

Ashland Planning Board
Thursday, May 22nd, 2025
Conference Room in Utility Building, 6 Collins Street
Meeting Minutes

CALL TO ORDER: Kendall Hughes, Chair, called the Public Hearings to order at 6:30 PM

MEMBERS PRESENT Kendall Hughes, Tricia Farris, Linda Barnes, Bethany Franz, Andy Fitch
(Absent with notice)

ALTERNATES Donna Locurto, John Thomas (absent with notice), one alternate seat still vacant

OTHERS PRESENT: Daniel Roberts, Charles Vozzello, Chief Ulwick, Tom Newcomb (building inspector)

New Business

Reorganization of the board, including selection of members for the Zoning Board of Adjustment and Lakes Region Planning Commission

1. Election of Officers

- **Chair:** Kendall Hughes was nominated by Bethany Franz and seconded by Trisha Farris. The motion passed unanimously.
- **Vice Chair:** Trisha Farris was nominated by Linda Barnes and seconded by Bethany Franz. The motion passed unanimously.
- **Recording Secretary:** Bethany Franz was nominated by Linda Barnes and seconded by Trisha Farris. The motion passed unanimously.

2. Lakes Region Planning Commission (LRPC) Appointments

- **First Seat:** Linda Barnes was nominated by Trisha Farris and seconded by Bethany Franz. The motion passed unanimously.
- **Second Seat:** Charlie Vozello will coordinate with two Zoning Board members to identify a candidate from the Economic Development Committee for nomination.
- **Alternate:** Kendall Hughes nominated John Thomas as the alternate. Linda Barnes seconded the nomination. The motion passed unanimously.

3. Zoning Board Representative

- **Planning Board Representative:** Trisha Farris was nominated by Kendall Hughes and seconded by Bethany Franz. The motion passed unanimously.

Discussion of RVs and Campers as residences – Tom Newcomb

1. Issue Introduction:

- Tom Newcomb brought forth an issue regarding the use of recreation vehicles (RVs) as residences as there are no clear regulations in the town's zoning code addressing this situation.

- Additionally, there have been multiple complaints from residents about others living in RVs or small trailers on a long-term basis.
- Tom highlighted state sanitation requirements for RVs, including the necessity for proper wastewater management, either through a connection to a working sewer system or a holding tank that is regularly pumped.

2. **Proposed Zoning Changes:**

- Tom requested the planning board adopt a short-term policy for RV use as residences, which would serve as an interim solution while a more permanent zoning policy is developed. This would allow for a framework of enforcement involving both the police chief and the building inspector. He emphasized the urgency of addressing this issue before the summer season begins.

3. **Short-Term vs. Long-Term Stays:**

- **Charlie Vozzello** raised a question about how to differentiate between short-term and long-term stays in RVs.
- **Tom Newcomb** explained that this could be defined based on the town's preferences. For example, some communities define short-term stays as 7-10 days without requiring a permit, while others, like Plymouth, allow up to 120 days per year.
- **Kendall Hughes** noted that Ossipee defines short-term stays as between May 1st and October 31st, which has been effective for managing transient residents.
- **Tom Newcomb** suggested further categorizing stays into short-term (1 week), mid-term (up to 6 months), and long-term (during home construction).

4. **Sanitation Concerns:**

- **Kendall Hughes** expressed concerns about the potential health risks associated with RVs being parked near rivers or other water sources without proper septic systems.
- **Bethany Franz** asked if sanitation issues in RVs are managed by the NH Department of Environmental Services (DES). **Kendall Hughes** clarified that DES does not oversee these issues.
- **Tom Newcomb** added that some towns require proof of regular septic tank pumping, such as receipts submitted monthly.

5. **Campground Regulations:**

- **Bethany Franz** asked whether campgrounds, which allow year-round tenants, are categorized differently.
- **Kendall Hughes** explained that campgrounds can have year-round tenants but must close for a certain period. This is distinct from the issue of long-term RV use as residences.

6. **Tom Newcomb** pointed out that many towns regulate RVs used as residences for non-paying guests only, meaning families and friends can use the RV, but it cannot be rented out.

Enforcement Concerns:

- **Linda Barnes** expressed concerns about how the town would ensure compliance and who would enforce the policies.
- **Tom Newcomb** reassured the board that the state RSA gives the town authority to enforce zoning rules through fines or legal action if necessary.
- **Chief Ulwick** clarified that enforcement could follow a cease-and-desist process, with potential fines or court action if violations are not addressed.

89 **7. Uniform Enforcement:**

- 90 ○ **Tom Newcomb** stated that if the town is going to pursue this policy, a commitment to
- 91 uniform enforcement is crucial.
- 92 ○ **Chief Ulwick** agreed, mentioning that there are several residents using small RVs or
- 93 mobile homes that would fall under these new regulations, suggesting a broader effort to
- 94 address these issues.

95 **8. Grandfathering Existing RVs:**

- 96 ○ **Linda Barnes** inquired if existing RVs would be grandfathered into the new policy.
- 97 ○ **Kendall Hughes** indicated that it would depend on how the new policy is written. He
- 98 stressed the importance of addressing sanitation concerns.

99 **9. Next Steps:**

- 100 ○ **Kendall Hughes** suggested a working group from the board to draft a site ordinance
- 101 and zoning policy for RV usage.
- 102 ○ **Linda Barnes** volunteered to be part of the working group, and **Bethany Franz** agreed
- 103 to participate as well.
- 104 ○ The group agreed to complete the policy within two weeks for consideration at the next
- 105 planning board meeting.
- 106 ○ **Kendall Hughes** indicated that two public hearings would be held before the policy's
- 107 final implementation, with a target for implementation by the end of July.

108 **10. Urgency of Interim Policy:**

- 109 ○ **Tom Newcomb** requested an expedited interim policy to be put in place immediately,
- 110 before the longer-term zoning changes can be finalized.

111 **Daniel Roberts – consult, proposed tattoo shop, 23 West Street**

112 **1. Proposal Overview:**

- 113 ○ Daniel Roberts, a tattoo artist with 5 years of experience, presented a proposal to open a
- 114 tattoo shop in town.
- 115 ○ The shop will operate by appointment only, serving one client at a time, and is expected
- 116 to generate minimal foot traffic.
- 117 ○ Daniel has secured a room from a friend who will sublet the space to him.

118 **2. Location and Accessibility:**

- 119 ○ Kendall Hughes noted that the proposed location is in a commercial area with ample
- 120 parking and easy access off the interstate.

121 **3. State Licensing and Health & Safety:**

- 122 ○ Kendall inquired about the necessary state licenses and health and safety certifications
- 123 required to operate a tattoo shop. He emphasized the importance of ensuring all
- 124 necessary state requirements are met before opening.
- 125 ○ Daniel was advised to secure the required state licenses and health and safety
- 126 certifications.

127 **4. Building Inspection:**

- 128 ○ Tom Newcomb, the building inspector, confirmed that there are no additional building
- 129 requirements for the location. He noted that the site is well-suited for the business and
- 130 will not cause any congregation of people at any given time.
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- 132

133 5. **Questions or Discussion:**

- 134 ○ Kendall Huges opened the floor for any questions or discussions from Police Chief
135 Ulwick or board members. No additional questions or comments were raised.

136 6. **Next Steps:**

- 137 ○ Kendall Huges informed Daniel that a formal letter of decision will be sent regarding the
138 proposal.
139 ○ Daniel was reminded to complete all necessary state licensing before opening and to
140 submit copies of the licenses to the Land Use Secretary.
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142 **OLD BUSINESS**

143 **Charette – Housing Champion Application – status**

144 **Discussion:**

145 1. **Application Progress:**

- 146 ○ **Kendall Hughes** provided an update on the ongoing application process. He is working
147 with **Jane** to finalize the application, with a meeting scheduled for Tuesday to complete
148 the details. The rough draft is on track, and the final submission is set for May 30th.

149 2. **Training Points:**

- 150 ○ **Kendall Hughes** reminded the board that if any members have completed relevant
151 training, they should forward the information to **Jane**. This is important as the board
152 needs to earn 80 points, and currently, they are at 85 points.

153 3. **Spring Planning Board Conference:**

- 154 ○ **Kendall Hughes** inquired if any board members wanted to discuss anything from the
155 recent Spring Planning Board Conference. No specific comments or updates were
156 shared at this time.

157 **Review of proposed "Compact Area" boundaries**

158 **Discussion:**

159 1. **Overview of Current Ordinance:**

- 160 ○ **Chief Ulwick** explained that the last ordinance related to firearms and fireworks in town
161 was adopted in 1968, but it is now outdated and unenforceable. According to the current
162 ordinance, fireworks are prohibited within town limits. The issue was last brought before
163 the board on December 11, 2022, but was tabled for further discussion.
164 ○ He is now seeking to update the ordinance, specifically to define the "compact part of
165 town," which is an area often described as heavily populated but lacks a clear definition
166 in current town codes.

167 2. **Defining the "Compact Part of Town":**

- Chief Ulwick explained that the "compact" part of town, as it stands, is generally defined as an area with at least six buildings, where one building is within 300 feet of another. However, some towns have more narrowly defined what constitutes a compact area.
- The chief stated that while the town cannot override state statutes, it can make local regulations stricter by designating areas where fireworks and firearms should be prohibited for safety reasons. He proposed using a map, based on his knowledge and town maps, to help identify potential "compact areas."
- Areas such as **Ledgewood** were included in his map, which he felt would be unsafe for shooting fireworks, even though they might not strictly meet the statutory definition of a "compact" area.

3. Updating the Ordinances:

- **Kendall Hughes** inquired about the process for updating town ordinances, noting that this typically falls under the responsibility of various committees.
- **Linda Barnes** asked whether Chief Ulwick was proposing modifications to the ordinance that would cover certain areas.
- **Chief Ulwick** clarified that the map and proposed changes were meant to be a rough outline—a starting point to stimulate further discussion and refinement. Once the town agrees on the definition of the "compact part of town," it could help address future issues and provide clearer enforcement guidelines.

4. Impact on Enforcement:

- **Chief Ulwick** emphasized that defining the "compact" area would make enforcement easier. Without such a definition, enforcement relies on the state statute, which does not provide the same clarity for local issues. By defining the compact area, the town would have a framework for enforcement, including penalties for violations of the fireworks and firearms ordinance.
- **Charlie Vozzello** confirmed that the state statute already covers these issues, but asked how the town would handle enforcement if someone were shooting a firearm at **Ledgewood**, an area potentially within the "compact" zone.
- **Chief Ulwick** explained that, under the state statute, the police would have some discretion, but it would be more challenging without a clearly defined compact area in the town's ordinance. By creating this definition, the town would be better equipped to handle such situations.

5. Concerns and Clarifications:

- **Trisha Farris** asked if the definition of a compact zone would affect any other rights besides firearms and fireworks. **Kendall Hughes** confirmed that the ordinance update would not impact animal-related regulations.

- 204 ○ **Trisha Farris** asked for reassurance that only firearms and fireworks would be affected
205 by the changes. **Kendall Hughes** responded that these two issues were the only ones
206 currently under discussion.
- 207 ○ **Chief Ulwick** confirmed that the updates to the firearms and fireworks ordinances are
208 the primary focus of the current discussions.

209 **6. Next Steps:**

- 210 ○ **Kendall Hughes** stated that **Bethany Franz** would work with Chief Ulwick to draft a
211 compact zone ordinance, with the goal of presenting it at the next planning board
212 meeting.

213 **1. Dew Drop Inn Status Update**

- 214 • **Kendall Hughes** reported that Dew Drop Inn has successfully passed state food inspections and has taken
215 necessary actions to remain operational until December 31, 2025.
- 216 • The judgment concerning Dew Drop Inn was rendered without prejudice, allowing them to reapply for a
217 special exception at any time.

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219 **2. Zoning Board's Perspective**

- 220 • **Charlie Vozello (Zoning Board Member)** expressed hope that the Planning Board would develop a
221 constructive solution beneficial to the town.
- 222 • The Zoning Board believes that granting the special exception Dew Drop Inn seeks could potentially
223 harm nearby businesses.
- 224 • The Zoning Board is requesting the Planning Board to find a resolution to this issue.

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226 **3. Mixed-Use Zoning Proposal**

- 227 • **Kendall Hughes** suggested that implementing a mixed-use zone could be advantageous, as there are
228 currently 19 businesses operating in an area not zoned for business activities.
- 229 • **Trisha Farris** noted concerns about altering a significant area.
- 230 • **Linda Barnes** highlighted previous discussions aimed at avoiding spot zoning and emphasized the
231 importance of having restrictions to prevent the area from becoming a “strip mall”.
- 232 • **Kendall Hughes** states that the Planning Board has the authority to determine the extent of zoning
233 changes.
- 234 • **Tom Newcomb (Building Inspector)** recommended that to maintain control, any changes should not be
235 automatic but subject to special exceptions, allowing the Zoning Board to review each case.

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237 **4. Property Value Concerns**

- 238 • **Charlie Vozello** raised concerns that the introduction of a direct competitor could decrease the property
239 value of existing businesses, including the neighboring business which is currently limited to ice cream.
- 240 • **Kendall Hughes** pointed out that there is a grandfather clause that will expire if the property is not used
241 as originally intended for a specified period, and the neighboring business is nearing that threshold.

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243 **5. Enforcement and Future Actions**

- 244 • **Tom Newcomb** suggested that enforcement of the existing zoning regulations could be an option, as the
245 Zoning Board's decision may not change unless new facts are presented.
- 246 • **Charlie Vozello** emphasized that the Zoning Board's position is to resolve the conflict and that
247 enforcement could be considered if Dew Drop Inn continues to operate outside the established guidelines.

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249 **6. Next Steps**

- 250 • **Kendall Hughes** will draft a mixed-use ordinance to be added to Section 2 of the zoning regulations,
251 aiming to make the area compliant with current zoning laws.
- 252 • **Tom Newcomb** suggested that the Planning Board should also assess other commercial areas in town to
253 ensure consistent zoning practices.
- 254 • **Linda Barnes** expressed the need to define "mixed-use" clearly, as it is not currently specified in the
255 zoning regulations.
- 256 • **Bethany Franz** noted that Dew Drop Inn has highlighted a potential issue in the zoning regulations that
257 should be addressed.
- 258 • **Tom Newcomb** proposed that the Planning Board focus on immediate concerns, such as RV regulations,
259 and address broader zoning amendments through a warrant article to be presented to voters in March.
- 260 • **Charlie Vozello** suggested that the Planning Board's decision should consider the impact on other
261 businesses in the area and the potential for decreased property values.

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263 **Action Items:**

- 264 • **Kendall Hughes** to draft a mixed-use ordinance for review.
- 265 • **Planning Board** to assess other commercial areas for potential zoning adjustments.
- 266 • **Public Hearings** to be scheduled to gather community input on proposed zoning changes.
- 267 • **Warrant Article** to be prepared for March vote, encompassing proposed zoning amendments.

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ADJOURNMENT

Kendall Hughes adjourned the meeting. The meeting adjourned at 7:53 PM. The next meeting of the Planning Board will be on Thursday, June 5th, 2025, at 6:30 PM at Utility Building, 6 Collins Street

Minutes submitted by Sherri Perry

DRAFT