

# HOLLIS PLANNING BOARD MINUTES

June 19th, 2018

“Final”

**PLANNING BOARD MEMBERS PRESENT:** Bill Moseley – Chairman, Doug Cleveland – Vice Chairman, Cathy Hoffman, Chet Rogers, Brian Stelmack, and David Petry, Ex-Officio for Selectmen; Alternates; Ben Ming and Rick Hardy

**ABSENT:** Jeff Peters, Alternate Dan Turcott

**STAFF PRESENT:** Mark Fougere, Town Planner; Wendy Trimble, Assistant Planner

## 1. CALL TO ORDER: 7pm

The Chair appointed B. Ming to vote in place of J. Peters.

## 2. APPROVAL OF PLANNING BOARD MINUTES:

D. Cleveland made a motion to approve Planning Board Minutes May 15th 2018. C. Hoffman seconded. All in favor none opposed.

D. Cleveland made a motion to approve Planning Board Minutes May 29<sup>th</sup> 2018. C. Hoffman seconded. C. Rogers, B. Stelmack, B. Ming, D. Petry and R. Hardy abstained. All in favor none opposed.

## 3. DISCUSSION AND STAFF BRIEFING:

- a. Agenda additions and deletions – 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/Agriculture. **Tabled to July 17<sup>th</sup> 2018**
- b. Committee Reports – None
- c. Staff Report –None
- d. Regional Impact – None

## 4. Signature of Plans:

PB2018-003 – Minor Farm Stand (Laromay Lavender) site plan amendment to add a 192 sq ft shed to the property in order to sell lavender and related items. Applicant/owner Patricia & William Carew, 4 Winterberry Way, Map 26 Lot 58.

C. Hoffman made a motion for the Chairman to sign plan for above application. D. Cleveland seconded. All in favor none opposed.

PB2018-007 – Site plan for a change of use to operate a Karate Academy (former use was a school) Owner Technology Garden, LLC Applicant Neil Stone Karate Academy, 22 Proctor Hill Road, Map 52 Lot 12

C. Hoffman made a motion for the Chairman to sign plan for above application. D. Cleveland seconded. All in favor none opposed.

PB2018-008 – Site plan to expand existing business by 1,620 sq ft within existing structure, Applicant Mavericks Stitch and Screen, Nathan Moreau, Owner Thomas Walton, 265 Proctor Hill Road, Map 11 Lot 8

51 C. Hoffman made a motion for the Chairman to sign plan for above application. D.  
52 Cleveland seconded. All in favor none opposed.

53

54 PB2018-001 – Site plan amendment for a change of use from a bank to a bakery/café and  
55 enclose former drive thru area, 9 Market Place Hollis. Applicant: Michael Buckley Owner  
56 Buckley-Hollis LLC, Map 52 Lot 39-09

57

58 C. Hoffman made a motion for the Chairman to sign plan for above application. D.  
59 Cleveland seconded. All in favor none opposed.

60

61 PB2017-021 – Cobbett Lane – Site Plan application for the construction of a 52 unit  
62 “housing for Older persons” development on a 30.8 acre site, Applicant/owner Raisanen  
63 Homes, Inc, Map 52-50, Cobbett Lane, Zoned R&A Residential Agriculture. The plan will  
64 only be signed once all conditions have been completed.

65

66 C. Hoffman made a motion for the Chairman to sign plan for above application. D.  
67 Cleveland seconded. All in favor none opposed.

68

69 **5. File PB2018:010: Design review** Three lot subdivision Applicant/Owner Team  
70 Yarmo Investments 82 Runnells Bridge Road Map 5 Lot 28 **Public Hearing**

71

72 M. Fougere explained this plan outlines a proposed 3 lot subdivision of an existing 4.2 acre  
73 lot fronting on Runnells Bridge Road, NH Route 111. The plan proposes one front lot and  
74 two back lots serviced by a private way. The Lots will be 1.15, 1.5 and 1.5 acres respectively;  
75 all lots meet area and building box requirements. No site development plans have been  
76 submitted at this time.

77

78 Issues include:

- 79 - Lot numbers should include parent lot number 28.
- 80 - All pins must be set prior to recording.
- 81 - Private way easement and maintenance documents shall be required. Private
- 82 way construction detail required, including any drainage improvements.
- 83 - How will the Rural Character Ordinance be complied with?
- 84 - Fire Department input on fire protection needed.
- 85 - NHDOT driveway permit and NHDES subdivision permits required.
- 86 - All utilities must be underground.

87

88 C. Guida, Fieldstone Land Consultants approached the podium to represent the applicant  
89 Team Yarmo Investments. He agreed with M. Fougere staff report and added that it is  
90 currently zoned Commercial which requires a minimum front lot size of 1 acre with  
91 minimum lot frontage 200ft. Back lots are minimum lot size 1.5 acres with minimum 20  
92 foot frontage. The applicant would like to subdivide into 3 lots and the actual use has not  
93 yet been determined. Test pits have been done with good soils and there is no jurisdictional  
94 wetlands onsite per inspection. They propose one driveway entrance from Runnells Bridge  
95 Road and a NHDOT permit will be required. The driveway will access all three lots. There  
96 is currently a residential one storey property in the back of the lot that is being rented.

97

98 D. Cleveland asked what possible types of commercial use are being considered. C. Guida  
99 said it was too early to say adding the residence on lot 3 may turn into commercial also.

100

101 B. Moseley asked if they were on an aquifer. C. Guida said they were just on the edge of an  
102 aquifer and the application had done and would submit tonight to the Planning Board a  
103 Hydro geological analysis report completed by Terracon. The objective of this report was to  
104 evaluate if a precise boundary of the Hollis Aquifer Protection Overlay Zone could be  
105 determined. See report for findings as these were not discussed at the meeting.  
106  
107 C. Guida asked if the Planning Board would consider this application going to final  
108 application.  
109  
110 B. Moseley opened the Public hearing.  
111  
112 Christine Ferman, 35 Terrell Lane asked how this was going to impact where she lives. M.  
113 Fougere showed her on a map where she lived in relation to the proposal. She observed  
114 there would be little to no impact.  
115  
116 Mark Baril, 78 Runnells Bridge Road approached the podium. He lives in the property next  
117 door. He stated he has had multiple conversations with the owner and he is surprised to see  
118 the proposal dividing it into 3 lots. He is not opposed to anyone improving the property  
119 however he is opposed to the density. The main problem is traffic and the entrance/exit  
120 onto Runnells Bridge Road. It is an already difficult corner with no visibility. He added it is  
121 a difficult to comment too much as he is not sure what type of business will go in there. He  
122 also stated that the owner had made him an offer on his property and said he should take it  
123 as the value of his property would go down. He asked the board to consider the traffic,  
124 drainage and access.  
125  
126 Alice Mann, 98 Runnells Bridge Road approached the podium. She is concerned about the  
127 density and asked if the acreage was correct. She is also concerned about the traffic with an  
128 entrance onto Rt111. It is a bad curve and she asked if they had any idea what businesses  
129 would be going in there. She is also concerned about how to stop people using Pinola Drive.  
130  
131 Dan Turcott, 84 Ranger Road approached the podium. He asked about the residential  
132 property on lot 3 and is that still being used as a residence and would it make sense to  
133 reduce it to below the minimum residential standard even though it is in a commercial  
134 zone.  
135  
136 Paul Armstrong, 3 Clinton Drive approached the podium. He agrees with those that have  
137 spoken before him. The curve in Runnells Bridge Road has a very short sight distance. He  
138 explained that every afternoon coming out of Clinton Drive between 3:30 – 4pm there is at  
139 least 10 cars waiting to get out onto Runnells Bridge Road. The flow of traffic does not make  
140 it easy to pull out turning left. He cannot imagine how more traffic will impact this road.  
141  
142 Brendon Yarmo, 218 Federal Hill Road approached the podium. He is the owner of this  
143 property and he would like to answer a few questions. The main concern appears to be the  
144 visibility and he has talked to the State and there is 150 feet of clear visibility. At this stage  
145 he explained they are staying within all the parameters of a commercial zone. He bought the  
146 property to develop or subdivide it. He has some interested parties. One wants to buy the  
147 back two lots, one for his in-ground pool business and the middle lot for offices. There has  
148 been some discussion about the front lot being used for a Dunkin's. There is nothing set in  
149 stone at this stage. He has owned it for over 3 years and has gone over every option  
150 available. He did talk to the abutter, Mark Baril about buying his lot too. He has spent a  
151 lot of money doing the Hydrogeologic Report. The conclusion was that his property is not  
152 on an aquifer. He has decided to submit a plan to subdivide it rather than have it as one lot,

153 and they will all use the same access. All the detail will be on a site plan application. The  
154 state will force them to do a traffic survey and maybe widen the road, install light etc. This  
155 does offer the Town of Hollis more commercial opportunity. This submission is basic to get  
156 a design ready and to hear all the concerns.

157  
158 C. Rogers asked if he has had the state walk the line of sight. B. Yarmo said they have not  
159 walked but they have discussed, sent them the surveys and talked with them about the  
160 access. M. Fougere added that they are going to have to get a State driveway permit as they  
161 are putting a new driveway onto a State road and then every time they put a new use on the  
162 site they will need to amend the driveway permit. C. Rogers also asked about the residential  
163 property on lot 3 and if this application was making the lots commercial size how would  
164 that be impacted. M. Fougere stated he would need to look with our attorney into this  
165 moving forward. B. Yarmo stated that the property is currently being lived in however they  
166 are due to move out at the end of the month. The trailer on the plan is only pieces of a  
167 trailer and no one is living in it.

168  
169 C. Ferman, 35 Terrell Lane confused that where she lives is on Commercial land. She asked  
170 the board to consider the impact this has on and adding more commercial to this is  
171 worrying. D. Petry asked M. Fougere to look into the zoning for this area.

172  
173 B. Moseley closed the public hearing.

174  
175 A site walk was proposed and arranged for July 17<sup>th</sup> at 5pm.

176  
177 R. Hardy added that they need to consider the screening needed between the site and  
178 Runnells Landing Homeowners. Maybe the RLH plan will show some screening.

179  
180 C. Guida asked if the board would consider moving to a final application. This was declined  
181 as the board wished to do a site walk first.

182  
183 D. Cleveland made a motion to table PB2018-010 until July 17<sup>th</sup>. D. Petry seconded. All in  
184 favor none opposed.

185  
186 **6. File PB2018-011: Site Plan:** Site plan for the establishment of a sales and service  
187 establishment and construction of a 3,000 sq. ft. Applicant: Leo & Rita Cormier;  
188 Owner: Kenny Family Trust; 451 Silver Lake Road Tax Map 46 Lot 5; Zoned  
189 Residential/Agricultural and Agricultural/Business **Application Acceptance and**  
190 **Public Hearing.**

191  
192 M. Fougere explained this application is for a proposal to construct a 3,000 sq. ft. garage for  
193 the storage and repair snow plows and related equipment. Outdoor areas will be used for  
194 storage of equipment. All activity will take place behind the existing two family home. A six  
195 foot tall stockade fence is in place along the southern property line. Hours of operation will  
196 be Mon – Fri 7am to 6pm and Saturday and Sunday 7am to noon. No employees except  
197 owner will operate business. Four parking spaces are proposed; few customers visit the site,  
198 on average a couple a day. This property lies adjacent to the Flea Market. The Applicant  
199 obtained a variance and special exception from the ZBA for the proposed use. The plan  
200 needs to be amended to show a fixed position for the new proposed building and also  
201 dimensions to be added for parking etc.

202  
203 C. Hoffman made a motion to accept the application. D. Cleveland seconded. All in favor  
204 none opposed.

205  
206 Leo Cormier, applicant for 451-451A Silver Lake Road. He explained to the board that his  
207 business is buying and selling snow plow equipment. He plans on building a garage/shop  
208 on the property behind the house. He will use this building (60x50 feet) partly for storage  
209 and minor repairs and maintenance of his own vehicles and equipment. Minor repairs may  
210 include replacing of alternators, starters and lights. All major repairs that is needed will be  
211 sent out. He will have no other employees and he conducts 99% of the business by  
212 appointment only.  
213  
214 B. Moseley asked if he was going to allow parking for the flea market. L. Cormier said  
215 absolutely not.  
216  
217 B. Moseley opened the public hearing.  
218  
219 Robert Baskerville, President of Bedford Design Consultants, 177 East Industrial Park Drive  
220 Manchester approached the podium to represent one abutter James Seeley, Map 46 Lot 6,  
221 449 Silver Lake Road and two other nearby residents, James Prieto, Map 45 Lot 7, 447  
222 Silver Lake Road and Silver Lake Flea Market LLC Map 45 Lot 8 Silver Lake Road. These  
223 residents class themselves all as abutters per our definition of abutter in Section II of your  
224 regulations this owner does feel that his property will be directly affected by this proposal  
225 under consideration. They contacted him a little while ago in a panic as they had received  
226 notification of a zoning hearing but for whatever reason it was after the meeting. He was  
227 not able to submit his objections. Now he is hiring legal counsel and they will be filing for a  
228 rehearing/lawsuit of May 24<sup>th</sup> zoning board decision.  
229  
230 W. Trimble asked who was filing the appeal. R. Baskerville suggested all three but definitely  
231 the abutter from Map 46 Lot 6, James Seeley.  
232  
233 R. Baskerville, referring to previous application attempts to develop the site into residential.  
234 Since these the Planning Board has amended the ordinances. However he believes this site  
235 is in the aquifer protection zone, and if the applicant thinks it isn't then he should prove it.  
236 Referring to section XI: A 6 G "Automotive service and/or repair shops" are prohibited in  
237 the zone. And he also believes the proposal falls under this particular ordinance. If their  
238 research is correct then also section XI: A 3 A Impermeable Surface Coverage applies. They  
239 claim that the proposed gravel area is 65% when only 15% is allowed. He added a list of  
240 concerns with the site plan listed in his letter submitted to the Planning Board at the  
241 meeting. This letter also refers to screening issues, gravel details or specifications on the  
242 type or depth of gravel and hours of operation sited as being unacceptable.  
243  
244 Bret Allard, Bernstein Shur represented Leo And Rita Cormier. He represented the  
245 applicant with his application to the ZBA. The abutters representative stated the abutters  
246 did receive their notification of the ZBA meeting, and they failed to react to it until it was  
247 too late. That was the reason they missed the ZBA meeting and could not submit their  
248 objections. This should not be a basis for a motion for rehearing. There is no notice issue  
249 here. He asked that the erosion control and environmental issues raised could be  
250 conditioned as part of an approval. He referred to the comment regarding devaluing  
251 property values that a beep from a fork lift would not be any noisier than the volume  
252 coming from a busy flea market at the weekend.  
253  
254 Reggie Ouellette, R. L. Ouellette's Associates LLC, Brookline NH approached the podium  
255 explaining that he prepared the site plan for this application. He talked about the  
256 comments regarding impermeable surface. The aquifer requires the 20% impervious rule is

257 the maximum. If you consider the building areas as being impermeable the area is a 9265  
258 sq ft on a 2 acres lot comes out at 11%. The point has been raised that gravel is an  
259 impermeable surface, but this depends on the gradation and which gravel is used. There  
260 are different gradations that can be used to have permeable surface. The definition is  
261 important. The planning department has stated they would like the position of the  
262 proposed building to be fixed and that is not a problem. With regard to the actual  
263 equipment and how the plows are built. It is his understanding that not all plows have  
264 hydraulics. Therefore there is a percentage of the equipment that will not have that issue.  
265 Also, the process for this business is once the equipment arrives it goes into the building,  
266 gets evaluated and if it needs work it will be shipped out to be repaired. There is fencing  
267 proposed on the east side, removal of 4ft wire fence and replace with 6.5 ft stockade fence  
268 matching the fence on the south side. The tree line on the north side is remaining and will  
269 not be cut. It will remain as a buffer. The area shown on the plan as gravel is because the  
270 intention is to use it for travel surface and plowing as sand will get dug up. The intention is  
271 to use the material that is proper for that site. It is a perfectly flat site, a Hinckley soil, with  
272 a water table of 6ft and bedrock is more than 6ft. There is one contour on the site. The  
273 parking for the flea market has been there for years.

274  
275 C. Rogers asked what surface the existing parking area is. R. Ouellette confirmed it is sand.  
276

277 R. Hardy asked how would the different gravel gradations could be shown on a site plan to  
278 allow the board to see how the permeable surface calculations would work. It would be  
279 state spec used and if there a concern this information could be supplied.

280  
281 B. Allard Bernstein Shur, asked the board if they wanted the detail of the impermeable  
282 surface that they table the application until July so they had time to provide this detail.  
283

284 R. Baskerville, Bedford Design Consultants made reference to a past enquiry they made to  
285 use 18 acres on one side of the road and 4 acres on the other side of the road and were told  
286 that they could not merge these into one for the purposes of having enough acres to do a  
287 55+ housing development. This was irrelevant to this application. D. Petry also asked if all  
288 their concerns were to be addressed would his clients support this application and R.  
289 Baskerville said the abutters were definitely opposed. For the gravel issue he added that he  
290 wanted the town to hire a third party to check the gravel calculations.

291  
292 B. Moseley closed the public hearing.  
293

294 R. Hardy talked about the importance of screening and also with other commercial business  
295 the board has typically asked for spill collection areas etc.  
296

297 D. Petry asked staff to check the information within the application. Then have the  
298 applicant address any concerns. M. Fougere explained the applicant had been before the  
299 ZBA to have a special exception and variance. It was suggested that the Board do a site  
300 walk. It was agreed to do this site walk immediately after the one arranged at Runnells  
301 Bridge Road around 5:30 – 5:45 pm.

302  
303 C. Hoffman made a motion to table application PB2018-011 until July 17<sup>th</sup> 2018. B.  
304 Stelmack seconded. All in favor none opposed.  
305

306 **OTHER BUSINESS**  
307

308 **Stephen Meno - NRPC – Current and Future Land Use Chapter**

309 The last meeting for this chapter was in April and since then together with Assessing they  
310 have progressed by updating the current land use map. They have devised a more  
311 simplified system with only seven different categories. These consist of Commercial,  
312 Industrial, Mixed Use, Municipal/Government/Institutional, Natural Resources,  
313 Residential and Vacant. He brought along a map showing these color coded. D. Petry asked  
314 that the original chapter and this version be compared side by side as he is concerned about  
315 how much has changed.

316

### 317 **Housing and Population Chapter**

318 This is the first meeting regarding this chapter. We are combining two chapters into one.  
319 Tonight the intent is to go over the layout of this chapter, discuss the general data and come  
320 back later with a first draft. Things raised were Table II-3 maybe bring up to 2016, Table II-  
321 6 Households maybe bring up to 2016, change Figure II-5 and II-6 to a bar graph, and with  
322 Table II-14 Population projections have these figures in alignment with SAU. D. Cleveland  
323 asked when the update is finished will we be able to use the more recent data however the  
324 new census data will not be available until 2021. It may be necessary to do an update to this  
325 chapter at that stage.

326

### 327 **Rules of Procedure**

328

329 B. Moseley asked all Planning Board members to review two changes to Rules of Procedure,  
330 G6 and G16. The board discussed and will review in July.

331

### 332 **Bill Moseley and Jeff Peters – NRPC presentation summary**

333 B. Moseley explained that he and J. Peters had attended an informed meeting at NRPC and  
334 they provided notes from that meeting. He added it was a good meeting and they both  
335 found it very useful and if in the future the opportunity arose to encourage you to go.

336

### 337 **Consider motion to allow Chair to sign plans on completion of conditions, and** 338 **minute in next meeting**

339

340 W. Trimble explained this request came from a need to hold a special meeting to have a  
341 Planning Board meeting as all conditions were met on an application, quicker than  
342 expected, and in order to allow a building permit to be issued the plan needed to be signed.  
343 The question is would the board make a motion to allow the Chair to sign a plan, providing  
344 all conditions have been met and checked by staff, outside a meeting and then have it  
345 minuted at the next meeting. D. Petry was against this idea. R. Hardy agreed. A special  
346 meeting will have to be arranged.

347

348 M. Fougere asked the Planning Board members to read and review the response drafted to  
349 Joe Garruba and let W. Trimble know by the end of the week in order for the response to go  
350 back to him. W. Trimble asked if everyone could reply just to show that they have read it.

351

352 B. Moseley explained that next month he will do a summary presentation to the Planning  
353 Board of all the applications etc completed in 2017.

354

355 D. Cleveland made a non-debatable motion to adjourn. C. Rogers seconded. All in favor  
356 none opposed.

357

358 The meeting was adjourned at 9:15 PM

359

360

361  
362     Respectively submitted by,  
363  
364  
365     Wendy Trimble  
366     Assistant Planner  
367     Town of Hollis, NH  
368  
369  
370