Town of Wilton, NH
Zoning Board of Adjustment
DRAFT MINUTES

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

Tuesday, July 14th, 2026
Zoning Board of Adjustment Meeting

Board Members' Present: Neil Faiman, *Chairperson (remote attendance);* 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: Bonnie Cox, Tom Ryan, R Marmask, W. Murphy, Michaelanna Murphy, Lorin Baeta

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MINUTES

(Minutes were produced by Nick Principato NRPC Circuit Rider with the assistance of AI.)

1. Call to Order

Acting Chairperson Eckstrom called the meeting to order 7:03 p.m. on Tuesday, June 9, 2026. She stated that wearing masks were appreciated as some Board members are or have family who are at elevated risk if they were to contract COVID or other diseases. Asks that members sign in on the sign in sheet.

Chairperson Eckstrom noted that all the votes for tonight's meeting must be a roll call vote because N. Faiman participated remotely.

2. Board Introductions

Acting Chairperson Eckstrom introduced and identified the capacity each member would serve for the meeting.

3. Minutes

The Board held a lengthy discussion over amendments to the minutes from June 9th, 2026.

J. Stone made a MOTION to approve the minutes from June 9th, 2026 with the following amendments:

- **Line 10, needs a space after counsel, and before Chris**
- **Line 11 capitalize cox**
- **Line 37 capitalize COVID**
- **Line 118 add "Peg Duggan, completed the drive by"**
- **Line 127 replace "tis" with "this"**
- **Line 160 Klinghoffer made amotion to add the word "to"**
- **Line 163 change "close" to "closed"**
- **Line 174 it should say "asked about high the river typically gets"**
- **Line 194 there is a preposition missing, "a"**
- **Line 209 is missing part of a sentence "and the findings of the criteria have been met"**
- **Line 205 switch accordance and compliance and "if" should be switched to "about whether"**
- **Line 253 there should be a space after 1 and before the parentheses**
- **Line 257 Add the accent over gagne throughout the minute**
- **Line 276 Klinghoffer missing space between nay**
- **Change "optic" to "art" throughout the minutes**
- **Line 333 Add a missing an e in Cleveland**
- **Line 394 switch "Siting" to "citing"**
- **Line 12 misspelling of the name, Michaelann Murphy**
- **Name corrections: Blagborough, Joe Driscoll is ZBA Counsel and not Town Counsel**
- **Line 51 Faiman misspelled there are two "I"s**
- **Line 137 Add "that" to each condition**
- **Line 225 Amend to request for a rehearing**
- **Line 232 Amend to minutes of 5/12 and there is an extra two in the year**
- **Line 260 Amend fiber arts workshop as a home occupation**
- **Line 267 Amend to "he, the chairman had a bias"**
- **Line 294 Both raised it was an agricultural use**
- **Line 298 Amend "goat uses", to the raising of goats throughout**

- **Line 303 the purpose of the rehearing, switch to the rehearing request was submitted**
- **Line 304 second word, "was" should be deleted**
- **Line 325 Amend to "the applicant has to decide if they will continue to apply for the special exception"**
- **Line 334 Add a comma after the word "Issues"**
- **Line 340 Add "to the property"**
- **Line 345 Add "system"**
- **Line 346 Amend to 2 gallons per flush**
- **Line 382 Amend to no more than two workshops except, two months may have three workshops**
- **Line 383Amend to no earlier than 9AM and end no later than the earlier of 6PM or sunset**
- **Line 384 Amend to needs of the participants by use of or provision of**
- **Line 389 Amend to any portable toilets, plural**
- **Line 394 Amend to the Board continued to list, the rest of the findings of fact for the case; citing**
- **Line 401 Strike the in front of portable toilet and make toilet plural**
- **Line 455 And Peg Duggan return to her status as an alternate**
- **Line 460 Amend to childcare workers, who work outside frequently**
- **Line 278 Amend to "and Peg Duggan continued as the voting member at 8:24 PM"**

J. Jennings SECONDED the motion.
Roll Call Vote:
J. Klinghoffer aye
L. Jennings aye
N. Faiman aye
J. Eckstrom aye
J. Stone aye
P. Duggan aye
Motion PASSED 6-0-0

J. Stone made a motion to approve the minutes from June 13th, 2026 with the following amendments:

- **Add space between ";" and "Lorin"**
- **Add a parentheses before "Vice chairperson"**
- **Strike "already" in between "spot" and "which"**
- **Amend "Stands" to "Standing" between "one" and "on"**
- **Amend "and looks" to "can look" between "road" and "through"**

- **Amend "me" to "her" between "about" and "?".**

J. Jennings SECONDED the motion.
Roll Call Vote:
J. Klinghoffer aye
L. Jennings aye
N. Faiman aye
J. Eckstrom aye
J. Stone aye
P. Duggan aye
Motion PASSED 6-0-0

3. OPEN Meeting

Faby Gagné & Luc Sirios
Case No. 3/10/2026-01
Request for rehearing for Case No. 3/10/2026-01

J. Stone made a MOTION to enter a non-public session under 99-A.3 II at 7:52 PM.
L. Jennings SECONDED the motion.
There was no discussion
Roll Call Vote:
L. Jennings aye
N. Faiman aye
J. Eckstrom aye
J. Stone aye
P. Duggan aye
Motion passed 5-0-0

The Board returned at 8:02 PM.

L. Jennings made a motion to seal the minutes of the non-public session.
J. Stone seconded the motion.
There was no discussion.
Roll Call Vote:
L. Jennings aye
N. Faiman aye

J. Eckstrom aye
J. Stone aye
P. Duggan aye

Motion passed 5-0-0

J. Stone made a MOTION to deny the request for the rehearing on the grounds that no new information had been presented and that the identified request has already been considered.
L. Jennings SECONDED the motion.
There was no discussion.
Roll Call Vote:
L. Jennings aye
N. Faiman aye
J. Eckstrom aye
J. Stone aye
P. Duggan aye
Motion PASSED 5-0-0

Acting chairperson Eckstrom stated that a decision has been made unanimously by the Zoning Board. In this case, the applicant for the rehearing request may make further appeals to superior court or to the Housing Board of appeals.

Michaelann Murphy
(Case #06/09/2026-01)
Michaelann Murphy has requested a variance to section 6.2.4 of the Wilton Zoning Ordinance to allow the installation of 10-foot-high privacy/security fence in the front lot line setback at Tax Map H Lot 132-01, 291 Captain Clark Highway.

Acting Chairperson Eckstrom explained that Case #06/09/2026-01 has been continued from the June 9th meeting and called M. Murphy forward.

Acting Chairperson Eckstrom explained that J. Klinghoffer, L Jennings, J. Stone, N. Faiman, and herself would be voting on this case. She explained that P. Duggan will be an alternate but will be able to ask questions and deliberate with the Board.

M. Murphy explained that granting the variance would not be contrary to public interest because the fence would be wood, and it would not alter the character of the neighborhood. She stated that granting the variance would be consistent with the spirit of the ordinance because it will not change site

distance. M. Murphy stated that granting the variance would be a benefit to the general public because it would serve to protect children of the community. She explained that granting the variance would not diminish surrounding property values. Lastly, she stated that owing to the special conditions of the property, mainly the steep slopes, the fence must be placed in setbacks. M. Murphy added that primary reason for constructing the fence is due to neighbor disputes.

There was discussion over the current civil dispute between M. Murphy and Tom Ryan.

N. Faiman asked M. Murphy to elaborate on how the presence of a ten-foot-tall fence, on a limited portion of her property will serve as protection to the children at her day-care and residents at her property. M. Murphy explained that the area where the fence will be installed is where people have been parking and taking pictures of children being dropped off at school. The fence would serve as visibility protection. M. Murphy explained that the fence is being proposed to be within the setback due to the steep slope of the property, and that the proposed location would provide maximum privacy and coverage. There was discussion amongst the Board about the location of the fence.

L. Baeta of 92 Potter Road, spoke in support of the application. She stated that she thinks it would be a consistent use of the property, it would not diminish surrounding property values and would benefit the community.

T. Ryan of 125 Potter Road spoke against the application. A significant portion of his testimony was not germane to the case and is not included in the record. T. Ryan stated that he believes that it would not be a consistent use of property. He further stated that he does not wish to have to look at a ten-foot-tall fence every day. T. Ryan stated multiple times that he struggled to hear the Board. Furthermore, he stated that he believes that the application would change the character of the neighborhood. Acting Chairperson Eckstrom asked T. Ryan to keep his testimony civil and germane to the case. After several instances of T. Ryan not staying germane to the case and attacking the character of the Applicant and the Board members, Acting Chairperson Eckstrom asked T. Ryan to leave the meeting. Officer Marmask asked T. Ryan to leave the meeting, to which he did at 8:40 PM.

B. Cox of 125 Potter Road shared similar sentiment to T. Ryan. B. Cox shared her sentiments in a civil way and kept her testimony relevant to the case. She spoke to the Board kindly and explained her rationale, stating that she did not wish to look at ten-foot-tall fence. B. Cox felt aggrieved by the situation because she enjoys the view from her property and wishes not to see a fence everyday looking out her window. J. Klinghoffer noted that the she appreciated the tone and manner in which B. Cox gave her testimony.

J. Klinghoffer made a MOTION for a five-minute recess at 8:45 PM.
L. Jennings SECONDED the motion.

There was no discussion.
Roll Call Vote:
L. Jennings aye
N. Faiman aye
J. Eckstrom aye
J. Stone aye
J. Klinghoffer aye
Motion PASSED 5-0-0

The meeting resumed at 8:52 PM.

J. Klinghoffer made a MOTION for the Board to enter a deliberative session.
L. Jennings SECONDED the motion.
There was no discussion.
Roll Call Vote:
L. Jennings aye
N. Faiman aye
J. Eckstrom aye
J. Stone aye
J. Klinghoffer aye
Motion PASSED 5-0-0

The Board discussed at length the merits of the application. J. Stone suggested that the Board should review the five requirements for granting a variance. The Board decided that granting the variance would not be contrary to public interest and would not jeopardize public health, safety, or welfare. The Board agreed that granting the variance would provide substantial justice to the applicant and the proposed fence would be consistent with the spirt of the ordinance. The Board decided that surrounding property values would not be diminished through granting this variance.

The Board had an in-depth discussion relating to the hardship that was presented in this case, and whether it is related to zoning. J. Klinghoffer argued that the steep slopes of the property were the hardship and that the fence had to be placed in the setbacks to provide for maximum coverage. P. Duggan argued that the fence could be placed further back to avoid the setback. This was disproved due to the driveway and turnaround area taking up the area between the proposed fence and the primary dwelling. Ultimately, the Board discussed at length the merits of the steep slopes, and how this leads to the need to place the fence in the setback.

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The Board discussed if they should continue the application or vote on it at the hearing. They decided that they would be unable to gain additional information that would be truly helpful in order to warrant continuing the case.

J. Stone made a MOTION to re-open the public hearing.
L. Jennings SECONDED the motion.
There was no discussion.
Roll Call Vote:
L. Jennings aye
N. Faiman aye
J. Eckstrom aye
J. Stone aye
J. Klinghoffer aye
Motion PASSED 5-0-0

M. Murphy explained that due to the topography of her property, her existing driveway and turnaround area are in the only possible location, as determined by the Fire Chief, and they cannot be moved. Furthermore, she reasserted that due to the topography the fence needs to be placed in the setback to provide coverage to her property.

J. Klinghoffer made a MOTION to go into deliberative session.
L. Jennings SECONDED the motion.
There was significant discussion.
Roll Call Vote:
L. Jennings aye
N. Faiman aye
J. Eckstrom aye
J. Stone aye
J. Klinghoffer aye
Motion PASSED 5-0-0

The Board discussed the merits of the application again. The Board decided that due to the steep slopes of the property and the existing driveway, a hardship does exist for the applicant.

L Jennings made a MOTION to grant the variance from section 6.2.4 of the Wilton Zoning Ordinance to allow the installation of 10-foot-high privacy/security fence in the front lot line setback at Tax Map H Lot 132-01, 291 Captain Clark Highway.
J. Stone SECONDED the motion.
The Board provided their findings of fact.

Roll Call Vote:
L. Jennings aye
N. Faiman nay
J. Eckstrom aye
J. Stone aye
J. Klinghoffer aye
Motion PASSED 4-1-0

The findings of fact for this decision consist of the following:

- Granting the variance would not be contrary to public interest
- Granting the variance is not contrary to the spirit of the ordinance
- Granting the variance would give the applicant substantial justice
- Granting the variance would not diminish surrounding property values
- Granting the variance would alleviate the applicant of their hardship to the step slopes of their property. The fence must be placed within the setback to allow for maximum fence coverage.

4. Call to Adjourn

J Linda made a MOTION to adjourn at 10:43 p.m.
J. Klinghoffer SECONDED the motion.
There was no discussion.
Roll Call Vote:
L. Jennings aye
N. Faiman aye
J. Eckstrom aye
J. Stone aye
J. Klinghoffer aye
Motion PASSED 5-0-0

APPROVED _____

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