

**Ashland Planning Board
Amended Meeting Minutes
Wednesday, October 24, 2018**

CALL TO ORDER: Mardean Badger, Chair of the Planning Board, called the meeting to order at 6:30 PM.

MEMBERS PRESENT: Mardean Badger, Susan MacLeod, Leigh Sharps

OTHERS PRESENT: Atty. John McCormack, Keith Philbrick, David Ruell, Jane Sawyer, Michael Horsch, owner of Horsch Garage Equipment Inc., Kathleen DeWolfe, Alan Cilley, Christine Cilley and Kaitlyn Morse, Land Use Boards Assistant.

MINUTES:

Leigh Sharps made a motion to accept the minutes with revisions included. Susan MacLeod seconded the motion. The motion passed 3-0.

CASE 2018-10 KEITH PHILBRICK 560 NH ROUTE 175,(T/M/L 008-002-012)

Atty. John McCormack met with the Ashland Planning Board representing Keith Philbrick for an informal consultation. Atty. McCormack explained that Mr. Philbrick owns a 40' x 30' barn that he would like to lease to a third party for use as storage for vehicles and motorcycles. The lease would be for one year. The Philbrick property is located in the Rural Residential Zone.

The Board was concerned that the barn in a rural residential zone was advertized as storage space for a rent of \$250/month firm. This makes the barn look like a commercial venture and no longer residential. The Board raised the following concerns about the property:

- In 2013 the Planning Board sent Mr. Philbrick a notice of decision denying a nonconforming use of the barn, operating a business that does not qualify as a home occupation. Mr. Philbrick was told that he would need a Special Exception from the Zoning Board of Adjustment.
- On January 28, 2016 the Planning Board sent a notice of decision to Mr. Philbrick stating that in the future any proposed commercial use of the property would need to go to the Zoning Board of Adjustment for a Special Exception.

Attorney McCormack felt that the rental of the barn to a neighbor was no different than renting a house to a tenant. It was noted that the barn would be rented as one space, to one party, for storage of personal vehicles and property.

Attorney McCormack submitted an application for Waiver of a Site Plan Review.

Susan MacLeod made a motion to accept the Application to Waiver of Site Plan Review for (T/M/L 008-002-012) in the Rural Residential Zone. Leigh Sharps seconded the motion. The motion passed by a 3-0 vote. Susan MacLeod made a motion to approve the application as submitted. Leigh Sharps seconded the motion. The motion passed by a 3-0 vote.

ASHLAND HISTORICAL SOCIETY (HISTORIC DEPOT), 69 Depot Street, (TML 018-002-005)

The Planning Board met with David Ruell and Jane Sawyer representing the Ashland Historical Society in an informal consultation, to discuss plans for extending the boardwalk loading platform and relocating a small shelter, in the Village Residential zone. The Ashland Historical Society owns the depot and the land where the depot is located. The State of NH owns the land under the existing (and

proposed) boardwalk and leases it to the Historical Society. The State owns the railroad tracks, which they lease to the Plymouth/Lincoln Railroad.

The Historical Society plans to pay for and construct the extended loading platform/boardwalk, on state land, with the State's permission. The Historical Society also wants to move the small shelter next to the boardwalk, on the Society's land but within the 15 foot setback.

The Planning Board made the following points:

- There are three entities involved in the project (the Historical Society, the State and the Plymouth/Lincoln Railroad).
- The Historical Society must receive in writing from both the Railroad and the State that they accept and approve their proposal. These assurances and lease adjustments must be a part of the Planning Board and ZBA applications.
- The Historical Society is the applicant for the entire project. The Historical Society is paying for and constructing the proposed extension of the boardwalk.
- The Historical Society will need to request from the State a Letter of Authorization to appoint the Historical Society as agents for the State in this matter.
- A full Site Plan Review by the Planning Board is required.
- Since the small shelter and the depot are within the setback the State will need to waive the setback. There needs to be a letter on file to waive the setback.
- The Historical Society must submit an application for a variance to the Zoning Board of Adjustment to waive the setback for locating the small shelter and constructing the boardwalk.
- Request a joint meeting of the Planning Board and the Zoning Board of Adjustment to address the variance and the Site Plan Review.

MICHAEL HORSCH HORSCH GARAGE EQUIPMENT, INC. 98 MAIN STREET, (T/M/L 016-001-013)

Mr. Michael Horsch met with the Planning Board for an informal consultation. Mr. Horsch is the owner of Garage Equipment Inc. presently located in Wolfeboro and Epping. Mr. Horsch is working on purchasing the building located at 98 Main Street (T/M/L 016-001-013), owned by Roger Roach, Trustees. The property is in the Commercial Zone. A purchase and sales agreement is expected to be signed on 98 Main Street shortly. Mike made the following points about his new business:

- There will be two offices in the front of the building.
- There will be no used cars and no car repair on the property.
- Everything relative to the business will be stored inside the building.
- Trailers will be loaded between 6:30-7 AM for the day. The trailers will return at the end of the day.
- There will be no retail business or any traffic in connection with the business.
- Mr. Horsch intends to paint the front of the building. He intends to install a 12' door on the right side of the building.
- No repairs or collection of hazardous waste will take place on the property.

The Planning Board made the following recommendations:

- A Site Plan Review Waiver for Change of Ownership and Change of Tenant will be required.
- Maintenance of a fence or vegetation buffer is encouraged between the property and the private residences on either side of the property and to the rear of the property to protect them from the site and the noise of the business.
- Required is a Life and Safety Inspection and recommendations from the Fire Chief.
- If in the future there is any major construction on the inside of the building the owner will need a building permit from the Building Inspector.

- A sign permit from the Building Inspector will be required.

CASE 2018-09 FERNANDO LIRA, 138 MAIN STREET (T/M/L 004-002-036)

Mardean advised the Board that Mr. Lira of 138 Main Street has submitted a Site Plan Review Waiver Application. His new business will be the same as his extended family businesses in Wolfeboro, Tamworth, Lincoln and Waterville Valley. Susan MacLeod made a motion to accept the application for a Waiver of Site Plan Review for La Catrina. Leigh Sharps seconded the motion. The motion passed with a 3-0 vote. Susan made a motion to approve the granting of a Waiver of a Site Plan Review. Leigh Sharps seconded the motion. The motion passed by a 3-0 vote.

The Board discussed briefly the Sign Ordinances section of the Zoning Ordinances. They focused on the sign ordinances relative to temporary signs. They found a typo under 3.3.6.1 *Other Sign* that reads “One [1] temporary non-illuminating sign when the property is currently for sale, rent, or lease [thereon] shall be permitted without a sign permit....” This deletion of the word was noted on the revisions from 2017 and should be researched. They also decided to revisit the Home Occupation section at a later date relative to use of more clarifying language.

The Planning Board needs to review Accessory Dwelling Unit regulations, Home Occupation regulations and the ongoing revision of the Master Plan. The Board needs to clarify the specific boundaries of the Water Protection Zone on certain lots.

SHELLEY RANDALL 356 OWL BROOK ROAD (T/M/L 010-004-011)

Mardean advised the Board that she has received a Site Plan Review Application from Shelley Randall 356 Owl Brook Road (T/M/L 010-004-011). The Zoning Board of Adjustment has received an Application for a Special Exception from Ms. Randall. Ms. Randall did not specify a joint meeting of the Planning Board and the Zoning Board of Adjustment. The Planning Board can:

- Accept the application and
- **Either** hold a Public Hearing for the Site Plan Review; recess the Public Hearing until the ZBA can complete their Public Hearing, in a joint meeting.
- **Or** hold a Public Hearing in a separate meeting, and make a decision conditional on the ZBA Special Exception decision.

Mardean discussed briefly Ashland's portion of the appropriation for Lakes Region Planning Commission. She made the following statement: Ashland's actual appropriation for the Lakes Region Planning Commission is \$1,882.

At the LRPC meeting of October 22 the Commissioners discussed creating age friendly communities with options for both transportation and housing for both the senior citizen and millenium populations. At their September meeting the Commissioners approved revision of the Regional Impact Guidelines.

The draft 2019 schedule of Planning Board meetings will be available for the next meeting.

ADJOURNMENT

Leigh Sharps made a motion to adjourn. Mardean Badger seconded the motion. The motion passed by a 3-0 vote. The meeting adjourned at 8:10 PM. The next Planning Board meeting will be Wednesday, November 7, 2018 at the Ashland Elementary School Library at 6:30 PM.

Minutes submitted by Paula Hancock