that is conducted in an existing barn that is only visible from one or two adjacent lots can not have any effect on the attractiveness of the Town.
10. *Section 4.12(h): “is consistent with the spirit of this Ordinance; and”.* As discussed in points 3 and 5 above in this section, and in the discussion of Section 4.10 below, the proposed use will not be threaten the public heath, safety, or welfare. As discussed in point 2 under section 5.3.1 above, the proposed use will not affect the character of the neighborhood. The proposed use is thus consistent with the basic zoning objectives identified by the New Hampshire Supreme Court.
11. *Section 4.12(i): “meets all other criteria enumerated in the Section that permits the particular Special Exception.”* See all points under Section 6.6.1 and Section 5.3.1 above.

Compliance with Section 4.10 — Performance Standards (General Provisions and Performance Standards)

1. *Section 4.10: “The use or operation of any land, structure or equipment located in the Town of Wilton shall not produce conditions, including, without limitation, the following, that could (1) adversely affect the health or safety of the Wilton community, that of its neighbors, the quality or harmony of the environment, or the use, enjoyment or value of surrounding property ...”* The conditions of Sections 6.6.1, 3.5.1, and 4.12 are sufficient to insure that this requirement is also satisfied.
2. *“or (2) violate this Ordinance, the Building Code Ordinance or any other applicable local, State or Federal requirements.”* The points above cover conformity with the Zoning Ordinance. There is no proposed new construction, so the Building Code is not implicated. The remainder of the clause can not reasonably be interpreted to mean that the Zoning Board is expected to be familiar with and to enforce all applicable local, State, or Federal requirements, nor would it have any such jurisdiction. This is, rather, an acknowledgment that land uses in Wilton are subject to other regulations outside of the Zoning Ordinance, and that compliance with the Zoning Ordinance is no guarantee of compliance with such other regulations.
3. *Subsections 4.10.1–4.10.5 and 4.10.8:* These subsections impose limitations on ground vibrations, noise, odors, smoke or airborne particulates, discharge of hazardous or toxic materials, gases, or liquids, and electromagnetic radiation. There is no reason to suppose that the proposed use could result in any of these phenomena. If it ever did, that would be an operational violation subject to enforcement by the Town.
4. *Subsections 4.10.6, 4.10.7, 4.10.9, and 4.10.11:* These subsections impose conditions pertaining to lighting, signage, the storage of flammable liquids or gases or other explosive materials, and new structures. None of these are proposed in connection with the proposed use.
5. *Subsection 4.10.10:* This subsection pertains to the management of stormwater runoff resulting from “new construction, development, reconstruction and other activity that disturbs the soil.” No such activities are proposed in connection with the proposed use.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil Faiman", with a stylized, flowing script.

Neil Faiman, Chairperson
Wilton ZBA
June 16, 2026