

**ZONING BOARD OF APPEALS
WINDHAM, CT**

MINUTES

July 10, 2013

The Zoning Board of Appeals held a special meeting on July 10, 2013 in the Meeting Room, Town Hall. Chair Robert Coutu called the meeting to order at 7:10 P.M. Members present were Robert Wolf, Roger Morin, Robert Coutu and Mary Ann Daley. Al Beaulieu was excused. Also present was Town Planner James Finger.

I) Old Business

a) Continuation of Public Hearing – Michelle McGeowan, 63 Windham Center Road, Windham Center, seeking a Special Exception in accordance with Section 21.2, and a variance from the definition of “Accessory Structure”, and Section 21.2.8’e’, Accessory Use Restrictions of the zoning regulations to erect a separate in-law dwelling in a new barn-like building.

Chair Coutu explained that there are only 4 members present (instead of 5). In order to approve this application it will require all 4 members to vote in the affirmative, he added.

Michelle McGeowan, 63 Windham Center Road, agreed to go forward with 4 members.

Chair Robert Coutu asked the applicant if she had any new information to bring to the board.

Ms. McGeowan said the new information was submitted. This is the most accurate depiction of the building, she said. The builder has revised the structure to a maximum height of 23 feet 10 inches as shown on the diagram. Also, the placement of the doors has been changed with a second emergency exit for the in-law dwelling, as well as the exit on the primary floor are shown as they will be situated in the building.

Chair Coutu said the plan still doesn’t show where the building is going to be placed on the lot. He asked if she had a map to illustrate this. Planner Finger explained that it is the same location that she presented originally - it might be a little closer, but she is not going to encroach on the northerly setback line. Ms. McGeowan said they plan to locate the building farther back away from the house. They also plan to re-grade the driveway so there isn’t such a steep incline to get to where the existing barn is located. Ms. McGeowan said after the existing barn is removed they will use the fill to re-grade the site and be able to lift the foundation somewhat higher.

Chair Coutu asked if the plan has been reviewed by the Historic District. Ms. McGeowan said she did go before the Historic District Commission and they issued a Certificate of Compliance. A discussion ensued.

Board member Robert Wolf referred to the stairway.

Ms. McGeowan explained there will be stairs on the first level of the barn, and in addition we have talked about a second egress from the second story, and you can see that indicated in the rear of the structure. She said the first floor will have multiple exits and the second floor will have an exit into the garage.

Robert Wolf asked will anything be left of the foundation or the existing barn. Ms. McGeowan said no it will be removed.

Chair Coutu asked if members had any other questions. He also asked if anyone from the public would like to speak on this matter. Since there was no-one from the public to speak on the application, and since the board had no other questions, the public hearing was closed.

Roger Morin made a motion to approve the variance as outlined in the application with the stipulation that the height of the structure is not to exceed the 20-foot restriction. Robert Wolf seconded the motion. The motion carried unanimously

Robert Wolf made a motion to approve the Special Exception for an in-law dwelling as outlined under Section 21.2, and added that the approval is strictly for an in-law dwelling. In the future, if there is a desire to rent this structure they will give to come back to the board to seek approval for an accessory apartment. Roger Morin seconded the motion. The motion carried unanimously.

II) Routine Business

a) The minutes of June 6, 2013 were amended as follows: Pg 1 under Old Business Para 2 correct regulation from Section 11.1.1 to Section 21.2. Mary Ann Daley made a motion to approve the minutes as amended and Roger Morin seconded the motion. Voting in favor were Mary Ann Daley, Robert Coutu and Roger Morin. Robert Wolf abstained as he was not present at the last meeting. The motion carried.

b) Planner Finger alerted the board that the Planning & Zoning Commission will hold a public hearing next month on signage and lighting.

There being no other business, the meeting was adjourned at 7:35 P.M. Motion made by Roger Morin and seconded by Robert Wolf. The motion carried.

Respectfully submitted,

Lillian Murray, Clerk