Windham Planning Commission Minutes

10/28/24

Present: Bill Dunkel, Cathy Fales, John Finley, Chris Cummings, Tom Johnson, Michael Simonds, Dawn Bower, Antje Ruppert

Bill Dunkel started the meeting and recording at 6:31 PM

**I. Act on Minutes of September 9 Meeting**

Cathy moved to adopt the minutes, Chris seconded. The motion passed unanimously. Bill pointed out that the name of John Dupras was misspelled which Antje corrected.

**II. Updates on October Public Hearing**

1. 2 Abbott Rd. - Michael confirmed that the owner got a new zoning permit and everything is fine there.
2. Wheeler Rd - trench for power line - former Di Stefano property. The new owner got approval to bury his electric and phone lines underground, but has not yet gotten a zoning permit to do any other work on the house.
3. Wichelns property on 24 Chase Rd - In the first public hearing George Wichelns was given permission to do improvements on the woodshed. It does not need to be razed. He is working with Pete Newton who said that he can fix the structure. The PC gave the owner permission to raze the old garage and move the foundation another seven feet east on Chase Rd.

**III. Make a Decision About New Density Standard Language**

Bill shared his screen with proposed changes to the zoning regulation language (see attached). Tom pointed out that according to the current and revised language permitted use includes “A Dwelling Unit (Single-Family, Two-Family or Multi-Family) per lot **OR** 1 business or professional building per lot (including a Bed and Breakfast, Country Inn, or PUD)” but not both, and yet there are several people in town who already run businesses from their residential homes.

This topic and what kinds of businesses can be permitted or should require a conditional use permit then dominated the remainder of the PC meeting. Concerns included, but were not limited to businesses that would create a lot of traffic or require heavy equipment or be very noisy for the adjacent neighbors.

The PC then agreed that the sentence “**A business may be located in a dwelling unit or in an ~~existing~~ accessory structure.**” should be added under Permitted Uses, rather than in the Density section and “existing” be redacted for all zoning districts.

Other changes Bill suggested in his revised Density Standards included:

**Structure, Accessory**: Any minor structure or secondary feature, which has been or intends to be added to a site, such as barns, sheds, chicken coops, wood storage bins, swimming pools (in ground), dog kennels, tennis courts, etc.

**Structure, Principal**: Any dwelling (including Accessory Dwelling Units and camps) or any building used as an office, business or for other commercial purposes (including Mobile Home Parks and Planned Unit Developments).

John then brought up that holding public hearings for conditional use permits is not that complicated or cumbersome. Bill reminded him, however, that they would need to be warned in a newspaper and letters need to be sent to all adjoining property owners. John noted that there usually are very few public hearings.

With regard to noise (e. g. from a dog kennel or heavy traffic), Bill pointed out that there are noise regulations in town.

John then suggested changing the language to require conditional use permits for any type of business and hold public hearings for all. If this does not work or is too cumbersome, the language could be reevaluated and revised again. Already existing businesses would be excluded.

Cathy suggested getting the list of home businesses in Windham that Michael Pelton compiled.

Bill then pointed out that **Accessory Use** requires a public hearing and a conditional use permit, but there is currently no definition in any of the districts for this type of use, and in Recreational Commercial it is not even mentioned. Tom and Cathy suggested taking “accessory use” out if there is no definition for it.

Bill then noted that the PC had previously agreed to add a Section 500 about recreational vehicles to the zoning regulations. So far, there is no definition of a recreational vehicle in the zoning except in the section that has to do with section 712 regarding flood hazard areas. Bill suggested taking the definition of recreational vehicle in this section and include it in the definitions under Appendix A.

Bill then shared the current **To-do List**:

- The logging regulations have been revised and are done.

- Changes required by the State need to be done, e. g. add two-family homes as a permitted use and revise the definition of an accessory dwelling unit.

A date for a public hearing to adopt some of the changes to the zoning regulations was set for Dec. 9, 2024 during the regular December PC meeting.

Michael moved to adjourn, Dawn seconded. The motion passed and the meeting ended at 8:05pm.

Respectfully submitted by

Antje Ruppert