

ZONING BOARD OF APPEALS
WINDHAM, CT

SUMMARY MINUTES

May 5, 2011

The Zoning Board of Appeals held its regular meeting on May 5, 2011 in the Meeting Room, Town Hall. Members present were Roger Morin, Andrew Gibson, Robert Wolf, Al Beaulieu, Robert Coutu, Jose Cruz and new member Michael Desaulniers. Voting members are Andrew Gibson, Robert Wolf, Robert Coutu, Al Beaulieu and Jose Cruz. Also present were Town Planner James Finger and Code Enforcement Officer Matthew Vertefeuille.

1) New Business

Public Hearing:

a) 699 Main Street LLC (aka) Patrick Schooley and Kent Mawhinney for 699 Main Street, Willimantic – seeking variances from Section 31.3.5a on requirement that the minimum floor area for dwelling units shall be 500 square feet, and on the restriction that no such dwelling unit shall be located on the ground floor level.

Andrew Gibson made the following motion: The Windham Zoning Board of Appeals finds that the request for variances for 699 Main Street, LLC (aka Patrick Schooley and Kent Mawhinney) for 699 Main Street from Section 31.3.5 are justified due to serious practical difficulties owing to the unique character of the of the land and property, and if the variances were not granted, the property would suffer continued deterioration to the detriment of the Town and the neighboring properties.

Therefore, the motion is to grant the variances as requested, specifically from Section 31.3.5 on requirement that the minimum floor area for dwelling units shall be 500 square feet.

- To permit 4 units to be less than 500 square feet: and on the restriction that no such dwelling unit shall be located on the ground floor;
- To permit four dwelling units in the rear portion of the ground floor, but not in the basement;
- And that these dwellings shall be located to permit the front portion to be used for commercial uses for a depth of at least eighty feet; and further, on the references to provisions under Section 62.6.8, specifically:

Section 62.6.8

iii Open Space and Recreation: A minimum of twenty (20) percent of the land shall be devoted to recreation and open space uses so located as to enhance the appearance of the development, protect important natural features and provide appropriate passive and

active recreation for the residents. **At least 300 square feet of such open space shall be devoted to appropriate recreational facilities per bedroom** including, but not limited to tennis courts, tot lots, playgrounds, swimming pools, ball fields **and/or indoor recreational use.**

vi The minimum distance between any two buildings with abutting ends shall be thirty (30) feet where no windows are proposed; otherwise there shall be fifty (50).

xii Dwelling Unit Size Notes: That the minimum net floor area generally excludes hallways, closets, utility rooms, bathrooms, lavatories, laundries, pantries, foyers, storage spaces and any area with less than five feet clear head room.

xiii Each building shall be provided with a loading area, which is within easy access to a staircase or an elevator for tenant use.

Al Beaulieu seconded the motion. The motion carried unanimously with the following voting members Andrew Gibson, Robert Wolf, Robert Coutu, Al Beaulieu and Michael Desaulniers.

2) Routine Business

Al Beaulieu made a motion to approve the minutes of April 7, 2011. Andrew Gibson seconded the motion, and it carried unanimously.

The meeting was adjourned at 8:30 P.M.

Respectfully submitted,

Lillian Murray, Clerk