

**ZONING BOARD OF APPEALS**  
**WINDHAM, CT**

**MINUTES**

**April 2, 2009**

The Zoning Board of Appeals held its meeting on April 2, 2009 in the Willimantic Police Complex. Chairman Robert Coutu called the meeting to order at 7:05 PM. Members present were Al Beaulieu, Rene Harris, Jerry Hart, Steven Edelman and Robert Coutu. Also present was Town Planner James Finger.

- 1) The **minutes** of March 5, 2009 were approved. Motion by Al Beaulieu and seconded by Jerry Hart. The motion carried unanimously.
- 2) **Correspondence.** There was no correspondence.
- 3) **Proposed Changes to the Windham Zoning Regulations.** Planner Finger explained that the Planning Commission has been working on the Subdivision Regulations, and in doing so has proposed some changes to the Zoning Regulations to accommodate these revisions. Some of these changes will relate to the Zoning Board of Appeals, he said.

Planner Finger said the Planning Commission and the Zoning Commission had a joint meeting recently, and during that meeting agreed to make the following changes to the Zoning Regulations.

**Section 3.9.1** presently states that the Zoning Enforcement Officer may issue an emergency certificate of zoning compliance for the temporary use of a trailer or mobile home in the case of fire, collapse etc. The **proposal** is to add: In addition, the Zoning Enforcement Officer may issue approval to allow a person who is building or rehabilitating a home to have a single section mobile/manufactured home for two years, **OR**

**Section 3.9.5** presently states that the Zoning Board of Appeals may grant a Special Exception in accordance with Section 92 for the placement of a single section mobile/manufactured home on a rear lot etc. The **proposal** is to add: In addition, the Board may grant a Special Exception to allow a person whose building or rehabilitating a home to have a single section mobile/manufactured home for a period not to exceed two years.

A discussion ensued:

Board member Steven Edelman said it seems that the Planning Commission and the Zoning Commission are attempting to lessen the intensity of development. Property owners who have large parcels are forced to subdivide their property. The Regulations seem to restrict the developer, and don't provide any incentive to

hold onto large parcels. He went on to say that the State Statutes allow a person to put up a double wide trailer. He questioned why Section 3.9.5 specifies placement of the trailer on a rear lot.

**Section 21.2.2** will authorize the ZBA to permit an in-law/accessory apartment within an owner occupied single-family dwelling or accessory structure by Special Exception in accordance with Section 92..... Edelman said allowing a property owner to build a duplex house on his property would provide an incentive for property owners of large parcels to keep their large parcels and not have to subdivide these properties.

**Section 21.3** It is proposed that each lot shall have a minimum area of 2 acres... Planner Finger said the intent is to bump up everything to 2 full acres and to raise the lot size to 4 acres for a rear lot. Edelman said what will happen is that you will end up with small houses on large lots. He said the Planning Commission and the Zoning Commission want to raise the acreage in order to lower the influx on the school system and lower the economic impact on the school systems. Al Beaulieu said the Regulations seem to target Windham, but only 1/3 of the school population comes from Windham. Most of the school population comes from Willimantic.

**Section 21.4 (Setbacks).** The proposal states that no building or other structure shall extend within 30 feet of any street line, or property line. Board members felt this change would create more problems.

**Section 21.6 (Coverage & Bulk).** This proposal lowers the impervious surfaces on any lot to 15 % of the area of the lot. Planner Finger said the intent is to reduce the amount of impervious surfaces.

**Section 21.7 (Minimum Floor Area for Dwelling).** Each dwelling shall have a minimum floor area of 750 square feet. (They have eliminated on the main floor).

**Section 21.8 (Driveways)** states that each lot shall be served by a driveway or common driveway. The proposal is to allow a common driveway.

After further discussion, Steven Edelman agreed to draft a letter to the Planning Commission and the Zoning Commission outlining the Board's concerns with the proposed regulations. The letter will focus on the use of trailers. He said the Regulations should provide alternatives to elderly couples so that they don't have to liquidate their land in order to meet day-to-day expenses.

The meeting was adjourned at 9:00 P.M. Motion by Al Beaulieu and seconded by Jerry Hart. Unanimous vote to adjourn.

Respectfully submitted,

Lillian Murray, Clerk

