

Town of Winchester
Zoning Board of Adjustment
Notice of Application & Public Hearing
8-11-22

The Winchester Zoning Board of Adjustment will be meeting on 8-11-22 at 7pm on the Main Floor of the Town Hall, 1 Richmond Road for the following:

The board will review for acceptance an application for a Special Exception request of Article XXII, Table of Usage, for earth excavation, crushing and stockpiles in the Highway Commercial and Agricultural Districts. The application is submitted by Granite State Stone, LLC for property on Keene Road Map 12, lots 34 & 45.

If the board finds the application to be complete the board will move into public hearing on the matter. If a decision is not reached the hearing will continue at the following meeting without further notice. The application is available for review in the Land Use Office during regular business hours and on the town website winchester-nh.gov.

Respectfully,
Margaret Sharra, Land Use

Application for: Special Exception

Date: 6/22/2022

Map# 12 Lot# 34 and 45

Name & address of applicant: Granite State Stone, LLC, PO Box 236, Winchester, NH 03470
clo Rob Mitchell, member

Email: jbeaman@mitchellaggregate.com Phone: 413-625-6141

Name & address of owner: Granite State Stone, LLC, PO Box 236, Winchester, NH 03470

clo Rob Mitchell, member
Email: _____ Phone: _____

Location of property: NH Route 10/Keene Rd Zoning District: Agriculture and Highway Comm

Description of property (include a plot plan, frontage, side & rear lines, water, structures, etc.) See attached. Vacant undeveloped land.

Proposed use/existing use: Vacant and undeveloped. Proposed use: earth excavation and crushing

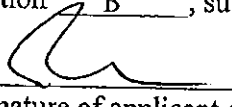
Fill out the attached abutters list and submit the non refundable fee of \$1 50 with the completed application and other necessary forms at least 21 days prior to the review by the ZBA. The ZBA generally meets on the second Thursday of each month if there is business. A complete application will be reviewed for acceptance before a public hearing is held within 30 days. You or your representative must be present at the hearing. All owners NOT representing themselves must submit a letter of representation for the applicant with the application.


Please complete and submit the following appropriate page(s) for the request of a variance, a special exception, an equitable waiver of dimensional requirements, an appeal from an administrative decision or a rehearing. Attach all other supporting documentation to the application.

After the public hearing, the board will typically render a decision within 30 days. You will be sent notice of this decision. If you believe the board's decision is wrong, you have the right to appeal. The Selectboard or any party with standing has similar rights of appeal. With an appeal, you must first ask the board for a rehearing. All requests shall be submitted on the appropriate ZBA forms and include the required fee. The motion must be made within 30 days of the decision and must set forth the grounds on which the claimed the decision is unlawful or unreasonable. The board may grant a rehearing if it is determined there were errors of law or new information is stated in the motion. Notice to the public and abutters are required for a rehearing. Refer to RSA 677:2 and RSA 676:7 for details.

Special Exception:

The undersigned hereby requests a special exception as provided in Article IV and IX,
Section B, subparagraph _____, of the Winchester Zoning Ordinance.

 6/22/2022
Signature of applicant and date
Robert Mitchell, member

 6/22/2022
Signature of owner and date
Robert Mitchell, member

Please respond to the following:

A) The proposed use shall be permitted in the district See attached Supplemental Narrative

B) The specific site is in an appropriate location for such use See attached Supplemental Narrative

C) The use as developed will not adversely affect the adjacent area See attached Supplemental Narrative

D) There will be no nuisance or serious hazard to vehicles or pedestrians See attached Supplemental Narrative

E) Adequate and appropriate facilities will be provided for the proper operation and use See attached Supplemental Narrative

F) The proposed use shall comply with all frontage, setbacks, minimum land area, sanitary protection, sign, parking requirements for itself or its most similar use, except where specifically named by the board, the reasons for such waiver to be set forth in writing by the board See attached Supplemental Narrative

G) See Article XVI, 2.(i) (g) in the Town of Winchester Zoning Ordinance for the validity of a special exception. Acknowledged, See Supplemental Narrative

Abutters List

Applicant: Granite State Stone, LLC

Address: NH Route 10 (Keene Road)

Map# 12 Lots# 34 and 45

Winchester Map# Lot# Name & Address

Map 15 Lot 53: GERMAIN, ZACHARY A. 322 ATHOL RICHMOND ROAD ROYALSTON, MA 01368-8946

Map 15 Lot 54-2: BADRIGIAN, PETER J. 27 WELLS DRIVE NEWINGTON, CT 06111

Map 12 Lot 42-1: HILLOCK, WILLIAM G. and REYNOLDS, SHERI 158 WHIPPLE HILL RD. RICHMOND, NH 03470

Map 12 Lots 42-2: HILLOCK, WILLIAM G. and REYNOLDS, SHERI 158 WHIPPLE HILL RD. RICHMOND, NH 03470

Map 12 Lot 42: HALL, BARRY D. HALL, CINDY L. 817 KEENE RD. WINCHESTER, NH 03470

Map 12 Lot 39-2: DOURDOUNAS, GEORGE G. 765 KEENE RD. WINCHESTER, NH 03470

Map 12 Lot 39: DOURDOUNAS, DIMITRIOS G. DOURDOUNAS, HELEN 730 KEENE RD. WINCHESTER, NH 03470

Map 12 Lot 39-1: DOURDOUNAS, WILLIAM DOURDOUNAS, ERIN 730 KEENE RD. WINCHESTER, NH 03470

Map 12 Lot 35: PAQUETTE, GLORIA 699 KEENE ROAD WINCHESTER, NH 03470

Map 12 Lot 30: LUMBERJACK, LLC C/O RYAN, LLC PO BOX 460329, DEPT. 909, HOUSTON, TX 77056

Map 12 Lot 32: SNOW, ERNEST A. SNOW, JEAN L. SNOW, TRUSTEES OF ERNEST A. SNOW & JEAN L. SNOW FAMILY REV TRUST, 92 WESTPORT VILLAGE RD., SWANZEY, NH 03446

Map 12 Lot 31: GRANITE STATE STONE LLC, PO BOX 236, WINCHESTER, NH 03470

Map 12 Lot 33: MEADOWSEND TIMBERLANDS LTD. P.O. BOX 966 NEW LONDON, NH 03257

Map 36 Lot 6: DEBORAH L. GAUDREAU, PO BOX 102 ASHUELOT, NH 03441

Map 36 Lot 7: JUHANSOO, PEETER 117 CONRAD ROAD, MARLBOROUGH, MA 01752

Map 12 Lot 36-B: NEWELL, CAROL S. 686 KEENE RD., WINCHESTER, NH 03470

Map 12 Lot 36: CASTLE TRUST PETER E. KNOX, TRUSTEE 2005 MASSACHUSETTS AVE. LUNENBURG, MA 01462

Swanzy Map# Lot# Name & Address

Map 90 Lots 4: MEADOWSEND TIMBERLANDS LTD. P.O. BOX 966 NEW LONDON, NH 03257

Map 89 Lot 7 AND Lot 7-200: Stephen E. Cody, 30 Summer St., Orange, MA 01364-1210

Map 89 Lot 9 AND Lot 9-200: Stephen E. Cody, 30 Summer St., Orange, MA 01364-1210

Supplemental Narrative

Applicant of Granite State Stone, LLC for Special Exception

Granite State Stone, LLC ("GSS"), the applicant, is the current owner of two parcels of land in Winchester, NH, located in the vicinity of and along NH Route 10 (Keene Road) and depicted on tax maps as Map 12 Lots 34 and 45. Both lots are zoned both Agricultural and Highway Commercial Districts. Both zoning districts allow for earth excavation, crushing w/300' setback by special exception. The applicant is seeking a special exception for both lots for both zoning districts to conduct earth excavation and crushing operations.

A) The proposed use shall be permitted in the district:

Per Article XXII – Table of Permitted Use, the Agricultural District and Highway Commercial District, allows for earth excavation (50' setback by rule), crushing w/300' setback with special exception granted by the Zoning Board of Adjustment.

Map 12 Lot 45 is 239.86 acres with over 600' of frontage on NH Route 10. Map 12 Lot 34 is 64.1 acres with over 1400' of frontage on NH Route 10. Both lots meet Minimum Lot Standards per Article IV and IX for size and setback requirements.

Neither lot is in the Aquifer Protection District (APD) with the exception of a very small area of Map 12 Lot 34 where the boundary line of the APD runs along NH Route 10 in proximity to Map 12 Lot 35.

B) The specific site is in an appropriate location for such use:

Both lots are currently vacant, undeveloped and generally forested with steep slopes. Both lots were on the market over two years and due to uneven, steep terrain and rock outcrops the land is not otherwise conducive to development. Granting of the special exception will add value to both properties and as such, increase the Town of Winchester tax base with no corresponding expense such as municipal services or children in school. Based on initial research, overburden or bedrock materials do not vary significantly throughout the area and is consistent with construction aggregates of comparable operations in Winchester. The remoteness and distance from meaningful development makes the location ideal and the operation would be significantly concealed from view from NH Route 10. The applicant intends to construct a driveway off NH Route 10 on Map 12 Lot 34 as well as a temporary use of an existing entrance for construction access pending NH DOT approval.

C) The use as developed will not adversely affect the adjacent area:

The use as developed will not adversely affect adjacent areas as the size, orientation and location lend to an isolating and minimally visible use. Commercial logging has taken place for years in the surrounding area. All setbacks will be adhered to; a 50' setback for excavation and a 300' setback for crushing operations. Sensitive areas will be excluded from development and some areas will have additional setback distances applied to minimize impact. Abutting acreage surrounding the proposed area totaling approximately 1018.5 acres is vacant and undeveloped. Of this acreage, approximately 76.57 acres is in Swanzey (abutting Map 12 Lot 45 only) which is comprised of approximately 34 acres of undeveloped timberland and 42.57 acres associated with a cell tower and access road to the tower. Approximately 146.38 abutting acreage is residential with the majority of actual structure location being considerable distance from the proposed excavation area. Perimeter controls and best management practices will be utilized.

The NH DOT driveway permit issued to the prior owner of Map 12 Lot 45 has expired and this entrance between Map 12 Lot 42-2 and Map 15 Lot 54-2 will be blocked off.

D) There will be no nuisance or serious hazard to vehicles or pedestrians:

NH State Highway Route 10 is the main thoroughfare for traffic. The volume of traffic is expected to be consistent with that associated with similar operations of Graves Concrete, SUR West, and Mitchell Materials. The visibility of the proposed use from NH Route 10 will be significantly reduced by virtue of proposed dense tree buffers and restricted access by gates. The state highway system is not typical for pedestrian use; however, there is significant sight line and visibility on NH Route 10 to reduce any serious hazard for pedestrians. The NH DOT driveway requirement for an all season 400' distance sight line in both directions is achievable given the over 1400' frontage on NH Route 10 and proposed driveway placement. The applicant has no intention of developing or using the Class VI, Ware/Weare Mountain Road with exception to cross it in the proximity of where Map 12 Lots 34 and 45 meet. The applicant intends to prevent access to the property on both sides of the Class VI Road at the point of the crossing.

E) Adequate and appropriate facilities will be provided for the proper operation and use:

Equipment and machinery of necessary size and scope will be utilized. Utility power is available at NH Route 10 for future connection. Timber will be harvested in accordance with town and state regulations. A scale will eventually be installed meeting the NH Division of Weights and Measures requirements. In the future, a scale house, office, garage, or other structures may be built to support the operation and will be in accordance with state and local requirements along with private water and sewer development.

F) The proposed use shall comply with all frontage, setbacks, minimum land area, sanitary protection, sign, parking requirements for itself or its most similar use, except where specifically named by the board, the reasons for such waiver to be set forth in writing by the board:

See site plan. All local and state requirements will be adhered to and outlined on an application to be submitted to the Planning Board under the site plan review process. Lot sizes are of sufficient size and orientation to accommodate use inclusive of requirements.

G) See Article XVI, 2. (i)(g) in the Town of Winchester Zoning Ordinance for the validity of a special exception.

The applicant acknowledges reading and understanding the referenced section.