

**Ashland Planning Board
Amended Meeting Minutes
Wednesday, June 7, 2023**

CALL TO ORDER: Mardean Badger called the meeting to order at 6:30 PM

MEMBERS PRESENT: Mardean Badger, Kathleen DeWolfe, Paula Hancock, Kendall Hughes, Andy Fitch, Frank Stevens (alternate)

OTHERS PRESENT: Susan MacLeod, Land Use Assistant
Devon Thibeault, Building Inspector

for boundary line adjustment public hearing

Kevin French
Brian Moriarty
Brian Moriarty (John Moriarty's relative, family representative)
Joe Merhill
Fran Merhill
Rosemary Gates
Kelly Wang

for site plan waiver

Don Brandin

for informational

John Valpey (Commerce Properties)

for WMCC

Philip Hastings (attorney for White Mountain Country Club)
Brian Lash (owner of White Mountain Country Club)
Chad Stocker (construction manager for the project)
Jon Warzocha (Horizons Engineering, engineer for the project)

DISPOSITION OF MINUTES

The Board reviewed the minutes of their Wednesday, May 24, 2023, meeting. Kathleen DeWolfe made a motion to accept the draft minutes of Wednesday, May 24, 2023, as amended. Andy Fitch seconded the motion. The motion passed on a 5-0 (Mardean Badger, Kathleen DeWolfe, Kendall Hughes, Paula Hancock, Andy Fitch yes) 0-no roll call vote in the affirmative.

Before dealing with Case 2023-05 Boundary Line Adjustment on Blue Sky Drive and North Ashland Road Andy Fitch advised the Board that he was recusing himself from hearing this case. Andy advised that he is a current employee of Don Latulippe an applicant in this case so wanted to remain transparent relative to this case.

CASE 2023-05 BOUNDARY LINE ADJUSTMENT ON BLUE SKY DRIVE AND NORTH ASHLAND ROAD FOR LOTS 202-041, 202-042, 202-043, 202-071, 202-072, 202-076

PUBLIC HEARING

Mardean Badger, Chair, made a motion to open the Public Hearing. The motion passed on a 5-0 roll call vote in the affirmative. The Public Hearing opened at 6:35 PM. Kathleen DeWolfe made a motion to accept the application as complete. Paula Hancock seconded the motion. The motion passed on a 5-0-1 (Kathleen DeWolfe, Mardean Badger, Paula Hancock, Kendall Hughes, Frank Stevens yes) 0 no 1 abstention (Andy Fitch) roll call vote.

Kevin French, surveyor and representative for the applicants came before the Board to explain the proposed Boundary Line Adjustment on Blue Sky Drive and North Ashland Road for lots 202-041, 202-042, 202-043, 202-071, 202-072, 202-076. Kevin French presented to the Board two plans. The first plan (map) showing the topography of the property. The second plan shows the applicants' plan for the boundary line adjustment and the resulting parcels of property. Kevin French made the following points about the boundary line adjustment proposal:

- The property (Lot 202-072) is a 63 acre parcel off North Ashland Road owned by Brian Moriarty. With the proposed boundary line adjustment lot 202-072 will cease to exist; this parcel will be merged with the other lots abutting the property.
- The Brian Moriarty parcel (Lot 202-043) will increase from 8.05 acres to a total of 17.81 acres.
- The Merhill parcel (Lot 202-042) will add 100,000 square feet to his parcel in exchange of 17,000 square feet that will be added to Brian Moriarty parcel to square off the parcel. With the addition from the 202-072 parcel, the final size of the Merhill parcel will be 4.95 acres.
- The Wang parcel (Lot 202-071) will add 24 acres, with the final size of 27.47 acres accessible from North Ashland Road.
- The Gates parcel (Lot 202-041) increases from 2.39 acres to a final 4.07 acres.
- Three lots are accessible from Blue Sky Drive – 202-043 (Moriarty), 202-042 (Merhill) and 202-041 (Gates)
- Don Latulippe's Lot 202-076 will increase from 12.5 acres to a final 37.18 acres.
- Eversource owns an easement currently; this easement was obtained before the present boundary line adjustment; Eversource has another access to the easement.
- There is currently a snowmobile trail that runs through the property; it was established before the present boundary line adjustment.
- One property line is in dispute by Brian Moriarty/John Moriarty family (not the named applicant). He feels there is a 60' discrepancy in the location of a particular marker on the southern boundary of the original Lot 202-072. He will have the property resurveyed by a separate surveyor; this new resurveying of the property is scheduled to take place approximately three weeks hence. This will only impact one boundary line and only impact the portion that is being added to Lot 202-076 (Latulippe). He requests a month's extension to the boundary line adjustment decision so the survey may be completed.

Mardean Badger closed the Public Hearing at 7:00 PM.

The Planning Board discussed the impact of the dispute on one boundary of the new Lot 202-076 (Latulippe). The new options considered were not approving any of the changes until the disputed line was clarified or approve all the lot changes except for Lot 202-076.

Kendall Hughes made the following motion: To approve the lot line adjustment for lots 202-041, 202-042, 202-043, and 202-071 and extend the final decision on the lot line adjustment to lot 202-076 to the Planning Board scheduled meeting on Wednesday, July 26, 2023.

Kathleen DeWolfe seconded the motion. The motion passed on a 4 yes (Mardean Badger, Kendall Hughes, Kathleen DeWolfe and Paula Hancock) and 0 no votes on a roll call vote.

The applicants were requested to come back before the Board at our Wednesday, July 26, 2023, meeting whether there is any change in the boundary line or not.

Andy Fitch rejoined the Planning Board meeting at 7:10 PM.

CASE 2023-06 WAIVER OF SITE PLAN REVIEW APPLICATION FOR 87 MAIN STREET (T/M/L 109-071) OWNER C. DONALD BRANDIN

C. Donald Brandin came before the Planning Board after submitting a Waiver of Site Plan Review Application for 87 Main Street (T/M/L 109-071). He made the following points about his proposal for his business:

- The proposal is to locate a landscape company at 87 Main Street, Ashland
- The landscape products will be stored at the rear of the property near the ballpark.
- The landscape company will have nursery product such as trees and shrubs. The company will carry landscaping cover such as mulch, stone pavers, blue stone. which will be stored in the garage area of the property; the company will carry mulch, stone pavers, blue stone.
- A portion of the product will be located in a fenced-in area in the former junkyard area.
- The proposed signage will be located at the overhang at the front of the property as well as signage on the garage for customers coming from I-93
- All mechanical lifts from the former business have been removed.
- The tanks on the property were removed in 2016; the current reading for contaminants in the area was deemed insignificant.
- All vehicles for the company will be parked within the chain link fence on the property.
- This business will be seasonal; hours of operation will be 8 AM-4 PM
- In 2024 the company will open the business to the public.
- In 2024 parking may become an issue.

Kathleen DeWolfe made a motion to approve the Waiver of Site Plan Review Application for 87 Main Street, Ashland. Andy Fitch seconded the motion. The motion passed on a 5-0 roll call vote in the affirmative (Kathleen DeWolfe, Andy Fitch, Mardean Badger, Paula Hancock, Kendall Hughes, yes) 0 no

INFORMAL CONSULTATION WITH JOHN VALPEY, COMMERCE PROPERTIES FOR LOTS 10, 12, 14 WINTER STREET

Kendall Hughes advised the Board that he will recuse himself from the John Valpey, Commercial Properties case. Kendall is currently a contractor of John Valpey.

John Valpey, owner of lots 10 and 14 Winter Street came before the Planning Board for an Informal Consultation relative to a new proposal for lots 10 and 14 on Winter Street. John Valpey made the following points:

- In January 2021 John Valpey bought the landlocked property behind 14 Winter Street and merged it with 14 Winter Street. That property presently has 23 units with 46 parking spaces. The site includes 2 completed and occupied duplexes. Two additional duplex foundations are in place which will be occupied in about 6 months.
- Mr. Valpey is considering merging 10 Winter Street with 14 Winter Street and adding two more duplex units. The duplex units will be accessible 2-bedroom units.
- John Valpey will come before the planning board with a revised Site Plan and documentation for a voluntary merger.
- A timeline for the Site Plan Review process will be included.
- The original right of way on the property is currently non-existent.
- Kendall Hughes said that 4 or more units constructed on a property requires the naming of a private road for the 911 system, A driveway of more than 2 units requires 911 name. It would be useful for the Planning Board to review the 911 ordinance.

INFORMAL CONSULTATION PHILIP HASTINGS AND BRIAN LASH WMCC LLC DBA OWLS NEST VINEYARD COURSE LOTS 201-002 AND 201-003

Atty. Philip Hastings and Brian Lash, owner, met with the Planning Board for an Informal Consultation. Also present were Chad Stocker, the construction manager, and Jon Warzocha of Horizons Engineering. The focus of this consultation was to clarify the process the applicant needs to follow, the timeline of the proposed project, and current issues that will need to be resolved.

The Planning Board stated that certain processes of this project were completed out of order. The owners of White Mountain Country Club came before the Planning Board on April 22, 2022, to discuss the project. The Planning Board has been in communication with the owners of White Mountain Country Club by email to remind them of the requirement for a site plan review. Various changes to the property have been publicized through newspaper articles, and the White Mountain Country Club website, and observations of community people have been noted. Noted activities have included interior renovation of the clubhouse, replacement and expansion of the septic system, cutting of trees, interior and exterior renovations to townhouses, planning a new cart barn, anticipated planting of new grape vines.

There is currently no Site Plan Review on file; the golf course existed before zoning was established in Ashland and there has not been a review of the site and its features.

- **A site plan review application needs to be filed with the Planning Board. A professional surveyed plot plan of the golf course property (Lot 201-002) and the former airport property (Lot 201-003) must accompany the application, showing all current property boundaries, setbacks, abutters, existing buildings, roads, etc. The plot plan must show the items listed in Section 3.3 of the Ashland Site Plan Review Regulations and any other relevant features. The process for site plan review notification and approval is also described in the Regulations.**

- Susan MacLeod, Land Use Assistant, can provide assistance with and clarification of the Site Plan Review process. Maintain timely communication with Ms. MacLeod and the Planning Board.
- The property is located in a flood plain, which must be shown on the plot plan. The owners need to adhere to any and all FEMA regulations regarding flood plain areas; documents relative to flood plain regulations by FEMA can be obtained from the Building Inspector.
- The plot plan must show/indicate all boundaries for the Pemi Overlay and the Flood Plain.
- The airport property is currently partially under Current Use. There are regulations that control what can be done with current use property and procedures to bring the airport property out of current use or to change/re-locate areas of current use. Current use regulations are under the purview of the Town Clerk, DRA (Department of Revenue Administration) and the town assessors.
- The restaurant in the club house must have a life safety inspection, certificate of occupancy and assembly permit from the Fire Chief. All appropriate food service inspections from the state will also be needed.
- The proposed cart barn for the storage of the golf carts must be indicated on the plot plan. If there are any other new buildings that are anticipated for the near future, it would be prudent to indicate their locations on the plot plan.
- The new location of the septic and leach field systems must be shown on the plot plan. DES approval of the system design must also be noted and filed with the town and Planning Board.
- The location of the irrigation pond must be shown on the plot plan. The proposed enlarged area of the pond must also be marked.
- Wetland areas, dams, bodies of water and streams/brooks also need to be indicated on the plot plan.
- All relevant Wetland, Shoreline, Alteration of Terrain Permits must be obtained from DES and put on file with the town.
- While having the survey of the property completed, clarify the location of the Plymouth boundary of the White Mountain Country Club property along the river. If the Plymouth boundary is within the WMCC property, Plymouth may need to be part of the discussion.
- As a required part of the Site Plan Review process, the Planning Board is required to determine if this is a development of Regional Impact (NH RSA 36:55).
- Roads and parking areas must be included in the plot plan. Also consider location of future parking areas needed for growth of business.
- The unpaved parking area easement and 6 PUD's (planned unit developments) purchased across North Ashland Road on Lot 201-018 are on land currently owned by the Town of

Ashland. The town ownership of the land is currently part of a legal process. Paving of the parking area must be discussed with the town (i.e., town manager and Board of Selectmen)

- Include a note on the surveyed plot plan of the location of the community water supply system.
- Ensure that the former airport and landing strip have been decommissioned.
- All building permits (including structural, electrical, plumbing, etc.) and sign permits must be obtained from the Building Inspector prior to work being undertaken.
- Consider a voluntary merger of the 2 properties, Lots 201-002 and Lot 201-003, which is a process handled by the Planning Board.
- If the 2 properties are merged, the delineation of the Current Use area may have to be redefined or refiled with the DRA.

OLD BUSINESS

Planning Board Term Lengths: new members of the Planning Board have been sworn in recently for 3-year term lengths. When Board members are appointed, their terms should be adjusted according to previous open expiration dates or staggered. There are now 3 members whose terms expire in 2024 and 3 whose terms expire in 2026.

ADJOURNMENT

Mardean Badger made a motion to adjourn. The motion was seconded. The motion passed on a 5-0 roll call vote in the affirmative. The meeting adjourned at 8:30 PM. The next Planning Board meeting will be Wednesday, June 28, 2023, at 6:30 PM at 6 Collins Street.

Minutes submitted by Paula Hancock