

Town of Winchester  
Zoning Board of Adjustment  
Minutes  
6-9-22

Meeting opened: 7:05pm.

Members present: Lou Fox (Chair), Jason Cardinale (V. Chair), Bill McGrath, Colby Ebbighausen, and Becky Roy (7:10pm). Margaret Sharra is the Land Use Administrator.

Public: Rich and Sara Pratt.

First order of business: The board reviews the minutes of 5-5-22 for approval. **B. McGrath moves to approve, C. Ebbighausen seconds. The vote is 4 yes.**

Second Order of business: The board reviews an application for a Special Exception submitted by Rich and Sara Pratt to convert part of a commercial building in the Highway Commercial District to a dwelling. The property is located at 999 Keene Rd. The LUA confirms all notices were done and abutters notified.

**J. Cardinale moves to accept the application as complete, C. Ebbighausen seconds. The vote is 4 yes.**

**B. McGrath moves to open the public hearing, J. Cardinale seconds. The vote is 4 yes. 7:07pm.**

B. McGrath had looked at the history of the property (which the LUA had sent to other board members and the owners) and has concerns with the lack of information on septic and the well. He confirmed with NHDES that there is no known information on a septic system.

Rich Pratt informs the board there is a 1250 gallon concrete tank but has no idea on the leach field. He states NHDES rules are that if a system is not in failure then it does not need to be replaced. He also feels that a commercial use is more intense than a residential use.

B. Roy asks how do you know about the septic? He found it in front of the building. Rich also explains the well is about 75ft out back of house on another lot but has legal rights.

B. McGrath questions if the septic were to fail. B. Roy explains that a septic can fail at any time and that's not a ZBA issue, it is the homeowner. If it fails, then he must replace it.

J. Cardinale explains that if the owner were to sell most buyers would have the septic checked.

Rich explains car sales are bad, he can't get cars. He doesn't like the place empty for insurance and security reasons, so he wants people there, and keep one room for an office.

Members reviews the inside layout. There won't be any changes. There is only one bathroom and they don't plan on adding one.

B. Roy asks the LUA the difference between this application and the previous one for the old Deano's building. Deano's needed a variance because the owner wanted a duplex. This application for an SE is because the property is in the HCD which requires an SE for a single family. Rich says this will be a multi-use building. C. Ebbighausen confirms the rooms will meet means of egress. The board realizes this application is minor in nature but there is a process.

**J. Cardinale moves to close the hearing, B. McGrath seconds. 7:22pm. The vote is 5 yes. J. Cardinale moves to approve the request, L. Fox seconds. The vote is 5 yes.**

Third order of business: The board will have a meeting on July 14<sup>th</sup> for a variance application.

**B. McGrath moves to adjourn, J. Cardinale seconds. The vote is 5 yes. 7:30pm.**

Minutes respectfully submitted: Margaret Sharra, LUA

Minutes approved by the board on:

Minutes sign by, Lou Fox Chairman:

