Town of Winchester

Planning Board

Minutes

12-04-23

**Meeting opened:** 7:02 pm

Members present: Rich Pratt (Chair), Jordan Sharra (V. Chair), Dean Beaman, Jack Marsh, Colby Ebbighausen. Gus Ruth, Jenny Rhodes, and Neal Stetson are alternates present.

Ben Kilanski (SR) and Robert Browne are absent.

Evan O’Connor is the LUA.

Public: Todd Kilanski, Margaret Sharra, Sarah Pratt, Dick Drew.

Via Zoom: Housing Navigator Rik Ekstrom

**First order of business: The Chair sits J. Ruth as acting alternate.**

 The board reviews the minutes of 11-20-23**. D. Beaman moves to approve, J. Sharra seconds. C. Ebbighausen and J. Rhodes abstain. The vote is 4 yes.**

**Second order of business:** The board will continue the hearing from the 11-20 meeting pertaining Todd Kilanski’s application to allow outdoor storage on his property at 28 Gunn Mountain Road, Map 19 Lot 20.

**D. Beaman moves to resume the public hearing, J. Sharra seconds. All in favor.**

T. Kilanski addresses the board. T. Kilanski reports that the Monday prior, LUA E. O’Connor and M. Sharra conducted a site visit on the property in question. During the visit, T. Kilanski reports that he had found one of the boundary points from the deed in the town hall, and his property line was in a different location than initially thought from the tax maps. T. Kilanski states that he understands the town is requesting screening, and was informed of places screening would be adequate during the site visit, however the property is not accommodating for sufficient screening. T. Kilanski points out the businesses on Route 10 that look like junkyards, and states that since acquiring this property, he has made it look much better and no longer an eyesore.

The board deliberates on the necessity of including screening as a condition of approval.

C. Ebbighausen atates that the variance was approved on condition of screening enforced by the planning board.

J. Marsh asserts that when a ruling comes to the Planning board from the Zoning board, it is the board’s responsibility to enforce that ruling.

R. Pratt states that there just has to be some sort of compliance with the ZBA’s ruling.

J. Marsh comments that if screening is not possible, this matter may have to be re-heard at the ZBA.

T. Kilanski questions why he would have to take it back to the ZBA, if he already has shrubbery blocking view from Gunn Mtn Road.

LUA E. O’Connor addresses the applicant. It is brought up that at the site visit, it was established the places that need screening were any gaps in shrubbery along frontage with Gunn Mtn Road, and along the front edge of the property to block view from the historic covered bridge.

C. Ebbighausen states that the ZBAs main concern was the area along Gunn Mtn.

M. Sharra addresses the board, speaking on the previously mentioned site visit. M. Sharra reiterates that all the board requested was a good faith effort to block view of storage, not to ceate a hardship. For the betterment of the town.

J. Marsh states that he understands the applicant has improved a previously undesirable property considerably, however, the board needs to follow regulations.

R. Pratt reiterates that some sort of screening plan must be established otherwise there must be another ZBA meeting on the matter.

**J. Rhodes moves to close the public hearing. C. Ebbighausen seconds. All in favor.**

D. Beaman proposes having the addition of a few trees where necessary as a conditional approval.

J. Rhodes establishes that part is already obscured by hedges on the ridgeline.

The board deliberates on the issue of screening.

The board agrees on implementing trees anywhere on the gunn mtn road side of the property that isn’t already covered by at least 6 ft of shrubbery.

**D. Beaman moves for approval on the following conditions: Screening is maintained and trees are planted in areas on the Gunn Mountain Road frontage where the existing screening is not at least 6 feet, there will be a maximum of 25 cars in good condition parked on the property at one time, all outdoor lighting will be downward facing.**

**J. Sharra seconds the motion. All in favor. 7:33 PM.**

**Third order of business:** The board reviews an application for a Boundary line Adjustment submitted by Richard Drew for Waldschmidt, Inc. for property off Old Spofford Road, map 11 lots 22-5 & 22-6.

D. Beaman moves to accept the application as complete and move into a public hearing. J. Sharra 2nds. All in favor.

R. Drew addresses the board, and explains the BLA application specifics. The applicant is requesting to exchange land area from lot 22-5(currently 8.41 Acres) to lot 22-6(currently 22.67 Acres) in order to make the new lot sizes 1.57 Acres and 29.64 Acres respectively. The only thing the applicant is on hold for is state subdivision approval. All other necessary processes have been completed.

D. Beaman moves to close the public hearing. J. Sharra seconds. All in favor.

**D. Beaman moves to approve the Boundary Line Adjustment under the conditions: Contingent upon new deeds and state subdivision approval.**

**J. Marsh seconds the motion, all in favor. 7:45 PM**

Fourth order of Business: LUA Announcements.

LUA O’Connor addresses the board and refers to the updated code proposals given to the board. (ATTACHED TO MINUTES).

The board goes over the document. The board will relegate further comments to the next meeting.

LUA O’Connor brings to the board the matter of Elenor Heiden’s subdivision application. The board is informed that the application came in months ago, and if Elanor requests to have it put on the agenda, legally the LUA must comply. However, due to the fact the subdivision plan was made in 1986, and the surveyor has since died, there is no active license attached to the plans. Due to these facts, under advisement from legal counsel, the planning board should not approve this subdivision or accept the application as complete, as it would constitute an illegal approval.

The board asks the LUA to provide written documentation of this legal advisement.

**D. Beaman moves to adjourn, J. Sharra seconds. All in favor. 7:59 PM.**

Minutes respectfully submitted by:

Evan O’Connor , LUA

Minutes approved by the board on:

Minutes signed by:

Rich Pratt, Chair