

Town of Winchester
Zoning Board of Adjustment
Minutes
7-14-22

Meeting opened: 7:19pm.

Members present: Lou Fox (Chair), Bill McGrath, Colby Ebbighausen, and Becky Roy.

Public: Jason Kats-applicant

First order of business: The board reviews the minutes of 6-9-22 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 acceptance for a Variance submitted by Milton Point, Inc to convert a single-family home to a duplex. The property is 78 Main St. map:26, lot:18. All notices were done, and abutters notified. **L. Fox moves to accept the application as complete, B McGrath seconds. The vote is 4 yes. B. McGrath moves to open the public hearing, L. Fox seconds. The vote is 4 yes. 7:25pm.**

Jason Kats-Milton Point, Inc informs the board that the house was a 2-family many years ago. There are 2 electrical panels and wiring for a 2-family. The house layout is already for a 2-family with 2 separate entries. B. Roy asks if there are 2 bathrooms? Jason stated yes. L. Fox asked what the current use of the property? B Roy stated it was a rental property that was foreclosed on. Karey stated that the owner and her son lived there, and it was foreclosed on. L. Fox asked if Jason knew when it was broken up to a 2family. Jason was not sure when it was a 2family, but it is layout as if it was a 2family years ago. L. Fox asked if there was a basement and if it is divided as well? Jason stated there is a basement, but it is a crawl space, and it is not divided. C. Ebbighausen asked what the plans were for the upstairs. Jason stated that the upstairs is on the right side of the home and will be part of the larger unit. The left side will be a smaller unit. L. Fox asked about the parking situation? Jason said that on the left side of the building there is a parking area that would fit 4-5 cars. C. Ebbighausen stated the requirement is 2 lots per unit and said that there is a decent size lot. B. McGrath stated that the property card shows that the 2nd bathroom was removed. Jason stated that the fixtures were removed but all the piping is still there. L. Fox asked if there is a backyard. Jason stated that there is a small area. B. McGrath stated that the zoning requires 4 parking spaces for a duplex and looks like it meets the requirement. The concern is the current zoning on a duplex is a minimum of 15,000sq ft with town water & sewer (article 3J1) and the lot looks to be 4800sq ft. Single family homes should be at least 800sq ft. The application states that the home currently is 1883sq ft. Where did you get that number? Jason stated that it was in the listing document. B. McGrath said it was wrong the property card shows just over 1600sq ft of living space. If he was to bring it to a 2family it would just be over the requirement of 800sq ft. C. Ebbighausen added that if it is an apartment the requirement is 400sq ft. per unit. B. McGrath stated the other concern is under article 3K4 20% of living space will be allocated for outside recreation excluding parking. Without looking at it I can't tell what the backyard looks like. Jason stated that there is space out back for sitting. C. Ebbighausen stated that you would need 320-360sq ft of outdoor space. B. McGrath asked what the size of the front yards is? Jason estimated 200-250sq ft. C. Ebbighausen stated he doesn't believe there is an issue with outdoor space. Jason stated that it would be impossible to rent as a single family. The only way I can make this work is if it is a 2family. Rent would need to be \$2,400 month which nobody will pay that. Financially I cannot keep it as a single family. The board and Jason reviewed the 5 supporting facts on the application. L. Fox asked if there were plans to renovate the exterior. Jason said yes, fix the siding

and remove the porticoes out front with steps to the front door. L. Fox stated that would add a little sq ft to the front. B. McGrath stated in the application you state the elimination of rural blight in the center of town, how will it change going from a single to a 2family. Jason said if I don't receive the approval, I will not be putting any money into fixing it up. It is not financial worth renting a single family. The property will sit as is or I will sell it. B. Roy said that the stretch of properties there are similar. Jason stated he has a number of trades lined up to start. It will not be sitting for long and hope to start next month, renovations completed by the late fall and rented by the end of the year. B. Roy asked if he owned any other properties in town. Jason stated that he owns property/land in Chesterfield, Westmoreland, and Keene. L. Fox asked if this property would be a long-term adventure as for as renting. Jason said yes. **L. Fox moves to close the hearing, C. Ebbighausen seconds. The vote is 4 yes.** B. Roy added that if there is a more appropriate place for a 2family is mixed in with other 2families with water/sewer, close to downtown and close to school. It is an appropriate place for a 2family and to have someone invest in it clean it up, making it look like a decent property producing income and not sitting empty. Less worried about the yard space because the yard space isn't appropriate for a single family. They are small lots and have been there forever. B. McGrath asked how many bedrooms? Jason stated left side will have 2-bedrooms 1 bath and the right side will have 3 or 4. B. Roy asked how many bedrooms currently as a single family. Jason stated 6. B. McGrath said if I put the spirit of the ordinance to the test then the sq ft of the lot is where I'm having trouble. Also on the fence with the public interest. Is the public going to want to see what I see now a few doors down. It is not conducive aesthetically pleasing area. I don't want to see it get worse. B Roy asked what if it makes it better. C. Ebbighausen states there are 3 options, have it stay the same empty looking like a dump, a single family with people living there and what's to say they will treat any better or a duplex. B Roy asked if we could limit the number of bedrooms per unit? If you were to have a decent size 1bedroom and a 2bedroom unit. B. McGrath said that would be much better. B Roy asked Jason if that would be an option or work financially in your plan? Jason said if he could have 2bedrooms for each side it would work. **L. Fox moves to re-open the hearing, C. Ebbighausen seconds. The vote is 4 yes.**

B. McGrath asked what how much for a 1 bedroom, 2 bedroom & 3 bedroom? Jason said 1 bedroom-\$1,100 to \$1,200, 2 bedroom-\$1,200 to \$1,300 & 3 bedroom-\$1,300 to \$1,400. L. Fox like the compromise of 2-2bedroom units. B. McGrath asked if there were kids at the property with toys & bikes is there storage space? Jason said yes, the crawl space will be available. C. Ebbighausen agrees with the compromise. B. Roy said it would be nice to have something happen to the place and if we can find a happy medium for the board and that works for the person doing the improvements. B McGrath asked Jason if it would be feasible to make 2-2bedrooms. Jason said yes. **B. McGrath moves to close the hearing, B. Roy seconds. The vote is 4 yes. B. McGrath moves to approve the variance request with a limitation, 2 apartments with 2 bedroom each. C. Ebbighausen seconds. The vote is 4 yes.**

Third order of business: The board will have a meeting on August 11th for a Special Exception application. **B. McGrath moves to adjourn, C. Ebbighausen seconds. The vote is 4 yes. 8:00pm.**

Minutes respectfully submitted: Karey Miner-TA

Minutes approved by the board on: 8/8/22

Minutes sign by, Lou Fox Chairman:

