

# TOWN OF WINDSOR ZONING BOARD OF APPEALS

## MEETING MINUTES

**DATE:** October 15, 2014

**TIME:** 7:30 P.M.

**LOCATION:** Windsor Town Hall

**BOARD MEMBERS PRESENT:** Mahlon Guernsey, Chairman  
Heather Gordon, Secretary  
Douglas Fuller  
David Kohlbach  
Lisa Goetz

### **BUSINESS DISCUSSED:**

The September 17, 2014 meeting minutes and public hearing minutes were reviewed and approved by board members. The Board discussed the Gillen use variance and Secretary Gordon read into the minutes the 239 review from Brome County Planning and Economic Development. The 239 review cited a number of concerns about the granting of the use variance; the proposed use does not reflect low-impact principal uses allowed in the R-14 Residential District, the Town Zoning Code reserves the commercial and industrial districts for service and repair garages, and those districts require specific site plan review, the R-14 residential district properties consist mainly of relatively small-scale residences immediately surrounding the property and the applicant has been operating the repair shop without a license, which causes concern for other future violations in this residential district. Chairman Guernsey called for a roll call vote on the Gillen use variance. The use variance was denied by a 3 to 2 vote. Board members who voted against the variance stated that their decision was based on the fact that the applicant did not meet the four tests for a use variance, namely that the applicant is able to realize a reasonable return on his residential property, and has not shown unnecessary hardship relating to the property. In other business, Secretary Gordon distributed information about an upcoming Coughlin and Gerhart training for Zoning and Planning Board members to be held on November 8<sup>th</sup>. All Board members expressed an interest in attending, and Secretary Gordon will RSVP for the group. Code Enforcement Officer David Brown attended the meeting briefly to discuss the possibility of charging variance applicants a fee to cover the Town's expenses related to the application.

**NEXT MEETING:** November 19, 2014 at 7:30 P.M.

Respectfully Submitted,  
Heather Gordon, Secretary