

ZONING BOARD OF APPEALS
WINDHAM, CONN.
MINUTES

March 5, 2009

The Zoning Board of Appeals held its meeting on March 5, 2009 in the Willimantic Police Classroom. Chairman Bob Coutu called the meeting to order at 7:05 P.M. Members present were Al Beaulieu, Susan Fiegel-Rapp, Jerry Hart, Steven Edelman, Rene Harris and Bob Coutu. Also present was Town Planner James Finger.

1) Public Hearing – Barbara Sollom, 173 Windham Center Road – seeking a Special Exception to convert an in-law dwelling into an “Accessory Dwelling” to rent to others in accordance with Section 21.2.2.

Planner Finger’s staff report dated February 26, 2009 explained that according to Section 21.2.2 special quarters for in-laws may be permitted within a single family dwelling provided that separate utilities are not connected for a second dwelling unit, and that such dwelling unit shall be integrated into the existing structure. The use of such separate quarters as a rental unit shall be prohibited unless approved by the Zoning Board of Appeals as a Special Exception in accordance with Section 92 as an accessory apartment. If a separate entrance is planned, it shall be placed on the side or rear of the dwelling.

Barbara Sollom submitted two copies of the notice of the public hearing signed by her neighbors. Another abutting neighbor is away she said. Planner Finger said he found detailed plans of the property on file. He said he talked with the Housing Code Enforcement Officer who stated this is subject to Housing Code approval. Steven Edelman said he felt this would not fall within the purview of the Housing Code Office. He added that the original application identified the building as having an in-law dwelling and the building code has a statute of limitation of 5 years. Mrs. Sollom said she bought the property in 2001, and has since added a new bathroom. Al Beaulieu asked if there was a second means of egress from the 2nd floor, and Mrs. Sollom said there was. Mr. Beaulieu said the double hung windows on the first floor are less than 20 feet from the ground and could serve as a second means of egress for the first floor. Looking at the photos it appears that the tenant of the accessory apartment will not enter his residence from the main dwelling, said Finger.

As there was no one in the audience to speak for or against the application, the public hearing was closed. **Motion** by Al Beaulieu, seconded by Susan Fiegel-Rapp. Unanimous vote to close the public hearing. Al Beaulieu made a **motion** to grant a Special Exception to Barbara Sollom of 173 Windham Center Road to convert an in-law apartment to an accessory dwelling to rent to others and Susan Fiegel-Rapp seconded the motion. The motion carried unanimously.

2) Approval of Minutes. The minutes of December 4, 2008 were approved. **Motion** by Al Beaulieu and seconded by Jerry Hart. The motion carried unanimously.

3) Correspondence. Planner Finger said there will be Land Use Seminar Leadership Alliance training program this month, and encouraged members to attend if possible.

As there was no other business, the meeting was adjourned at 7:25 P.M. **Motion** by Susan Fiegel-Rapp and seconded by Jerry Hart. Unanimous vote to adjourn.

Respectfully submitted,
Lillian Murray, Clerk