**Windham Zoning board of Adjustment Minutes 4/14/25**

Board members present: Bill Dunkel, Tom Johnson, Dawn Bower (zoom), Vance Bell,

Members of the Public: Kingston Fairclough, Marilyn Fairclough (zoom), Skip Raymond (zoom), Will Goodwin ZA

Will Goodwin called the meeting to order at 6:30 PM.

**Hearing**: Kingston and Marilyn Fairclough’s application for a single family home on a private road in the Forest District # 2025-06

Mr. Fairclough described his proposal for a single family home, the board asked him questions based on criteria for approval found in sections 201.3, 206, 207 and 400B of the zoning bylaws.

**Section 201.3 Conditional uses in the Forest District**

The Faircloughs are proposing to build a single family home and they have a state approved septic system

Their lot meets the minimum lot size for the district

The house site meets the setbacks requirements of the district

The house is under the 35 feet maximum height limit for habitable structures.

There will be no structures above tree height.

The house is not on a ridgeline that will be visible from Timber Ridge or other vistas.

**Section 203 Conditional Uses**

The proposed single Family home will not have an adverse effect on

1. The capacity of existing and planned community facilities

2. The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards in the Town Plan

3. Traffic on roads and highways in the vicinity

4. Bylaws then in effect

5. Utilization of renewable energy resources

6. Headwaters and watersheds

7. Surface or subsurface waters

8. Class I and Class II Wetlands and vernal pools

9. Rare and irreplaceable natural areas, areas with necessary wildlife habitat/corridors and/or critical wildlife populations, or areas with endangered species

10. The aesthetic value and environmental benefits of ridgelines

11. The aesthetic value of the audible and visual environment including the scenic or natural beauty of the area

12. Historic, recreational, and scenic resources, including those resources described in the

And it will have:

Adequate parking. And will comply with the Performance Standards in Section 209 3, and Comply with State and Town health ordinances

**Section 207 Prohibited Uses**

The Fairclough’s property is under 20% in slope overall according to the Vt. slope angle map, and the house site is on a even flatter part of the property according to the contours on the site plan provided.

There are no mapped Class I and Class II wetlands, vernal pools, in the area of the house site

The cleared area on the house site is on the edge of a mapped wildlife block, but it is not any more intrusive than any of its neighbors. The property is in the use value program, and no development is proposed outside of the home site.

The proposed development is not above 2000 feet in altitude.

**Section 400B Required Frontage**

Mr. Fairclough testified that was a history of conflict over the maintenance of Edson Drive among the various landowners on the road, but that had been settled, and now there was a road maintenance agreement between all the parties.

**Deliberations**

The board went into deliberative session, and voted on the application

Bill Dunkel moved the meeting be adjourned at 7:30, Vance Bell seconded, passed unanimously.

Respectfully submitted,

Will Goodwin

Zoning Administrator