

**Ashland Planning Board
Minutes
September 30, 2015**

CALL TO ORDER: Susan MacLeod called the meeting to order at 6:30 PM.

MEMBERS PRESENT: Members present were Susan MacLeod, Fran Newton, Mardean Badger, Carol Fucarile, Cheryl Cox, Norm DeWolfe and Paula Hancock, secretary.

OTHERS PRESENT: Members of the public present were Bowen and Jaren Downs.

DISPOSITION OF MINUTES

The minutes for the September 2, 2015 regular meeting were tabled at this meeting. The minutes will be reviewed at the October 7, 2015 regular meeting.

CORRESPONDENCE

Bowen and Jaren came before the Planning Board to inquire about the process of establishing a car dealership in the Town of Ashland. The site they were inquiring about is property owned by Mr. Andrew Lane, CPA. The parking lot for the dealership is on property owned by Mr. John Glidden. The other parking area they are interested in is on property owned by the Town of Ashland. The members of the Planning Board made the following recommendations:

- Create a Site Plan delineating the number of parking spaces needed for the dealership and the number of spaces needed to display the cars being sold.
- A Site Plan is on file with the Town for that property. It shows limited parking due to the martial arts studio on the same premises and the parking needed for that enterprise.
- Need for bond, a lease, insurance and the creation of the aforementioned Site Plan will be required for State dealership license.
- Fire and Safety Inspections.
- Mr. Lane needs to authorize you as agents for him.
- Mr. Lane and Mr. Glidden need to be responsible parties as owners and be part of the process.
- Mr. Glidden owns the lower parking lot. The Town of Ashland owns the upper parking lot. The upper parking lot is part of town road (Parkway) that is not plowed in winter because no residences are located on the road.

The Planning Board advised the new entrepreneurs that the Site Plan they will file needs to include sufficient parking as well as space if there will be a repair shop on the plan. They will need customer parking as well as space for an office for the dealership. The Planning Board advised that the entrepreneurs look at the tax map for the particular property they want to buy/rent. They should look through the tax cards to determine the actual size of the piece of property and the clear legal owner of the property. They should talk to the tax collector. It was suggested that they inquire into proper signage regulations for a car dealership in an industrial zone and confirm parking is also in that zone.

The Planning Board suggested that the entrepreneurs look into the property called Mr. Chuck's opposite the Booster Club on Main Street. At this location they would have greater visibility for their business. The property is for sale by owner.

The Planning Board recommended that the entrepreneurs look at leasing office space on West Street. The property is already in a commercial zone. They could have a larger sign at that location and more exposure. When the entrepreneurs locate the property they want for their dealership they need to come back to the Planning Board to pick up a Site Plan application.

Susan MacLeod was in receipt of an email from Mr. Nichols from the Electric Department requesting to cut trees on Sanborn and Owl Brook roads. These roads are deemed scenic roads. A written consent to the Electric Department from the Planning Board requires a Public Hearing. This also requires two Notice of Public Hearing insertions in the local newspaper, the last insertion appearing seven days before the first scheduled Public Hearing. The insertions appeared in the Saturday, September 26 edition and the Wednesday, September 30 edition of the paper. The email did not say if the intention of the Electric Department is to trim the trees or cut down the trees. It did not say how many trees would be either cut or trimmed. The Planning Board has no objection to this request. Copy of the newspaper notice was sent to Pat Crowell. The request will be placed on the Wednesday, October 7, 2015 agenda for the next regular meeting.

Susan MacLeod received an email advising that the wording for the disclaimer on the Notice of Decision is unclear and needs reconsideration. After discussion it was determined that the Planning Board needs to create a motion for the Planning Board to acknowledge the power to revoke their approval (RSA 676:4-a) if the five conditions of the Site Plan are not met or what was on the Site Plan when approved was not followed. There can be fines imposed if the Site Plan is out of compliance. The Planning Board is able to revisit its own decisions within the 30 day appeal period according to *Rules of Procedure*.

The Planning Board discussed a Site Plan Review Waiver application from the owner of the property at 79 Main Street. The Planning Board was advised that the property at 79 Main Street would be used as retail and office space. The property has undergone the proper inspections. The Planning Board determined that the Board needs to know the exact business that will occupy the retail space. They need to have for the record contact information on the exact business in the space at 79 Main Street. They need to know the new tenant. They need to know the hours of operations for the new business. They need to know about the probability of noise coming from that property relating to the business.

Susan MacLeod advised the Planning Board that Bob Flanders received a noise complaint from the abutter of the property directly across the street from the Owens Farm stand. Mr. Keith Philbrick is the owner of the property and Mr. Lenentine is the lessor of the property.

- Mr. Flanders followed up this letter with a conversation with Mr. Philbrick explaining the consequences of noncompliance. Mr. Flanders advised that Mr. Philbrick go to the Ashland Zoning Board of Adjustment and ask for an exception due to the fact that Mr. Philbrick has a business on that residential property.
- Mr. Flanders sent Mr. Philbrick a Notice of Violation letter on September 17, 2015.

Susan MacLeod received correspondence concerning a boundary survey on property owned by Mr. Mike Latulippe. This correspondence was informational and no action needs to be taken. This property has recently been sold to a couple from Claremont, NH.

The Planning Board received correspondence concerning the property formerly known as John's Place. The property is presently owned by Daniel Ringelstein. A prospective tenant wants to use the front section of John's for display space for art and for an art studio. The tenant plans to put in a small studio apartment at the rear. The Planning Board discussed the issue. For an apartment to be established on the property, the apartment needs to be 750 square feet. There needs to be at least two off-street parking spaces for that apartment. The property meets neither of these requirements. Mr. Ringelstein would need to go before the Ashland Zoning Board of Adjustment to request a variance. The Planning Board advises that there are safety issues involved in this property.

The Planning Board discussed the definition of junkyard in an ordinance pertaining to junkyards. The reason for the change in definition was to make the definition clear that it could pertain to collected materials other than auto parts. The Planning Board would need to look at the definition in terms of where it applies and to clarify that it is not intended to restrict or close current businesses under the current definition. The Planning Board decided that more discussion needs to take place concerning this issue.

The Planning Board looked at the possible warrant articles for 2016. The board would like to write an article pertaining to the establishment of apartments on the first floor, street level, or basement of commercial buildings on Main Street or in the commercial or mixed zones of the Town of Ashland. There could be the establishment of apartments above the business but no apartments on the first floor, street level or basement in commercial buildings on Main Street, the commercial zone or mixed zones in the Town of Ashland. The article would need to deal with:

- Properties on Main Street or in the commercial or mixed zones that are grandfathered
- The apartment in order to be grandfathered needs to be occupied and continue to be occupied before and after the enactment of this warrant article.
- The warrant article would apply to all construction or change of use in buildings after the passage of the article.
- The Planning Board will need to be careful about restricting the types of businesses that can come to Ashland. Restriction of businesses would be a negative signal to entrepreneurs who might be interested in establishing businesses in Ashland.

The Planning Board discussed briefly the Home Occupation Application form. The Board decided that they needed to do further research in the proper wording of the application form. They will research how other towns in NH word their Home Occupation Application forms. The Board will revisit this issue at a future meeting.

ADJOURNMENT

The next meeting of the Board will be Wednesday, October 7, 2015 at 7:00 pm at the Ashland Elementary School Library.

With nothing more to come before the Board Cheryl Cox made a motion to adjourn. Carol Fucarile seconded the motion. With all votes in the affirmative the Board adjourned. The meeting adjourned at 8:20 PM.

Minutes submitted by Paula Hancock