

**Ashland Planning Board
Amended Meeting Minutes
Wednesday, March 28, 2018**

CALL TO ORDER: Susan MacLeod, Chair of the Planning Board, called the meeting to order at 6:39 PM.

MEMBERS PRESENT: Members present were Mardean Badger, Susan MacLeod and Leigh Sharps.

OTHERS PRESENT: Others present was Kathleen DeWolf as liaison to the Planning Board from the Board of Selectmen.

DISPOSITION OF MINUTES

The Planning Board members reviewed the minutes from the Wednesday, February 28, 2018 meeting. Mardean Badger made a motion to accept the minutes as amended. Leigh Sharps seconded the motion. The motion passed.

NEW BUSINESS

The Yvonne Downes Home Occupation Decision for 6 Mill Pond Lane (TML 017-005-003) in the Rural Residential Zone is under Administrative Appeal. The Ashland Building Inspector has submitted a letter to the Board of Selectmen regarding an Administrative Appeal relative to the recent Notice of Decision made by the Ashland Planning Board. The appeal alleges that the Planning Board overstepped their authority with this decision. The Building Inspector advises that Ms. Downes should have been directed to go to the Ashland Zoning Board of Adjustment for a special exception or variance.

The Planning Board Decision was for a three month temporary home occupation, that there would only be office space granted and that the cars would be out of sight. The State DMV renews all auto dealerships every March. The Home Occupation criteria does not match DMV criteria for auto dealerships; it will be a state decision if Ms. Downes can use her license. With the Notice of Decision, the Planning Board sent all information relative to all criteria for Home Occupations to the Applicant, the Building Inspector and the Fire Chief on March 1, 2018.

The Building Inspector has written a letter dated Friday, March 23, 2018 approaching the Selectboard to make the Administrative Appeal to the Ashland Zoning Board of Adjustment. The Building Inspector, being an Administrator himself, or the Board of Selectmen needs to fill out an Administrative Appeal (done with a ZBA application form) and submit it directly to the Zoning Board of Adjustment. The Administrative Appeal needs to be publicly noticed in advance of the meeting. The Zoning Board can summon the Building Inspector to appear before it if the case is heard. If the letter dated March 23 is the official Administrative Appeal, the Building Inspector has submitted his appeal within the 30-day limit.

The members of the Planning Board will need to recuse themselves from the Zoning Board of Adjustment meeting because they voted on the Planning Board decision. At this point, the Administrative Appeal is out of the Planning Board's hands.

The town received a copy of the DES permit approval to repair the retaining wall at River Edge Marina.

The Annual Spring Planning and Zoning Board Conference is scheduled for Saturday, April 28. The Planning Board members are asked to fill out the registration form with the selected workshops. Return to Patsy at the Town Office.

ADJOURNMENT

A motion was made and seconded to adjourn. The motion passed. The meeting adjourned at 7:45 PM.

Minutes submitted by Paula Hancock