

**Ashland Planning Board  
Minutes  
November 4, 2015**

**CALL TO ORDER:** Susan MacLeod, chair, called the meeting to order at 7:05 PM.

**MEMBERS PRESENT:** Members present at this meeting were Susan MacLeod, Fran Newton, Carol Fucarile, Cheryl Cox, and Mardean Badger.

**DISPOSITION OF MINUTES:** The minutes for the September 30, October 7 and October 28, 2015 meetings were reviewed by the Planning Board.

- A motion was made by Mardean Badger to approve the September 30, 2015 minutes as written. Fran Newton seconded the motion. With four votes in the affirmative the motion passed.
- The October 7, 2015 minutes were reviewed by the Planning Board. A motion was made by Mardean Badger to approve the minutes as written. Fran Newton seconded the motion. With four votes in the affirmative the motion passed.
- The October 28, 2015 minutes were reviewed by the Planning Board. A motion was made by Fran Newton to accept the minutes as revised. Mardean Badger seconded the motion. With five votes in the affirmative the motion passed. (amended attached)

**CORRESPONDENCE**

The Planning Board reviewed the applications from Mr. Daniel Ringelstein concerning 51 Main Street Tax Map 17-006-013. The Planning Board found that Mr. Heath had not visited 51 Main Street since the change of ownership. The Planning Board found the application had not been signed by Mr. Ringelstein as owner of Winnepesaukee Capital LLC.

- The Planning Board requires that the application be returned and signed by the owners of 51 Main Street.
- To pass life safety and building code inspections of the property.
- Mr. Ringelstein is asking for a waiver of RSA 1.13 Change of Tenant.
- After approval of this application, Mr. Ringelstein can pursue a sign permit for the property.

A motion was made by Fran Newton: To request that Winnepesaukee Capital LLC owners sign the application. The Planning Board does not accept this application as a proper application. This application is incomplete without signatures of Winnepesaukee Capital LLC owners along with proper dating of the document. Mardean Badger seconded the motion. With all five votes in the affirmative the motion passed.

The Planning Board took up the issue of 25 Main Street, (formerly John's Restaurant) Tax Map Lot 17-007-010.

- If Mr. Ringelstein wants to create an apartment at 25 Main Street he needs to go through the proper process to establish an apartment at 25 Main Street.
- Mr. Ringelstein needs to go to the Ashland Zoning Board of Adjustment if the square footage at 25 Main Street does not meet the 750 square foot town requirement.
- If Mr. Ringelstein intends to allow the Quins and Quail Antique business to occupy the space at 25 Main Street by December 1, 2015, Mr. Ringelstein needs to fill out an

application clarifying that this antique business will occupy the space at 25 Main Street. Proper application for this business needs to be filled out and resubmitted to the Planning Board by Thursday, November 12. Mr. Ringelstein needs to appear before the Planning Board concerning this application at their November 18 meeting.

- Mr. Ringelstein needs to update/clarify if there is a live-in situation at 25 Main.
- He needs to clarify who currently is living there.
- The storefront cannot be part of the living space.
- A living space is not possible at this location; would require Variance from ZBA.
- Clarify that 25 Main Street is not a living space.

At the conclusion of the review of the application submitted by Mr. Ringelstein for 25 Main Street Fran Newton made the following motion: The application is no longer relevant due to subsequent communication indicating different use for the property. Cheryl Cox seconded the motion. With five votes in the affirmative the motion passed.

The Planning Board reviewed correspondence regarding Dr. Lester, Northern Lakes Veterinary Hospital. Case 20-15-04 Tax Map 18-002-002.

Mr. Boldt, Attorney for the abutter Mr. McBournie and Mr. Bell is requesting the scheduling of a Compliance Hearing/ Public Hearing. He is further requesting a surveyor's complete Revised Site Plan and for the Planning Board to do a Site Visit.

Mr. Boldt contends that

- The requested berm is too close to the larger trees at the rear of the Lester property intended to be a natural buffer.
- The berm is set too close to the boundary line.
- The evergreens in the berm are smaller than specified on the Site Plan.

The Planning Board needs to go to the legal department for:

- Clarification.
- Do the abutters need to be notified?
- Who pays for the notification of abutters?
- Can the Site Visit and the Public Hearing be on the same day; or prior to the hearing?

The requested Public Hearing can be scheduled at the Planning Board's Wednesday, December 7 regular Planning Board meeting.

The Planning Board had a discussion concerning the proper protocol for the receipt of applications from property owners at the Town Office. It was discussed that a paper trail needs to be established for each application that is submitted to the Town Office.

- There should be a cover sheet attached to each application. Any individual who deals with that application must initial it and date it designating any action taken.
- A photocopy of the accompanying check must be taken and attached to each application. The original check needs to be placed in the vault for 5 days before being deposited.
- A log must be created to follow each application through the process with each step in the process noted. Original applications must never leave the Town Hall.
- A protocol or process needs to be established to enable application files to be taken to Zoning Board and Planning Board meetings.

The Pre-Application consultation for Scott Keneson and John Grant was tabled as the applicants did not appear at a third meeting.

The Planning Board discussed creating a regulation that there are no apartments allowed on the first floor of a commercial building. Apartments would be allowed on floors above the business but not on the first floor of a commercial building. Carol Fucarile will work on the wording for such a regulation. It needs to be decided if it will be a Zoning Ordinance regulation which would need to be put before the voters or if the same regulation could be a Site Plan Review regulation and hence not subject to go before town voters. The wording of the regulation needs to be completed and submitted in time for the Wednesday, November 18 Planning Board meeting.

The Planning Board discussed the Home Occupation Application wording and made the following recommendations:

#### **Parking Spaces**

- Leave to applicant to justify need; permitted by applicant.
- Applicant tells the Board the traffic of the business.
- Planning Board decides the number of parking spaces.

Mardean will check into the wording concerning the proper authority for the designation of the number of parking spaces

#### **Terminology and Requirements**

- Use of the word inhabitants to cover the designation of nonrelated parties.
- Submit all Home Occupation Applications directly to the Planning Board.
- Office Use Only Box at top of all Home Occupation Applications.
- Plot Plan rather than the words Site Plan.
- The number of people engaged or employed in the designated business.
- The Planning Board's present regulations do not limit the number of people.
- Place on application space to print your name.
- A Home Occupation Application is not renewable. It must be reapplied for.
- One time permit. If business changes or conditions change then reapplication must be completed.
- The wording "if any conditions are violated will result in..."
- Any questioning of the applicant: his/her answers will appear in the meeting minutes

Mardean will rework the Home Occupation Application wording.

#### **ADJOURNMENT**

**The next meeting is the Board meeting, will be Wednesday, November 18, 6:30 pm at the Ashland Town Hall.**

With nothing more to come before the Board Fran Newton made a motion to adjourn. Carol Fucarile seconded the motion. The meeting adjourned at 9: 05 PM.

*Minutes submitted by Paula Hancock*