

**Ashland Planning Board
Amended Meeting Minutes
Wednesday, January 6, 2021**

CALL TO ORDER: Mardean Badger, Chair of the Board, called the meeting to order at 6:31 PM. The meeting was conducted via Zoom video and teleconference.

MEMBERS PRESENT: Mardean Badger, Kathleen DeWolfe (BOS representative), Paula Hancock, and Susan MacLeod, Land Use Assistant

OTHERS PRESENT: John Valpey, Tony Guyotte, Levi Bradley

RIGHT TO KNOW LAW: Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board is authorized to meet electronically.

PUBLIC HEARING OF COMMERCIAL EXCAVATION REGULATIONS

Mardean Badger, Chair of the Board, opened the required Public Hearing of the Commercial Excavation Regulations at 6:32 PM to provide an opportunity for the public to ask questions and submit comments. The public hearing was noticed on the town website, at the Town Hall, and in the Laconia Daily Sun. This is the new ordinance for the Town of Ashland replacing our current ordinance of Commercial Excavation Regulations. The old ordinance being replaced was created and passed in the 1980s. The new regulations have been totally revised to comply with the NH RSA 155-E which governs local excavations. This proposed Commercial Excavation Regulations do not go to a town vote. It is the type of regulations that after this Public Hearing can be directly approved by the Planning Board. Susan MacLeod, Land Use Assistant, contacted the only public excavation project in Ashland for any comment or to attend this Public Hearing. After noting that there were no public comments presented at the meeting or there were no comments submitted in writing, Mardean Badger closed the Public Hearing at 6:34 PM.

Kathleen DeWolfe made a motion to approve the Commercial Excavation Regulations. Paula Hancock seconded the motion. The motion was approved by a 3-0 roll call vote. The Land Use Assistant will provide the form to be signed by the Planning Board which will be submitted to the Town Clerk for the filing of the new regulations. The new regulations will also be submitted to NH OSI. The Planning Board will need to create an excavation regulations application form.

DISPOSITION OF MINUTES

Kathleen DeWolfe made a motion to accept the amended minutes of Wednesday, December 23, 2020. Paula Hancock seconded the motion. The motion passed by a 3-0 roll call vote.

INFORMAL CONSULTATION (COMMERCE PROPERTIES LLC)

John Valpey (new owner) met with the Planning Board to discuss the vacant lot off Winter Street owned by Commerce Properties – 14 Winter Street (TML 017-005-008) and a vacant lot he purchased behind 14 Winter Street. He also owns the abutting property at 10 Winter Street (TML 017-005-009). He inquired about the ramifications if the vacant lot remains a separate lot or if it is merged with the lot at 14 Winter Street.

Mr. Valpey discussed a proposal to build single level accessible rental units on the new lot behind 14 Winter Street properties. He made the following points:

- The 2-bedroom units could accommodate all manner of physical needs of any tenant (incorporation of Universal Design Features)
- Currently there is a six unit development in 2 buildings at 14 Winter Street on a 1.89 acre lot.
- Currently there is a five unit development at 10 Winter Street on .41 acre lot
- The vacant lot measures .77 acre lot recently purchased from the Town of Ashland
- Tony Randall has surveyed all three properties
- Tony Guyotte (contractor) has assessed the building possibilities; the sites are level with easy access to Winter Street
- There is a gravel driveway that accesses the rear of both 14 and 10 Winter Street properties.
- There is an existing right of way across the driveway to access the vacant lot
- There is already electric and water/sewer lines located on the properties; there is plenty of room for parking spaces for potential tenants
- There will need to be landscaping and drainage work done within 250' of the wetland jurisdiction; it will be under wetlands jurisdiction; contact DES for possible permit
- Possibility of merging the vacant lot with 14 Winter Street property was discussed which will be easy to accomplish and remove the need for a right of way to the vacant lot.

The Planning Board made the following points:

- The current rear vacant lot needs to be accessed by creation of right of way across 14 Winter Street lot or merged with 14 Winter Street which would make a right of way unnecessary
- If the rear vacant lot is merged with the front of 14 Winter Street lot and under the ownership of one owner, can go to Registry of Deeds and have the current common boundary line erased
- If the vacant lot stays as a separate lot, it will need access for emergency vehicles and easement or right of way across the front lot.
- It was noted that the buildings on 14 Winter Street encroach within the side setbacks (pre-existing and non-conforming). New construction cannot increase the nonconformity or encroach on any of the setbacks of the abutting properties
- Section 7.2 of the Building Regulations require a minimum of 750 square feet of floor space per dwelling unit. Section 3.2 of the Zoning Ordinance requires 2 parking spaces per dwelling unit.
- Driveway access to the vacant lot needs to be part of final design
- This proposal fills a definite need for housing for both young people who are getting into the housing market as well as the elderly population for retirement housing

The Planning Board recommended the following steps in the process:

- Be ready with property design
- Submit a completed Site Plan Review application as well as a full plot plan
- Work with the Building Inspector relative to necessary permits and DES permits
- The property is not in the Squam Lakes Overlay but is under DES wetlands regulations/permits
- Review current DES wetland regulations

PLANNING BOARD GOALS FOR 2021

- Continue to review the Master Plan Recommendations
- Review recommendations in Master Plan Chapters 1, 2, 3 for any updated notes or to cover any issues that have come up since our last review
- Review recommendations in Master Plan Chapters 4, 5 for discussion at our next meeting
- Discuss format of Master Plan survey and proper data collection
- Review/Discussion Design Standards
- Review/Discussion of Junkyards language

- Review criteria in Site Plan Review Regulations
- Review how other Planning Boards deal with Electric Charging Station

INFORMAL CONSULTATION WITH LEVI BRADLEY

The Planning Board met with Levi Bradley relative to a proposed subdivision, to separate the Scribner Building on Mill Street from the lot owned by Squam River Hydro. The Planning Board made the following points:

- The Planning Board has received one Application for a Boundary Line Adjustment for this same portion of the mill and the same property. The proposed boundary line adjustment would make the Scribner Building on Mill Street part of the LW Packard property and remove it from the Squam River Hydro property. The Planning Board will deal with this application at their Wednesday, January 27, 2021 meeting.
- Levi Bradley is proposing a different direction/resolution for the same mill property (Scribner Building) i.e. to create a new lot by separating the Scribner Building from the Squam River Hydro property.
- Levi Bradley submitted an incomplete application. Susan MacLeod, Land Use Assistant, is working with him to complete the application

The Planning Board recommended the following next steps:

- The property owner must be the applicant for the change being requested
- The property owner can designate another person (agent) to represent the owner
- If there are any questions please contact Susan MacLeod, Land Use Assistant via email to set up an appointment
- The Planning Board could/would approve both scenarios. The Notice of Decision will include some additional information
- The Planning Board approval merely indicates that the proposed change is in conformance with our regulations and/or any exceptions granted.
- The resolution of this issue is which party files their deed first with the Registry of Deeds
- The Planning Board approval merely indicates that the proposed change is in conformance with our regulations or exceptions
- Nothing becomes final until the property owner files the deed with the Registry of Deeds

Mr. Bradley needs to:

- Submit a complete application for subdivision.
- The Land Use Assistant will review the application for completeness. The Planning Board will notify all abutters, accept the application and schedule a Public Hearing
- A surveyed Site Plan is required. The Site Plan needs to indicate where the new boundary line would be located
- If all needed documentation is submitted to the Planning Board by Wednesday, January 13, 2021, the application can be put on agenda for our Wednesday, February 3 meeting
- If all documentation is submitted after the January 13 date this issue will appear on the agenda for our Wednesday, February 24, 2021 meeting
- The property is in the flood plain and the Squam Lakes Overlay
- There are flood plain maps at the Town Office; and the Flood Plain maps can be accessed online.
- Mr. Bradley inquired about the language in the Squam River Hydro property deed that references 'non-exclusive license' to parking spaces on adjacent land. The Board noted that deed language is not within its responsibility.

DAVID FARNHAM UPDATE

The Planning Board has sent all information to Mr. Farnham relative to his recent Waiver denial and reasoning. Susan has explained the process to him. Susan had attached a Site Plan Review Application. Susan has received no response.

The Building Inspector has driven past the site twice and seen both the interior/exterior use of the building. He will contact the Fire Chief for a simultaneous Life/Safety and Building Code inspections. The Select Board and the Town Manager have been notified. We await further action.

NEXT MEETING

The next meeting of the Ashland Planning Board will be Wednesday, January 27, 2021 at 6:30 PM.

ADJOURNMENT

Mardean Badger made a motion to adjourn. The motion was seconded. The motion passed. The meeting adjourned at 7:51 PM.

Minutes submitted by Paula Hancock