



**ZONING BOARD OF ADJUSTMENT
MEETING AGENDA - REVISED**

April 11, 2023 – 7:00 pm @ Community Development Department

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 Zoom: [ZBA Meeting](#)

Meeting number/access code: 865 4393 1593 **Password:** 250013 **To join by phone:** 1 646 876 9923

Call to Order

Case #09-2023 Parcel 7-B-34

Applicant – Andrew Marino

Owner – Same

Location – 6 Orchard Blossom Rd

Zoning District – Rural District

The Applicant has withdrawn this application.

Variance relief is requested from **Section(s) 710.1, 710.3.1** to allow a 6 ft fence in the front yard to remain standing, which is prohibited under the Windham Zoning Ordinance.

Case #11-2023 Parcel 17-L-45

Applicant – Kiara Mooney

Owner – Kevin Penta & Kiara Mooney

Location – 134 Range Rd

Zoning District – Residential District A

Variance relief is requested from **Section 200** from the definitions of “dwelling: single family” and “dwelling unit” to allow the transient occupancy of small families or couples who wish to visit the “carriage house” on the property.

Case #13-2023 Parcel 14-B-2612

Applicant – Megan and Brian Stanton

Owner – Same

Location – 16 Ashton Park Road

Zoning District – Rural District

Variance relief is requested from **Section 200** to allow a sports court and a raised garden to remain on the property without a principal building, or main use.

Case #10-2023 Parcel 17-G-6 & 17-G-20
Applicant – Middlesex Glass Co., Nick Arena
Owner – 106 Indian Rock Rd LLC & GW Trust, Diana Wolthers, Trustee
Location – 102 Indian Rock Road and 82 Range Road
Zoning District – Gateway Commercial District/ WPOD

Variance relief is requested from **Section(s): 618.2, 618.3.10** to construct a 77, 900 Sq.Ft. mixed-use commercial building, that would include the assembly of prefabricated parts. The proposed use is prohibited in the Gateway Commercial District. Furthermore, Windham Zoning Ordinance prohibits any single structure within the district to have a building footprint of greater than 40,000 Sq. Ft.

Case #07-2023 Parcel 17-L-67
Applicant – Benchmark, LLC
Owner – Louis and Audrey Pereira
Location – 29 Farmer Rd
Zoning District – Rural District / WPOD
READVERTISEMENT

The Applicant has requested to reschedule this hearing, to April 25, 2023, which the Board shall consider.

Variance relief is requested from **Section(s) 200 and 702 / Appendix A-1** to allow the property to be subdivided into two lots. The lot is currently bifurcated by Farmer Road, a private road. The existing home would remain on the Westerly portion of the lot, along the pond, with its preexisting setbacks and 102 ft of frontage along the private road, which were previously approved by Variance (Case 35-2009). The lot the existing house will be on is proposed to be approximately 14,000 square feet, where at least 50,000 square feet is required; therefore, will require a Variance. The lot opposite Farmer Road will be 2 acres, where at least 50,000 square feet are required. However, the lot opposite Farmer Road will require a Variance to have approximately 140 ft of frontage on a private road, where 175 feet along a public road is required.

Case # 12-2023 Parcel 22-L-81 & 22-L-83
Applicant – Benchmark, LLC
Owner – Thomas J Jr & Lynn Murray
Location – 27-29 West Shore Road
Zoning District – Residential District A / WPOD

The Applicant has requested to reschedule this hearing, to April 25, 2023, which the Board shall consider.

Variance relief is requested from **Section(s) 406.2, 702/ Appendix A-1, and 703** to construct an addition to the existing single-family dwelling (22-L-81), on a pre-existing, non-conforming lot. The addition to the SFD would expand the area from 2,462 sf to 3,052 sf and the area from 44,316 cu/ft to 50,300 cu/ft in volume and be 30 feet from the front lot line and 33 feet from the pond, where such addition increases the non-conforming nature of the property. To construct an inground pool 22 ft from the side lot line, where 30 ft is required; 33 ft from the pond where 50 ft is required; and 28 ft from the front lot line, where such are prohibited within the front yard. To construct a greenhouse 10 ft from the front lot line, where such are prohibited within the front yard. To construct a shed 18 ft from the front lot line, where such are prohibited within the front yard; and 15 ft from the side property line, where 30 ft is required.

Meeting Minutes to Review and Approve: 02-21-23, 03-07-23 & 03-28-23

Planning Sessions and By-law updates

**Legislative/Staff Updates
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.**