



Town of Wilton, NH Zoning Board of Adjustment MINUTES

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

Tuesday, December 9, 2025 Zoning Board of Adjustment Minutes

Board Members Present: Neil Faiman (Chairperson); Joanna Eckstrom (Vice-chairperson); Jeff Stone; Linda Jennings; Peg Duggan (Alternate)
Board Members Absent: Judith Klinghoffer
Board Secretary: Caryn Case (Land Use Administrator)
Attendees: Stephanie Kirsh (Applicant); Nicholas Kirsch; Ken Cadrain; Casey Cadrain; Michael Bronson; Patrolman Holland
Remote Attendees: none

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MINUTES

1. Call to Order

Chairperson Faiman called the public meeting to order at 7:04 p.m. He reviewed masking preferences and protocols on testimony, and meeting time.

Chairperson Faiman appointed P Duggan to site for J Klinghoffer.

2. Minutes

- a. October 14, 2025

The Board agreed to the following changes to October 14, 2025, Minutes:

- Line 68: replace the word “inert” with the word “insert”;
- Line 117: replace the word “product” with the word “products”;
- Line 139: add the parentheticals “(northwest)” after the word “North”;
- Line 175: replace the word “roads” with the phrase “rods (66 feet)”;
- Line 184: replace the word “it” with the word “its”;
- Line 214: replace the word “commissioned” with the word “commissioner”;
- Line 228: replace the word “statue” with the word “statute”;
- Line 230: add the word “a” after the word “is”; and
- Line 311: insert the phrase “December 9, 2025” after the word “Approved”.

Vice-chairperson Eckstrom made a MOTION to amend October 4, 2025, Site Visit minutes as follows:

- Line 68: replace the word “inert” with the word “insert”;**
- Line 117: replace the word “product” with the word “products”;**
- Line 139: add the parentheticals “(northwest)” after the word “North”;**
- Line 175: replace the word “roads” with the phrase “rods (66 feet)”;**
- Line 184: replace the word “it” with the word “its”;**
- Line 214: replace the word “commissioned” with the word “commissioner”;**
- Line 228: replace the word “statue” with the word “statute”;**
- Line 230: add the word “a” after the word “is”; and**
- Line 311: insert the phrase “December 9, 2025” after the word “Approved”.**

J Stone SECONDED the motion.

There was no further DISCUSSION.

| | |
|----------------------------|--------------|
| VOICE Vote: ayes | 5 |
| nays | 0 |
| abstentions | 0 |
| Motion was CARRIED. | 5/0/0 |

3. Public Hearing, continued from a previous meeting
Stephanie Kirsch

(Case #09/09/2025-01)

Stephanie Lingley- Kirsch has requested a special exception under section 5.3.1 of the Wilton Zoning Ordinance and/or variances to sections 5.1 and 5.2.3 of the Wilton Zoning Ordinance to allow a home-based farmstead business as a home occupation, including producing and packaging items such as canned goods, infused oils, baked goods, and handmade crafts (e.g., candles, leather journals), and selling these goods from the home and elsewhere, and to allow the growing of herbs, vegetables, and fruit, and the keeping of small farm animals such as chickens, rabbits, and sheep on Lot L-4, 68 Burns Hill Road, where agricultural uses,

75 *including the keeping of livestock, are not a permitted use in the Residential District, and a proposed farm*
76 *stand would be closer to Burns Hill Road than allowed by the Ordinance. (Case #9/9/2025-1, continued from*
77 *Tuesday, October 14, 2025)*

78
79 Chairperson Faiman opened the Public Hearing by reading the modified version of the public notice
80 which addressed the remainder request(s) in the original application.

81
82 S Kirsch, Applicant, explained the original application/proposal included a request for a supplemental
83 structure/farmstand. She said this supplemental structure is no longer needed as the platform for their
84 home occupation has shifted to a web-based shopping experience. She said customers who have
85 ordered products from her website would be given a set time to pick up their purchases which would
86 be placed on the front porch. This will allow parking and traffic to the property to be monitored. Two
87 (2) parking spaces in the driveway would be dedicated to customers. She said the driveway can
88 accommodate up to six (6) vehicles at a time.

89
90 Chairperson Faiman commented on the path leading from the driveway to the front porch as sloped
91 and lengthy and asked how it would be maintained. S Kirsch said the path from the driveway to the
92 front porch is maintained by a professional who, for example, shovels in the winter. She said she only
93 expects to be operational during the summer at this time.

94
95 Vice-chairperson Eckstrom, concerned about random stop ins, asked if there would be a sign to
96 indicate the home occupation. S Kirsch said the only sign(s) would be by the driveway to direct
97 customers to the front porch to pick up their purchase.

98
99 J Stone made a comment about the potential for customers parking in the front yard during adverse
100 weather to quickly access the front porch for their purchases. S Kirsch said that she would be
101 removing the pull-off/parking area in the front yard to make a garden.

102
103 C Cadrain, Abutter, said the driveway could not accommodate the number of vehicles claimed, and
104 that access to the driveway was on Seagroves Street, which is a private way. S Kirsch said the driveway
105 could accommodate four (4) vehicles at a time.

106
107 Chairperson Faiman asked how many customers would pick up their purchases per day. S Kirsch said
108 she expects to have two (2) to five (5) customers scheduled per day to pick up their purchases.

109
110 Vice-chairperson Eckstrom suggested limiting customer hours to minimize disturbance to the
111 neighborhood. Chairperson Faiman noted that another home occupation on Seagroves Street (Michael
112 Bronson) was decided with a condition limiting the hours of operation. Vice-chairperson Eckstrom

noted there was a significant difference in the type of business. Chairperson Faiman agreed the level of intensity was different. Vice-chairperson Eckstrom said there should be reasonable limits in place.

K Cadrain, Abutter, observed that customers would be more likely to park parallel to Burns Hill Road, leave their motors running, and walk 20 feet to the porch to pick up their purchases, not unlike the postman delivering mail. He said there is a blind corner on Seagroves Street that creates a safety concern when turning onto Burns Hill Road and does not advise use of the driveway for customer parking. He suggested that the applicant could relocate their mailbox 15 feet back from the edge of pavement to the front property line which was recently staked by the applicant's surveyor. This would create a pull-off for parallel parking and quick access to the front porch without creating an obstacle to traffic along Burns Hill Road. Vice-chairperson said the Zoning Board of Adjustment holds no authority over a private way.

Chairperson Faiman asked the applicant for details of her home occupation related to hours, number of customers, and days of operation. S Kirsch said she was open to the Board's recommendations on this. Chairperson Faiman advised the applicant to plan for her needs so she would not have to return to the Board in the future. S Kirsch said she would like to operate from 8 a.m. until 8 p.m., five (5) days per week, with six (6) pick-ups scheduled per day.

P Duggan, asked if the decision regarding farm animals was relevant to this request for a Special Exception. J Stone emphasized the importance of establishing boundaries between the rights of the property owner and the rights of the community, raising concern about the relationship between allowing farm animals for use in the home occupation. Chairperson Faiman said the farm animals were a right and not relevant to the Special Exception required for a Home Occupation.

The Board digressed on the issue of farm animals and agreed to disagree with individual perspectives on this. S Kirsch said that she has considered the concerns of her neighbors throughout the review process, stating the reason for her pivot from a farmstand to a web-based shopping experience, as well as moving the vegetation, which creates the blind corner onto Burns Hill Road, when the weather permits.

J Stone made a MOITON to enter deliberations on the request for a Special Exception for a Home Occupation by S Kirsch.

L Jennings SECONDED the motion.

There was no further DISCUSSION.

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| VOICE Vote: ayes | 5 |
| nays | 0 |
| abstentions | 0 |

Motion was CARRIED. 5/0/0

Chairperson Faiman summarized the applicants request by stating the following:

- The intent of Home Occupation is to produce 'things' in the home and make them available to customers via an online platform and pick them up by appointment;
- Customers will park in either of two (2) parking spaces designated in the driveway, walk to the front porch to pick up their purchases, and then leave; and
- The Home Occupation would be restricted to 8 a.m. to 8 p.m. five (5) days per week, with no more than six (6) scheduled customer pick-ups per day.

Chairperson Faiman reviewed the requirements of a Home Occupation requiring a Special Exception. He said that (1) the Home Occupation is incidental and secondary to the use of the associated dwelling unit as the applicant's residence; (2) it appears that the Home Occupation will be conducted by the resident owner of the dwelling unit, their family members, a resident tenant, or resident members of the tenant's family; (c) there are no non-family employees, though this needed to be verified when the public hearing is re-opened; (d) the applicant is not making changes to her residence that will make it impractical to revert back to a purely residential use; (e) the pick up of packages left on the front porch does not constitute exterior storage; (f) there is sufficient off-street parking for customers and parking shall be provided for employees if any; (g) customers pick-ups will be scheduled so there will only be one (1) customer arriving at a time, and traffic generated by the arrival and departure of customers shall not create safety hazards and will not be substantially greater in volume than would normally be expected in the neighborhood. He said there will be a strong temptation by customers to pull off parallel to Burns Hill Road at the front of the house for the few minutes it would take to run to the porch to pick up their purchases, run back to the car and be on their way. He said customer pick up instructions should be clear to overcome this as it would be difficult to enforce.; (h) the Home Occupation is required to follow Town regulations, state laws and licensing requirements; and (i) when the Home Occupation can no longer meet these standards they must relocate appropriately.

Additionally, Chairperson Faiman sated that the Home Occupation (a) as presented can only be permitted with a Special Exception; (b) is consistent with and will not substantially affect the character of the neighborhood; (c) will comply with Sections 4.10 through 4.10.11 of the Wilton Zoning Ordinance and not jeopardize the health or safety of anyone; (d) will not cause diminution of surrounding property values; (e) will not have an adverse effect on traffic in the neighborhood or the Town; (f) will have adequate off-street parking; (g) will not be detrimental to the attractiveness of the Town; (h) is consistent with the spirit of the Ordinance; and (i) meets all other criteria for a Special Exception.

Vice-chairperson Eckstrom made a MOTION to re-open the Public Hearing on the request for a Special Exception for a Home Occupation by S Kirsch.
J Stone SECONDED the motion.

There was no further DISCUSSION.

VOICE Vote: ayes 5
nays 0
abstentions 0
Motion was CARRIED. 5/0/0

Chairperson Faiman asked the applicant if she had any intentions to have any non-resident employees. S Kirsch said she had no desire for non-resident employees and added that if she required additional assistance she would not be working from her home.

Vice-chairperson Eckstrom made a MOTION to grant the special exception under section 5.3.1 of the Wilton Zoning Ordinance to allow a Home Occupation that includes producing and packaging items such as canned goods, infused oils, baked goods, and handmade crafts (e.g., candles, leather journals), and selling these goods from a web-based shopping platform where customers would receive instructions and a time to pick up their purchases. J Stone SECONDED the motion.

There was no further DISCUSSION.

ROLL CALL Vote: L Jennings aye
N Faiman aye
JK Eckstrom aye
J Stone aye
P Duggan aye
Motion was CARRIED. 5/0/0

Chairperson Faiman stated that the request for a Special Exception for the Home Occupation had been granted. He told the property owner/ applicant she would receive a written notice within five (5) business days. He said the law states that the Select Board and any abutters to the proceedings have the right to request the Zoning Board of Adjustment to hold a rehearing on the case, however, such request would need to be filed within 30 days from the date of decision explaining why the Board should reconsider their decision. In the absence of such a request, the decision made by the Board is final.

4. Unfinished Business

There was no Unfinished Business discussed.

5. Old Business

There was no Old Business reconsidered at the meeting.

6. New Business

There was no New Business introduced at the meeting.

7. Adjournment

J Stone made a MOTION to adjourn at 8:45 p.m.
Vice-chairperson Eckstrom SECONDED the motion.

There was no discussion.

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| VOICE Vote: | ayes | 5 |
| | nays | 0 |
| | abstentions | 0 |

Motion was CARRIED. 5/0/0

APPROVED _____