

**Ashland Planning Board  
Minutes  
October 7, 2015**

**CALL TO ORDER:** Susan MacLeod, chair, brought the meeting to order at 7:00 PM

**MEMBERS PRESENT:** Members present for the meeting were Susan MacLeod, Fran Newton, Mardean Badger, Carol Fucarile, Cheryl Cox and Paula Hancock, secretary.

**MEMBERS OF THE PUBLIC PRESENT:** Normand DeWolfe, BOS Alternate; Kathleen DeWolfe, Renee Liebert, Harold Lamos, Conservation Commission; Lee Nichols, Electric Department; Christopher Boldt, Daniel Muller, Anthony Guyotte, Donald Lester

**DISPOSITION OF MINUTES**

The Planning Board reviewed the minutes of the Wednesday, September 2, 2015 meeting. Susan advised that there was a correction on page 2 in the paragraph concerning Tony Randall's letter. The sentence should read that Tony Randall was to send a letter to the Ashland Planning Board, not the DES. Susan called for a motion to accept the minutes as amended. Fran moved the motion. Carol seconded the motion. With three votes in the affirmative and one abstention the motion passed.

**PUBLIC HEARINGS**

Susan MacLeod opened the First Public Hearing for the Electric Department's request to cut trees on Sanborn Road and Owl Brook Road. After opening the Public Hearing, Susan MacLeod brought to the attention of the Board that after reviewing the Town Reports of 1987 and 1988 that in both years warrant articles were approved by the Town to give the approval of cutting trees on these particular scenic roads to the Conservation Commission. It is therefore the Conservation Commission who has the responsibility to notify the public of a Public Hearing on this matter and to render its decision. The Electric Department was told that they can petition the Conservation Commission for a Public Hearing; they can go to the Town Select board and prove that the trees in question pose an imminent danger to the public. The RSA that applies to this situation stipulates that trees 15 inches in diameter and 4 feet from the ground need Conservation Commission approval to remove. Trees less than 15 inches in diameter can be removed without written permission. The Electric Department was directed to contact the Conservation Commission or the Select board for permission to trim or cut down the trees in question if necessary. The Public Hearing was then closed. It was suggested that a log be created which contains all warrant articles passed at Town Meeting pertaining to the empowerment of particular boards or the rescinding of powers from particular boards. This log would be made available to each succeeding board or boards.

Susan MacLeod, chair, opened a Public Hearing on Reconsideration of the Wording for the disclaimer on the Notice of Decision. After discussion with Daniel Muller and Christopher Boldt on this issue as well as discussion amongst the members of the board, the following motion was made: A motion to strike the last sentence of the disclaimer. The motion was made by Susan MacLeod, seconded by Fran Newton. With four votes in the affirmative the motion passed. All

concerned parties will receive a revised Notice of Decision. The Public Hearing on Motion to Reconsider of the Wording for the disclaimer on the Notice of Decision was then closed.

### **NEW BUSINESS**

The Planning Board discussed the Application of Waiver of Site Plan Review for the Peter's property at 79 Main Street. The Planning Board was notified by the owners of the property that the new tenant was a Service Company or service oriented company. The property would only have office space on premises. The company would be doing its work elsewhere. The Planning Board was advised that there would be no changes to the building or the property. The building would be used for retail/office space. The Planning Board was advised that all inspections required by the town had been completed. Mardean Badger made a motion to waive the Site Plan Review for the Peter's property at 79 Main Street. Fran Newton seconded the motion. With four votes in the affirmative, the motion passed.

The Site Plan Review consultation/Application for Scott and the Grants was tabled for this meeting. The parties involved will be sent reminders to attend.

### **CORRESPONDENCE**

Susan met with Bob Flanders, Code Enforcement Officer, on Tuesday following up on the noise complaint filed for the Philbrick property on Rte 175 in Ashland across from the Owens farm stand. Bob advised her that both Mr. Philbrick and Mr. Lenentine have met with him. Both parties are going forward to meet with the Ashland Zoning Board of Adjustment concerning this matter.

Bob Flanders advised that he had issued a cease and desist order to Pit Stop a local business. The signs for the business have come down. The Planning Board needs to know what the present disposition of the oil and other fluids connected with the business is.

The Planning Board after a short discussion concluded that all property owners in town, particularly new property owners, need to be made aware of the fact that if there is a change of tenant for a particular property or if there is a change of ownership of a particular property the owner and new tenant need to come to the Planning Board and schedule a Site Plan Review.

Susan MacLeod advised the Planning Board that according to the *Driveway Regulations*, it is the Board's responsibility to track all driveway permits in the town unless the driveway is on State or Federal roads. The Board is responsible for the width of the driveway and how it intersects with the public roadway.

The Board discussed the issue of building permit applications and sign regulations in the town. The discussion concluded that there should be separate building permit applications: one for businesses and one for residences. The Board should look into simplifying the sign permit. The Board would like to regularly receive from Bob Flanders, Code Enforcement Officer, a list of any new permits that are issued. The Planning Board would need to be advised of any new driveway permits that have been issued. Any resident that needs a variance for a new driveway needs to come before the Planning Board.

The Board discussed the issue of apartments on the first floor of commercial buildings in the commercial zone. After much discussion it was felt that the members of the Board needed to do more research into the issue, specifically how other towns in the state dealt with this issue. It was felt that the issue could be dealt with in Ashland through the Site Plan Review process or going forward the Design Standards process for new businesses, change of use and new construction in town.

The Planning Board discussed an issue that came before the Board of Selectmen at a recent meeting. The issue concerns the proposal to put a cell tower on top of the water tower. The present town laws do not permit cell towers in rural residential zones. The water tower is built in a rural zone. Cell towers are permitted in commercial and industrial zones only. When this issue comes before the Planning Board it has been requested that the Water and Sewer Commission be involved in the final decision of this issue.

The Board discussed at length the Home Occupation Application Form for the Town of Ashland. At the conclusion of the discussion it was agreed that the language of the form should not be changed. The important town regulations pertaining to the Home Occupation Application be inserted in the form and made clear to the applicant by a series of yes and no check offs. There needs to be inclusion in the application under what circumstances particular town permits need to be obtained by the property owner. It was the decision of the Board that more work was needed on the wording of the Home Occupation Application Form and the Design Standards. Mardean offered to draft a new version of the application.

### **ADJOURNMENT**

**The next meeting of the Ashland Planning Board will be Wednesday, October 28, 2015 at 6:30 pm at the Ashland Town Hall.**

With nothing more to come before the Board a motion was made by Susan to adjourn. Fran Newton seconded the motion. With four votes in the affirmative the meeting was adjourned at 8:30 PM.

*Minutes submitted by Paula Hancock*