

**Town of Winchester**  
**Zoning Board of Adjustment**  
**Meeting Minutes 11-15-2022**

Meeting opened 7:09 pm

Members present: Lou Fox (chair), Colby Ebbighausen, William McGrath, Becky Roy, Margaret Sharra (alt), Kelsey Hilliard (LUA) and Jason Cardinale (called in via Teams)

Matthew Newell & Deborah Newell present (applicants)

First order of business: the board reviews the minutes of 11-3-2022 for approval. **B. McGrath makes a motion to approve the minutes, L. Fox seconds, all in favor, Jason abstains as he was not present for the meeting.**

Second order of business: the board will continue deliberation on the variance application submitted by Matthew Newell for placing an addition onto an existing RV. Margaret asks Jason if he feels informed enough through the application and the previous minutes to be a part of deliberations, he confirms. Jason asks Bill about the public complaints Bill previously stated that he has received from the public about the property, which Bill states that he has had a few residents ask him why the Newell's are allowed to live in an RV. Jason makes note that the property is very well kept. Bill has brought pages from the Zoning Ordinance to review while discussing application. He brings to notice paragraph D of the Highway Commercial District that states: "standards: in order to encourage development that is visually attractive", he also brings to notice paragraph 2 under Non-Conforming Uses "a non-conforming use may not be substantially expanded or enlarged". Bill doesn't feel the application meets either of these pieces of the Zoning Ordinance. There is a question as to whether this was granted for temporary or permanent and the Zoning Ordinance states that temporary housing may be granted for one year, and because there is nothing in writing from the Board of Selectmen Bill thinks this was granted for temporary. Jason argues that if they were granted only temporary something would have been done, either made to leave or so many complaints that the Code Enforcement officer would have addressed the applicant. Jason asks Margaret if there have been many complaints, in which she responds that there have been complaints as to Newell's living in the camper but not about the appearance of the property.


It is argued whether the addition would make it more non-conforming or not, Jason and Colby don't think it would as the addition is stick built, which is permitted and would cover the face of the RV. Lou and Bill disagree stating that if granted variance it would be granted for property not the applicant and they need to think about the future and what could possibly be placed there. The board asks Margaret if there is anything in writing from the Board of Selectmen, she was unable to find anything explicitly granting permission either for temporary or permanent. Colby takes a moment to apologize to the Newell's for the poor procedure of the Board of Selectmen stating this should have been handled better. The board feels they are not able to come to a decision without knowing whether it was granted for temporary or permanent.

With the permission of the applicants the board has agreed to re-open the hearing for testimony from the Board of Selectmen that granted permission so the ZBA can have clarification to move forward with a decision, the Newell's are in favor.

**Bill makes a motion to adjourn the meeting with the plan of re-opening the hearing on 11-22-2022, Jason seconds, all in favor.**

The meeting adjourned at 8:34pm.

Minutes respectfully submitted by Kelsey Hilliard.

Minutes approved by board on: 

Minutes approved by Lou Fox Chairman

