

**Ashland Planning Board
Draft Meeting Minutes
Tuesday, October 15, 2024**

CALL TO ORDER: Kendall Hughes, Chair, called the meeting to order at 6:32 PM

MEMBERS PRESENT: Mardean Badger, Kendall Hughes, Chris Janosa, Paula Hancock, Linda Barnes (alternate), Donna Lacurto, (alternate), Tricia (absent with notice), Bethany Franz (alternate, absent with notice)

OTHERS PRESENT: Mario Focareto, Brown Engineering
James Guyotte and Lisa Cross

Kendall Hughes, Chair, appointed Linda Barnes (alternate) as a voting member of the Board for this meeting.

DISPOSITION OF MINUTES

The minutes from the October 2, 2024 meeting were tabled for this meeting. These minutes will be reviewed at the Wednesday, October 23, 2024 meeting.

REVIEW AND DISCUSSION OF PROPOSED ENGINEERS

The Board reviewed and discussed proposals from Brown Engineering and Hess Engineering and Construction Consultants LLC to assist the Planning Board as a third party review of the Mill Pond Development. The Board met with Mario Focareto from Brown Engineering and William Hess of Hess Engineering via phone.

The Board met with Brown Engineering. Mario Focareto made the following points:

- Brown Engineering has had experience reviewing projects from other applicants
- Brown Engineering has had experience aiding the town with technical submissions; that the applicant uses good practices and meets all town regulations pertaining to the project
- Brown Engineering advised that they would be able to handle all studies requested by the Planning Board; Brown will bring in all necessary expertise needed to complete the third party review
- Brown will be able to handle all environmental issues
- Brown has experience with all floodplain issues that would arise from a project of this size
- The applicant would provide all studies and the applicant has the burden of proof in this matter
- Brown will look at all standards
- DOT (Department of Transportation) will do traffic studies for all roads that intersect with state roads
- An independent traffic study needs to be done for the intersection of Winter Street and Main Street. This traffic study does not fall within the purview of DOT traffic studies; another party needs to complete this study. This traffic study needs to include both bicycle and pedestrian traffic as well as vehicular traffic. DOT may be able to assist with this study
- Brown Engineering will verify all materials submitted by Mill Pond Development
- All studies will need to be verified by Brown Engineering according to all town standards
- Kent Brown and Mario Focareto are both familiar with third party reviews. All previous third party reviews completed by Brown Engineering have passed.

- The Mill Pond Development construction will meet all DOT, State and Town standards and regulations.
- The financial impact on the town of the Mill Pond Project will meet all aspects of Zoning Ordinance 2.4f.
- Brown will look at the Mill Pond proposal and make sure the proposal meets all sewer specifications and will include sewer design
- Brown will verify all current electricity capacity and verify that the electric capacity can handle all electric increases from the development. The capacity tie in will also be verified
- Brown will be able to handle present water and sewer flow in the pipes as well as site mitigation
- Brown has had experience with Nobis Group who will be used for all hazardous material disposal
- Brown will be able to handle all technical phases of the Mill Pond Development
- The applicant will need to have sufficient funds in escrow to cover all aspects of the construction and development
- Brown will explain its analysis, recommendations, and explain all comments and how solutions were determined; Brown will walk the Planning Board through the entire third party review process as well as all aspects of the Mill Pond Project

The Planning Board met with William Hess of Hess Engineering via phone. William Hess made the following points:

- Hess has expertise in third party reviews
- The financial and police aspects of the review will need to be outsourced
- Hess has done a large project: a 9 lot subdivision
- Hess has done nothing as large as Mill Pond but it would be simply on a larger scale
- Hess has worked with the town but my best interests are with the property owner or business owner
- For the school impact portion of the review Hess would need to bring in another professional with expertise on school impact issues

The Planning Board will need to bring in outside experts for either engineering firm we hire. The Planning Board has received the Site Plan Review Application and Subdivision Application from Mill Pond developers. The zone in which the Mill Pond Development will be located was changed from a Commercial Zone to an Industrial Zone on December 8, 1987. The Planning Board would like to review this Town Report and review the final town vote on this issue. The Planning Board brought this change to the 1987 town meeting for a town vote. Since the Mill Pond road is classified industrial Mill Pond developers will need to go to the ZBA (Zoning Board of Adjustment). The timeline for the project can be extended if the applicant and the Planning Board agree.

Mardean Badger made the following motion: To recommend Brown Engineering as the third party reviewer for the Mill Pond Project. Chris Janosa seconded the motion. The motion passed.

REVIEW OF ZONING ORDINANCE

The Board reviewed the Zoning Ordinances pertaining to proposed changes to the Commercial Zone II. The proposed change is to change the Commercial Zone II to a Mixed Use Zone. The Mixed Use Zone would begin at West Street and include the two marinas in town in their entirety. The boundary of the Mixed Use Zone would begin 250' from the center line of the road into Owl Brook Road to Morrell Drive. The following properties are included in the proposed Mixed Use Zone:

- The Micheal and Susan Latulippe property which includes commercial businesses

- Lot #10 in this zone is classified as Rural Residential
- The property of Chris Randall off Highland Street
- The Mixed Use Zone includes the Russ and Nancy Cross property
- The sharply sloped parcel of land on the bank could accommodate signage
- Lot #15 will remain as residential since it has no access to Rte 3
- Lot #13 is a trucker business
- Lot #14 parcel with 250' from center line is not the entire parcel
- Lot #12 is the Tracy Girl property which is a commercial business
- On Owl Brook Road the Planning Board will need to check the lots along Rte 3
- A number of deeds for property in the proposed Mixed Use zone have restrictions on the property as part of the deed. The Planning Board needs to resolve this deed issue if the Mixed Use Zone is expanded to include these properties. A restriction that needs to be resolved is that the property owner can't create a driveway off Rte 3. The Planning Board needs to be clear as to how the deed restrictions impact the proposed change to a Mixed Use Zone.
- Mixed Use Zone can't exclude individual lots
- The Planning Board needs to answer any questions about access to Owl Brook Road
- The Zoning Ordinance determined that 250' from the water's edge of the Squam River can't be used as commercial property. There is a wetland in this area.
- If there is a change from Rural Residential to Mixed Use Zone there will be quite an impact. The Planning Board needs to carefully and clearly define Rural Residential and Mixed Use.
- Changes in the zoning and the uses in those zones may prompt more requests to the ZBA (Zoning Board of Adjustment). The Planning Board needs to be conscious of this fact. The Planning Board needs to look at the impact of more requests to the ZBA more carefully.
- The proposed change from Rural Residential to Mixed Use Zone will impact property taxes.
- A clear explanation concerning the change in zone and the impact on property taxes needs to be crystal clear to all property owners in the Mixed Use Zone
- The change from Commercial Zone II to Mixed Use Zone must not be done in haste
- The Planning Board is opposed to spot zoning
- The Planning Board needs to streamline where the Mixed Use Zone is going to be located and what it is going to do

The Planning Board needs to focus on the proposed change from Commercial Zone II to Mixed Use Zone and clearly and completely define the Compact Area.

COMPACT AREA

The current Compact Area as defined is in the Village Residential Zone. It includes Winter Street to Eagle's Nest as well as property off Winter Street. All this is in the Village Residential Zone. The St. Agnes property is classified as Rural Residential.

A Mixed Use Zone would allow houses, home occupation, restaurant catering, marina business and boat storage. West Street is presently in the commercial zone so in this neighborhood mixed use would not be different from the present.

BUMP PROPERTY SUBDIVISION

The Bump property includes wetlands. The Town approved a Subdivision Application years ago. However, this subdivision application approval has lapsed. Years ago the Bump property was used as grazing land for local cattle.

UPDATES

The Planning Board needs to review the following documents for their next meeting:

- Commercial Zone II to Mixed Use Zone
- Article 4 changes to Zoning Ordinance
- Mill Pond Project Application Review/Discussion with Planning Board
- Further Review of Articles 3, 4, and 5 of the Zoning Ordinance will be tabled at this time
- Tricia Farrell is creating a zoning ordinance pertinent to solar energy
- The Flood Zone needs to be changed to an Overlay District

Mardean Badger made the following points:

- The proposal is to put both marinas in town in Mixed Use Zone
- Both marinas and surrounding property are located in the flood plain
- There is boat storage on the marina property
- There is a main office building as well as individual boat slips
- Across the Squam River is the Squam River Landing Marina

Kendall Hughes advised that the tax cards on all property in Ashland need review and possible correction. Mardean Badger pointed out that the tax cards need to show the prime use of the property and the zone in which the property is located.

Kendall Hughes advised that a lot in the Rural Residential Zone that is sold as a building lot can be used as a building lot. This could cause issues. This needs to be reviewed by the Planning Board.

ADJOURNMENT

Kendall Hughes made a motion to adjourn. Chris Janosa seconded the motion. The meeting adjourned at 8:15 PM. The next Planning Board meeting will be Wednesday, October 23, 2024 at 6:30 PM at the Ashland Booster Club.

Minutes submitted by Paula Hancock