



**ZONING BOARD OF ADJUSTMENT
MEETING AGENDA
September 26, 2023 – 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 Public Hearings

- a. [Case # 32-2023](#) Parcel 8-B-3000
(Continued from 08-29-23 & 09-12-23)
(The Applicant requested a continuance, for which the Board shall consider.)

Applicant / Owner – Rockingham Road Realty Trust

Location – 10 Libbey Road

Zoning District – Commercial District A (CDA), Rural District, and WWPD

The applicant is requesting a Variance from **Sections 605.1, Footnote 5b of 301 Notes for Table of Requirements (Maximum Multi-Family Residential Density), and 601.3.8** to construct residential units in the CDA, where such use is prohibited in the CDA under the Windham Zoning Ordinance (WZO). The Applicant proposes 72 two-bedroom units, where the maximum permitted density per the WZO would be 10 two-bedrooms units. The Applicant also proposes access ways within the WWPD beyond the minimum length and width necessary to provide access to the proposed use.

- b. [Case # 35-2023](#) Parcel 22-L-27
(Continued from 09-12-23)

Applicant – Meisner Brem Corporation

Owner – Wen Lei

Location – 75 W Shore Road

Zoning District – Residential District A/WPOD

The applicant is requesting a variance from **Sections: 406.2 and 702/Appendix A-1** to allow the 404 sq ft two-story expansion of a pre-existing, non-conforming single-family dwelling from 1,864 sq ft to 2,268 sq ft, on a pre-existing, non-conforming lot, where no such expansion resulting in further non-conformance is permitted. The application is requesting that the addition be 20.6 ft from the front lot line, where 50 ft is required and to be 34.3 ft away from the waterfront setback, where 50 ft is required.

3. New Public Hearings

a. Case # 34-2023 Parcel 24-D-1
Applicant – Timothy A. Peloquin, LLS
Owner – 107 Ponemah Rd, LLC (C/O Teresa Benning)
Location – 10 Rock Pond Road
Zoning District – Residential District A, WWPD, and WPOD

The applicant is requesting a variance from Section 406.2 and 601.3 to allow construction of an attached 741.3 +/- sq ft, one-bedroom ADU no closer than 71' from a delineated wetland, greater than one acre in size, where a 100' buffer is required and where no such expansion resulting in further non-conformance is permitted.

b. Case # 36-2023 Parcel 24-F-5200
Applicant – Aaron and Samantha Barrett
Owner – Same
Location – 140 Lowell Road
Zoning District – Rural District

The applicant is requesting a variance from Sections 406.2 and 702/Appendix A-1 to allow construction of a 24 ft x 21 ft addition to include a bathroom, bedroom, and walk in closet to be approximately 17 ft from the side yard setback, where 30 ft is required and where no such expansion resulting in further non-conformance is permitted.

c. Case # 37-2023 Parcel 8-B-500
Applicant – TPC Flatrock Owner, LLC-Tyler Palermo
Owner – Same
Location – 86 Rockingham Road

Zoning District – Residential District B, WWPD, and Rt. 28 Access Management Overlay
The applicant is requesting a variance from Section 601.3 to allow a shed for a water meter underground vault at the site entrance, a design change from the previously approved plans that is required by the water utility. The proposed permanent structure is located within the WWPD where no permanent structure shall be constructed.

4. Correspondence

5. Meeting Minutes to Review and Approve: 09-12-23

6. Planning Sessions and By-law updates

7. Legislative/Staff Updates

8. 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.