Town of Winchester

Planning Board

Minutes

4-15-24

**Meeting opened:** 7:00 PM

Members present: Rich Pratt (Chair), Jordan Sharra (V. Chair), Todd Kilanski, and Robert Browne, Jack Marsh (SR), Neil Stetson, Colby Ebbighausen. William Kelley, Paul Landry, and Jenny Rhodes are present as alternates.

Evan O’Connor is the LUA.

Public: Margaret Sharra, Kelly Kilanski, Ben Kilanski, Peter Connor,

**First order of business:**

The board was to hear a presentation by housing consultants Ivy Vann and Carol Oglivie, however neither was able to attend.

Other members of the HWG, M. Sharra, E. O’Connor(LUA), and J. Sharra(VC) are present, and give a short presentation on the state of the HWG progress in recent months. The outline of information to be brought to the board by the consultants is given to the board. The exit polls from voting day are shown to the board, with questions relating to cottage court ordinances and reduced lot sizes. The board is also informed on the updates for the masterplan.

T. Kilanski requests from the HWG to see the numbers of people engaged in the public informational sessions, as well as the surveys and polls.

**Second order of business:** The board discusses the issue on Kempton road, relating to the unpermitted changes made to the road, and the excavation permits related to the pits on Old Swanzey Road.

B. Kilanski addresses the board and informs them of the situation. The gravel pit on old swanzey road had approached the road agent, dale grey, and requested that they could put gravel over the culvert on the class 6 section of the road. Dale had given them permission for that, however they did much more work than what was requested, all unpermitted. They essentially turned the road into a class 5, re-graded the road, raised the embankments, and widened the road. There was no selectboard or other permission granted for this. The selectboard is seeking legal opinion on how to continue with this issue. The pit is owned by the Lawrences, however the pit is being operated by a different company, who made the modifications to the road. It is indicated that the pit is within operation standards, under the opinion of B. Kilanski, however the road issue is to be addressed by the select board.

R. Pratt states that a subdivision was approved by the board 2 weeks ago that is located directly on the area where the road was modified.

The board confirms there was no Select Board, DES, Land Use, Zoning, or Planning Board permission given to modify the road. The subdivision is completely separate from the road and the pit.

LUA O’Connor addresses the board, and states that the pit seems to be operating within the outlined standards, however, in 2006 when the pit received earth excavation approval, one of the conditions stated is no thru traffic on Old Westport Road, a condition raised by J. Marsh.

J. Marsh indicates that he remembers making the motion, and when the operation was approved, it was a minimal amount of truck traffic. In the initial minutes it was expected to have an average of 4 trucks a day.

E. Oconnor indicates the last renewal was September 2022, for a 5 year renewal. E. Oconnor indicates that the issue was brought to the board in April 2023 due to complaints, however the pit was found to be operating within standards.

The board indicates that there is no further action the planning board can take, as there is no issue with the pit, just the road, and the planning boards authority applies to pit operations, as far as the pit, the board agrees they are within compliance.

P. Connor addresses the board, and states that there should’ve been erosion control and permitting before this was done, there is erosion and many issues.

The board indicates to Mr. Connor that the issue of the road is to be handled by the Select Board, as the planning board only has authority to enforce the condition of the pit itself.

B. Kilanski makes clear to the board that there was no permission whatsoever for that work.

T. Kilanski indicates to all property owners near the area that any documentation of work being done there would be helpful to bring in.

**Third order of business:** The board addresses applications for the alternate position, Dan Gomez & Margaret Sharra. The board notes there are currently 4 alternate positions filled, leaving one empty. J. Marsh states that he believes G. Ruth is planning on resigning, so there may be a spot for both. D. Gomez is not present at the meeting. **T. Kilanski moves to deny for the time being D. Gomez’s application, and see if he can be present at a future meeting, R. Browne 2nds, the vote passes with 4 yes 3 no.**

**C. Ebbighausen moves to accept M. Sharra’s application as an alternate for the planning board.** J. Marsh asks if M. Sharra is still on the payroll, the board confirms that M. Sharra can be a part time employee and still sit on a land use board. **N. Stetson seconds the motion, all in favor.**

**Fourth order of business**: J. Marsh brings up the agenda point for a work session on dealing with larger site plans and subdivision, and suggests the next meeting be used for that instead. The board is in agreement.

**J. Marsh moves to have the planning board meet on April 29th at 6 PM in order to have the work session, and hear one application, and the board will meet on May 6th for regular business at 6:00 PM including a site visit. J. Sharra 2nds, all in favor.**

**The chair claims a 5-minute recess. 7:54 PM.**

**The board returns from recess: 8:03**

The board clarifies that they are now meting on the 29th at 6pm for a boundary line adjustment and a work session, and on the 6th, there will be a 6:00 Site visit, and then a subdivision and a site plan.

**Fifth order of business:** The board reviews the minutes of 4-1-24**. J. Sharra moves to approve the minutes, C. Ebbighausen seconds, all in favor.**

**Sixth order of Business:** The board discusses the language of a letter to be sent out to G. Barry Bush regarding his Scotland Road approved major subdivision.

J. Marsh asks to add language clarifying the process of approving any modifications on the property, to be told to future landowners. The board is in agreement.

**J. Sharra moves to adjourn, N. Stetson seconds, all in favor. 8:19 PM**

Minutes respectfully submitted by:

Evan O’Connor , LUA

Minutes approved by the board on:

Minutes signed by:

Rich Pratt, Chair