



**ZONING BOARD OF ADJUSTMENT
MEETING AGENDA**

June 13, 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 Teams: [Click here to join the meeting](#)
Meeting ID: 210 221 889 388 **Password:** 2YGui7

Call to Order

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
***Previously heard on April 11, 2023**

The applicant is requesting a variance 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.

Case #15-2023 Parcel 9-A-904

Applicant – Michael L DeBruyckere
Owner – DeBruyckere 2009 Family Trust
Location – 4 Balmorra Rd
Zoning District – Rural District / WWPD

The applicant is requesting a variance from **Section 603.1** to allow the construction of a 28 ft. x 40 ft. detached one-story accessory building, within the WWPD where permanent structures are prohibited. The Applicant intends to use it as a garage for the storage of automobiles, yard equipment, and lawn furniture.

Case #17-2023 Parcel 25-R-867

Applicant – Michael Covey
Owner – Michael and Susan Covey
Location – 18 Corliss Rd
Zoning District – Rural District, Open Space, WWPD

The applicant is requesting a variance from **Sections 611.6.4.3.3 and 702 / Appendix A-1** to allow construction of a 24' x 30' accessory building to be used as a garage/ workshop one foot from the side lot line, where a 15 ft. side yard setback is required in the Open Space Residential Overlay District and 30 ft. side yard setback is required in the Rural District.

Case #18-2023 Parcel 22-L-81 & 22-L-83

Applicant – Benchmark LLC

Owner – Thomas J Jr & Lynn Murray

Location – 27-29 W. Shore Rd

Zoning District – Residential District A/ WPOD

The applicant is requesting a variance from **Sections 406.2, 702 / Appendix A-1, 703, 616.6.4.2** to allow the construction of an addition to the existing dwelling on 22-L-81 (29 W. Shore Rd), which is a pre-existing non-conforming lot with two frontages. The new plan incorporates 22-L-83 (27 W. Shore Rd), which will be voluntarily merged with 29 W. Shore Rd upon receiving all local and state approvals. Upon the merger, the owner would want to expand the single-family dwelling on 29 W. Shore Rd to allow the expansion in the area and/or volume of the house from 1,800 sf to 4,065 sf in area and from 32,400 cu/ft to 82,078 cu/ft in volume.

To allow the lot size of 24,820 sf where a minimum lot size of 50,000 sf is required with 130 ft of frontage, where 175 ft is required. To allow the new addition of the single-family dwelling to have a front yard setback from W. Shore Rd of approximately 16 ft from the ROW where 50 ft is required. The existing SFD has an 8 ft easterly side yard setback, where 30 ft is required, and a Canobie Lake shoreline setback of 32 ft, where 50 ft is required. The proposed swimming pool would also be placed 35 ft from Canobie Lake, where 50 ft is required and within the front setback. Under the Windham Zoning Ordinance, a pool or Accessory Building may not be in the front yard. The proposed addition will have a 31 ft setback from Canobie Lake, where 50 ft is required, a garage with a front setback of 20 ft, and a subsurface utility vault with a 16 ft front yard setback, both of which would require a 50 ft ROW setback. The proposal would result in a 46% impervious lot coverage, where a maximum of 30% is permitted in the Residential District A and Cobbetts Pond and Canobie Lake Watershed Protection District. A previous variance was granted (Case # 34-2019) for the above proposal, which is now expired.

Case # 23-2023 Parcel 19-B-813

Applicant –Derek Iske

Owner – Derek Iske & Jessica Marie Scenna

Location – 24 Glance Rd

Zoning District – Rural District

The applicant is requesting a variance from **Section 710.3.1** to allow the construction of a six (6') fence on a corner lot property, where no fence in the Rural District shall be constructed over (4') in height in the front yard.

Meeting Minutes to Review and Approve: 05-09-23

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.