

HOLLIS CONSERVATION COMMISSION

Minutes of Public Meeting

September 16, 2020

Approved October 7, 2020

Regular Members: Tom Dufresne, Thomas Davies, Mark Post,
Alternate Members: Joe Connelly, Laura Bianco, Cheryl Quaine, Karen Bridgeo, James Plummer, David Werner
BOS Ex-Officio: Peter Band
Attendees: Joe Garruba; Bill Moseley, Planning Board Chair

Meeting was called to order at 6:59 pm.

PLANNING & ZONING CONCERNS, Joseph Garruba

J. Garruba asked to speak to the Conservation Commission in regards to two items which have recently come before the Planning Board (PB) for approval, a proposed Senior Housing Development off Silver Lake Road, and a proposed Gas Station on Route 111.

J. Garruba stated that the Senior Housing Development was located near the Cobbett Lane development, and is also south of a 14 acre Town Forest property; the property also abuts Witches Brook. The developer is asking for waivers to allow the construction of 50 age restricted Condominium units. In J. Garruba's opinion, there is a significant amount of steep slopes on the property.

Within the Subdivision Ordinance, Section IV.6 addresses open space requirements, and states that 5% of the buildable land must be set aside as "Open Space" with a minimum of at least 1 acre per every 16 house lots. This section also states that the Planning Board "may consult" with the HCC or the Recreation Commission in regards to the "park or playground" area. When J. Garruba calculates the supposed land acreage to which this is applicable, he derived either 1.8 acres or 3.13 acres, depending on the formula used. He felt that this would be a good opportunity for a Senior Center or other facility which might be used by older Town residents.

J. Garruba wished to bring this to the HCC's attention to make sure they were aware of this part of the ordinance. J. Connelly asked if this was applicable to all subdivisions. J. Garruba replied that there was no differentiation in the ordinance for housing types. J. Connelly asked if any PB liaison assigned to the HCC yet; T. Dufresne stated no. T. Davies asked if any stance rendered by the PB to date; T. Dufresne responded that it has not yet been received but it is still early in the review phase for the proposed development.

The second item that J. Garruba wished to bring forward is a proposed development on Runnells Bridge Road, or Route 111, in the southern part of Town. While there is no specific reference to consulting with the HCC on this matter, the proposal calls for the construction of a gas station with 10 pumps, a drive-through coffee shop, convenience and liquor stores, along with residential apartments on the site known as 82 Runnells Bridge Road (MBLU 005-028-001, 005-028-002, 005-028-003) for which subdivision was approved last year. The main reason for his concern is that the gas storage tanks will be sited within the aquifer, as shown on the Nashua Regional Planning Commission (NRPC) maps overlay. The overlay was created in 1987 and shows the location of the aquifer and the property location within that area.

The developer had commissioned a hydro-geological study, by Terracon, to determine the boundary of the Aquifer Protection Overlay Zone (APO). Requirements for this zone limit impervious surfaces to 15%. The PB hired independent geologists to review the study and report to the PB, which has been completed. J. Garruba was concerned that the PB may allow the property to be relieved of these requirements. This has not been done in Hollis ever, to the best of J. Garruba's knowledge. Private wells and agriculture depend on aquifers for water, and the failure of the Town to protect the aquifers may impact the rural character of Hollis. J. Garruba stated that he has additional information on both developments should HCC members wish to review.

J. Connelly asked where the aquifer was in relation to the map shown; J. Garruba explained that the property was on top of the aquifer, and explained the map legend. T. Dufresne stated that the NRPC maps are not precise; a true delineation of the aquifer has to be made by a geologist/scientist. Both the developer and the Town have hired such individuals, with Terracon stating that the property is not within the aquifer. Emory & Garret, the Town's independent geologist, recommended that test wells to be installed and inspected annually. T. Dufresne pointed out that Morin's landscaping, located across the street, received Town approval to install tanks at that site, which is in the aquifer, and already puts a huge risk on the aquifer. J. Garruba interrupted to state that the Morin installation was approved by the ZBA by variance due to hardship in order to replace an existing tank. T. Dufresne stated that with that approval, precedence had been set.

New tanks are not the same as 30 years ago, new tanks are double-walled with electronic leak sensors to inform sooner if a leak occurs.

J. Garruba felt that the key facts about the property related to the reports. He felt that the property was sited within the aquifer, and not near the aquifer boundaries. The ordinance speaks only to the process to remove a site from the APO, which is to first have a site specific soil survey done. If not acceptable to all parties, next would be to have a hydro-geologic study done, with the point of the study being to locate the aquifer boundaries. J. Garruba felt that this was not accomplished by the Terracon study; and further stated that within the study the first sentence relates to the need to find the APO boundaries, so they were aware of the objective at the beginning of the study. He feels that Terracon did not identify the APO boundary, they only identified a "value judgement." J. Garruba's conclusion is that the report doesn't meet the ordinance requirements for the protection of the APO.

J. Garruba continued that the independent review of the geologic study stated that of the 6 test wells, only 4 intercepted the water table. Additionally they determined that the rate of flowage was 18.45 feet per day, which is moderately high, as per the USGS average hydrological conductivity measurement for monitoring wells. The Terracon study did not provide ground water flow maps, and he would anticipate that a portion of the aquifer will migrate west towards the main body of the USGS aquifer to recharge the same. The conclusion is that the criteria was not applied and does not interpret the ordinance.

T. Dufresne commented that if this was the case, should no one be trusted? Terracon is putting their reputation on the line with these studies. J. Garruba stated that they were not hired by the Town, but by the developer, and did not locate the boundary, which is required by ordinance.

BOARD & COMMITTEE UPDATES

Planning Board – Bill Moseley

PB Chair B. Moseley was attending tonight's meeting to provide an update to the HCC, as a liaison has not yet replaced Cathy Hoffman after her resignation. B. Moseley stated that he is happy to provide an update and further information as the HCC requires whenever they deem necessary.

Current cases in front of the PB include the site plans which J. Garruba referred to, and both plans are currently under design review, which can be extended while issues are addressed. Studies are ongoing, and B. Moseley noted that he lives across the street from the Runnells Bridge Road site. The PB recognizes that it is a sensitive area, although not in the APO. The PB is anticipating that the independent contractor will meet with the PB at the appropriate time to answer questions and to provide guidance to the PB.

Other recent cases include:

North Pepperell Road LLR – the two property owners have requested that the plan be tabled temporarily as items are being worked out.

Tringoson Field property on Broad Street at intersection with Nartoff Road. A subdivision plan has been presented for the property, to subdivide into 4 lots, 1 of which will be on Nartoff Road. A wetlands crossings permit will be necessary for the Nartoff Road lot, as this has some wetlands. The developer will be keeping this lot for his own property. The other three lots on Broad Street are the field area, and the plan needs to be updated to include a portion of an old Class VI road that was abandoned by the Town many years ago.

T. Dufresne informed those present that the wetlands crossing plan will be presented to the HCC at the October 7th meeting. The engineer had requested that the HCC meet for a site walk at the property this coming Saturday, September 19, 2020, but this is difficult at such short notice, and T. Dufresne is unavailable. Members suggested October 4, 2020 at 10:00 am. T. Dufresne will speak with engineer and inform members when the date and time are determined.

Silver Lake Senior Condo development by Raisanen Homes Elite is in the early stages of design review; this was the first development that J. Garruba discussed. A plan had been presented to the PB, but the PB has requested that they come back with a plan that did not include any waivers. There are steep grades and a potential brook crossing. This requested plan is anticipated to be in front of the PB at their October meeting. No site walk has been held, Witches Brook will have a crossing; T. Dufresne noted that NH Fish & Game may want to be informed of this, due to the presence of brook trout. T. Davies asked, as the property is located off of Silver Lake Road, would the State be involved for driveway cuts, etc. The volume of traffic will probably increase substantially. B. Moseley explained that this is why the design review process is in place; so that the PB can review potential issues and request further information so that these issues can be resolved. The design review process does not have a time limit; once a plan is approved for final plans, there is a 62-day window

to approve or not by law. B. Moseley also noted that Mark Fougere, Town Planner, had written a memo to the HCC in regards to this plan.

B. Moseley also informed the HCC that the PB & the ZBA will be holding a joint workshop via Zoom to work on 2021 Ordinance changes on October 6, 2020.

Board of Selectmen – Peter Band

P. Band reported that at the September 14, 2020, the Selectboard awarded the Stefanowicz Lease to Brookdale Fruit Farms. This bid was the most comprehensive, and met the Town requirements. This will move forward to the negotiation phase, which should be concluded in time to have the lease contract signed at the beginning of November. The Selectboard accepted the Workgroup recommendation that HCC members be part of the negotiation team, with T. Dufresne and D. Werner as members.

P. Band noted that the Selectboard had also approved a total of \$95,000 in Land Use Change Tax bills, which is assigned to the HCC once paid.

T. Davies felt it was gratifying that a local, family-owned, agricultural farm had been awarded the lease. P. Band stated that much of the work over the past 3+ years had been done by the Workgroup, and he wished to recognize them for all their diligence and commitment to the Bid process and review. M. Post, C. Quaine, Jonathan Bruneau, and Dan Harmon all deserve to be recognized for their hard work.

T. Dufresne asked when the Brookdale bid will become public; M. Post stated that when negotiations are complete, all the documentation will be public.

Treasurer's Report – Thom Davies

T. Davies stated that although he requested an update, he had yet to receive one from the Finance Office. (Staff Note: It was later determined that this was due to an email issue, out of the control of the Finance Office. This is being addressed. CC)

NEW/CONTINUING BUSINESS

MOOSE PLATE GRANT PROPOSAL – Tom Dufresne

Due to a last minute cancellation from another Town, T. Dufresne was contacted by the Hillsborough County Conservation District (HCCD) to potentially apply for a Moose Plate Grant. He was able to work with them over a 6-day period to create a grant proposal for invasive species removal at the Ludwig Siergiewicz Farm, with the grant award of up to \$25,000.

T. Dufresne apologized to members about not informing them prior to the grant submission, but the deadline to submit was September 11, 2020. This grant will cover invasive plant mitigation via a contractor, if awarded. This can include stump and stone removal in order to access the areas. At this time, T. Dufresne has a bid for stump and other material removal of about \$20,000, and a bid of \$8000 for invasive species removal. These vendors do not have to be used, quotes were needed for the grant proposal. The grant award will be in March 2021, and any awarded funds have to be used by the end of 2021.

A brief discussion on the grant process occurred; T. Dufresne has a list of companies that address invasive species removal from NH Fish & Game.

B. Moseley and J. Garruba left the meeting at 7:39 pm.

Flower Bulbs and Reimbursement

J. Connelly has ordered flower bulbs from the Hillsborough County Conservation District, along trowels, as discussed at the last meeting. These will be distributed to the Hollis Upper and Primary Elementary Schools. J. Connelly will pick-up and deliver when received.

T. Davies motioned to authorize reimbursement for the costs of bulbs and trowels by J. Connelly, as discussed, not to exceed \$350.00; seconded by T. Dufresne. All members voted in favor, none opposed or abstained, and the motion for reimbursement carried by a vote of 9-0-0.

NON-PUBLIC SESSION

T. Dufresne motioned to enter into Non-Public session to discuss potential land acquisition under RSA 91-A:3, II (d); seconded by M. Post. T. Dufresne polled the members, all those present voted to enter into Non-Public session by a vote of 9-0-0. The HCC entered into Non-Public Session at approximately 7:40 pm.

179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199

RETURN TO PUBLIC SESSION

T. Dufresne motioned to conclude the Non-Public session and to keep the minutes sealed until voted by the HCC to release, seconded by T. Davies. T. Dufresne polled the members, all members voted to conclude the Non-Public session and keep the minutes sealed by a vote of 9-0-0. The HCC concluded Non-Public Session at approximately 7:55 pm.

MINUTES

T. Dufresne made the motion to accept the public minutes of the September 2, 2020 meeting as written; seconded by J. Connelly. All members voted in favor, none opposed or abstained, and the minutes were approved by a vote of 9-0-0.

M. Post asked if the well monitoring reports from the Morin Landscaping property were received and by who? T. Dufresne will check with PB Staff and find out.

ADJOURNMENT

T. Dufresne motioned to adjourn the meeting, seconded by M. Post. All members in favor, none opposed, and the motion carried by a vote of 9-0-0. The meeting adjourned at 8:03 pm.

Respectfully submitted,
Connie Cain
Staff