



Town of Hollis

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HOLLIS PLANNING BOARD MINUTES

February 20, 2024 – 7:00 PM Meeting - Town Hall Meeting Room

MEMBERS OF THE PLANNING BOARD: Bill Moseley, Chair; Doug Cleveland, Vice Chair; Julie Mook; Benjamin Ming; Virginia Mills; Jeffrey Peters; David Petry, Ex-Officio for the Selectmen; Alternate Members: Chet Rogers; Richard Hardy; Mike Leavitt.

STAFF: Kevin Anderson, Town Planner & Environmental Coordinator; Mark Fougere, Planning Consultant.

ABSENT: J. Peters, V. Mills, C. Rogers.

1. CALL TO ORDER – 7:00 PM. B. Moseley led the group in the Pledge of Allegiance.

B. Moseley stated that due to absences at this meeting, R. Hardy and M. Leavitt will be voting.

B. Moseley stated that, before the meeting goes any further, it has come to his attention that correspondence has been floating around accusing the Planning Board of being unfair and of doing things illegally in regard to public hearings. B. Moseley read from the Planning Board Handbook, provided to Board members, which references RSAs. Regarding Conceptual Consultation (RSA 676:4, II(a), (c)), the Handbook states “Although this discussion must take place at a public meeting of the planning board, notification of abutters and the general public is not required because the discussion is informal, and no plans or specific details are presented.” Regarding Design Review (RSA 676:4, II(b), (c)), the Handbook states “State statutes do not require either a public hearing or an opportunity for public comment during the design review phase.” B. Moseley stated that it has been our policy, on the Hollis Planning Board, that we always provide for public comment, or a public hearing, during conceptual consultation and during design review. In fact, on the Proctor Hill / Deacon Lane project, because it is so extensive, the Board has committed to more than one public hearing.

2. APPROVAL OF PLANNING BOARD MINUTES:

January 16, 2024: **Motion to approve** – motioned by D. Cleveland, seconded by R. Hardy; J. Mook and D. Petry abstained. Motion passed.

3. DISCUSSION AND STAFF BRIEFING:

- a. Agenda Additions and Deletions: none.
- b. Committee Reports: none.
- c. Staff Reports: none.
- d. Regional Impact: none.

46 4. SIGNATURE OF PLANS: none.

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49 5. CASES:

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51 a. **File PB2023:012 – Design Review:** New residential subdivision for 35 new residential homes on a new
52 road connecting Deacon Lane and Proctor Hill (Route 130). Owners: Raisanen Homes Elite, LLC.,
53 Applicant: Fieldstone Land Consultants, PLLC., Map 17 Lots 5, 8 & 9, Zoned: Rural Lands (RL).
54 **Design Review Continued – No Public Comment.**

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56 K. Anderson stated that this is a continuation of design review. The focus this evening will be to go
57 over the wildlife study and fiscal impact study which were submitted, and to go over some minor
58 revisions to the plan.

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60 Applicant: Chad Brannon, Civil Engineer with Fieldstone Land Consultants, for Raisanen Homes Elite,
61 LLC. Stated that he will be continuing the design review presentation for this project, a 35-lot HOSPD
62 development.

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64 B. Moseley asked to confirm that C. Brannon is a licensed professional engineer in the State of New
65 Hampshire, in good standing; C. Brannon stated that yes, he is.

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67 C. Brannon stated that they submitted revised plans on February 7th for consideration at this meeting.
68 Through development of the plans, they have received a fair amount of feedback from Staff, from the
69 Conservation Commission, and also from professional consultants such as the wildlife biologist. One
70 of the comments that came up from a number of parties had to do with what is referred to as Road B,
71 the spur road that traverses the site from east to west. The original plan showed it as a 1039 linear foot
72 road; one of the comments they received was that it was positioned into the wetland buffer quite a lot,
73 and they were asked to take a look at it further. As a result, they have submitted a revised plan which
74 shows Road B shifted to the north. They were also able to adjust the lot layouts slightly, and were
75 successful at locating the road primarily out of the wetland buffer. They were also successful in
76 removing a wetland impact on the western end of that roadway. As a result, the wetlands impact has
77 been reduced from 6430 square feet to 4190 square feet. They did not change the overall density of the
78 project; they are still at 35 lots. They did shift some of the lot lines along the northern section of the
79 roadway, and one lot got relocated off the end of the hammerhead turn-around on the west side. They
80 believe that these changes are a significant improvement. They were able to share the revisions with
81 the Conservation Commission at their last meeting, and everyone seemed to be in agreement that it was
82 a move in the right direction. They have also looked at the common driveway that would service three
83 lots to the south, about which they had seen some correspondence; the driveway would still meet all
84 slope, and cut and fill requirements. What they are working on right now is completing the stormwater
85 management design, and are hoping to submit that for the next deadline. They are also hoping that the
86 traffic study will be ready by the next deadline – that might be optimistic, as there is some
87 correspondence going back and forth with the State on it, but they are hopeful, and look forward to
88 discussing it with the Board as that has been a topic of much concern with a lot of associated questions.
89 The other material that they submitted for tonight's meeting is the fiscal impact analysis prepared by
90 Carol Ogilvie, dated January 31st, and a wildlife habitat inventory and assessment which was prepared
91 on February 2nd by Peter W. Spear, certified wildlife biologist with Natural Resource Consulting
92 Services. Unfortunately, Peter was not able to attend this meeting tonight as he is under the weather.

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94 B. Moseley stated that the Board would like P. Spear to attend a future meeting about this project; for
95 tonight, the Board may have questions for C. Brannon to convey to P. Spear.

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97 B. Moseley asked C. Brannon if he knew whether, in the course of P. Spear's work on the wildlife
98 review, he had any findings on if there was a better area than not for development. That is one question
99 that B. Moseley would like P. Spear to deal with. C. Brannon replied that in P. Spear's report, he does

touch on the notion that the plan does preserve the most important areas from a wildlife standpoint. To C. Brannon, that is another way of suggesting that the development is on the appropriate areas of the site. C. Brannon further stated that when they initially solicited services from P. Spear, they at the time had a conventional yield plan for the project. When they were able to share with P. Spear that the Planning Board had decided to move in the direction of a HOSPD, he was pleased with that style of plan, preserving the acreage along the Beaver Brook land area. He felt that that was a really good balance – but C. Brannon would want P. Spear to speak on that himself.

B. Moseley agreed that the Board would like P. Spear's first-hand perspective.

R. Hardy stated that he would like to ask P. Spear what he feels would be the ideal time to do a wildlife study. R. Hardy was intrigued that the Applicant thought they could do one in November and December, and still come up with an evaluation of all the critical areas. As an example, there is mention in the study of Fieldstone Land Consultants (FLC) observing a number of potential vernal pools, that they did sampling, egg masses, etc., but he did not see anything specific in this report. Normally, in scientific documents, details are specified. Also, P. Spear noted in the report that there were four other potential vernal pools – however, on the last map of the report, which does not have a page number, only two are located. We're short two to four potential vernal pools, and R. Hardy found it interesting that P. Spear noted those pools in the report, but without documentation, and that they're not on the map. R. Hardy stated that in his view the Applicant is going to have to continue the wildlife study, as, at this point, they cannot conclude anything. They obviously can't do dip-net studies at this time – the information is absent. He would be interested to see how we can continue the wildlife study so that it's possible to evaluate the impact not only on what the real wetlands are, as far as vernal pools, but also on the buffers. There is a lot of wetland in this area.

C. Brannon responded that his office, FLC, did the vernal pool inventory. There were no successful vernal pools on the property. There were four areas that had vernal-pool-like characteristics, but they were not successful vernal pools – meaning that they did not meet all the criteria. He is happy to provide the information and address those questions. He can have one of their wetland scientists – one of two that they had do that inventory – respond. C. Brannon stated that he thinks P. Spear's report indicates that he, P. Spear, looked at those areas and agreed that they had exhibited features that would make them of interest to explore, but that they also dry up even in wet years such as this one: so they wind up being a dead end for amphibians. The potential vernal pools have been documented, and he would be happy to show their locations. They're all in the open space areas. They were looked at for two seasons; FLC has been on this property for close to three years. They were evaluated in the appropriate spring conditions, when those areas are active, as required by the State.

R. Hardy stated that he would hope that such evaluations would have been included in P. Spear's report. C. Brannon stated that he believed they weren't as FLC did those services and not P. Spear, but he is happy to provide them. They can do a wetlands report, and touch on those findings. They are licensed to perform those services.

J. Mook stated that neighbors to this project have provided pictures of the Blanding's turtles, and she saw no reference to the species in the wildlife report. She'd imagine that having looked at the land in November would probably preclude seeing any of the turtle activity. She would like to have a four-season wildlife study done, not just of the vernal pools.

C. Brannon replied that he thinks it would be appropriate for P. Spear to address that question, but stated that he thinks P. Spear is not contesting that Blanding's turtles may pass through the site; in the report, he is speaking to habitat on the site itself. They don't winter on the property – there are no ponds on the property where they would be able to successfully winter. They have worked with P. Spear on a number of high-profile Blanding's turtle and spotted turtle sites; he is very familiar with what habitat they need, and where they would typically travel. It doesn't mean that they don't pass through the site, but it means that there is no habitat on the property which is exemplary for their

existence: and that is the key certification requirement that they have to meet to satisfy the State and Federal criteria that is necessary for permitting.

J. Mook stated that it still seems that it's worth putting more attention to the issue during the season in which the turtles would be visible – which is why she thinks that a multi-season study would be helpful. Additionally, talking with Fish and Game to understand what may or may not be helpful to these turtles in the way you manage the land, the way you attack the turf, could give further guidance in protecting the wildlife that passes through. She understands that the turtles can travel quite a distance from their homes, their water, to where they're going – but that is part of their life cycle, and she believes it's part of what needs to be protected. Whether or not it's written in the statute, she thinks we need to give it some consideration.

J. Mook also asked whether C. Brannon is prepared to incorporate the recommendations on resizing of the culverts into the plan. C. Brannon responded that yes, they will be embracing P. Spear's recommendations in the plan. It is very common to propose box culverts or widened culverts at an intermittent stream crossing, so that there is an improved ability for amphibians to traverse through that jurisdictional wetland area – and those are details that Fish and Game will be looking for, when they eventually give their review as well.

B. Ming seconded J. Mook's point – he had also questioned the matter of performing just one wildlife study, in the fall. B. Ming further stated that C. Brannon had touched on certification requirements in terms of showing whether the land was habitable to these animals, and asked whether there are any requirements regarding the movement of wildlife that also go into obtaining certification. C. Brannon answered that no wildlife report with which he has been involved on a local or State level for a private project would consist of tracing or tracking wildlife traffic. He is not a wildlife biologist, but what is looked at is the habitat: what is critical for them to exist on the landscape. The good part about this property is that there are thousands of adjacent acres that have those characteristics. The requirement for certification – and Fish and Game is the entity that does the certification for the permitting process – is that there can be no adverse impact to the existence of a threatened & endangered species. Any development has some form of an impact, but you try to develop the lands that are appropriate, and preserve the areas that aren't. He believes that P. Spear touches on that in his report, and suggests that this area of the site just doesn't have those habitat features: and so it is the appropriate area to develop. It doesn't mean that they don't pass through here during seasons.

B. Ming pointed out that we all see animals cross our driveways and roads, and asked whether there was any thought as to how surfacing of the ground would impact the animals being able to reach the bordering land to which they head as they pass through. C. Brannon replied that yes, Fish and Game will come out pretty frequently. They prefer no curbing; they prefer that, if you're going to have catch basins or closed drainage, that there be no sumps so that animals don't get trapped in the bottom of a drainage structure. There are a number of features – there are certainly erosion control measures that they're not allowed to use. There is a lot of feedback, which Fish and Game enforce.

As a follow-up, J. Mook asked whether there are habits that these turtles have that go above and beyond the pools where they feed. Are there travel habits that we can try to preserve? Is there a way to find out about habits they have, that we can ask to preserve, to increase the probability that they don't get run over, or killed during building and general land disturbance? C. Brannon stated that he thinks that would be a good question for P. Spear.

K. Anderson stated that P. Spear is on a list that our Hollis Conservation Commission created about ten years ago – he was an elected wildlife biologist that the Town accepted, who met whatever criteria they had at the time. The list is in need of updating, but he was on the list, which did have some vetting.

B. Moseley also pointed out that it is within our jurisdiction to request a peer review, should the Board decide to do so.

D. Cleveland concurred with J. Mook, B. Ming, and R. Hardy's points. He agrees that the wildlife study needs to be continued; there is more work that needs to be done in that area.

D. Petry asked when this site was most recently logged. C. Brannon stated that it was logged prior to their client purchasing the property – he thinks it was probably ten years ago. The previous owner did the logging. D. Petry stated that it's his understanding that when there is an intent to cut of that magnitude, a wildlife inventory/report is required. We need to get ahold of those records. He is concerned that that logging operation might have impacted some of what we're talking about. There is a provision in our Rural Character Ordinance stating that after logging occurs we can require restoration. Depending on what comes out at the Board's next meeting, which will include P. Spear, we may be considering that a wildlife corridor be established.

M. Leavitt concurred with B. Ming and J. Mook's points.

K. Anderson stated that Staff had had a number of comments, many of which have now been addressed. He stated that when P. Spear is present, he should touch on how he identifies the habitats for endangered species, and how he is able to do it during November and not throughout the year. That is going to be very important not only for the Board, but for the residents of Hollis.

K. Anderson stated that in a number of locations in P. Spear's report, he talks about 'the recent cut of logging', and tree re-growth. He mentions that the logging has pushed the deer away – so there are no deer wintering habitats. K. Anderson would like more information about the logging. The recent logging was that the proposed roads themselves were done. Approximately ten years ago there was a selective cut of the entire parcel. Which logging operation is P. Spear referring to that has caused an interruption in the wildlife migration and flow?

K. Anderson mentioned that in P. Spear's report he comments that a lot of this habitat wouldn't support turtles ever. That is a bold statement, which P. Spear might explain further. Residents are finding turtles, so there seems to be a misunderstanding.

C. Brannon responded that he thinks P. Spear is speaking to the fact that no turtles have been observed during the course of FLC's activities on site for the last couple of years. It doesn't mean that they don't exist on site – that is certainly a misunderstood assumption. There is prime habitat in the Beaver Brook area; it doesn't mean that they're not traversing through the site to get there.

Another comment that K. Anderson had is that the report seems to talk a lot about surrounding properties, rather than focusing on this property. Beaver Brook is a valuable resource, but this is the parcel we're talking about. We want to know about how what is happening on this parcel is affecting the wildlife on this parcel.

K. Anderson also mentioned that there are three proposed lots, 21, 22, and 23, to the south, on a shared driveway, that traverse a wetlands and have a substantial buffer impact. He would like P. Spear to weigh in on that. There should be positives in regard to the location of these lots and driveway, how they're constructed; he might have some comments on construction practices. But what are the negatives? What are we impacting? Is this a wildlife travelway that is going to be impeded? This seems to be one section that bisects a wildlife corridor which follows the wetland. This wetland basically runs west to east, and is being bisected by the shared driveway. Of all the impacts to the wildlife areas, that seems to be one of the most significant. It's in the wildlife corridor.

M. Fougere concurred with K. Anderson's points. Regarding the vernal pool analysis, he said that a separate report should be submitted – if the FLC specialists did an analysis, having a report detailing their findings, photos that they took, essentially certifying that based on their analysis over two years that those four sites don't meet the criteria for a vernal pool and why – would be helpful.

K. Anderson suggested getting a wetlands report, which would include an evaluation of the wetlands and the potential vernal pools. M. Fougere agreed.

M. Fougere added that this is a large project, which is going to require an alteration of terrain permit from the State, it's going to require a wetlands permit because of its impact, and because of those two items it's going to kick in a Fish and Game review. The State is going to be heavily involved in this project as it moves forward. There will be others looking at P. Spear's report, at the wetlands report; even if we bring in someone, State officials are also going to be weighing in on the details of this.

B. Moseley asked if Staff had any preliminary comments on the fiscal report which was submitted. K. Anderson stated that he thought it was very well-prepared; it does show the impacts that this development will have, positive and negative. There will obviously be an impact on Fire, Police, EMS services. The impacts were aligned with dollar amounts. Ultimately, there will be taxes being paid on this – so it's a positive outcome, which was expected, but it's nice to see each of those steps evaluated in the report: DPW, roads, schools ... it was a very thorough report.

M. Fougere added that he helped to introduce the author of the report to some of the Staff in Town, and went with her on a few of the visits with Staff, including with the Superintendent. The school data in the report is from roads that M. Fougere selected, as he wanted to see the difference between some of our older developments in Town and the newer ones. It was interesting to see that the school impact is actually higher from the newer developments than the older ones.

C. Brannon concurred that the fiscal impact study shows a net positive, with this development – it would be about \$530,000 in the positive. He thought that there were pretty conservative assessments of all of the fees, and felt that the report was clear.

R. Hardy agreed in that he thought the report was well prepared, and in a good format.

J. Mook asked about a statement on page 5 of the report: "Impacts on the highway budget are expected to be minimal, given that the internal roads are proposed to be privately owned and maintained, and that any required offsite traffic or roadway improvements would be addressed during the planning process." What internal roads are being referenced – the driveways, or the actual streets?

C. Brannon responded that the internal roads would be public, but that he thinks the author of the report takes a measure per linear feet of road, and creates a dollar value – and then multiplies that by the length of proposed road to come up with a cost. M. Fougere added that he thinks that the reference must be to the driveways. C. Brannon concurred.

J. Mook then asked what is meant by "the internal roads are proposed to be privately owned and maintained". M. Fougere stated that he is unsure, but later in the report the author takes into consideration that there is going to be 4000 feet of road. He will follow up with the author about it; it might just be a misstatement.

D. Petry concurred that we need to follow up on a clarification regarding the roads. D. Petry also asked whether both the Fire Chief and Police Chief actually agreed with the report's estimated annual calls. M. Fougere stated that the report got the estimates from them. D. Petry stated that they seem kind of low. Our experience lately has been that there are a lot more calls than that.

M. Leavitt stated that his only question had already been touched on by Staff – he had wondered how the numbers in the fiscal report compare to similar developments; it sounds like this is what we would expect. Staff agreed. M. Fougere stated that there is a cost to all development. K. Anderson stated that one would expect there to be a net benefit in the end, because you establish your taxes based on your needs – so you're going to be able to cover it.

The Board in general felt that the fiscal impact study was well constructed.

M. Fougere stated that Staff will summarize the Board's comments for FLC. The letters received from abutters, in regard to wildlife, have also been submitted to FLC, and will be shared with P. Spear.

D. Petry asked Staff whether we have yet reached out to the State about this development's proposed entrance onto Proctor Hill Road / Rt. 130. K. Anderson responded that he is deferring that until a traffic report is done, to see how it's analyzed. D. Petry stated that we might want to reach out to them about it, separately. He doesn't want to go too far down the road with this proposal if there are going to be some concerns from the State, because that is not a good entrance, onto Proctor Hill. It doesn't matter how you design it, or where you come in – it's just a bad intersection.

C. Brannon stated that they are awaiting the traffic report. Their traffic consultant is in communication with DOT. Their consultant is Jason Plourde, with VHB. B. Moseley asked whether the consultant has done similar work in this Town previously. C. Brannon said yes, they've done work everywhere. They're a very qualified firm.

D. Cleveland asked when the Applicant would expect to hear from the traffic consultant. C. Brannon replied that he hopes to have something by the Board's next meeting. It's an interactive process, and very thorough. If the study isn't ready by the next deadline, it most certainly will be for the following one. DOT has been short-staffed; it's been difficult to get people to commit to sitting down and talking about details.

C. Brannon stated that they would respectfully like to request to be continued to the Board's next meeting, March 19.

Motion to continue File PB2023:012 Design Review to the Board's next meeting, March 19th, 2024
– motioned by D. Petry, seconded by D. Cleveland; motion passed unanimously.

6. OTHER BUSINESS:

a. 2024 Zoning Amendment Voters Guide

B. Moseley stated that he must take responsibility – due to activities last month he is still catching up, and has not had a chance as yet to adequately review the materials submitted by Staff, so we will not discuss them this evening.

ADJOURNMENT:

Motion to adjourn at 7:58pm – motioned by D. Cleveland, seconded by M. Leavitt; motion passed unanimously.

Respectfully submitted,
Aurelia Perry,
Recording Secretary.

NOTE: Any person with a disability who wishes to attend this public meeting and who needs to be provided with reasonable accommodation, please call the Town Hall (465-2209) at least 72 hours in advance so that arrangements can be made.