



**ZONING BOARD OF ADJUSTMENT
MEETING AGENDA**

February 6, 2024 – 7:00 pm

Physical Location: 3 North Lowell Road (Community Development Department) Live

Broadcast: WCTV Channel 20 – Local Cable TV

Live Stream: <http://www.wctv21.com/>

To access via Teams: [Click here to join the meeting](#)

Meeting ID: 210 221 889 388 **Password:** 2YGui7

1. **Call to Order**
2. **Continued Cases**

A. **52-2023** Parcel 24-F-152

Applicant- Anne-Marie Petricone

Owner- Kristin D’Amico

Location- 109 Castle Hill Rd

Zoning District- Rural District

The application is requesting relief from **Sections 602.1.9.2, 602.1.9.3.5**, to permit the construction of a 2,176 sq ft, Detached Accessory Dwelling Unit (ADU), with a second-floor deck, above a 3-car garage. The proposed Detached ADU meets the required setbacks of the Windham Zoning Ordinance. However, under the Windham Zoning Ordinance, an ADU must be attached to the principal building and may only be a maximum of 950 sq ft in livable area, with a maximum of 2 bedrooms.

The applicant is requesting to withdraw the application for which the Board shall consider.

B. **46-2023** Parcel 17-C-16

Applicant- Ryan Sawyer

Owner- Same as above

Location- 13 Spring St

Zoning District- RDA/WPOD/WWPD

The applicant is filing an Administrative Appeal under RSA 676:5II(a) after a revocation of a building permit and Cease and Desist was issued from the Code Enforcement Administrator (CEA) on October 6, 2023. The CEA revoked building permit number 299-2023 after having been issued on September 5, 2023. The CEA cited Windham Zoning Ordinance Sections: 616.8.1 and 616.8.3.

The applicant is requesting to withdraw the application for which the Board shall consider.

C. **01-2024** Parcel 19-A-400

Applicant – Suelen Mendonca Feltrin, Enzo Feltrin

Owner – Suelen Mendonca Feltrin & Vando Mendonca

Location – 70 Mammoth Rd

Zoning District – Rural District and Residential District C

The application is requesting relief from **Sections 602.1.6.4, 602.1.6.5, 602.1.6.6, 602.1.6.8, 602.1.6.10, 603.1.5, and 703**. To allow a pool company under the name of Aqua Perfect Pools to continue its operation on the property. Where it is prohibited use in the Rural and Residential C Districts, under the Windham Zoning Ordinance (WZO). To permit the addition of employees to

travel to the property, park their personal vehicles on the lot, and pick up materials and trucks stored on the property to travel to a work site. To also allow the overnight parking of commercial vehicles in excess of 6,000 G.V.W. to remain on the property during non-business hours. Under the WZO, a Customary Home Occupation shall not permit more than one employee, storage of materials and equipment on the lot of a single-family dwelling, increased traffic or noise, the excess of parking that is required for residential purposes, nor shall it change the residential character of the neighborhood. Furthermore, a Customary Home Occupation shall be clearly secondary use to the residence and shall require a Conditional Use Permit from the Windham Planning Board. The application further requests relief to permit the placement of two portable garages that are canvass in material to remain within the front yard, where under the WZO, an Accessory Building shall be located in the front and rear yard of a property, abiding by the required district setbacks.

3. New Cases

- A. 03-2024 Parcel 8-B-3000**
Applicant- Rockingham Road Realty Trust
Owner- Same
Location- 10 Libbey Road
Zoning District- Commercial District A and Rural District

The application is requesting from **Section 605.1**, to construct 72 two-bedroom apartment rental units in three buildings in the CDA, where such use is prohibited in the Commercial District A under the Windham Zoning Ordinance.

- B. Meeting Minutes to Review and Approve:**
- C. Old and New Business: Reschedule following 2024 ZBA dates: 9/10/24, 11/12/24, 12/24/24**
- D. Legislative/Staff Updates: Discussion to assign representative from The Board for Housing Opportunity Planning Grant.**
- E. Adjournment**

Copies of all Zoning Board of Adjustment applications and materials are available for review at the Community Development Department; 3 North Lowell Road, Monday – Friday 8am – 4pm.