

HOLLIS PLANNING BOARD MINUTES

September 18, 2018

Approved 10/16/18

PLANNING BOARD MEMBERS PRESENT: Bill Moseley – Chairman, Cathy Hoffman, Chet Rogers, Jeff Peters; Alternates; Benjamin Ming and Rick Hardy

ABSENT: Doug Cleveland – Vice Chairman, Brian Stelmack, Dan Turcott, David Petry, Ex-Officio for the Selectmen.

STAFF PRESENT: Mark Fougere, Town Planner; Virginia Mills, Interim Planning Assistant.

1. CALL TO ORDER: 7:07 PM

The meeting began with the Pledge of Allegiance, led by J. Peters. The Chair appointed B. Ming to vote in place of B. Stelnack and R. Hardy to vote in place of D. Cleveland.

2. APPROVAL OF PLANNING BOARD MINUTES:

C. Hoffman made a motion to approve the Planning Board Minutes of August 21, 2018. J. Peters seconded. All in favor; none opposed. (R. Hardy and B. Ming abstaining),

J. Peters made a motion to approve the site walk notes of August 18, 2018 for 82 Runnells Bridge Road and 451 Silver Lake Road. C. Hoffman seconded. All in favor; none opposed. (B. Ming abstaining).

3. DISCUSSION AND STAFF BRIEFING:

- a. Agenda additions and deletions - None
- b. Committee Reports – None
- c. Staff Report –None
- d. Regional Impact – None
- e. Correspondence – M. Fougere distributed a letter of September 18, 2018 from Kristine and William Opalka, 105 Mooar Hill Road, regarding the “Housing for Older Persons” development for Raisanen Homes on Silver Lake Road. Board members reviewed the letter and noted that this is an approved plan.

4. Signature of Plans: None

5. Hearings

- a. **PB2018:012:** Minor subdivision of an existing 4.72 acre lot into two lots. Applicant/owner: Carol R. & Bradford R. Buchanan, Trustees, 123 Worcester Road, Map 2, Lot 28, Zoned R/A Residential-Agricultural. **Application Acceptance & Public Hearing.**

M. Fougere reviewed this proposal to subdivide an existing 4.72 acre lot into two lots; lot 2-28 (accessed by Worcester Road) containing 2.4 acres and the existing home, and new lot 2-28-1 (accessed by Ridge Road) containing 2.26 acres. This property was originally two lots, which were subsequently combined. The property falls along two scenic roads and there is an existing 20-40 foot tree buffer along Ridge Road for lot 2-28-1.

49 C. Hoffman moved to accept File PB2018-012 for consideration. The motion was
50 seconded by J. Peters and unanimously approved.

51 Project engineer Randy Haight, Meridian Land Services, noted that this lot was
52 originally subdivided in 1978 and was merged in 2003. It is “basically a square
53 being cut in half”. The plan has received State subdivision approval.

54 Public Hearing. Keith Hamer, 129 Worcester Road, noted that he is in favor of the
55 plan. He asked for clarification of the well location and whether there would be
56 further notification to abutters regarding lot development. M. Fougere explained
57 that there is no notification when a building permit is issued.

58 Brad Buchanan, owner, 123 Worcester Road, stated that he would prefer to maintain
59 the original lot line to keep the two parcels identical. The lot has been configured to
60 maintain the 100’ x 200’ building box. M. Fougere noted that holding the original
61 lot line would require ZBA approval. The applicant has the option of seeking ZBA
62 approval and then returning to the Planning Board with a revised plan.

63 There being no further comments, the chairman closed the public hearing.

64 With respect to the well, R. Haight noted that Hollis requires a 100’ setback to a
65 septic system, and the State requires 75’. There is a State requirement for a 20’
66 septic setback to the lot line. The location of the building box for lot 28 is
67 constrained by the scenic road setbacks.

68 Board members unanimously agreed that the tree buffer along Ridge Road should
69 be maintained.

70 J. Peters moved to approve File PB2018:12, subject to the following conditions:

- 71 -NHDES Subdivision Approval
- 72 -All pins shall be set prior to recording
- 73 -Owners signature shall be added to the plan
- 74 -Submit test pit data (done)
- 75 -Existing tree buffer along Ridge Road to be maintained.

76
77 The motion was seconded by C. Hoffman and unanimously approved.

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79 **b. File PB2018:013:** Minor subdivision of an existing 19.69 acre lot into three lots.
80 Applicant/owner: Laurie R. Siergiewicz & So. Merrimack Road Realty Trust, Map
81 47 Lot 44-2. Zoned R&A, Residential-Agricultural. **Application Acceptance**
82 **& Public Hearing.**
83

84 M. Fougere reviewed this plan for a subdivision of a 19.69 acre parcel into three
85 frontage lots along So. Merrimack Road. There are no wetlands on the two acre lots;

86 the 15.6 acre lot contains both wetlands and floodplain. The property is mostly open
87 field. The Board should address the requirements of the Rural Character Ordinance.

88 C. Hoffman moved to accept File PB2018:013 for consideration. Motion seconded
89 by J. Peters and unanimously approved.

90 Randy Haight, Meridian Land Services, noted that the parcel contains 9.6 acres of
91 upland and 10.1 acres of wooded wetland. The driveway for the existing garage will
92 be used to service the remainder lot, and the two acre lots will each have their own
93 driveways.

94 B. Moseley questioned if the topography and the crest in the road impacts the sight
95 distance. R. Haight responded that it is not a problem. J. Peters expressed concern
96 regarding this issue. C. Rogers asked if a shared driveway between the two front lots
97 would be possible. R. Haight responded that the regulations require that he show
98 that each lot can support its own driveway.

99 C. Hoffman discussed using permanent wetland buffer signs. She will discuss this
100 with the Conservation Commission.

101 J. Peters expressed concern regarding the angles of the lot lines. R. Haight
102 responded that the lot lines are driven by the building envelopes.

103 A further discussion followed regarding sight distance issues relative to the existing
104 hill on So. Merrimack Rd. J. Peters noted that this was brought up as a safety issue
105 when the property was under consideration for a soccer field. R. Hardy stated that
106 there is only a 2 foot grade change, which should not create a problem. B. Ming
107 noted that the hill in question is not that close to the property. R. Haight offered to
108 provide a sight distance profile. M. Fougere stated that the DPW director has
109 reviewed the proposed driveways and does not see a problem.

110 The chairman opened the public hearing.

111 Peter Baker, Buttonwood Drive, stated that he is not against the plan. He noted that
112 this is an area of a high value aquifer with an “impressive flow” of groundwater. He
113 asked that the Planning Board work to minimize any encroachment into the wetland
114 buffer. He questioned if the test pit data, done in 2007, is still valid, and noted that
115 there was water observed in those test pits. R. Haight responded that the test pits
116 were witnessed by the Hollis inspector, Tom Mercurio, and the data is still valid.

117 Joe Garruba, Winchester Drive, suggested that note 4 regarding the APO Zone
118 should be reworded to clarify that it refers to the entire parcel. He also questioned if
119 this project would require an alteration of terrain permit. R. Haight responded that
120 he will reword the note to reflect that the entire site is in the APO zone, and
121 explained that that an alteration of terrain approval is not applicable to this
122 application.

123 John Garruba, Meadow Drive, spoke in favor of the application in that it conforms
124 to the density of the town and keeps the buildings out of the wetlands. He pointed
125 out that the hill on So. Merrimack Road is further down the road and should not
126 impact this site.

127 There being no further comments, the chairman closed the public hearing.

128 R. Hardy noted that this area is typically white pine and to be consistent with a
129 previously approved subdivision in the area, he suggested limited screening with
130 white pine 8 to 12 feet apart with staggered spacing and set back at least 50 feet for
131 sight distance. Board members agreed to add this as a stipulation.

132 C. Hoffman moved to approve File PB2018:013, subject to the following conditions:

133 -NH DES State Subdivision Approval

134 -All pins set prior to plan recording

135 -Add wetland stamp to plan

136 -Prior to lot development, wetland buffer shall be flagged in the field. Permanent
137 wetland buffer markers to be installed per specifications of the Hollis Conservation
138 Commission.

139 -Screening to be white pine, set at least 50 feet back and planted 8 to 12 feet apart
140 and staggered.

141 The motion was seconded by R. Hardy and unanimously approved.

142 C **File PB2018:14:** Final Approval, minor subdivision of an existing 28.5 acre lot
143 into five new lots, with access to three lots via a private way. Applicant/owner:
144 Linda & Richard Lovering, Jr., 50 Pine Hill Road, Map 25 Lot 4, Zoned
145 Residential/Agricultural. **Application Acceptance & Public Hearing.**

146 M. Fougere reviewed plans for a five lot subdivision of 28.5 acres creating four new
147 lots and an existing single family home. Three homes will be accessed via a private
148 way. The applicant has agreed to provide a cistern easement. Landscaping plans
149 and drainage analysis have been reviewed by the town's consulting engineers.

150 C. Hoffman presented a motion to accept file PB2018-014 for consideration. The
151 motion was seconded by J. Peters and unanimously approved.

152 Cynthia Boisvert, Arago Land Consultants, stated that she had met with the Board's
153 landscaping consultants, Rick Hardy and Doug Gagne, and town planner Mark
154 Fougere. She noted that D. Gagne's comments in his letter of September 13, 2018
155 can be made conditions of approval. R. Hardy added that D. Gagne is focusing on
156 specific species and that no major changes are needed to the plan.

157 Kevin Anderson, Meridian Land Services, stated that the minor errors noted in D.
158 LaBombard's letter of Sept. 14, 2018, can be easily addressed. With respect to the
159 first item relative to drainage along Pine Hill Road, he noted that the stone wall acts
160 as a berm. He agreed to provide a fire truck turnaround area.

161 Mr. Anderson then addressed the two different drainage designs. The first design
162 shows a large detention basin sized to mitigate all the runoff on the site and meets
163 all the requirements of the town. The rural character ordinance allows up to 25%
164 increase in runoff. There is a provision built in to allow the board to approve this. K.
165 Anderson noted that in the initial six-lot configuration, he proposed to recharge roof
166 runoff through the use of gutters and downspouts and small basins next to the
167 driveways, thereby preserving the rural character of the site. He is more than happy
168 to go with the second plan showing the basin, but he hopes the Board will look at the
169 other avenue since stormwater calculations are not an exact science. These are
170 frontage lots and there is no road involved.

171 D. LaBombard discussed his letter dated Sept. 14, 2018 and indicated that most of
172 the items in his letter are minor. He then discussed the town's drainage rules –
173 some of it is in the zoning ordinance and some of it is in the subdivision and site
174 plan regulations. The flow into the wetland conservation overlay zone cannot be
175 greater than predevelopment conditions. Mr. LaBombard does not believe the
176 provision cited by K. Anderson is applicable in this case. He believes they need the
177 detention basin. There is a need to offset the increase in runoff in both rate and
178 volume.

179 With respect to the Pine Hill Road drainage, D. LaBombard indicated that there are
180 a series of pipes going back and forth between a number of catch basins. It is “not a
181 big deal”.

182 J. Peters asked for D. LaBombard's recommendation relative to retention and
183 exfiltration. D. LaBombard stated that they need to provide some means to control
184 the runoff (both rate and volume) into the wetland conservation overlay zone. M.
185 Fougere noted that this issue came up in Woodmont East, the solution being onsite
186 drainage for each individual lot.

187 C. Rogers asked if the driveways will be impervious. D. LeBombard responded that
188 the calculations show them to be impervious; they are designed for “worst case”.

189 Chairman Moseley opened the public hearing. There being no comments, he closed
190 the public hearing.

191 K. Anderson stated that this project is not in the WCOZ, and therefore those
192 requirements do not apply. He expressed frustration at the disconnect between the
193 various provisions of the ordinance and regulations. R. Hardy discussed situations
194 where there is more disturbance to the wetlands than mitigation due to the drainage

195 requirements. M. Fougere noted that the applicant is correct in that there is no
196 disturbance in the buffer, but the way it is been interpreted is that if it is flowing into
197 the buffer, it applies. He discussed the need to re-evaluate the drainage
198 requirements. Traditionally drainage is in the site plan and subdivision regulations,
199 allowing for the Planning Board to waive individual provisions. In Hollis much of it
200 is in the zoning ordinance, requiring a variance from the ZBA. D. LaBombard
201 agreed that any flow into the WCOZ is in zoning and it has been that way for the past
202 20 years. M. Fougere noted that the applicant would have to go the ZBA in order to
203 proceed with the alternative plan. Board members agreed that since all
204 requirements have been met, the best course of action would to be to vote on the
205 plan showing the drainage basin. The applicants have the option of going to the ZBA
206 if they want to pursue the other plan.

207 M. Fougere reviewed proposed conditions of approval:

208 -Private access/maintenance easement will be required

209 -Add fire cistern easement to the plan on Lot 4-4.

210 -NHDES subdivision approval

211 -Finalize landscaping

212 -Prior to any construction on lots that contain wetlands, the wetland buffer shall be
213 clearly noted in the field. Wetland buffer signs to be installed every 100 feet per
214 Hollis Conservation Commission.

215 -Address any outstanding engineering issues.

216 J. Peters presented a motion to approve file PB2018-014, subject to the above
217 conditions. Motion seconded by C. Rogers and unanimously approved.

218 d. File PB2018:15: Proposed site plan amendment, change of use to add a 690 square
219 foot office to existing retain building. Owner: Choon Son – Applicant: Franklin
220 Montgomery Attorneys and Counsellors at Law, 4 Proctor Hill Road, Zoned
221 Agriculture/Business. **Application Acceptance & Public Hearing.**

222 M. Fougere reviewed this proposal to convert 690 sq. ft. of existing retail space into
223 a law office. There will be no external changes and there is adequate on-site
224 parking. Staff proposes waiver of full site plan review and a stipulation that a
225 maximum of two people work in the office.

226 J. Peters moved to accept file PB2018:15 for consideration. Motion seconded by C.
227 Hoffman and unanimously approved.

228 Applicant Nadi Daino addressed the board. She is an attorney with Franklin
229 Montgomery law office in New York City, and they are looking to open a second

230 location in New Hampshire. She noted that her parents are the owners of the
231 property. There will be a wall partition to create an office area in the back of the
232 building. There is a secondary access as well as access to the main store. No other
233 changes are proposed unless required by the fire chief. It is understood that any
234 changes to the exterior door may require approval from the HDC.

235 B. Moseley asked how many people will be working out of the office. Ms. Daino
236 indicated that she will be the only one at this point. She is a trusts and estates
237 attorney looking to establish an office in New Hampshire. She is admitted to the
238 New York Bar with New Hampshire Bar admittance pending.

239 The chairman opened the public hearing. There being no comments, he closed the
240 public hearing.

241 R. Hardy moved to approve file PB2018-015 subject to the following conditions:

242 -Waiver of full site plan review

243 -A maximum of two people shall work with the office space.

244 The motion was seconded by C. Hoffman and unanimously approved.

245 e. File PB2018:16 Waiver to Subdivision Regulation Section IV, General Requirements, H.2.b.
246 to allow a second driveway entrance onto property. Applicant Seth Myers, 116 Rideout Road.
247 Lot exists at the corner of Rideout Road and Lone Pine Lane.
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249 The applicant is requesting a waiver from the subdivision regulations that limits a
250 single parcel to one driveway cut. The lot is located at the corner of Rideout Road
251 and Lone Pine Lane. The owner wishes to add a driveway off Lone Pine Lane to
252 access the rear of his lot, where he previously took access prior to the new road. The
253 DPW director has reviewed the proposal and has no problems with it.

254 Applicant Seth Myers, 116 Rideout Road, first referenced the Board's previous
255 discussion regarding the need to review the drainage requirements. He discussed
256 the extreme swales and ditches associated with the new Lone Pine Road as being
257 "crazy" In his case, the new wide road and extreme ditches makes it impossible for
258 him to access the rear of his lot. He is requesting permission to install a new dirt
259 driveway. He previously gained access through the private drive to Lone Pine. The
260 new road is 6 feet higher and 3 feet wider than the previous one. R. Hardy asked if
261 this is now a town road; if not, the Board should ask for a letter from Lone Pine. It
262 was noted that this is now a town road.

263 C. Hoffman moved to approve file PB2018-016, waiver to allow a second driveway at
264 116 Rideout Road. The motion was seconded by J. Peters and unanimously
265 approved.

266 f. File PB2018:17 Discussion – Site plan relative to the construction of additional
267 ground mounted solar systems. Owner: Russell Kellner. Applicant: Jake Ottolini
268 GoSolarNH. 161 Hayden Road. Zoned R/A Residential & Agricultural.

269 Because the applicant, who had previously been at the meeting, was no longer
270 present, this application will have to move to the October meeting. The proposal is
271 for a ground mounted solar array and will not need any waivers. M. Fougere will
272 contact the applicant to discuss moving forward. Board agreed to table the
273 application until the next meeting.

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275 g. OTHER BUSINESS
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277 1. MASTER PLAN. M. Fougere asked that Board members review a draft chapter of the
278 Housing and Population chapter of the Master Plan, which was included in their packets
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280 ADJOURN – J.. Peters presented a non-debatable motion to adjourn. The motion
281 was seconded by C. Rogers and unanimously approved. The meeting adjourned at
282 8:55 PM.

283 Respectfully submitted,

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285 Virginia Mills

286 Interim Planning Assistant

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