

**Town of Wilton, NH
Zoning Board of Adjustment
MINUTES**



Masks are requested to be worn at all Town of Wilton ZBA meetings.

**Tuesday, February 11, 2025
7 PM
Wilton Town Hall Courtroom
42 Main Street**

| | |
|-------------------------------|--|
| Board Members Present: | Neil Faiman (Chairperson); Joanna Eckstrom (Vice-chairperson); Jeff Stone; Peg Duggan (Alternate); Linda Jennings Alternate) |
| Board Members Absent: | Andy Hoar; Judith Klinghoffer |
| Board Secretary: | Caryn Case (Land Use Administrator) |
| Attendees: | David Fait (Applicant); David Allen (Ledger Transcript) |

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1. Call to Order
2. 02/11/2025-01, John Christopher McInerney
3. Minutes - 01.14.2025
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MINUTES

1. Call to Order

Chairperson Faiman called the meeting of the Town of Wilton Zoning Board of Adjustment to order at 7:00 p.m. He identified that there were two attendees present and requested them to sign in. He acknowledged that both attendees were wearing facial masks. He asked attendees, if occasioned to speak to the Board, to introduce themselves by name, and state their address and connection to the case. He noted that A Hoar and J Klinghoffer were absent and appointed Board alternates, P Duggan and L Jennings to sit on their behalf. He stated the meeting would not run later than 10:00 p.m. and the January 14, 2025, minutes would be reviewed after the scheduled hearing.

2. John Christopher McInerney

Public Hearing, NEW
Case 02/11/2025-01

35 *John Christopher McInerney has requested a two-year extension of variances granted in ZBA Case*
36 *#2/14/2023-1, as authorized by section 17.4 of the Wilton Zoning Ordinance (2022 version). (Case*
37 *#2/11/2025-1)*
38

39 C McInerney introduced himself as the owner of Tax Map C Lot 094 at the corner of Marden and Wilton
40 Center Roads. He said the variance for the sewage disposal system had been approved by the Board in
41 February 2023, and due to an extensive period of recovery from an assault he was unable to move forward
42 on his development plans and needed an extension. He distributed a packet of documents relating to his
43 meeting intentions.¹
44

45 C McInerney said the assault compromised his speech leaving him unable to communicate to his engineer,
46 C Guida, his desires for the property. As a result, the size of the proposed single-family dwelling unit was
47 smaller than intended. C McInerney said that the packet of documents shows a clean-up and stability plan,
48 and a larger single-family dwelling unit. He noted that the stability plan included a stone wall that
49 encroaches approximately twelve square feet into the wetland setback and indicated where the well had
50 been dug approximately four months after his initial appearance before the Zoning Board of Adjustment.
51

52 Chairperson Faiman interjected and said the applicant was informally discussing other/new plans with the
53 Board and reminded everyone that the hearing had been scheduled for the request for the extension of the
54 approved variance only. He advised the applicant that if he was seeking additional permission(s) from the
55 Board, he would need to submit a formal application for a new variance. He noted that the previous
56 decision included the placement and dimensions of the proposed single-family dwelling unit which was
57 shown on the sewage disposal plan.
58

59 C Case asked if the well the applicant dug was evidence construction began before the expiration of the
60 variance. Chairperson Faiman said that the drilling or digging of the well is a significant investment and
61 demonstrated that the variance is no longer subject to expiration. The Board agreed this made sense.
62

63
64 **J Stone made a MOTION to deny the request for a two-year extension of**
65 **variances granted in Zoning Board of Adjustment Case #02/14/2023-01 as**
66 **the Board found that the variance is vested and no longer subject to**
67 **expiration.**

68 **P Duggan SECONDED the motion.**

69 There was no DISCUSSION.

70 ROLL Call Vote: L Jennings aye
71 N Faiman aye

¹ Exhibit 'A' - Packet of documents (eight sheets) describing meeting intentions, dated 02.09.2025

72 JK Eckstron aye
73 J Stone aye
74 P Duggan ayes
75 **Motion was CARRIED. 5/0/0**
76

77 Chairperson Faiman told C McInerney he had done enough work to claim his variance as permanent. He
78 added that the Board could not render an opinion as to additional work that may or may not be in
79 violation of the wetland ordinance and to speak further with the Land Use Administrator on that.
80

81 **3. Minutes - January 14, 2025**

82 1. The Board identified corrections to lines #8, 9, 10, 12, 13, 42, 55, 62, and 67.
83

84 **JK Eckstrom made a MOTION to accept the January 14, 2025, minutes with**
85 **corrections to lines # 8, 9, 10, 12, 13, 42, 55, 62, and 67.**

86 **L Jennings SECONDED the motion.**

87 There was no DISCUSSION.

88 VOICE Vote: ayes 5
89 nays 0
90 abstentions 0

91 **Motion was CARRIED. 5/0/0**
92

93 **4. Other Business**

94 J Stone inquired about the status of the Housing Appeals Board (HAB) claim. Chairperson Faiman said that
95 if no work was received by month's end, he would request the Board's Attorney to have the case
96 dismissed.
97

98 P Duggan asked about the proposed zoning ordinance amendments, Chairperson Faiman said the Planning
99 Board had finalized the warrant articles.
100

101 **5. Adjournment**

102 **J Stone made a MOTION to adjourn at 8:18 p.m.**

103 **JK Eckstrom SECONDED the motion.**

104 There was no DISCUSSION.

105 VOICE Vote: ayes 5
106 nays 0
107 abstentions 0

108 **Motion was CARRIED. 5/0/0**
109

110

111

112 **APPROVED on xx.xx.2025**

DRAFT