

HOLLIS PLANNING BOARD MINUTES
December 18, 2018
“FINAL”

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

ABSENT: Dan Turcott.

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

1. CALL TO ORDER: 7:05 PM

The meeting began with the Pledge of Allegiance, led by J. Peters. The Chair appointed B. Ming to vote in place of B. Stelmack.

2. APPROVAL OF PLANNING BOARD MINUTES:

Following one correction, C. Hoffman moved to approve the Planning Board Minutes of November 13, 2018. Motion seconded by D. Cleveland. All in favor; none opposed. (D. Petry abstains). D. Cleveland moved to approve the site walk notes of November 10, 2018 as written. Motion seconded by J. Peters and unanimously approved (B. Ming abstaining).

3. DISCUSSION AND STAFF BRIEFING:

- a. Agenda additions and deletions – M. Fougere requested that the proposed amendment to the zoning ordinance be discussed first to accommodate representatives of the ZBA who are in attendance.
- b. Committee Reports – None
- c. Staff Report – None
- d. Regional Impact – None
- e. Correspondence – None
- f. Planning Board Appointment – C. Hoffman moved to recommend to the Selectmen that Ben Ming be appointed as a full member of the Planning Board to replace Brian Stelmack, who resigned. Motion seconded by C. Rogers and unanimously approved. (B. Ming abstains).

4. Signature of Plans:

- **File PB 2018:15.** Site amendment - change of use to add a 690 square foot office to existing retail building. Owner: Choon Son – Applicant: Franklin Montgomery, Attorneys & Counsellors at Law. 4 Proctor Hill Road. Zoned Agricultural/Business. Approved September 18, 2018.
- **File PB 2018: 17.** Site plan relative to the construction of additional ground mounted solar systems. Owner: Russell Kellner. Applicant: Jake Ottolini, GosolarNH, 161 Hayden Road, Zoned R/A Residential & Agricultural. Approved October 16, 2018. Staff advised that both plans are ready for signature. The chairman indicated that he would sign both plans following the meeting.

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47 **5. Proposed Zoning Amendment for Town Meeting 2019**

48 **SECTION XC. INDUSTRIAL ZONE**

49 **1. PERMITTED USES IN THE INDUSTRIAL ZONE: add**

50 **b. Indoor sports or fitness businesses, including but not limited to batting cages,**
51 **health clubs, golf driving ranges, and gymnastic clubs.**

52 Reason: to expand permitted uses in the industrial zone given the demonstrated nature of the
53 changes in the uses for an industrial zone.

54 ZBA Chairman Brian Major and Meredith West, ZBA member, appeared to discuss this
55 proposed amendment to permitted uses in the industrial zone. B. Major stated that this is the
56 only amendment that the ZBA is proposing this year. He stated that the two principle
57 industrial zones are burdened by being in the APO and by not having municipal services,
58 and the ZBA has had compelling evidence with several cases that the owners cannot make
59 use of their land. For this reason the ZBA decided unanimously to recommend this change
60 to the ordinance. Meredith West, ZBA alternate member, added that suggested uses are
61 “natural fits” in the zone which helps the Industrial Zone adapt and helps family businesses.

62 Board comments: C. Hoffman: It’s a really good idea. J. Peters: Where are these uses
63 permitted now? M. Fougere: Maybe in the Commercial Zone, which is very small. B.
64 Ming: What about the APO? M. Fougere: Unfortunately, the industrial zones are in the
65 APO. There is no sewer or public water so it significantly limits the uses that can occur.

66 D. Cleveland moved to send this amendment to public hearing at the January meeting.
67 Motion seconded by C. Rogers and unanimously approved.

68 **6. Hearings**

69 **a. File PB2018:022:** Conceptual Consultation – Site Plan outlining the proposed construction
70 of 30 units of detached Housing for Older Persons, Hollis Springs Active Adult Community.
71 Owner/Applicant: James Prieto, James Seely, 436 SLR, LLC & Silver Lake Flea Market,
72 LLC. Map 46 Lots 6 & 10, Map 45 Lot 51, 436-436A-441-445-447-449 Silver Lake Road,
73 Zoned A/B Agriculture Business & R/A Residential Agriculture. Tabled from Nov. 14th.
74

75 Staff recommended that this application be tabled to the January meeting. The applicant is
76 working with Pennichuck Water and will need to seek approval from the Selectmen for
77 expansion of the franchise. The applicant will also be going back to the ZBA on December
78 27 for a re-hearing on the use. D. Cleveland moved to table File 2018:22 to the January
79 meeting. Motion seconded by C. Hoffman and unanimously approved.

80 **b. File PB2018:019:** Conceptual Consultation – Site plan amendment detailing proposed
81 storage buildings 13,000 sq. ft., 3,200 sq. ft., 14,635 sq. ft. and a 3,375 sq. ft. seasonal
82 housing building. 38 Broad Street, Applicant/owner: Brookdale Farm, Map 24 Lot 2, Zoned
83 A/B Agriculture-Business. Tabled from Nov. 14th.

Staff has received a request from the applicant to proceed to the design review stage. D. Cleveland moved to allow the applicant to proceed to design review. Motion seconded by J. Peters and unanimously approved.

- c. **File PB2018:010:** Final Review: Proposed three lot subdivision served by a private way. Applicant/Owner Team Yarmo Investments, LLC, 82 Runnells Bridge Road Map 5 Lot 28, Zoned Commercial. Tabled Nov. 14th.

Project engineer Chad Brannon, Fieldstone Land Consultants, highlighted recently submitted plans addressing outstanding landscaping details and rerouting underground utilities. There will be a new Storm Water management report and a turnaround on Lot 1. Lots 2 and 3 are under agreement to be used for a daycare facility, and will likely be merged. Mr. Brannon reviewed the comments and his responses to Mr. LaBombard's letter of December 10, 2018. He stated that he feels confident with the status of the plan with respect to engineering review and requested a conditional approval. B. Moseley asked if he will incorporate all Mr. LaBombard's suggestions; C. Brannon confirmed that he would. B. Moseley asked about discontinuing the Pineola easement. Mr. Brannon agreed to proceed with extinguishing this easement, subject to the abutter agreeing. The modified plan shows the location of underground utilities. Dennis LaBombard noted that Mr. Brannon had thoroughly addressed the comments in his letter. The turnaround is 375 feet from the end of the street. If lots 2 and 3 are consolidated this is not an issue.

M. Fougere reviewed his list of proposed conditions:

- Private way easement & maintenance documents required;
- Note on plan noting the location of stump disposal areas or note that all stumps shall be removed from property;
- NHDES subdivision approval required;
- NHDOT driveway permit required;
- Note that all utilities shall be underground (done);
- Submit detailed landscaping plan showing evergreen plantings along eastern lot line, next to private way;
- Address issues raised by Town Engineer (done);
- Note proper new lot numbers, 28-1, 28-2 & 28-3 (done);
- All lot bounds shall be set prior to plan recording.

Mr. Brannon noted that the plan is designed on the premise of the purchase and sale of lots 2 and 3, and every one of the lots is subject to individual site plan review.

J. Peters moved to approve File PB2018:010 subject to incorporation of recommendations of D. LaBombard as well as conditions as presented by M. Fougere. This includes final review of landscaping by R. Hardy and D. Gagne and documentation that the abutter agrees with the easement. Motion seconded by D. Cleveland and unanimously approved.

- d. **File PB2018:025:** Conceptual Consultation- Proposed two lot subdivision and site plan for multi-family townhome Workforce Housing development. Old Runnells Bridge Road and South Depot Road, Map 10 Lot 31-1, Owner: Raisanen Leasing Corp. Applicant: Raisanen Homes Elite, LLC, Zoned R & A, Recreation and Multi-family Overlay Zone. **Public Hearing.**

M. Fougere presented an overview (see staff report dated 12/18/18) to construct 36 townhome units under the multi-family Workforce Housing ordinance. 30% of the units will be restricted to those meeting specific criteria under the Workforce Housing Ordinance, with deed restrictions relative to the maximum sale price. There will be public water at the site. The site will be accessed off South Depot Road and Runnells Bridge Road. Price is dictated by statute based on HUD area medium income. Based on Nashua's medium income (\$106,300), the workforce units can sell for up to \$352,500. The use is allowed by Conditional Use Permit.

Issues moving forward include:

- Clarify density based on zoning and wetland areas;
- Note bedroom mix of units, at least 50% must be two bedroom;
- Submit seller documents and procedures to ensure income levels are verified and documented;
- A drainage analysis will be necessary, along with a detailed landscaping plan;
- Elevation drawings of the buildings shall be submitted;
- Will any Special Studies be required: Environmental hazard, wildlife, traffic, storm water, fiscal, visual and historic significance?

Chad Brannon, Fieldstone Land Consultants, approached the board representing Raisanen Leasing. The site is 11.6 acres with frontage on Old Runnells Bridge and So. Depot Road. The site was a chip and putt golf course and the topography is "mild" There are two man-made ponds and an artesian well. Soils are sandy and preliminary test pits have been done. The two-lot subdivision will result in the small commercial building on a two-acre lot and a remainder 9.4 acre lot. The property is in two zones – Recreation and Residential-Agricultural. It is also in the Aquifer Protection Overlay Zone and the Multi-family Overlay District. 30% of the units are Workforce Housing. 36 units are proposed. There is a 900 foot road and a spur road. The site will be served by municipal water via an extension up South Depot Road. Mr. Brannon distributed architectural renderings of the proposal. He asked if the Board would consider some duplexes.

Questions from the Board. C. Rogers: Are there any plans for the existing building? C. Brannon – Not at this time. D. Cleveland: How does workforce housing differ from other types? Are these condos? C. Brannon: They are all condos. Workforce housing has deed restrictions and can only be resold at certain income levels which are dictated by HUD. This project is owner-occupied; 30% must be workforce housing and the remainder are market rate. C. Rogers: Have you identified which units are workforce? C. Brannon: Not yet. D. Petry: I don't see evidence of compliance with the rural character ordinance. The compliance and monitoring of this type of housing is extensive and will fall on the town staff to do it. C. Brannon: We will address the rural character ordinance moving forward. J. Peters: What is the difference between workforce housing and low income housing? M. Fougere: "Significant" – workforce is based on 100% of the median income; low income is based on 50-60% of median. D. Petry: Will there be a Homeowners Association and condo fees? C. Brannon: Yes. B. Ming: What about duplexes? C. Brannon: They would be single buildings with two units. We have a lot of open space to work with. B. Moseley: For clarification – none of these units will be rented; they will be all owner-occupied. R. Raisanen (owner): There could be some rentals. C. Brannon: Rentals would change the percentage that have to be workforce housing. D. Petry: Does the table get updated every

year and where does it come from? M. Fougere – Yes and it comes from NH Housing. J. Peters: What do you expect the workforce housing units to sell for? R. Raisanen: Have not looked at that yet. M. Fougere: Owner occupied will be governed by covenants and the price points will fluctuate. Rentals are a little more complicated. D. Petry: We need input from town counsel regarding processes for town staff to monitor this. J. Peters: How is the waste from 36 units handled? C. Brannon: We anticipate community septic systems. J. Peters: One plan note says this is “partially” located in the multifamily zone. C. Brannon: Correct – the area in the recreational zone is not in the multi-family zone so it cannot be included in the density calculations. J. Peters: but you are using it towards your density. C. Brannon: We modified a lot line to satisfy the density requirement for 36 units. The current plan has over 9 acres in the R & A zone. M. Fougere pointed out that this plan is both a subdivision and a site plan. They cannot count the land in the recreational zone for density.

The chairman opened the public hearing. Thomas Mullin, 24 South Depot Road: Concern about running a water line into the site and disturbing the street; increased traffic; a lot of land moving and disturbance, which could cause damage to his property; effect on his view and looking at a lot of large buildings instead of open space.

Joe Garruba, 28 Winchester Drive: Where is the water coming from and will it be a cost to the town? Are impact fees required to offset those costs? It does not appear to meet the open space requirement so the number of units will have to be reduced. Are parking requirements met?

Terry Gerlach, 19 Old Runnells Bridge Road: Concern regarding renters. 36 units is a lot and will affect her property value. Prefer to see single family homes or duplexes

Peter Baker, 40 Buttonwood Drive: Will water be from Pennichuck? (Yes) Like to see sprinklers in these units. M. Fougere: This is a requirement for multi-family housing.

Kelly Simonian, 25 Old Runnells Bridge Road: Concerns about impact on water, rural character, density of 36 new families in this area. Old Runnells Bridge Road is a very dangerous roadway already with speed and people cutting through. Making the corner from Runnells Bridge to Old Runnells Bridge Road is already a horror show, and the additional traffic from this development is a concern. Concern about the impact on the school system and her property value. Need more information on how similar units can have different property values. Also would like more information before the plan moves forward.

Allen Brown, 11 Rail Way (in the Village at Hollis Depot over 55 community): Had a running battle with school buses looping through their community to turn around. Like to see some discussion on how the buses will be dealt with in this project.

Joanne Hollis, 4 Pullman Drive: Concern about woodlands being removed and the viability of wildlife in the area. Concern about any children moving into this development having access to the vernal pools. Is this connected to the other application on Runnells Bridge Road discussed earlier? (No)

Mr. Brannon responded to some of the comments. The water will be supplied by Pennichuck, but there is not yet a formal design. Typically it is along the side of road to minimize impacts. Details will be part of the formal plan set. Extending municipal water is a benefit to the general public with hydrants that will allow for additional fire suppression. Traffic concerns will be addressed moving forward. In regards to foundations, there was no ledge hit doing initial test pits so there will be no issues with blasting ledge. There has been an effort to pull the units in from adjacent properties; we are 40’ beyond the minimum setback requirement to the nearest abutting property. A landscaping plan will be developed to address the rural character ordinance. The plan provides approx. 60% open space. With

respect to parking, each unit has a garage plus an additional space. There will also be visitor parking added as the plan advances. A turnaround for school buses and fire trucks will be designed. The majority of the development is located internally in the open space area. The two ponds onsite are manmade; there are no jurisdictional wetlands on the site.

D. Petry: We will need a soil scientist to stamp the plan relative to the wetlands, and there will need to be a “no cut zone” specified on the east and south sides. The Board should require a traffic study with traffic counts at access points. A stop sign should be installed at the internal intersections. The planning board will need input from Fire, Police and DPW. The traffic situation with Runnells Bridge and Old Runnells Bridge is already difficult and will need to be addressed.

There being no further comments, the chairman closed the public hearing. A site walk was scheduled for January 5 at 9:00 AM with a snow date of January 12. It is especially important that roadways and building sites be staked out. The chairman reviewed the policy with respect to site walks – the public is invited to attend; however, they cannot comment.

R. Hardy stated that he would like to see a layout with duplexes. He stated that the open space concept is really important. He would like more information on the density of pavement.

C. Rogers moved to table File 2018:025 until the January 15 meeting. The site walk will take place on Jan. 5. Motion seconded by D. Cleveland and unanimously approved.

- e. **File PB2018:024:** Proposed lot line relocation between two adjoining properties. South Merrimack Road and 69 Meadow Drive. Map 47 Lots 44-2 and 52. Owner/applicants: L. Siergiewicz/South Merrimack Road Realty Trust and P&D Fusi Trust. Zoned R & A.
Acceptance of Application and Public Hearing.

M. Fougere noted that this is a simple lot line relocation wherein Map 47 Lot 52 will increase from 3.06 to 3.6 acres and Map 47 Lot 44-2 will decrease from 15.6 to 15.12 acres.

D. Cleveland moved to accept File 2018:24 for consideration. Motion seconded by J. Peters and unanimously approved. Project engineer Randy Haight, Meridian Land Services, confirmed that this will add about ½ acre to lot 52. D. Petry asked if the existing well for lot 52 is on the lot line. R. Haight responded that it is about 5 feet off the lot line.

The chairman opened the public hearing. Peter Baker, 40 Buttonwood Drive, asked if there is any material change to either lot. (No).

Joe Garruba, 28 Winchester Drive, asked if this lot is part of a recently approved subdivision. (Yes) He asked what the specific reason is for adjusting the lot. R. Haight responded that the reason is to straighten out the lot line and get more room behind the house on lot 52 for land that is already being utilized.

There being no further comments the chairman closed the public hearing. Staff noted that the bounds have already been set. C. Hoffman moved to approve File 2018:024. Motion seconded by C. Rogers and unanimously approved.

275 f. **File PB2018:26:** Proposed site plan for a change of use for the operation of a mixed use
276 storage facility. 145 Runnells Bridge road. Map 4 Lot 64. Owner: 145 Runnells Bridge
277 Road LLC. Applicant: United Roofing & Remodeling. Zoned R&A. **Application**
278 **Acceptance & Public Hearing.**

279
280 M. Fougere reviewed this site plan for a mixed use storage facility at the site of a former
281 lumber yard. The storage will be primarily for contractors and the property owner will be
282 running his business, United Roofing and remodeling, from the site.

283
284 The applicant obtained a variance from the ZBA in October of 2018 subject to the following
285 conditions:

- 286 • Any building storing hazardous liquids or other spillable materials will be equipped
287 with a berm to prevent spills from leaving the impermeable floor surface of the
288 building.
- 289 • No disturbance of earthen surface shall be permitted within 100 feet of the Lawrence
290 Cemetery property without a restoration plan submitted and approved by the Hollis
291 Cemetery Commission.
- 292 • The current 275 gallon fuel storage tank presently on the premises shall be removed
293 and no such tank shall be allowed.
- 294 • Any exterior overhead lighting shall be operated by motion sensors.
- 295 • No exterior storage of heavy equipment.

296 There are 7 buildings on the site, including an office. No new buildings are proposed but
297 most will be renovated. The applicant may want to construct another 12,000 square foot
298 building, which was previously approved by the planning board when the lumber yard was
299 in operation.

300 Hours of operation are Mon – Sat 6 am – 7 pm with occasional operations until 10 pm.
301 Occasional Sunday operations may occur.

302 The ZBA approved the storage of hazardous liquids with the stipulation of berming. There
303 is currently no tenant that would store these materials. Does the planning board want to
304 approve such uses on a case by case basis or defer to planning staff and fire department
305 review?

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307 D. Cleveland moved to accept File 2018:26 for consideration. Motion seconded by J. Peters
308 and unanimously approved.

309
310 Kevin Anderson, Meridian Land Services, noted that the variance granted in October is for a
311 mixed use storage facility in the R & A zone. This is the former Holt Lumber site and Mr.
312 Anderson stated that it is a change of use site plan. No new structures or site improvements
313 are proposed. The intended tenants are contractors – plumbers, electricians, etc

314
315 Questions from the Board. J. Peters: Any outside storage? K. Anderson: Not currently
316 proposed but not eliminated.

317
318 The chairman opened the public hearing. Jeffrey Kalchbrenner, 48 Emerson Circle,
319 Pepperell, MA: Concerns include: fire suppression, leak detection, security issues,
320 hazardous materials; lighting.

Kevin Anderson stated that, through the zoning process, this is an allowed use of the property. This is a unique property with a long-standing commercial use. It abuts the Industrial Zone.

The chairman closed the public hearing. Mike Coulombe introduced himself as the new owner of this property and stated that he had met with the Hollis building inspector and Hollis fire chief, who stated that he wants no combustibles, and that the fire hydrant in front of the site is sufficient. D. Petry stated that the board should require full cutoff lighting, and if there are to be any hazardous materials it should be handled the same way as was done with Morin's Landscaping. Beth Coulombe reviewed conditions which are part of the lease for tenants. Applicable conditions are:

- There will be no storage of loose sand, loam, mulch, salt, pesticides or other debris materials, no sifting and screening of any materials on site;
- No outside hazardous materials storage shall occur on site including snow storage, salt or deicers. Hazardous materials, such as gasoline, oil, etc. must be stored in approved containers and only on an impermeable surface.

M. Coulombe stated that he is in the process of putting in a berm. D. Petry asked about the floor in the large building. M. Coulombe noted that it is concrete, and there is a lip to contain any spillage, but not where the doors are located. M. Fougere has spoken with the Pepperell town engineer whose primary concern is that the conditions established with the ZBA carry forward to the planning board.

Several board members expressed concern about the hours of operation running so late. J. Peters asked why until 10 pm and why on Sunday? Beth Coulombe responded that it is primarily to accommodate the later working hours in the summer months, after which they may need to unload material, switch trucks, etc. B. Moseley asked if they plan to limit the frequency to which a tenant could go until 10 pm. R. Hardy stated that Holt Lumber operated six days a week and was there long before the housing was put in. The proposed use is very similar to what was there. He asked about the lighting. M. Coulombe responded that there is no power to the site now. The site is extremely dark and there is a definite need for some type of lighting. He is considering wall pack lights that are downward cast. M. Fougere suggested full cutoff downcast lighting. He noted that every applicant for a new use must fill out a form that details what they do. This will be reviewed by planning and building dept. staff and the fire dept. if necessary. The applicant has already put limits on what can be stored at the site. Board members agreed that staff and fire dept. review is sufficient. D. Petry recommended that the ZBA conditions of approval be incorporated into the lease. R. Hardy asked if the existing gravel areas would be the limit of the proposed operation. The applicant confirmed that to be the case. D. Cleveland asked how much of the site the applicant would use for his own business. M. Coulombe responded that he will use 46% of the big building. Beth Coulombe clarified that they will not be basing their roofing company out of this site, but will be using it for storage. The roofing company will continue to be based in Nashua. B. Moseley asked if the anticipated heaters will be noisy. M. Coulombe responded that they are not large noisy heaters – "just enough to keep the chill off". D. Petry asked about the existing houses on the site. The applicant responded that the house in front is rented and the ranch in the back of the lot is 60% gutted, but it does have a septic system. It was used as an office by Holt Lumber.

Staff reviewed proposed conditions of approval:

- All lights shall be downcast and full cutoff
- ZBA stipulations to be added to the lease;
- Gravel areas are limits of operations;
- Updated letter from the fire chief

J. Peters moved to approve File 2018:26 subject to the above conditions. Motion seconded by D. Cleveland and unanimously approved.

7. OTHER BUSINESS – Introduction of candidates for Alternate Position on the Planning Board.

Chairman Moseley noted that since the resignation of Brian Stelmack, two applications for the planning board have been received – Matthew Hartnett (application received 12/9/18) and Joe Garruba (application received 12/12/18). This position is as an alternate to replace Ben Ming, who has moved up to be a full member. The chairman asked that both applicants introduce themselves.

- Matt Hartnett, 266A Depot Road, stated that he moved into town three years ago. He is a process engineer with a background in chemical engineering. His wife is a member of the Hollis Town Band and he is looking to get more involved in the Town. He is “enjoying everything about Hollis” and believes the planning board would be a good way to contribute.
- Joe Garruba, 28 Winchester Drive, noted that he moved to Hollis five years ago after doing an extensive search of the Northeast. He picked Hollis after looking at many communities. He believes that Hollis has done a great job of managing its resources and needs to keep the strengths that it has, and not allow them to be diminished. He has been attending most of the planning board meetings over the past year and tries to contribute where he can. He noted that he is an electrical engineer and is comfortable reading drawings.

The chairman thanked both applicants and indicated that their applications will be taken under advisement.

8. STAFF NOTES –

M. Fougere thanked V. Mills for filling in over the past several months. Since she is away for the winter months. Kathie Donnelly of MRI will be back to help out. V. Mills is willing to come back in the spring if needed.

9. ADJOURN-

There being no further business, C. Hoffman presented a non-debatable motion to adjourn. Motion seconded by D. Cleveland and unanimously approved. The meeting adjourned at 9:10 pm.

Respectfully submitted,

Virginia Mills
Virginia Mills
Interim Planning Secretary

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