Town of Winchester

Zoning Board of Adjustment

Minutes

2-29-24

Meeting opened: 7:00 pm

Members Present: Jason Cardinale (V. Chair), Colby Ebbighausen, Lou Fox (Chair), Becky Roy, Margaret Sharra (Alternate), Bill McGrath, Neil Stetson (alternate)

Evan O’Connor is present as the Land Use Administrator

Public Present: Charlie Lawrence, Todd Kilanski

**First order of business:**  The board reviews the minutes of 12-14-23 for approval.

**J. Cardinale Moves to approve the minutes of 12-14-23, C. Ebbighausen Seconds, All in favor.**

**Second order of business:** The board will review for acceptance an application submitted by Lawrence Septic Design on behalf of Jason & Jane Cardinale for a Variance to allow occupancy and placement of a mobile home, relating to Article XIII, A of the Zoning ordinance, for property at 320 Scotland Road, map 3 lot 11. If the application is found complete the board will move into a hearing.

J. Cardinale recuses himself.

The LUA informs the board that there is a current planning board case that has been continued relating to this application, in order for the applicant to get approval for his subdivision this variance would need to be approved. The board is also informed that the variance relating to this property & mobile home granted in 2016 was technically illegal as there was a time limit placed upon it.

**L. Fox moves to accept the application as complete, B. McGrath Seconds. All in favor.**

**L. Fox moves to open a public hearing, C Ebbighausen seconds. All in favor.**

J. Cardinale addresses the board and states that he is looking to get this variance to subdivide off the lot with the mobile home, in order to have a place he can rent out to his son. He explains that he lived in the mobile home while it was being built.

The board discusses with the applicant the state of the property, pertaining to easements, and clarifies with the applicant that the subdivision is not the subject of the variance, it is purely to allow the mobile home.

**L. Fox moves to close the public hearing. B. MCGRATH Seconds. All in favor.**

The board discusses the points included in the applicant’s variance request and agrees that it complies and satisfies the requirements of obtaining the variance.

**L. Fox moves to approve the variance to allow the mobile home on the new lot. C Ebbighausen seconds. All in favor.**

**J. Cardinale rejoins the board.**

**Second order of business:** The board will review for acceptance an application submitted by John Stephens requesting a Variance to subdivide map 15 lot 21, 85 Old Swanzey Rd, relating to the Aquifer Protection Ordinance, Section 5, Subparagraph a. If the application is found complete the board will move into a hearing

C. Lawrence addresses the board as a representative for the applicants.

The board is reminded of the variance approved in 2023 that allowed for subdivision on this property, this variance is also needed as the property is in the Aquifer Protection District, and is under the 3 acres each for the lot sizes needed.

C. Lawrence goes through the application facts supporting the variance request.

Several abutting lots are less than 3 acres, the lots themselves are greater than required in the agricultural district and are far away from town wells.

**B. McGrath moves to close the public hearing, L. Fox Seconds, all in favor.**

The board goes over and agrees with all facts supporting the variance request.

**J. Cardinale moves to approve the variance request, B. Mcgrath seconds, all in favor.**

**J. Cardinale moves to adjourn, B. Roy seconds, all in favor. 8:09 PM**

Minutes respectfully submitted by:

Evan O’Connor, LUA

Minutes approved by the board on:

Minutes signed by:

Lou Fox, Chair