

HOLLIS PLANNING BOARD MINUTES

July 17th, 2018

FINAL

PLANNING BOARD MEMBERS PRESENT: Bill Moseley, Chairman; Doug Cleveland, Vice Chairman; Cathy Hoffman, Jeff Peters, David Petry, Ex-Officio for Selectmen; Alternates: Ben Ming and Rick Hardy

ABSENT: Chet Rogers, Brian Stelmack, Alternate Dan Turcott

STAFF PRESENT: Mark Fougere, Town Planner; Kathie Donnelly, Interim Assistant Planner

1. CALL TO ORDER: 7:04 pm

The Chair appointed B. Ming to vote in place of B. Stelmack.
The Chair appointed R. Hardy to vote in place of Chet Rogers.

2. APPROVAL OF PLANNING BOARD MINUTES:

D. Cleveland made a motion to approve the Planning Board Minutes of the June 19th 2018 Site Walk. C. Hoffman seconded the motion. All in favor; none opposed; J. Peters abstained.

D. Cleveland made a motion to approve Planning Board Minutes of June 19th 2018. C. Hoffman seconded. All in favor; none opposed; J. Peters abstained.

3. DISCUSSION AND STAFF BRIEFING:

- a. Agenda additions and deletions – None
- b. Committee Reports – None
- c. Staff Report – None
- d. Regional Impact – None

4. SIGNATURE OF PLANS:

None

5. HEARINGS

File PB2018:006: Design review: Major subdivision of an existing 28.5 acre lot into six new lots, with access to three lots via a private way. Applicant/owner: Linda & Richard Lovering, Jr., 50 Pine Hill Road, Map 25, Lot 4, Zoned Residential/Agricultural. Tabled from June 19th.

M. Fougere provided an update on this project, stating that the Site Walk was done last month, and the Board was able to view the proposed site for the entrances and the proposed location of the cistern. M. Fougere said that Dennis LaBombard has received the drainage report but has not yet been able to complete his comments for the Board. Doug Gagne has completed a review of the preliminary landscaping report, copies of which have been provided to the members of the Board. This is a challenging project in terms of the Hollis Rural Character Preservation Ordinance (HRCPO because of the stone walls in the front. Mr. Gagne does not believe the current plans for plantings are sufficient to meet the requirements of the HRCPO. He also believes that the lots should

49 be set back as far as possible. Studies to be considered include environmental, wildlife,
50 visual, and historic.

51

52 Cynthia Boisvert of Arago Land Consultants approached the podium representing the
53 applicant. She stated that there are no changes to the proposed configuration of the lots
54 and then addressed the issue of preservation of the rural character of the lot. She
55 pointed out the location of a barn on Map 25, Lot 4. She also indicated the location of
56 the wetlands buffer line at the edge of the tree line and told the Board that the setbacks
57 are over 100 feet for all of the proposed lots. If moved further back, the homeowners
58 would lose backyard space. Ms. Boisvert noted that Mr. Gagne recommended more
59 shrubs and trees for screening, placed in random clusters, not rows. She described how
60 the current plan directs the eye to the meadows. She does not recommend rebuilding
61 the stone walls because linear footage would probably be lost and the cost for rebuilding
62 the wall would be \$100,000.

63

64 C. Hoffman asked if sections of the stone wall would be removed for the driveways.

65

66 Ms. Boisvert said that they would.

67

68 D. Petry stated that the Board would take Ms. Boisvert's comments under advisement,
69 but since Mr. Gagne is their consultant, they would be apt to heed his
70 recommendations. He added that a lack of questions from Board members is not
71 necessarily an indication of their agreement.

72

73 Chair Moseley presented the issue of waiving the Hollis Open Space Planned
74 Development (HOSPD).

75

76 M. Fougere stated that he believed there was a consensus to waive the HOSPD.

77

78 Ms. Boisvert stated that there was no way to configure five additional lots under
79 HOSPD.

80

81 D. Cleveland made a motion to waive the HOSPD requirement. C. Hoffman seconded
82 the motion. All in favor; none opposed. R. Hardy and J. Peters abstained.

83

84 M. Fougere asked if the Board members wished to request environmental, wildlife,
85 visual or historic studies.

86

87 R. Hardy and J. Peters indicated that the most important aspect of this development is
88 the visual.

89

90 J. Peters stated that they should look into moving the front stone wall in front of the
91 landscaping.

92

93 Chair Moseley asked the Board members to offer some guidelines for the visual study.

94

95 R. Hardy said that they should have a visual study of various locations for the homes to
96 analyze the impact on elevation of the height and types of homes, as well as the size and
97 placement of shrubs and trees. He asked about a non-disturbance area for the stone
98 walls in the back and what size it should be.

99

100 Ms. Boisvert asked if the movement of the stone wall in the front could be the
101 responsibility of the homeowners as the lots are sold and developed.
102
103 D. Petry responded that this should be a responsibility of the developer.
104
105 J. Peters said that the stone wall should be rebuilt all at once, not by each owner as they
106 come in.
107
108 M. Fougere suggested placing wetland buffer signs.
109
110 C. Hoffman responded that she would check with the Conservation Committee
111 regarding wetland buffer signage tomorrow evening at their meeting.
112
113 Chair Moseley stated that they would take up the visual study and the results of the
114 drainage study at the next meeting.
115
116 D. Cleveland made a motion to table this item until the August 21st, 2018 meeting. D.
117 Petry seconded the motion. All in favor; none opposed.
118
119 **File PB2018-010: Design Review.** Three lot subdivision. Applicant/Owner Team
120 Yarmo Investments, 82 Runnells Bridge Road, Map 5, Lot 28. Tabled from June 19th.
121
122 M. Fougere stated that there was a letter from an abutter in the Board members'
123 packets. He said that the applicant has indicated that this property is not in the Aquifer
124 Protection District. The Town's environmental consultant, Emery & Garrett, has been
125 retained to review this conclusion.
126
127 Chris Guida of Fieldstone Land Consultants approached the podium, representing
128 Yarmo Investments. He stated that the dwelling on this lot is vacant and the various
129 small sheds are to be torn down.
130
131 J. Peters asked about the private way.
132
133 Mr. Guida said that this road was discontinued by the Town. He said that there is an
134 existing 50-foot right of way that cannot be disturbed.
135
136 R. Hardy asked about the driveway permit.
137
138 M. Fougere explained that any changes in usage require amended State driveway
139 permits.
140
141 R. Hardy raised the issue of screening for the condo units in the back. He said the
142 Board should be proactive regarding the third lot.
143
144 M. Fougere said that the back of the site can be reviewed during the Site Walk.
145
146 D. Petry made a motion to table this item until the August 21st, 2018 meeting. C.
147 Hoffman seconded the motion. All in favor; none opposed.
148

149 A Site Walk scheduled for today at 5:00 pm was cancelled due to inclement weather and
150 was rescheduled for Saturday, August 18th, 2018 at 8:00 am. The rain date is Tuesday,
151 August 21st, 2018 at 5:00 pm.
152
153 Mr. Rockwell asked to address the Board, saying that he was not notified about the
154 public hearing on this application.
155
156 Chair Moseley told Mr. Rockwell that the public hearing was closed at the last meeting
157 and that his home was not a direct abutter. He informed Mr. Rockwell that there would
158 be another public hearing for the next phase of this application and that anyone can
159 write a letter or send an email to express concerns and that information would be read
160 into the minutes.
161
162 **File PB2018-011: Site Plan:** Site plan for the establishment of a sales and services
163 establishment and construction of a 3,000 square foot building. Applicant: Leo & Rita
164 Cormier; Owner: Kenny Family Trust; 451 Silver Lake Road. Tax Map 46, Lot 5; Zoned
165 Residential/Agricultural and Agricultural/Business. **A.A. June 19th; Tabled from**
166 **June 19th.**
167
168 M. Fougere stated that revised plans for this project are in the Board members' packets.
169 He said that the applicant has engaged a civil engineer to look at drainage on the
170 property. For decades the area has been used as parking for the Flea Market, so it is
171 designated as impervious. The proposed plan has less impact than the current usage
172 because it is less impervious. He said that the abutter's request for a rehearing on the
173 variance was denied by the ZBA.
174
175 Reggie Ouellette approached the podium, saying that he was representing Leo Cormier.
176 He said that the revised plan recently submitted has a major change in that it eliminates
177 bringing in additional gravel. Test pits have been evaluated and soil tests conducted. He
178 said that the existing surface is suitable for Mr. Cormier's purposes. It is permeable and
179 well-drained. This eliminates some of the drainage review. The requirement is no more
180 than 15% impervious area; these plans have 16.4% impervious area, so the applicant
181 would like a waiver of the 1.4%. He said it was his understanding that up to 30% can be
182 waived.
183
184 M. Fougere said that the 30% waiver applies only to industrial areas, but this is not an
185 issue here. If the Board wishes, verbiage could be added, saying that the open space
186 needs to remain open.
187
188 Mr. Ouellette said that the applicant would like to remove large pine trees which are a
189 danger to the new storage building. He wishes to keep the screening trees on the rear
190 line east side, except for the removal of two for an entrance. He stated that the revised
191 plan relocates the building to be a defined distance from the existing home.
192
193 Chair Moseley asked about the volume of petroleum products which will be on the site.
194
195 Mr. Ouellette responded that there would never be more than 55 gallons on the site.
196
197 Chair Moseley said that the Board could look at the stockade fence at the back of the
198 property during the Site Walk.
199

200 M. Fougere said that the north side is heavily vegetated; this can be checked during the
 201 Site Walk.
 202
 203 D. Cleveland made a motion to table this item. D. Petry seconded the motion. There
 204 were none opposed; the motion carried.
 205
 206 A Site Walk scheduled for today at 5:45 pm was cancelled due to inclement weather and
 207 was rescheduled for Saturday, August 18th, 2018 at 8:45 a.m. The rain date is Tuesday,
 208 August 21st, 2018 at 5:45 p.m.
 209
 210 **Scenic Road Hearing:** Tree trimming and removal on Richardson Road, Rideout
 211 Road and Wright Road; Eversource. Per RSA 231:158.
 212
 213 M. Fougere stated that a public hearing must be held for the removal of trees on scenic
 214 roads, per RSA 231:158.
 215
 216 Rick Sullivan, an Arborist for Eversource, approached the podium. He stated that plans
 217 call for the removal of three pine trees at 167 Rideout Road and one maple tree at 189
 218 Rideout Road. He said that every four years, trimming is done to reestablish the
 219 clearing they had four years prior. Abutters received notification letters and may request
 220 a consultation. For removal of trees, a signed consent form is required.
 221
 222 D. Petry expressed concern, particularly about trimming on Richardson Road where
 223 they have had complaint calls in the past. He wanted assurance that they would not
 224 remove all branches on one side of a tree or create a “V” shaped opening in the middle of
 225 a tree. He said it needs to be clear what is meant by trimming because there is no way to
 226 fix a problem after the fact.
 227
 228 Chair Moseley stated that, in his experience, they have been good about explaining what
 229 they plan to do. He asked Mr. Sullivan about cleanup after the trimming.
 230
 231 Mr. Sullivan responded that cleanup is usually done the same day. If there are logs, it
 232 might take a bit longer to bring a log truck to the area.
 233
 234 M. Fougere said that he believed the logs can be left if the abutter wants them.
 235
 236 Chair Moseley opened the Public Hearing.
 237
 238 There were no comments from the public.
 239
 240 Chair Moseley closed the Public Hearing.
 241
 242 C. Hoffman made a motion to approve this item and forward it to the Board of
 243 Selectmen. J. Peters seconded the motion. All in favor; none opposed.
 244
 245 **Other Business:**
 246 • **Rules of Procedure**
 247
 248 Chair Moseley referred to Section G, #16, saying that the highlighted section was added
 249 after the last meeting. Section #16 allows the public to address the Planning Board at the

250 end of a regular meeting, with a ten-minute limit for each speaker and following the same
251 guidelines as any other presenter.
252
253 D. Petry stated that he thinks #16 is a mistake. In 30 years this has only been an issue once,
254 and it would create extra work and extra controversy. Although the Board of Selectmen
255 allows public comment at the beginning of each meeting, they have a different purpose.
256
257 D. Cleveland said that he understands what this tries to accomplish but is concerned about
258 the possibility that ten people will each talk for ten minutes.
259
260 J. Peters suggested limiting the number of such speakers allowed at each meeting to two.
261
262 C. Hoffman suggesting a limit of one speaker per meeting.
263
264 R. Hardy said that if it doesn't work out, they can change it. He does not believe it will be a
265 problem.
266
267 M. Peters made a motion to accept Section G, #16 as an addition to the Rules of Procedure.
268 D. Petry seconded the motion. All in favor; none opposed. D. Petry abstained.
269
270 Chair Moseley next referred to Section G, #6 regarding members recusing themselves from
271 acting on cases.
272
273 J. Peters said that a member who has missed part of a discussion should be allowed to join
274 in part way through.
275
276 Chair Moseley stated that he realizes that members have many ways to inform themselves
277 on issues under discussion.
278
279 D. Petry said that recusal is a personal decision.
280
281 D. Petry made a motion to approve this change to the Rules of Procedure. J. Peters
282 seconded the motion. All in favor; none opposed.
283

284

285 • **Summary of 2017**

286

287 Chair Moseley stated that this summary fulfills the requirement to hold a work session to
288 discuss events of the past year and set goals and priorities for the upcoming year (Section G,
289 #10). He began with a review of last year. He said that they completed the following items:

290

- 291 • Twelve meetings
- 292 • Four Site Walks
- 293 • Eight site plan reviews
- 294 • Four minor subdivisions
- 295 • Four conceptual applications
- 296 • Three lot line locations
- 297 • One design review
- 298 • Two major subdivisions

299

300 Goals set for the upcoming year include these: update of the Master Plan, presentation of
301 zoning ordinance changes at the Town Meeting, and a farm stand definition.

302

303 M. Fougere said that the Agriculture Committee has been contacted regarding the farm
304 stand definition. The plan is to begin work on this early to avoid a deadline crunch.

305 • **Landscape Maintenance Guidelines**

306

307 M. Fougere stated that he asked Doug Gagne to put together a Standard Operating
308 Procedure (SOP) for landscaping maintenance. This would be a required on landscaping
309 plans and would be in the note section of site plans and subdivisions. This formalizes the
310 process and will help with enforcement.

311

312 R. Hardy noted that it is comprehensive and well-done.

313

314 M. Fougere said that a public hearing on these guidelines would be on the agenda for the
315 next meeting.

316 • **Winterberry Way Farm Stand**

317

318 M. Fougere asked for clarification regarding the stipulation of ‘no open houses.’ He said
319 that the Nashua Garden Club is planning to visit the Winterberry Way Farm Stand and the
320 home of the owner. Since this is a business open to the public, it is unclear if this visit from
321 the Nashua Garden Club would constitute an open house.

322

323 D. Petry noted that there are only ten parking spaces, so the number of attendees would be
324 limited.

325

326 D. Cleveland made a non-debatable motion to adjourn at 9:13 pm. C. Rogers seconded the
327 motion. All in favor; none opposed.

328

329 Respectively submitted by,

330

331

332 Kathie Donnelly

333 Interim Assistant Planner

334 Town of Hollis, NH