

TOWN OF WILTON  
Zoning Board of Adjustment  
Minutes



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DATE: May 9, 2023  
TIME: 7:30 PM  
PLACE: Wilton Town Hall, Courtroom, 42 Main Street  
PRESENT: Neil Faiman (chairperson); Joanna K Eckstrom (co-chairperson); Judith Klinghoffer (member); Andy Hoar (member); Paul Levesque (alternate); Jeff Stone (member)  
ABSENT: Peter Howd (alternate)  
STAFF: Caryn Case (Board Secretary, Land Use Administrator)  
ATTENDEES: Annelie Nilsson Mullen (abutter); Robert Degan (applicant); Michael Bergeron (applicant’s representative); Elena Szilagyi (abutter); Daniel Szilagyi (abutter); Elaine L Kalhori (applicant, remote); Tom (remote)

**I. Call to Order**

Chairperson N Faiman called the meeting to order at 7:33 PM and reminded the public to sign-in and wear masks. He asked that if one is occasioned to speak to the Board to introduce themselves by name, address, and relation to the case.  
N Faiman then introduced the Board members, summarized the agenda and mentioned that two cases would not be heard that evening.

**2. Public Hearing on New Case**

- Michael Bronson has requested a variance to section 16.2.1.2 of the Wilton Zoning Ordinance to allow a sign larger than is allowed by the Zoning Ordinance for the auto inspection home occupation at Lot L-6-1, 8 Seagroves Street. (Case #4/11/2023-1)

N Faiman said the applicant did not provide all the fees and abutter information to properly notice the hearing and advised a continuance.

**JK Eckstrom MOVED to continue the hearing until June 13, 2023 upon receipt of the fees and abutter information required to properly notice the meeting. J Klinghoffer SECONDED.**

There was no discussion.  
Voice vote: 6: ayes, 0: nays; 0: abstain  
Motion was carried.

**3. Public Hearing on New Case**

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- 40 • Dumont Holdings LLC has requested a variance to section 6.2.4 of the Wilton Zoning  
41 Ordinance to allow the erection of an 18'x72' demountable greenhouse on Lot B-89, 36 Curtis  
42 Farm Road, which would be closer to a lot line than is allowed by the Ordinance. (Case  
43 #5/9/2023-2)  
44

45 N Faiman read the request for a variance and said the applicant requested to continue the case until  
46 next month to request relief via a special exception instead.  
47

48 **J Klinghoffer MOVED to continue the hearing until June 13, 2023 upon receipt of the**  
49 **revised application. J Stone SECONDED.**

50 There was no discussion.

51 Voice vote: 6: ayes, 0: nays; 0: abstain

52 Motion was carried.  
53

54 **4. Election of 2023 Zoning Board of Adjustment Officers**

55 JK Eckstrom nominated N Faiman as chairperson.

56 A Hoar asked to discuss the idea of co-chairpersons in case there is a meeting where both the  
57 chairperson and co-chairperson are not present.

58 N Faiman said typically in a meeting when both the chairperson and co-chairperson are not present the  
59 Board members would vote on the most senior member to chair the meeting.  
60

61 **J Klinghoffer MOVED to nominate N Faiman as chairperson for the upcoming year.**  
62 **J Stone SECONDED.**

63 There was no discussion.

64 Voice vote: 5: ayes, 0: nays; 1: abstain (N Faiman)

65 Motion was carried.  
66

67 **N Faiman MOVED to nominate JK Eckstrom as co-chairperson for the upcoming**  
68 **year. A Hoar SECONDED.**

69 There was no discussion.

70 Voice vote: 5: ayes, 0: nays; 1: abstain (JK Eckstrom)

71 Motion was carried.  
72

73 **5. Minutes of Previous Meetings**

74 C Case noted a semi-colon change of the 04.11.2023 minutes.  
75

76 **A Hoar MOVED to approve the minutes of the 04.11.2023 meeting with the change**  
77 **presented to the Board at this meeting. JK Eckstrom SECONDED.**

78 There was no discussion.

79 Voice vote: 5: ayes, 0: nays; 1: abstain (N Faiman)

80 Motion was carried.  
81

82 There were no changes proposed for the 04.23.2023 minutes.

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**JK Eckstrom MOVED to approve the minutes of the 04.23.2023 as presented to the Board at this meeting. J Klinghoffer SECONDED.**

There was no discussion.

Voice vote: 4: ayes, 0: nays; 2: abstain (A Hoar, J Stone)

Motion was carried.

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**6. Public Hearing on New Case**

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- *Elaine L. Kalhori has requested a special exception under section 6.6.1 of the Wilton Zoning Ordinance to allow a hair salon as a home occupation at Lot H-19, 24 Gage Road. (Case #4111/2023-3)*

94  
95

N Faiman identified the voting members on this case as J Klinghoffer, A Hoar, P Levesque, JK Eckstrom, and J Stone.

96

N Faiman invited M Bergeron to present any new and additional information to the Board.

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M Bergeron described the exhibit that showed that their driveway was not connected to their neighbor's driveway and traffic from scheduled client visits would not interfere with their neighbor's ability to access their own driveway. He also reviewed the exhibit described as Elain L Kalhori's Business Plan that addressed questions raised by the Board at the last meeting and during the site visit regarding hours of operation, number of visits per week, retail sales, signage and goals.

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**A Hoar MOVED to close the public hearing. J Stone SECONDED.**

There was no discussion.

104

Voice vote: 5: ayes, 0: nays; 1: abstain (N Faiman)

105

Motion was carried.

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JK Eckstrom said she felt the application was a passive and controlled use with no detriment to public safety. J Klinghoffer felt there would be no adverse effect to abutting property values. N Faiman said this was a classic example of a home occupation dating back in time.

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**J Klinghoffer MOVED to grant the request for a special exception with the following conditions: no more than forty client visits per week, by appointment only – no walk-ins, and no retail sales except in conjunction with client visits. P Levesque SECONDED.**

113

114

115

116

**JK Eckstrom MOVED to re-open the public hearing. J Klinghoffer SECONDED.**

There was no discussion.

117

Voice vote: 5: ayes, 0: nays; 1: abstain (N Faiman)

118

Motion was carried.

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121

**N Faiman called for a roll call vote to the MOTION to grant the request for a special exception.**

Roll Call Vote:

122

J Klinghoffer: aye

123

A Hoar: aye

124

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127 P Levesque: aye  
128 JK Eckstrom: aye  
129 J Stone: aye  
130 N Faiman: abstain

131 Motion was carried.

132

133 N Faiman instructed the applicant that a Notice of Decision would be forthcoming, and that the public  
134 had thirty days to request the Board to re-consider its decision if so justified, and he advised the  
135 applicant that any construction in that period could be at risk, if a new hearing were granted.

136

137 **7. Public Hearing on New Case**

- 138 • *Abbott House of Wilton Condominium Association has requested a variance to section*  
139 *17.1(e) of the Wilton Zoning Ordinance to allow the replacement of a fire escape on the*  
140 *house at Lot J-38, 16 Maple Street, where the Ordinance does not allow any enlargement of an existing*  
141 *non-conforming building. (Case #5/9/2023-1)*  
142

143 N Faiman read the case and identified the voting members on this case as J Klinghoffer, A Hoar, JK  
144 Eckstrom, J Stone and himself.

145 N Faiman gave the floor to R Degan to describe his situation and address the five criteria being  
146 considered toward the decision.

147 The Board recognized the need to bring the fire escape, an area of limited common space, to code and  
148 felt drawn into a personal conflict between the Abbot House of Wilton Condominium Association and  
149 one of the property owner's directly affected by the fire escape.

150 N Faiman re-directed the conversation back to the request. He expressed appreciated for the questions  
151 that evolved in this unique situation where the property owner did not receive notification of the  
152 hearing as a result of being part of the condominium association, nor were her interests considered in  
153 the design of the proposed structure. He advised making a decision to support the remedy, but offered  
154 to consult with Counsel regarding the influence the property owner may or may not have in the  
155 decision on this case.

156

157 **J Klinghoffer MOVED to close the public hearing. J Stone SECONDED.**

158 There was no discussion.

159 Voice vote: 5: ayes, 0: nays; 1: abstain (P Levesque)

160 Motion was carried.

161

162 N Faiman stated the lot is the largest residential lot in downtown Wilton. It is also the largest historical  
163 house there. He noted the creation of the five dwelling units was approved by the Board on April 12,  
164 2011 and the house is non-conforming due to a minor infringement on the front setback. He stated the  
165 existing fire escape does not satisfy the State fire code, and the proposed replacement is a significant  
166 distance away from the lot lines.

167 A Hoar said this was an acceptable and necessary proposal.

168

169 **N Faiman MOVED to grant the request for a variance to section 17.1(e) of the**  
170 **Wilton Zoning Ordinance. A Hoar SECONDED.**

171

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172 **JK Eckstrom MOVED to re-open the public hearing. A Hoar SECONDED.**

173 There was no discussion.

174 Voice vote: 5: ayes, 0: nays; 1: abstain (P Levesque)

175 Motion was carried.

176

177 **N Faiman called for a roll call vote of the MOTION to grant the request for a**  
178 **variance.**

179 Roll Call Vote:

180 J Klinghoffer: aye

181 A Hoar: aye

182 N Faiman: aye

183 JK Eckstrom: aye

184 J Stone: aye

185 P Levesque: abstain

186 Motion was carried.

187

188 N Faiman instructed the applicant that a Notice of Decision would be forthcoming, and that the public  
189 had thirty days to request the Board to re-consider its decision if so justified, and he advised the  
190 applicant that any construction in that period could be at risk, if a new hearing were granted.

191 **J Klinghoffer MOVED to have N Faiman consult with Counsel regarding the property**  
192 **owners right of interest in this case. J Stone SECONDED.**

193 There was no discussion.

194 Voice vote: 5: ayes, 0: nays; 1: abstain (P Levesque)

195 Motion was carried.

196

197 J Klinghoffer requested a five minute break.

198

199 **8. Other Business**

200 N Faiman convened a discussion on the continuation of wearing of masks.

201 The Board decided to it was in their best interest to continue to require all parties to wear masks at  
202 Board meetings.

203

204 J Klinghoffer requested that the Board commence meeting earlier in the evening.

205 The Board discussed starting meetings at seven (7) PM and conclude at ten (10) PM with no new  
206 hearings after 9:30 PM.

207

208 **J Klinghoffer MOVED to change the meeting start and stop times as discussed. P**  
209 **Levesque SECONDED.**

210 There was no discussion.

211 Voice vote: 6: ayes, 0: nays; 0: abstain

212 Motion was carried.

213

214 **9. Minutes of previous meeting**

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215 J Stone noted numerous edits to the minutes of 03.21.2023.

216

217 **A Hoar MOVED to approve the minutes of the 03.21.2023 with the edits noted by J**  
218 **Stone. JK Eckstrom SECONDED.**

219 There was no discussion.

220 Voice vote: 6: ayes, 0: nays; 0: abstain

221 Motion was carried.

222

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224 **10. Adjournment**

225 **P Levesque MOVED to adjourn at 10:05 PM. J Stone SECONDED.**

226 There was no discussion.

227 Voice vote: 6: aye 0: nay 0: abstain

228 Motion was carried.

229

230 Approved 06.13.2023