Windham Planning Commission Minutes

January 14, 2025

In Attendance: Vance Bell, Chris Cummings, Bill Dunkel, Cathy Fales, John

Finley, Tom Johnson, Dawn Bower, Will Goodwin, Antje Ruppert

Meeting called to order at 6:34PM.

**I. Act on Minutes:**

Chris moved to adopt and Cathy 2nds. Motion passed unanimously.

**II. Recreational Vehicle Regulations**

Bill reminded the PC that currently the zoning regulations say that any RV parked on a piece of property for more than 90 days over the course of a 12-month period is, in effect, a dwelling unit that has to be connected to a septic and have the appropriate permits. Around March 2024, the PC had approved modified regulations for RVs and passed them on to the Select Board. However, in all likelihood, the SB has not yet had the time to look at those suggestions because they’ve been so busy. The current zoning regulations and the proposed change versions were discussed in the December meeting and are included in the minutes for that meeting. Since the PC did not come to any particular conclusion about the RV regulations at that last meeting, Bill devised another suggestion that does not consider an RV as a structure unless it is occupied for more than 90 days at which point it would have to comply with all the relevant regulations (water, wastewater, setbacks).

Cathy noted that she had taken the time to look at the RV regulations of 12 different towns in Vermont and thinks that Windham is too lenient. The majority of these towns do not allow occupancy of an RV for more than 30 consecutive days instead of 90, and the RV must be fully licensed and ready for use. Otherwise it would have to be parked on the side or in the back of a house.

Will mentioned that it is not permissible to store multiple RVs on one’s property, rent out storage space, or use them for commercial purposes. He offered to send the Londonderry regulations to the PC for comparison.

Vance made a motion to adopt the most recent suggestion from Bill to treat RVs as structures only if they are on a piece of property and occupied for more than 90 days in a 12 month period. Chris 2nd.

John was concerned with the duration of consecutive use. Cathy amended the motion to 30 consecutive days and not exceeding 90 days in a year. John 2nd.

Will noted that the State rules for a primitive camp stipulate no more than 3 consecutive weeks and not exceeding 60 days in a calendar year or it will be treated as an accessory dwelling unit and require a permit and connection to a water and wastewater system.

The original motion by Vance was voted on and defeated by a 3-3 tie.

Vance then made a motion to align the minimum and maximum occupation times with those of the State, e. g. no more than 3 consecutive weeks and not exceeding 60 days in a calendar, Cathy 2nd:

**If an RV is occupied for more than 3 consecutive weeks or more than 60 days within a calendar year, it is considered a dwelling unit and must be connected to a septic system and requires a permit.**

The motion passed unanimously and the revised regulation will be subject to a public hearing before it is passed on to the SB for adoption.

Cathy suggested to leave the remainder of the dwelling unit definition in Bill’s suggested revision with the exception of the occupation restriction:

**Dwelling Unit: A room or rooms connected together containing cooking, sanitary and sleeping facilities that constitute a separate, independent housekeeping establishment for residents. It shall include prefabricated modular units, and mobile homes, as well as recreational vehicles *which are occupied* for more than 3 consecutive weeks, or more than 60 days within a calendar year. It shall not include *recreational vehicles that are unoccupied or occupied for less than 3 consecutive weeks, or less than 60 days in a calendar year or* a motel, hotel, boarding house, tourist home, camps or similar structures.**

**III. Date and Agenda for Public Hearing on Zoning Regulations Changes**

The agenda for a public hearing on changes to our zoning regulations shall include the following:

- Changes needed to comply with Home Act (from June, 2023); revision of accessory dwelling unit language

- Adopt the new language on density standards. Make in-ground swimming pools a conditional use in historic districts. At a November meeting, Tom suggested that instead of specifically mentioning tennis courts, we use the more inclusive term “sport courts”. However, that change was not formally adopted then. Therefore, Tom moved to make sports courts a conditional use in the historic districts. Vance seconded. The motion passed 5-1 with Chris opposed.

- Adopt the new definitions for principle structure and accessory (as approved at last meeting and stated in previous minutes)

- Adopt the new RV regulations.

We agreed to have a public hearing in February, tentatively in conjunction with our next regularly scheduled meeting on February 2nd.

**IV. Friendly Gathering Update**

- There will be meeting this coming Thursday (1/16) about the Friendly Gathering, which is proposed to occur in July at Timber Ridge. Among other things, Kord Scott, Bob Fisher, Bill and organizers of the event will discuss the zoning regulation (Sec. 209,1) which prohibits loud noise after 9pm.

**V. Short Term Rental Properties**

- The SB requested that the PC discuss this at some point.

**VI. Adjourn**

Dawn moves to adjourn, Vance 2nd. Motion passed. Meeting adjourned at 8:10PM.

Respectfully submitted,

Antje Ruppert