

**Town of Windham**  
**ZONING BOARD OF APPEALS**  
**Regular Meeting**

**DATE: Thursday October 1, 2009**

**TIME: 7:00 P.M.**

**PLACE: Windham Town Hall, 979 Main St., Willimantic**

**A G E N D A**

**I. Call to Order**

**II. Regular Business - DISCUSSION/POSSIBLE ACTION**

1. Andrew Morrison, 585 Jerusalem Rd., Windham Center continuation of hearing on application for Special Exception for Rear Lot with shared driveway, and variance on maximum lot slope.

**III. Routine Business - DISCUSSION/POSSIBLE ACTION**

1. Approval of Minutes
2. Correspondence
3. Miscellaneous

**IV. Adjourn**

**Robert A. Coutu, Chair**

# Town of Windham

## MEMORANDUM

TO: Windham Zoning Board of Appeals  
FROM: James Finger, Town Planner  
DATE: September 24, 2009  
SUBJ: Planner's Report for next meeting

***Please note if you are not coming to the meeting,  
Please call 465-3041 to let us know. Thank You!***

**Andrew Morrison, 585 Jerusalem Rd.**, Windham Center application for Special Exception for Rear Lot with shared driveway.

This is the continuation on the hearing on the application for a Special Exception in accordance with Section 78.3 to create a rear lot out of an existing 7.5-acre parcel that was originally created in 1958, prior to the adoption of any subdivision or zoning regulations. The property has a 50 ft. right of way for access, and is bisected by a CL&P right of way for a power line. The applicant has not yet submitted a plan for splitting the property, but they could split the access strip down the middle providing each lot with 25 feet of width as required by the regulations, and share the existing driveway because it has a culvert to allow drainage across the lot. The new lot would be split along the pole line as shown on the original plan, which is attached. Some of the Board members walked the site and saw the conditions, and as it happens, it was clear that the lot is also somewhat steep. We do not have any details of the topography, but it appeared to exceed the maximum slope limits under the Buildable Square requirements for a new lot, which say:

**Buildable Square**: An element of a lot of which the minimum dimension and shape is free of wetlands, *slopes in excess of twenty-five (25) percent over fifty (50) percent of the minimum lot requirements*, and/or other serious site limitations as specified by the district qualifying the lot for development.

In addition, the driveway approach may need to be paved where it exceeds 12 % slope:

74.8 **DRIVEWAYS**: All portions of driveways with slopes of twelve (12) percent or more shall be paved, with suitable and appropriate transition areas to control the effect of erosion, sedimentation, ponding or icing conditions as determined by the Town Engineer.