

Town of Winchester
Planning Board
Minutes
9-20-21

Meeting opened: 7:00pm.

Members present: Jenny Rhodes, Gus Ruth, Dean Beaman (Chair), Rich Pratt, and Lindseigh Picard. Christy Davis is an alternate present. Jordan Sharra and Mike Doherty were absent. Margaret Sharra is the LUA.

Public: Charlie Lawrence, Larry & Debra Hill.

First order of business: The Chair sits Christy Davis as an acting member. The board reviews the minutes of 8-16-21 for approval. D. Beaman asks for one change; to clearly state Ms. Young's comments were her opinion. **R. Pratt moves to approve, G. Ruth seconds, with the change. The vote was 3 yes and 3 abstain.**

Second order of business: The board reviews an application for site plan submitted by Charlie Lawrence for James Rokes, Sr. This is to build and operate a machine shop on Warwick Road, map 5 lot 121. The LUA confirms all notices were done and certified cards returned. **J. Rhodes moves to accept the application as complete and move into a public hearing, R. Pratt seconds. The vote is 6 yes.**

Charlie Lawrence explains this property received a Special Exception for the use and now he is here to get PB approval. He presents the proposal. The new building will be a 50x80 Morton building. They had wanted to build this year but due to backlogs and prices, building will be in the spring. The water line was put in last year, there is an approved septic design and site work has been done.

J. Rhodes asks about the business. Mr. Lawrence explains the existing business will move to this location and have more room. D. Beaman ask about outdoor lighting. There will be a downward light at the street and at the peak of the building. There will be smaller lights above the man doors.

D. Beaman asks will there be outdoor storage? There will be a small steel rack and a dumpster.

What about the metal cuttings? They go into a 55 gallon drum and is stored inside.

What of the storage trailer already there? Charlie will ask the owner.

What about landscaping? There will be some plantings in the corner of the building. The owner does not want to plant much because he may expand someday.

After further discussion about the storage container, members agreed one could stay out back if necessary.

Signage? There will be a small sign on the building. The owner does not want one by the road.

L. Picard ask about the space the owner will be vacating? It is assumed the property owner, Gary's Power Equipment, will take over. The new facility will help with the lack of space in the existing location.

G. Ruth asks about the SE that was granted. The LUA reads it aloud. There is a 2 year limit on achieving substantial improvement. The board agrees substantial improvement has occurred.

There are no further questions.

L. Picard moves to close the hearing, R. Pratt seconds. The vote is 6 yes. 7:12pm.

J. Rhodes moves to approve the Site Plan application for James Rokes. And as agreed a small metal rack can be outside, down lighting approved and he may have one 20ft storage container. R. Pratt seconds. The vote is 6 yes.

Third order of business: The board will consult with Larry & Debra Hill relating to a SE they received in 2019 for a Senior Housing Development. The LUA reminds the board a consultation is to assist a person who may be applying for an approval with the process of such. This is where the board can explain what is needed and answer any questions the person may have. A consultation is non-binding

Larry Hill says he went to the ZBA and got an approval for a Senior Housing project for property he has on Mine Road. He says he does not need a Site Plan approval because it is single family housing for seniors. He says the decision letter stated the need for site plan review but it was never talked about at the meeting. He describes the project to the board and the setbacks. He has a driveway permit. D. Beaman says it would be a new road not a driveway into the property. Mr. Hill disagrees. D. Beaman says it loops around the property and the 10 house lots each have a driveway. Mr. Hill says the property will be managed by an HOA and that it is a driveway not a road. J. Rhodes confirms there is not a parking lot, but individual accesses to each house describes a driveway. D. Beaman says that's a road, private road. Mr. Hill says possibly.

Mr. Hill is asked what type of houses will be built. His reply is modular, manufactured, single side, stick built. All types. The Chairman asks the LUA where mobile homes are permitted. She reads from the Table of Usage. It states MH's are only permitted in existing parks are in PRD's (Planned Residential Developments). J. Rhodes reads from the zoning ordinance, the definition of Senior Housing.

L. Hill says MH's are permitted in senior housing, the SE approval covers that. He doesn't need a PRD. Besides the setbacks are too large. He says the home will be nice with 5/12 roofs not 3/12.

J. Rhodes says by what she is reading a PRD approval is needed. D. Beaman concurs. J. Rhodes read aloud sections of the site plan regs stating that this development requires site plan approval.

Mr. Hill disagrees. These are single family homes and such do not require site plan review. It says so in the regs. The LUA reads specifics from the regs. Section V, A, 3, section V, B, 5 and paragraph 2 in section 5 where "In the event there is any question as to whether a project requires site plan review, the planning board shall have the authority for making that determination". She says Mr. Hill has argued this with the ZBA, CEO and lastly the Building Inspector. All have stated further approval is needed. Mr. Hill did not appeal any of those decisions. He wanted to avoid litigation.

J. Rhodes feels PB approval is need because of the road, area of disturbance, water & sewer. She had asked earlier if there will be a golf course (jokingly). She reads aloud again section V, A, 3.

It is noticed Mr. Hill did not have the current regs. His are dated 2011. The board unanimously updated them last year Dec. 2020. One change was to add in section V "except where a new street or shared utility development is proposed." Mr. Hill doesn't have that.

Mr. Hill says the town must apply the law. He feels violations exist now. He gives examples of in his opinion of two long past instances of the town misapplying the law.

He says site plan approval is not a big deal, he doesn't like to be told he has to. He is arguing the application of the law. He also says that if the board told him he didn't have to have one, he would apply for one.


The Chairman polls the members for their thoughts whether the next step for Mr. Hill is site plan review approval. All members said yes site plan approval is needed. G. Ruth stated because of the amount of land to be disturbed and R. Pratt says because of the change in the regulations last year.


Fourth order of business: Other business. The LUA asks the board to think about whether or not if portable storage containers should be regulated. These are the metal ones that folks put on their properties. Some permanent some temporary. Like sheds.

The LUA informs the board of the variety of activities occurring at the Pallet Ranch.

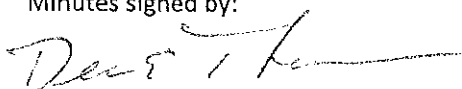
The LUA has been informed that there are storage pods in the recently approved vehicle parking/storage at Winchester Self Storage. Members don't think they were permitted. The LUA will look into it.

L. Picard moves to adjourn, D. Beaman seconds. The vote is 6 yes. 8:00pm.

Minutes respectfully submitted;
Margaret Sharra, LUA 

Minutes approved on: 

Minutes signed by:


Dean Beaman, Chairman