

**Town of Winchester**  
**Meeting Minutes**  
**Planning Board Public Hearing**

**1/2/2023**

**Members present:** Dean Beaman (Chairman), Jordan Sharra (V. Chair), Richard Pratt, Jennifer Rhodes, Colby Ebbighausen, Robert Browne (alt), Margaret Sharra (LUA) and Kelsey Hilliard (LUA)  
**Absent:** Chan Stephens, Gus Ruth (alt)

**Public present:** about 20

**First order of business:** the board reviews the meeting minutes from the 12/5/2022 meeting for approval. **Jennifer makes a motion to approve the 12/5/2022 meeting minutes, Jordan seconds, all in favor.**

**Second order of business: Jennifer makes a motion to open the public hearing at 7:03pm, Jordan seconds the motion, all in favor.**

The LUA begins to read the proposed zoning amendments 1-17.

**Amendment 3:** Todd Kilanski states he doesn't understand why in the definition for "breweries, wineries, distilleries, and cideries" there is a cap of 15,000 gallons per year. The Chairman explains that if a business produces more than that, the business will then fall under the "manufacturing/industrial" category.

Nate Holmy steps to speak saying that he thinks that it is up to the state, who issues liquor licenses, about gallons produced and not a town issue. The Chairman states that the town is not trying to dictate how much product a business produces but where the business can be located to make sure they are in the appropriate location. Margaret also explains that the board is just trying to make sure that where the proposed business goes will be in the correct neighborhood and will have the proper sewer/septic to support the business, not regulating how much product the business produces.

Chester Lapoint speaks to the fact that he feels like if the town places this cap it will discourage future businesses from coming to town.

Ben Kilanski asks about a scenario: if the distillery were to purchase another property to produce more product at another location if this passed would this affect them-yes. If established before then the business is grandfathered in, it would affect any business after.

**Amendment 5:** Todd Kilanski asked for clarification on the self-storage unit facility as he owns a storage facility here in town. The Chairman explains that the board is trying to clarify this because if someone wanted to come to town and place a bunch of pods and say it was a storage facility there would be no benefit for the town as pods cannot be taxed, where a facility can. Margaret states for the record that in NH if zoning is silent on a subject than a variance application would need to be filed and the applicant would need to go before the ZBA. By defining this the town has a little more control because the applicant would need to have a site plan reviewed and approved by the board.

Nate Holmy thinks that "structure" should be defined for the voters. The board noted that "structure" was meant as a concrete foundation type system, not something on a chassis or anything that can be moved.

**Amendment 6:** Todd Kilanski asked why storage unit facilities would not be allowed in the Residential District. The board informs him they could with a variance.

**Amendment 7:** Ben Kilanski states that with this definition a resident couldn't have truck trailers as storage at home.

**Amendment 11:** Jeremy Miller asks the board why the "Alternative Treatment (cannabis) Centers/Cultivation Locations Ordinance" is even being proposed. The Chairman said that because every state around NH cannabis is legal and the board wanted to get ahead if it was to become legal. Jeremy said that if this passes, he is worried that dispensaries would then come to town. The Chairman responded no because the state doesn't allow that, the state is heavily regulating this. Jeremy asks the board if they think the town should profit off the sale of drugs and wants the board to reconsider, he feels that from research the crime rate increases exponentially once these establishments open. He asks the board to consider having this removed.

Nate Holmy asks what "special exception" means. He is told that when an applicant needs a special exception they would need to go before the ZBA and there is a higher criteria that needs to be met.

James Worrall asks Jenny if she is a co-sponsor of the marijuana bill at the state house currently, which Jenny states she is not, she was a year ago, for a different bill, but not presently. He strongly encourages the town to remove the Alternative Treatment amendment and suggests taking a stand to not allow that type of business in town at all.

Chester LaPoint wants to know how the business would be regulated to not allow usage on site and who would regulate so that there is not any advertisement.

Jim Wallace would like the town to take a stand and remove the amendment and not allow any of those businesses to come into town. He makes note of the other communities that have allowed these businesses into their town and how the crime rate has climbed.

Jeremy Miller asks if the board will reconsider the amendment and forbid marijuana businesses of any sort in the town.

**Amendment 13:** Nate Holmy speaks about the Planned Residential Development about where it states "ensuring architectural compatibility with the neighborhood" he feels like that statement is saying the board already has a specific vision in mind and it should be defined clearly.

Todd Kilanski asks why mobile homes are not allowed on individual lots, but the town is encouraging this, he feels it sounds like it would be a tiny house development like a trailer park. It is clarified that tiny homes are usually mobile and between 300-400 sq ft and currently NH Building Code doesn't recognize them, this would be something different. Smaller 1-2 bedrooms for the young working professionals or the elderly that can no longer maintain their large home but still wanting to stay in the community.

Ben Kilanski thinks that this will allow too much open space and he thinks the 25ft setback is not enough, doesn't want a development that close to his boundary line.

Tyke Frazier thinks even with this proposal there is no way for the income levels to be controlled and the amount of people living in the spaces, regardless of the limit of bedrooms.

Todd Kilanski doesn't think that the number of people can be regulated, and it will place a burden on the school system.

Ben Kilanski asks for the 25ft setback to be reconsidered to 75ft.

Jim Wallace is also concerned about the regulation of the income level, and how that will place a burden on the school system with more families.

**Amendment 14:** Chester LaPoint asks if this were to pass would it affect Stone Mtn Business Park, it would affect future businesses that went into the park, if passed.

Ben Kilanski asks if he can be shown on the map where the Aquifer Protection District covers, Margaret shows the public.

**Richard makes a motion to close the public hearing, Jordan seconds, all in favor. Public hearing closes at 8:17pm.**

**Jennifer makes a motion to edit Amendment #3 to remove "the maximum output shall not exceed 15,000 gallons per year" and move to the ballot. Jordan seconds, all in favor.**

**Jordan makes a motion to move: Amendments 1,2,4,5,6,7,8,9, & 10 to ballot. Richard seconds, all in favor.**

**Jennifer wants to state for the record that she is not a co-sponsor of any active marijuana bill.**

**Richard makes a motion to change Amendments 11 & 12 to no sale, growth, or cultivation of cannabis. The vote is 3-3, the motion fails.**

**Jordan makes a motion to remove Amendments 11 & 12, Jennifer seconds. The vote is 4-2, the motion passes.**

**Dean makes a motion to amend to 75ft on Amendment 13 & bring to a second public hearing for said change. Richard seconds, all in favor.**

**Jennifer makes a motion to not recommend Amendments 14,15,16 & 17. Jordan seconds, all in favor.**

**Jordan makes a motion to adjourn the meeting, Dean seconds. All in favor.**

**Meeting adjourned at 8:36pm.**

Minutes respectfully submitted by Kelsey Hilliard-Land Use Administrator

Minutes approved on



Minutes signed by Dean Beaman Chairman