

Town of Winchester
Planning Board
Minutes
1-3-22



Meeting opened: 7:00pm.

Members present: Rich Pratt, Gus Ruth, Dean Beaman (Chair), Lindseigh Picard, Christy Davis (by phone), and Jordan Sharra (by phone). Jenny Rhodes was absent. Margaret Sharra is the Land Use Administrator.

Public: Diane Cyr, Mark Tigan and AJ Lorando about 7:45pm.

First order of business: The board reviews the minutes of 12-20-21 for approval. **L. Picard moves to approve, J. Sharra seconds. The vote is 6 yes.**

Second order of business: The board is prepared to hold a public hearing on the proposed zoning amendments. The Chairman wants to discuss the questions the board had at the end of last meeting regarding occupancy. The LUA had written on the PRD printout the answers to the questions. First is the occupancy chart. She explains that the minimum size for a bedroom per the IRC is 70sqft for 1 person, and for 4 people their dwelling unit must be a minimum of 800sqft for occupancy in a PRD. The thought is to be clear on the occupancy of the units to avoid overcrowding. This has been a concern with town officials and citizens in the past. Also asked about the 25% open space. That is already in the existing PRD that was adopted in 1989. It is also explained that if a development were to be done in a field wouldn't the board want to add trees and then have that be the natural state? The buffer is proposed to decrease from 100ft to 25ft. 100ft is a burden and 25ft is larger than all present zoning setbacks. The perimeter buffer shall remain in natural state and only be pierced by the driveway entrance. R. Pratt asks if this occupancy chart conflicts with minimum size of 800ft? No, one relates to occupancy and the other to min dwelling size. He is not in favor of the chart. The board can eliminate it. It was put in to protect some concerns of others. **G. Ruth moves to open the public hearing on the proposed zoning amendments, L. Picard seconds. The vote is 6 yes. 7:14pm.**

The LUA reads the posted notice of hearing for tonight and lists the proposed changes:

To amend Article III, J,1- Multiple Housing and Density Requirements. Add to- Residential zoned lots 15,000 sqft or larger in size with town water and sewer shall permit duplexes by right.

To amend Article III- Add "U"; A storage or cargo unit/box trailer, sometimes known as a pod, requires a permit for the temporary or permanent placement of the unit. All permanent units shall meet setback requirements of the district and placed in the side or back of the primary structure. A temporary unit timeframe is 3 months unless it is a construction site.

To amend Article XXI Definitions- L- Add to: Multifamily residential is a classification of housing where multiple separate housing units for residential inhabitants are contained within one building or several buildings within one complex. Units can be next to each other or stacked on top of each other. A common form is an apartment building.

To amend Article XXI Definitions- Add "HH"; A storage or cargo unit/ box trailer is an enclosed metal type structure with a floor, ceiling, and wall with an access door, that is transported the site to be used as storage. This is not relating to the conversion of storage containers reconstructed to a living unit.

To amend the Planned Residential Development- Updates to Purpose (4) to clarify the needs for workforce housing and allowing Market Rate housing, (5) increase housing stock in increments as not to burden town services, (6) eliminated and wording of the town as a whole; Standards- sections(1)(2) where permitted, including by special exception in the Commercial, Central Business District and Highway Commercial, parcel sizes and radius of permitted areas with water & sewer, sections(3)(4)(7) 2 story height limit, limited number of bedrooms, density of project and density of occupancy, number of units permitted with a max of 25 per year, (6) eliminate paragraph, (10) eliminate parts of and change shall to should, (11) Buffers decrease to 25ft, (12) remove Conservation Trust and Town of Winchester from control of open space but keeping deed restrictions; Procedure- 2,a,4 delete last half of sentence, 2,a,5,b add include style, design, description and materials, the add definitions of Workforce Housing per RSA 674:58,IV, and Deed Restrictions as written by our attorney.

Mark Tigan resident of Scofield Mtn Road comments on the proposals. He supports the regulating of storage containers. He would like to see a timeframe put in place for construction containers. R. Pratt responds a building permit is good for 1 year with a 6 month extension. G. Ruth asked if containers are taxed. He tells a story of when years ago his neighbor temporarily placed a storage container on Gus's lot when they were moving and Gus received a tax bill on it even though it was registered. The LUA explains that was an error. Avitar will tax containers/pods when used permanently as a shed.

Mark Tigan asks questions on the proposed changes to the PRD. Are these changes supported by the Master Plan? Yes. Are there similar ordinances in other towns? Yes. Where did some of these changes come from? Residents and other towns. Will there be section 8 housing? No. He is pro affordable and workforce housing but he is concerned on its placement and concentration. The feds are hiding data. He feels Winchester has too much low income housing. Members agree, but L. Picard informs Mr. Tigan this is not low income housing, this is workforce housing. Mr. Tigan ask why the Rural Residential is not list in this ordinance? A PRD is not permitted in the RR zone. A variance is required. RR has never permitted a PRD. PRD has been in place since 1989 and only allowed in the residential and agricultural districts. He confirms the total number of PRD units, not projects, a year is 25. R. Pratt confirms these 25 units only pertain to PRD's. Mr. Tigan agrees the 100ft buffer is too large but questions the 25ft. L. Picard and M. Tigan discuss salaries of section 8 housing. L. Picard states these changes are geared toward young professionals; this is where new affordable housing is needed. This is 100% of the median income. Mr. Tigan thinks this should be a regional effort.

D. Beaman says section 8 is not medium income housing. This is targeting medium income. He says the board is trying not to allow more low income housing in town.

D. Beaman asks if C. Davis or J. Sharra have any questions. They reply no. There are no further questions.

G. Ruth moves to close the hearing, L. Picard seconds. The vote is 6 yes. 7:45pm.

L. Picard moves to send these proposed changes to the voters, J. Sharra seconds. The vote is 5 yes and 1 no (RP).

Third order of business: The board reviews an application for a site plan amendment from Winchester Self Storage at 760 Keene Road. The request is to clarify the placement of storage pods on the recently approved outdoor long term parking storage area. The LUA confirms notices were posted and all certified returned. **R. Pratt moves to accept the application as complete and move into a hearing, L. Picard seconds. The vote is 6 yes.**

Diane Cyr presents. She explains the confusion where she thought since the ZBA approved the Special Exception, that did include the pods storage and assumed the same for the PB. After discussions with the LUA she realized the mistake. She wants to include pod storage in the long term parking storage area. The pods are owned by another company and are moved onto the site by them and moved by them elsewhere to where the customers need them. D. Beaman ask how many pods. She says 24. She and D. Beaman discuss future needs on the quantity of pods. She now agrees to a max of 40. She

explains the sizes of the parking spots, some are for RV's and others for cars. The pods are placed in the car sized spots. L. Picard says this may alleviate some of the zoning problems. D. Beaman says with may also help with storage for smaller home sizes with limited storage.

The LUA relays a concern she received from a neighbor to the north of the site. The lighting is very bright on their property. They ask for it to be corrected. Diane did notice when she came down tonight that it was brighter than she expected. She had not seen it at night until now. She will address the issue. G. Ruth asks if the cars are registered? Yes, when they come in. As discussed a months ago at the previous hearing, sometimes the vehicles expire. G. Ruth wants to know if then is that a violation of the zoning ordinance. G. Ruth asks if these pods are taxed. Don't know. R. Pratt asks if we should wait to see if they are taxable? D. Beaman & L. Picard says that isn't necessary information at this hearing. It should not hold up a decision. The LUA will contact Avitar on taxation. Diane says single door pods don't pay taxes because they are built to be transportable and considered temporary.

R. Pratt moves to close the hearing, L. Picard seconds. The vote is 6 yes. 8:10pm.


D. Beaman moves to approve the storage of up to 40 pods and to correct the lighting issue, L. Picard seconds. The vote is 6 yes.

C. Davis left the meeting at 8:12pm.

Fourth order of business: Other. The board continues discussion on pods, whether on residences or at a company are taxed. If the pods are rented out they can't be taxed. The LUA will contact Avitar for information and cc L. Picard as the Selectmen Rep.

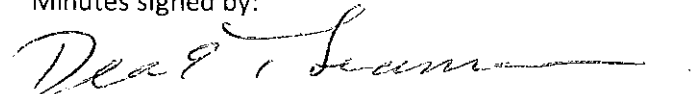
D. Beaman moves to adjourn, G. Ruth seconds. The vote is 5 yes. 8:25pm.

Minutes respectfully submitted:

Margaret Sharra, LUA 

Minutes approved on: 4/7/22

Minutes signed by:


Dean Beaman, Chairman