



Town of Hollis

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HOLLIS PLANNING BOARD MINUTES

**March 19, 2024 – 7:00 PM Meeting - Town Hall Meeting Room
DRAFT**

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

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

ABSENT: R. Hardy, M. Fougere.

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

The case previously on the agenda for this meeting, File PB2023-012, will not be heard, and instead is to be continued to the Board's next meeting. As V. Mills is recusing from the case, B. Moseley stated that C. Rogers will be voting on the continuation of the case in place of V. Mills.

B. Moseley stated that otherwise, the voting members at this meeting will be all of the regular members of the Board.

2. APPROVAL OF PLANNING BOARD MINUTES:

February 20, 2024: **Motion to approve** – motioned by D. Cleveland, seconded by M. Leavitt; C. Rogers and V. Mills 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.

4. SIGNATURE OF PLANS: none.

5. ELECTION OF OFFICERS:

Chair – V. Mills nominated B. Moseley, seconded by J. Mook. B. Moseley abstained; nomination passed, and B. Moseley elected Chair.

Vice Chair – C. Rogers nominated D. Cleveland, seconded by B. Ming. D. Cleveland abstained; nomination passed, and D. Cleveland elected Vice Chair.

6. CASES:

- a. **File PB2023:012 – Design Review:** New residential subdivision for 35 new residential homes on a new road connecting Deacon Lane and Proctor Hill (Route 130). Owners: Raisanen Homes Elite, LLC., Applicant: Fieldstone Land Consultants, PLLC., Map 17 Lots 5, 8 & 9, Zoned: Rural Lands (RL).

Continuation of Design Review, to be continued, per Applicant.

K. Anderson stated that this was a continuation from the Board's last meeting. We were anticipating meeting tonight with the Applicant's wildlife biologist to address concerns and questions. K. Anderson submitted approximately 30 questions from both the Planning Board and the Conservation Commission, and has not gotten any responses. It turns out that the wildlife biologist is stuck in Africa. The Applicant is requesting that their case be continued until next month. No new information has as yet been submitted – no traffic report, no additional plans.

Motion to continue File PB2023:012 Design Review to the Board's next meeting, April 16th, 2024 – motioned by D. Cleveland, seconded by D. Petry; motion passed unanimously.

7. OTHER BUSINESS:

- a. B. Moseley stated that the next point of business at this meeting is a 91-A situation. A resident has requested that the Board make available to him the legal opinion concerning the petition zoning ordinance change. B. Moseley pointed out that, in the Voting Guide, there was no mention of the petition zoning ordinance change except for the Board's vote to not accept it. The legal opinion was not mentioned in any way. He personally believes that it would be a bad precedent to release any legal opinion affecting the Board.

J. Mook stated that although she was not present when there was public comment on the matter, she believes that at that time B. Moseley read something about it to the public. B. Moseley stated that he read a summary of the legal opinion, and that, in addition, M. Fougere published some information regarding why there were issues with the petition zoning ordinance change. J. Mook stated that she believes that covers the matter: those items have been shared. The Board in general was in agreement.

B. Moseley stated that D. Petry is very familiar with similar situations due to his work on the Select Board, which frequently goes into Non-Public sessions; D. Petry concurred that the Select Board does not share such information.

D. Petry stated that, based on a resident's request to release a confidential, privileged legal document, per 91-A: 3(e), he recommends that the Board continue to keep that document – the legal opinion that Town Counsel made, at the request of the Planning Board, associated with the petition zoning ordinance change – sealed, under 91-A.

Motion to keep the legal opinion that Town Counsel made, at the request of the Planning Board, associated with the petition zoning ordinance change, sealed, under 91-A: 3(e) – motioned by D. Petry, seconded by D. Cleveland; motion passed unanimously.

- b. B. Moseley recommended a change to the Board's Rules of Procedure, paragraph H-6, Public Agenda Comment. There was essentially a loophole, whereby someone could potentially ask to present before the Board and speak for ten minutes without Board members having any advance notice of what the

topic(s) might be, or any chance to research the topic(s) themselves. He is therefore recommending the change highlighted below:

PUBLIC AGENDA COMMENT: The public is invited to address the Planning Board at the end of a regular meeting at the discretion of the Chair. In order to do so, the person must follow the **same timeframe as in accordance with new applications** to be brought before the Planning Board and the topic cannot be in connection with business that must be brought before the Board following established procedures. In addition, **the person must provide the Planning Board with at least an outline of all points to be presented and** if the person has materials or a presentation that is intended to be part of his or her appearance, then those items must be provided to the Town Planner **when** the person requests to be placed on the agenda. The length of an individual's presentation is limited to 10 minutes unless the presenter requests more time and the Planning Board votes to approve the extension of time.

B. Moseley stated that if the Board votes to accept the change at this meeting, they cannot formally accept it until the next meeting.

C. Rogers and D. Petry asked about the timing of the submission of materials; D. Petry pointed out that H-8(a) and (b) stipulate that correspondence related to the Board's agenda items must be received by the Planning Department no later than the Town Hall close of business 6 days before a meeting, and suggested that that timeframe also be added to H-6. B. Moseley pointed out that, as written above, the person must provide the outline, materials, and presentation at the same time as when they request to be placed on the agenda – so the timing would be even more stringent. Additionally, as written above, the person must follow the same timeframe as in accordance with new applications.

D. Petry and C. Rogers agreed that the language of the timing is sufficient.

Motion to tentatively accept the change at this meeting, so that it may be formally accepted at the Board's next meeting – motioned by J. Mook, seconded by V. Mills; motion passed unanimously.

- c. B. Moseley mentioned that the Recognition Breakfast for Hollis volunteers will be on Saturday, April 6th. It's a very nice event, and he encourages all volunteers to attend.
- d. D. Petry asked K. Anderson about the status of Silver Lake Estates LLC's subdivision, which the Board voted to approve. D. Petry believes that the plans have not yet been signed by the Board's Chair, as there are still open conditions. K. Anderson confirmed that that is correct. D. Petry then made the point that it is therefore not yet an approved plan, as it has not been signed; and the Board will not be signing it until the open conditions have been met. If the Applicant misses the deadline, they will have to come back before the Board for re-approval. B. Moseley added that the 30-day timeline for appeal of the Board's decision to approve the project came and went without any request for appeal.

ADJOURNMENT:

Motion to adjourn at 7:21pm – motioned by D. Cleveland, seconded by C. Rogers; 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.