Windham Planning Commission Minutes

6/10/24

Present: Bill Dunkel, Cathy Fales, Tom Johnson, Michael Simonds (Zoning Administrator), Vance Bell, Dawn Bower Antje Ruppert

Bill Dunkel started the meeting at 6:34 PM

**I. Begin Recording the Meeting**

Bill started the recording.

**II. Act on Minutes of April Meeting**

Cathy moved to adopt the minutes. Michael seconded. The minutes were adopted by all.

A discussion ensued about having the July PC meeting in-person at the Meeting House, and also online, because state law soon will prohibit online only meetings. Cathy volunteered to be present at the Meeting House for the next meeting and suggested that we take turns being there for future meetings.

**III. Set Date for Measuring Slope**

Another slope measuring date was set for Tuesday, June 18, 2024 at 9:30 AM with a rain date on Wednesday, June 19, 2024.

Bill then informed the members that there was some confusion among the Select Board and the Town Clerk about the recent recommendations from the PC regarding the Zoning Application Form with regard to drawings of planned structures, local floodplain administration, and a certificate of conformance form indicating compliance with permitted work on a property. These recommendations will still need to be formally approved and adopted by the Select Board.

Antje pointed out that the SB is providing all town officials the opportunity to give a brief report at the bi-monthly SB meetings and suggested that the PC presents regularly to ensure transparency and avoid confusion.

**IV. Density Requirement Language**

Bill stated that he had sent Matt Bachler from the Windham Regional Commission documents about the confusing and inconsistent language in the Windham Zoning Regulations with regard to density standards and the definitions of structure, unit, dwelling, accessory dwelling unit, accessory structure, etc. Matt responded that prohibiting swimming pools and tennis courts in the historic district is most likely not legally possible in which case these structures may have to be permitted in all of the zoning districts.

Antje asked if Matt Bachler or the Windham Regional Commission could help the PC update or clarify these definitions. Cathy responded that the WRC is overbooked and does not have the capacity for such a task. The PC should pursue potential grants that would allow hiring a professional consultant. Bill then concluded that he should have a conversation with Bob Fisher, the town’s attorney, who may have dealt with this issue before and might know if prohibiting in-ground pools, tennis courts and such is legal. Michael agreed that speaking with Bob Fisher would be the right approach. Bill wondered, however, whether Bob Fisher could help in unscrambling the confusing and conflicting definitions. Cathy offered to look into funding options to hire professional help.

**V. Review Slope Regulation Options**

Bill then brought up the three slope regulation options from previous discussions ~~again~~ and was hoping that the “slope measuring party” on Old Cheney Rd. will guide us toward the best choice. Cathy asked who is responsible for determining the slope of a property in Windham. Currently the ZA is responsible for permitting or prohibiting development on slopes. However, that forces Michael to enforce a regulation that he does not personally agree with as he suggested eliminating the slope prohibition entirely. Michael believes that on Old Cheney Rd. all properties would be violating this regulation, but every property is responsibly developed without any run-off issues.

Cathy suggested that Jeff Nugent, the person responsible for mapping at the WRC, be invited to join the “slope measuring party”.

Michael then asked the group to show him any place in Windham where there is damage from run-off and where development on a slope has become a problem. Bill suggested asking the road crew about this. The PC will continue discussing development on steep slopes after everyone has a clearer understanding of how slope is determined and what slopes of various degrees of steepness actually look like.

Michael then moved to adjourn, Dawn seconded. The motion passed and the meeting ended at 7.44 PM.

Respectfully submitted by

Antje Ruppert