



Town of Wilton, NH Zoning Board of Adjustment MINUTES

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

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Tuesday, June 9, 2026 Zoning Board of Adjustment Meeting

Board Members' Present: Neil Faiman, *Chairperson*; Joanna K. Eckstrom, *Vice-chairperson*; Jeff Stone; Judith Klinghoffer; Linda Jennings; Peg Duggan, *Alternate*

Board Members Absent: n/a

NRPC Circuit Rider: Nick Principato

Attendees: Joe Bristol (Town Counsel), Chris Bourdon, Faby Gagne, Samuel Smis, Kaitlyn McGill, Dave Wilkh, Heather Wilkh, Mark Fougere, Bonnie cox, Alan Preston, Elaine Keenah, Luc Sirois, Mark Waldner Jr., & Michael Ann Murphy

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MINUTES

(Minutes were produced by Nick Principato NRPC Circuit Rider.)

1. Call to Order

Chairperson Faiman called the meeting to order 7:12 p.m. on Tuesday, June 9, 2026. He stated that wearing masks would be appreciated as some Board members are or have family who are at elevated risk if they were to contract covid or other diseases. Chairman Faiman asked that members of the audience sign the attendance sheet.

2. Board Introductions

Chairperson Faiman introduced and identified the capacity each member would serve for the meeting. Chairman Faiman stated that if any member of the audience has the occasion to speak, for them to please state their name, the reason their speaking and their relationship to the case.

3.Election of Officers

Chairman Faiman explained that the Zoning Board of Adjustment had not yet elected officers for 2027, and that before any further action was taken by the Board, they must do so.

J. Eckstrom made a MOTION to elect Neil Faimain as Chairperson of the ZBA through April of 2027.

L. Jennings SECONDED the motion.

There was no discussion.

VOICE Vote:	ayes	4
	nays	0
	abstentions	1 (Neil Faiman)

Motion was CARRIED 4/0/1

N. Faiman made a MOTION to elect Joanna K. Eckstrom as Vice-Chairperson of the ZBA through April of 2027.

J. Stone SECONDED the motion.

There was no discussion.

VOICE Vote:	ayes	4
	nays	0
	abstentions	1 (Joanna K. Eckstrom)

Motion was CARRIED 4/0/1

There was a discussion amongst the Board whether to waive the typical meeting adjournment time.

J. Stone made a MOTION to waive the typical meeting adjournment time due to the heavy agenda.

L. Jennings SECONDED the motion.

There was no discussion.

76 VOICE Vote: ayes 5
77 nays 0
78 abstentions 0
79 **Motion was CARRIED 5/0/0**
80
81

82 **J. Eckstrom made a MOTION to defer approving the minutes until before Case No.**
83 **03/10/2026 -01**

84 **J. Klinghoffer SECONDED the motion.**

85 There was no discussion.

86 VOICE Vote: ayes 5
87 nays 0
88 abstentions 0
89 **Motion was CARRIED 4/0/0**

90 **4. OPEN Meeting**

91 **Chris Bourdon**
92 **(Case #05/12/2026-01)**

93 **Chris Bourdon has requested a variance to section 5.2.1 of the Wilton Zoning Ordinance to**
94 **allow the creation of three dwelling units in the existing building on Lot J-122, 3 Mill**
95 **Street.**

96
97 Chairman Faiman opened the public hearing by reading the public hearing notice. He explained
98 that the applicant would present their case describing what they should like to do, what they seek relief
99 from, and why the Zoning Board ought to grant said relief. He said the Board may ask questions during
100 the presentation; however, he asked that attendees hold comments, information, opinions, facts etc. until
101 recognized. He said the Board may or may not choose to deliberate on the case that evening or may
102 decide whether more information is necessary and continue the case until the next meeting.

103
104 Chris Bourdon, applicant, introduced himself and thanked the Board for hearing his case. He
105 explained that he currently lives in the old upholstery building at 3 Mill Street and is looking to create a
106 third unit on his property. The existing building sits on a .17-acre lot and he does not enough acreage to
107 allow him to create a multi-family building. The existing property currently has a single-family unit with
108 an attached ADU. However, due to ADU regulations, he can not utilize 2,000 square feet of his
109 property, which he hopes to convert into a third dwelling unit. The applicant explained that there is
110 ample parking, with two spaces per dwelling available for usage.

111
112 Vice-chairperson Eckstrom noted concern about the large wall towards the right of the driveway
113 and the size of the driveway.

114
115 Chris Bourdon answered that there is space for cars to turn around if they go into the carport.
116

117 Chairman Faiman asked how many Board members had complete a drive or walk by. Judith,
118 Neil, Joanna, and Linda had completed either a walk or drive by of the property.
119

120 Vice-chairperson Eckstrom asked how many water and sewer hook-ups are currently on the
121 property. Chris Bourdon answered that there is currently one for the entire building. He assured the
122 Board that the water and sewer departments helped him with the original set-up of the building, and that
123 the building is not required to have sprinklers.
124

125 There was a discussion over the width of the driveway and whether the fire department would be
126 able to turn around in the driveway. Chris Bourdon responded that a firetruck would be able to pull in to
127 the driveway and back out, but not turnaround. Chris Bourdon then explained that there are two floors
128 on the building with proper ingress and egress. He explained that there are windows in the basement that
129 face the river, however, tis has never been an issue for flooding. He requested to show the Board photos,
130 which can be seen as Meeting Exhibit 1, 2, and 3.
131

132 Chairman Faiman reminded the Board that life safety issues are for the building inspector to
133 debate, and that the effect of the proposal on the Town is what remains within the Board's jurisdiction.
134 He then asked the applicant why the Zoning Board should grant them a variance.
135

136 Chris Bourdon answered that there is already a large number of multi-family housing in a close
137 proximity that do not meet the current zoning requirements, he is unable to fully utilize his property with
138 2,000 square feet of unused space, this development would help to increase the town's density and
139 housing supply, and it would provide more property tax for the Town.
140

141 Chairman Faiman asked if any members of the public had questions for Chris Bourdon.
142

143 Alan Preston, a member of the public and a member of the Souhegan River Local Advisory
144 Committee (SoRLAC) asked if this application had been sent to SoRLAC for review. Chris Bourdon
145 said that it had not been and was not sure if that was necessary since there would only be interior
146 developments to the property. Alan Preston stated that he was speaking as a member of the public, not as
147 a representative of SoRLAC.
148

149 Chris Bourdon walked the Board through his hardships seen in his application:

150 1: Adding one more unit to the existing building will not be contrary to the public interest. It will
151 increase housing supply and likely increase surrounding property values.

152 2: The plan will stay within the current footprint of the building. I believe it is consistent with the spirit
153 of the ordinance.

154 3: Granting the variance will create a new unit for Wilton, increasing the low housing supply.

155 4: Increasing the finished square footage and the number of units will actually increase surrounding
156 property values

157 5: The property is a large building on a small lot, because of this, strict conformance to the ordinance
158 prevents me from utilizing the entire square footage of the building.

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**J. Klinghoffer made a MOTION close the public hearing and entire deliberative session.
J. Stone SECONDED the motion.**

Chairman Faiman explained that once the public hearing was close, no member of the public would be able to speak on the case. He stated that Peg Duggan is seated as an alternate for this vote, but can contribute to the Board's discussion.

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

The Board debated the merits of the case. Vice-chairperson Eckstrom thought that the applicant explained their case well, but there were concerns about the proximity to the river. Member, Jeff Stone, asked about how the river typically gets, to which the Board did not know. Chairman Faiman stated that this is not a zoning issue, and that the largest negative of the property would be the potential traffic it would generate. There was debate amongst the Board about how many parking spaces would be available per unit and if there was anyone currently living in both existing units.

**Vice-chairperson Eckstrom made a MOTION reopen the public hearing to inquire about the existing use of the property from the applicant.
J. Stone SECONDED the motion.**

There was no discussion.

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

Chris Bourdon explained that both the ADU and the single family unit are currently occupied. He explained that there are currently three cars on the property with the potential for six parking spaces. He did note that the current occupant of the ADU only has one vehicle, and that the proposed unit would be a studio apartment, which would likely only come with one additional vehicle. He explained that there have not been traffic issues with the current use of the property. Chris Bourdon also stated that the water height on the river only goes as far as eight feet up the sixteen foot wall at it's highest capacity.

**Vice-chairperson Eckstrom made a MOTION to close the public hearing and enter deliberative session.
J. Stone SECONDED the motion.**

There was no discussion.

VOICE Vote:	ayes	5
	nays	0
	abstentions	0

201 **Motion was CARRIED 5/0/0**

202
203 Chairman Faiman stated that the applicant had appropriately explained his case and the Board
204 should decide whether to approve the variance. There was discussion if he was in accordance with all
205 local, state, and federal laws.

206
207 **Vice-chairperson Eckstrom made a MOTION to approve the variance as requested subject**
208 **to the condition that the applicant comply with all local, state, and federal laws, and the**
209 **findings that the criteria**

210 **J. Stone SECONDED the motion.**

211 VOICE Vote: ayes 5
212 nays 0
213 abstentions 0

214 **Motion was CARRIED 5/0/0**

215
216 **Vice-chairperson Eckstrom made a MOTION to reopen the public hearing.**

217 **J. Stone SECONDED the motion.**

218 There was no discussion.

219 VOICE Vote: ayes 5
220 nays 0
221 abstentions 0

222 **Motion was CARRIED 5/0/0**

223
224 Chairman Faiman explained that any decision granted by the Zoning Board of Adjustment is
225 subject to a request of rehearing. A request must be filed within thirty days of the decision. If the
226 applicant waits the thirty days and there is no request for a rehearing, their variance process has been
227 completed. Chairman Faiman tasked NRPC Circuit Rider, Nick Principato, with collecting and bringing
228 the photos shown by Chris Bourdon to the town hall.

229
230 **5. Minutes 5/12/2026**

231
232 **P. Duggan made a MOTION to approve the 5/12/20226 as amended.**

233 **Vice-chairperson Eckstrom SECONDED the motion.**

234 **Amendments made to:**

235 **Line 241: “requestee”**

236 **Line 66: add in the word “matter”**

237 **Line 236: Strikeout “sharing a common property line”**

238 There was no discussion

239 VOICE Vote: ayes 5
240 nays 0
241 abstentions 0

242 **Motion was CARRIED 5/0/0**

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6. Minutes 5/21/2026

**Vice-chairperson Eckstrom made a MOTION to approve the 5/21/20226 as amended.
J. Stone SECONDED the motion.**

Amendments made to:

Lines 38 to 44: Strike the case number in lines 36 and 38.

There was no discussion

VOICE Vote:	ayes	4
	nays	0
	abstentions	1 (Judith Klinghoffer)

Motion was CARRIED 4/0/1

7. OPEN Meeting

**Faby Gagne and Luc Sirois
(Case #03/10/2026-01)**

Faby Gagné and Luc Sirois have requested a special exception under section 6.6.1 of the Wilton Zoning Ordinance to allow fiber arts workshops on Tax Map A Lot 030, 325 Burton Highway. (Rehearing of decision made April 12, 2026)

Chairman Faiman read the public hearing notice into the record. He stated that all previously submitted testimony and written submissions to the ZBA are a part of the record of the case and can be taken into account for the hearing tonight.

Chairman Faiman stated that one of the requestors of the rehearing asserted that he had a bias to this specific case. Chairman Faiman requested the Board take a vote to determine if he has a bias towards the case and if he should recuse himself, in an informal, nonbinding vote.

Advisory vote to recuse Chairman Faiman from the discussion:

J Stone	nay
P Duggan	nay
JK Eckstrom	nay
L Jennings	nay
J. Klinghoffer	nay

Judith Klinghoffer recused herself from the case, and Peg Duggan was seated in her place at 8:24 PM.

Mark Fougere, Fougere Planning & Development, Inc., introduced himself to Board and explained why they requested the rehearing. He stated that he sent the Board a letter relating to agricultural uses in New Hampshire, Exhibit 4, and he did not see a reason for himself, and his applicant to be in front of the Board tonight. He stated that New Hampshire is a right to farm state, and that this use of the property does not require ZBA approval. Mark Fougere then read testimony from his letter

285 (see Exhibit 4). He claimed that the use of the fiber optic workshop is a form of agritourism, which is an
286 agricultural use.

287
288 Chairman Faiman asked if there were questions for the applicant. Joe Driscoll, Town Counsel,
289 asked Mark Fougere, if his contention is that no Special Exception is needed from the ZBA, will the
290 applicant withdraw the application?

291
292 Mark Fougere responded that they will not withdraw their application, they are looking for the
293 ZBA to make similar decision to their 4/14/2026 decision, in which they found that a Christmas tree
294 farm, lavender farm, and goat use, was an agricultural use and did not require a Special Exception. Joe
295 Driscoll responded that the ZBA can only act on the application before it, which at the moment, would
296 be to deny the special exception that was already granted for the fiber optic workshop. Mark Fougere
297 responded that the ZBA is to make decisions on the zoning process, and his applicant is looking for the
298 ZBA to make a similar decision that they made to the lavender farm, Christmas tree farm, and goat uses.

299
300 Chairman Faiman stated that bringing an application to the ZBA with the goal of it being denied
301 is a farce. Joe Driscoll stated that the application says that the fiber optic workshop use is a home
302 occupation, however, this testimony and letter, are saying that it is not. There was debate over the merits
303 of the rehearing. Vice-chairperson Eckstrom reminded the Board that the purpose of the rehearing
304 request was submitted by the abutters Howard A. Preston and Kenton Blagbrough due to not elaborating
305 on the findings of fact. There was additional clarification that this rehearing was only in relation to the
306 proposed home occupation for the fiber optic workshop.

307
308 Chairman Faiman requested that the Zoning Board of Adjustment take a five-minute private
309 recess to consult with Town Counsel.

310
311 **J. Stone made a MOTION to take a five minute recess with Town Counsel at 8:39 PM.**

312 **L. Jennings SECONDED the motion.**

313 There was no discussion

314 VOICE Vote: ayes 5

315 nays 0

316 abstentions 0

317 **Motion was CARRIED 5/0/0**

318
319 The Board returned to the meeting at 9:04 PM.

320
321 Chairman Faiman stated that the Board had heard the application and asked if anyone else had
322 questions for the applicant. Mark Fougere restated that the applicant fully supports the Board's decision
323 at the last meeting, and that they will support whatever decision the Board makes. Chairman Faiman
324 responded that the applicant has to decide if they will continue to apply as the Special Exception. Mark
325 Fougere answered yes.

326

327 Mark Fougere withdrew his original statement stating that the applicant was hoping that the
328 Board would deny the application for the Special Exception under the same conditions as they did for
329 the Christmas tree farm, lavender farm, and goat uses on April 14th, 2026.

330
331 Faby Gagne read her testimony into the record. See Minutes Exhibit 5.

332
333 Mark Walner Jr., an Attorney at Cleveland Waters and Bass representing the Blagbrough family
334 presented his testimony to the Board. See Exhibits 6-10. He continued to raise the questions of issues
335 brought up at the prior meeting of traffic concerns, notably the use of Class V Road. He brought up
336 parking concerns on the site as well, and the potential unsightliness and noxious smells of the portable
337 toilet for the workshops. Additionally, he mentioned concerns with the overuse of the septic system and
338 it being beyond its designed capacity.

339
340 Alan Preston, an abutter to the property questioned where the barn that would be used for the
341 property was built, and whether it was on his property. He shared similar concerns for his two wells, and
342 mentioned that this is an ongoing issue that has not been resolved.

343
344 Mark Fougere answered the septic concerns, stating that the property, as of April 2022, has a
345 septic designed for a four-bedroom home, which is roughly 600 gallons a day. The average toilet flush is
346 two gallons per day.

347
348 **Vice-chairperson Eckstrom made a MOTION to take a five minute recess with Town**
349 **Counsel at 9:38 PM.**

350 **L. Jennings SECONDED the motion.**

351 There was no discussion

352 VOICE Vote: ayes 5
353 nays 0
354 abstentions 0

355 **Motion was CARRIED 5/0/0**

356
357 The Board returned at 9:47 PM.

358
359 **Vice-chairperson Eckstrom made a MOTION to close the public hearing.**

360 **L. Jennings SECONDED the motion.**

361 There was no discussion

362 VOICE Vote: ayes 5
363 nays 0
364 abstentions 0

365 **Motion was CARRIED 5/0/0**

366
367 Chairman Faiman stated that the Board had not heard anything at the rehearing that would make
368 them overturn the request for the Special Exception for a Home Occupation.

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A motion to approve the Special Exception was made and the Board discussed each condition of approval and the findings of fact associated with their decision. Chairman Faiman stated that Lot A-30 is accessed through an old road, which is in character with old, backroads in the town, and is in compliance with the frontage issues.

Vice-chairperson Eckstrom made a MOTION to grant the request for special exception with the conditions were applied at the prior meeting.

L. Jennings SECONDED the motion.

The Board discussed the conditions as follows:

- **Workshops may be conducted by the applicant or an onsite instructor**
- **The applicant must be on site during workshops**
- **No more than fifteen participants per workshop**
- **No more than two workshops a month**
- **Workshops will begin no earlier than 9:00 AM or 6:00 PM**
- **The applicant will meet the sanitary needs of the participants through a portable toilet or their bathroom**
- **No rental of the dressage ring will be permitted**
- **No toxic dyes will be used**
- **No dyes will be disposed of on the property**
- **The portable toilet will be placed on the backside of the barn, hidden from the road**

The Board continued to find the rest of the findings fact for the case. Siting compliance within the following sections of the Wilton Zoning Ordinance:

- Section 6.6.1
- Section 5.3.1
- Section 4.10

The Board agreed that the findings of fact explained by Chairman Faiman supported the motion and the Board's decision. The Board added a condition about the location of the portable toilet.

L. Jennings made a MOTION to reopen the public hearing.

J. Stone SECONDED the motion.

There was no discussion

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

410
411 The Board asked the applicant if they were okay with the added condition of the portable toilet
412 location. The applicant responded yes.

413
414 **L. Jennings made a MOTION to close the public hearing.**

415 **J. Stone SECONDED the motion.**

416 There was no discussion

417 VOICE Vote: ayes 5
418 nays 0
419 abstentions 0

420 **Motion was CARRIED 5/0/0**

421
422 **Vice-chairperson Eckstrom made a MOTION to grant the request for special exception**
423 **with the conditions were applied at the prior meeting.**

424 **L. Jennings SECONDED the motion.**

425 The Board discussed the conditions as follows:

- 426 • **Workshops may be conducted by the applicant or an onsite instructor**
- 427 • **The applicant must be on site during workshops**
- 428 • **No more than fifteen participants per workshop**
- 429 • **No more than two workshops a month**
- 430 • **Workshops will begin no earlier than 9:00 AM or 6:00 PM**
- 431 • **The applicant will meet the sanitary needs of the participants through a**
432 **portable toilet or their bathroom**
- 433 • **No rental of the dressage ring will be permitted**
- 434 • **No toxic dyes will be used**
- 435 • **No dyes will be disposed of on the property**
- 436 • **The portable toilet will be placed on the backside of the barn, hidden from**
437 **the road**

438 VOICE Vote: ayes 5
439 nays 0
440 abstentions 0

441 **Motion was CARRIED 5/0/0**

442
443 Chairman Faiman stated that a Notice of Decision will be given to the applicant. There is a
444 thirty-day window for appeals to filed with the Board.

445
446 **Michaelann Murphy**
447 **(Case #06/09/2026-01)**

448 **Michaelann Murphy has requested a variance to section 6.2.4 of the Wilton Zoning Ordinance to**
449 **allow the installation of 10-foot-high privacy/security fence in the front lot line setback at Tax**
450 **Map H Lot 132-01, 291 Captain Clark Highway.**

452 Chairman Faiman read the public hearing notice into the record.
453

454 Judith Klinghoffer returned to her seat at the Board at 10:19 PM, and Peg Duggan returned to her
455 seat as an alternate.
456

457 Michael Ann Murphy presented her case to the Board. She wishes to put up a ten-foot privacy
458 fence that stretches eighty feet long across her property. She must put it in the thirty-five foot setback,
459 and make the height ten feet tall due to the topography of the land. She stated that her farm, family, and
460 child-care services work outside frequently and would benefit from having the privacy fence. The fence
461 would be broken up by the driveway with no plans of using a gate. Additionally, the plans for the fence
462 would be a stockade, solid fence, with no openings between the slabs.
463

464 There was debate amongst the board about the potential impact to drivers and road sightlines
465 with the proposed fence.
466

467 Bonni Cox asked why the fence needed to be put in the setback and noted her grievances with
468 the current use of the property. There was discussion over how the fence would be maintained and
469 painted, which would be up to the applicant.
470

471 **J. Klinghoffer made a MOTION to close the public hearing.**

472 **J. Stone SECONDED the motion.**

473 There was no discussion

474 VOICE Vote: ayes 5
475 nays 0
476 abstentions 0

477 **Motion was CARRIED 5/0/0**
478

479 The Board discussed the merits of the application. The Board discussed whether the ten-foot
480 fence warranted a variance. It was decided that it did. There was a lengthy discussion regarding how,
481 and what the Zoning Board is allowed to vote on. Chairman Faiman argued that abutter disputes are not
482 in the Zoning Board's jurisdiction, while Judith Klinghoffer argued that the topography of the land was
483 a hardship related to the parcel.
484

485 **Vice-chairperson Eckstrom made a MOTION to schedule a site visit for Case No.**
486 **06/09/2026-01 for 6/13/2026 at 9:00 AM and to continue this case to the July 14th meeting.**

487 **J. Klinghoffer SECONDED the motion.**

488 There was discussion over when to conduct the site visit.

489 VOICE Vote: ayes 3
490 nays 1 (Neil Faiman)
491 abstentions 1 (Jeff Stone)

492 **Motion was CARRIED 3/1/1**
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Faby Gagne & Luc Sirios
Case No. 3/10/2026-01
Request for rehearing for the rental of the dressage arena for special exception for a home occupation

Judith Klinghoffer left the meeting at 11:31, and Peg Duggan was seated in her place.

Chairman Faiman read the public hearing notice into the record. He stated that the Zoning Board of Adjustment is here to decide if the application should be sent to rehearing or not. He does not see a reason to grant the rehearing as they have thoughtfully decided that the proposal is not a home occupation, and that they therefore can not grant the Special Exception. There is not enough justification to warrant a rehearing of the decision.

Chairman Faiman made a MOTION to deny the request of the rehearing for Case No. 3/10/2026-01.

L. Jennings SECONDED the motion.

There was no discussion

VOICE Vote:	ayes	4
	nays	0
	abstentions	1 (Jeff Stone)

Motion was CARRIED 4/0/1

Chairman Faiman stated that this concludes the matter before the Wilton Zoning Board of Adjustment. If the applicant wishes to appeal this further, they must appeal to superior court or the housing appeals court.

8. Call to Adjourn

L. Jennings made a MOTION to adjourn at 11:45 p.m.

P. Duggan SECONDED the motion.

There was no further discussion.

VOICE Vote:	ayes	5
	nays	0
	abstentions	0

Motion was CARRIED. 5/0/0

APPROVED _____