



**ZONING BOARD OF ADJUSTMENT
MEETING AGENDA**

November 14, 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. New Cases

A. Case 26-2023 Parcel 13-K-100

Applicant-Benchmark, LLC

Owner- Richard Farina

Location- 19 Doiron Rd

Zoning District- Rural District

Granted a Re-Hearing at the 10/24/23 ZBA meeting

The applicant is requesting a variance from **Section(s): 200 and 702/Appendix A-1** to allow the construction of a 936 sq ft single family dwelling with an attached 136 sq ft screened in porch. Relief is requested from the definition of a “Building Lot” (Section 200) due to not having frontage on a Town approved road. Relief is also requested from Section 702/Appendix A-1 to allow 10-foot side yard setbacks, where 30 feet is required; a 27 foot front yard setback, where 50 feet is required; and 23% building coverage, where 20% is the maximum allowed.

B. Case 42-2023 Parcel 18-L-668

Applicant – Francis Moreau

Owner – Same

Location – 9 Hayes Hart Rd

Zoning District – RDA/ WPOD

The applicant is requesting relief from **Sections 702/ Appendix A-1, and 703** to allow the construction of a 24’ x 28’ detached garage on the existing driveway of a pre-existing, non-conforming Single-Family Dwelling (SFD), which is located on a pre-existing, non-conforming, corner lot creating two frontages. The westerly front yard setback (Sylvester Rd), of the proposed garage is approximately 7.3 ft, where 50 ft is required and where no Accessory Building shall be located within the front yard. The rear yard setback is proposed to be approximately 15.9 ft, where 30 ft is required under the WZO.

C. Case 43-2023 Parcel 22-L-201

Applicant- Benchmark, LLC

Owner- Shawn Ford

Location- 15 Prescott Rd

Zoning District- RDA/WPOD

The applicant is requesting relief from **Sections 406, 702/Appendix A-1** to allow the increase in volume of a pre-existing, non-conforming single-family dwelling (SFD) from 11,160 cu/ft to 17,500

cu/ft by constructing a full second story. The SFD is located on a pre-existing, non-conforming lot, having 7,451 sq ft of land and 76 ft of frontage along a private road, where 50,000 sq ft of land and 175 ft of frontage is required along a Town road. Furthermore, the existing SFD is approximately 39 ft from the high-water mark of Canobie Lake. The current setbacks are approximately 20 ft from the Southerly lot line, 26 ft from the Northerly lot line, and 5 ft from Prescott Rd.

D. [Case 44-2023](#) Parcel 22-R-10010

Applicant- Benchmark, LLC

Owner- Andrew Pelletier

Location- 6 Poplar Rd

Zoning District- Rural/WWPD/WPOD

The applicant is requesting a variance from **Sections 601.3, 601.4.6, 601.4.8, 601.4.8.3, and 616.8**, to allow construction of an 18 ft x 36 ft in-ground pool, pool apron, patio, and fencing within the WWPD and tributary stream setback from a wetland that drains towards Canobie Lake, where such is prohibited. The proposed improvements would be located within 40 ft of the edge of a wetland and a tributary stream that discharges towards Canobie Lake where a 100 ft Wetland and Tributary Stream setback is required.

E. [Case 45-2023](#) Parcel 16-F-2

Applicant-Gregory Dawson

Owner- Michael Smith

Location- 20 Ash St

Zoning District- RDA/WPOD

The applicant is requesting a variance from **Sections 702/Appendix A-1** to allow the replacement of a 12'x16' deck, with a new 15'x30' deck, on a pre-existing, non-conforming single-family dwelling, located on a pre-existing, non-conforming lot. The proposed deck would have an approximate 9 ft side yard setback from the Westerly lot line, where 30 ft is required under the Windham Zoning Ordinance.

3. **Correspondence**
4. **Meeting Minutes to Review and Approve: 9/12/23, 10/10/23, 10/24/23**
5. **Planning Sessions and By-law updates**
6. **Legislative/Staff Updates**
7. **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.