

**HOLLIS PLANNING BOARD MINUTES**  
**July 16, 2019**

**PLANNING BOARD MEMBERS PRESENT:** Bill Moseley – Chairman; Doug Cleveland – Vice Chairman, Chet Rogers, Cathy Hoffman, Jeff Peters, Ben Ming. Alternates; Rick Hardy, Matt Hartnett.

**ABSENT:** David Petry, Ex-Officio for the Selectmen; Dan Turcott.

**STAFF PRESENT:** Mark Fougere, Town Planner; Evan Clements, Assistant Planner

**1. CALL TO ORDER: 7:00 PM**

The meeting began with the Pledge of Allegiance, led by Bill Moseley. The chairman appointed Rick Hardy to vote for Jeff Peters, who will be arriving late.

**2. APPROVAL OF PLANNING BOARD MINUTES**

C. Hoffman moved to approve the minutes of June 18, 2019. The motion was seconded by B. Ming, and unanimously approved. (B. Moseley abstains.)

**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 –**

- File PB2019:04 – Proposed minor subdivision of 38.4 acre lot into four lots ranging in size from 5.9 to 15.7 acres, 43 Farley Road, Map 38 Lot 37. Owner/Applicant: Raisanen Homes Elite, LLC, Zoned R&A.  
Planner M. Fougere indicated that all stipulations have been met and the plans are ready for signature. Moved by C. Rogers, seconded by D. Cleveland, to authorize the chairman to sign plans for File PB2019:04. All in favor; none opposed.

**5. RECOGNITION OF V. MILLS–** D. Cleveland presented a motion to recognize Virginia Mills for her assistance to the Planning Board and contributions to the efficiency of the Board over the past few months. Motion seconded by C. Hoffman and unanimously approved. M. Fougere noted that V. Mills will be helping with minutes and filing project for the next few weeks.

**6. HEARINGS –**

- a. File PB2019:07 Minor Subdivision of an existing 10.9 acre lot into two lots of 5 and 5.9 acres served by a private way. Map 28 Lot 45. Owner: Duymazlar Rev. Trust. Applicant: Laurie Pereault, Esq., 244 Hayden Road. Zoned RL Rural Lands. Tabled from June 18, 2019.  
B. Moseley stepped down for this case and D. Cleveland took over as Chair. M. Fougere noted that this plan was tabled pending questions regarding the amount of fill that would be required for the driveway. The amount of fill needed is approx.12,000 sq. ft. for a full 20' driveway; however, the design now being presented is 18'.  
  
C. Foley, Fieldstone Land Consultants, indicated that they are now able to achieve an 18' hard surface at the wetland crossing so the waiver request is now for 18' between the retaining walls.

48 D. LaBombard stated that with the exception of a few “clean-up” items (see letter dated  
49 7/14/19) and pending waiver request, he is satisfied with the plan. R. Hardy thanked the  
50 applicant for providing the details, noting that this helped the Board make a decision.

51 Staff noted that the waiver is now for 2’ for construction of the private way for a length of  
52 80’. R. Hardy moved to approve the waiver; seconded by C. Hoffman, and unanimously  
53 approved.

54 Other stipulations:

- 55 • All outstanding issues from the town engineer shall be addressed;
  - 56 • All required professional stamps shall be added to the plan;
  - 57 • Executed maintenance and private way agreement shall be submitted to planning staff;
  - 58 • All lot corners shall be set prior to recording.
- 59

60 C. Hoffman moved to approve File #PB2019:07. Motion seconded by C. Rogers and  
61 unanimously approved.

- 62 **b. File PB2019:09** Minor Subdivision of an existing 25.75 acre lot into two lots, 5.7 acres  
63 and 19.9 acres. Map 32 Lot 45-5, Applicant David O’Hara & Associates. Owner James  
64 & Judith Seager, 43 Howe Lane. Zoned R/A Residential/Agricultural. Application  
65 Acceptance & Public Hearing.

66 This plan subdivides a 25.75 acre lot into two lots, served by a private way. Lot 5,  
67 where a cell tower is located, is 19.98 acres with 20 feet of frontage and lot 6 will be 5.7  
68 acres with 37.12 feet of frontage. The front lot is an agricultural field with some small  
69 wetland areas and the proposed building area is to the rear of the lot. The rear lot is  
70 heavily wooded with a tree preservation easement around the cell tower. The existing  
71 buffer along Howe Lane should be preserved to adhere to the Rural Character  
72 Ordinance. The applicant has requested two waivers: (a) Wetland mapping and two  
73 foot contours on the southeastern portion of the site; (b) Forestalling the construction of  
74 the private way. An upgraded 14’ driveway will serve the front lot; a full width private  
75 way will be installed at the time that a home is built on the rear lot. Staff recommends  
76 that if the planning board approves this waiver, a driveway design should be required.

77 D. Cleveland moved to accept File #PB2019:09 for consideration. Motion seconded by  
78 C. Hoffman and unanimously approved. David O’Hara, LLS, spoke on behalf of  
79 members of the Seager family, who were present, and presented plans as outlined above.  
80 There are a number of stipulations attached to the cell tower, which is served by an  
81 existing driveway with a 20’ right-of-way. There are underground utilities. A waiver is  
82 requested to allow a 14’ driveway for the 5 acre lot, as well as a waiver of 2’ contours  
83 and wetland mapping on 5.45 acres east of the wetland. The required amount of  
84 acceptable land is shown for each lot. The existing entrance is 21’ wide at the entrance  
85 and is paved for 34’. It is recognized that a culvert may be required for the new  
86 driveway. Sight distance is adequate. The front of the property has been used for

87 agriculture and is fairly wet. The Seagers are in negotiations with the cell tower  
88 company to use the existing driveway.

89 James Seager, applicant, 467 High Street, Unit 22, Hampton, NH, and resident of 74  
90 Ranger Road until June of last year, addressed the board. He has had ongoing  
91 conversations with the site manager from American Tower, as well as with one of their  
92 lawyers, who has assured him that he will be able to utilize the access road and the  
93 bridge to get to his property. A written document confirming this is pending. Questions  
94 from the board: C. Rogers: How wide is the right-of-way to the cell tower? D. O'Hara:  
95 20'. C. Rogers: Why do you need to go down to 14'? D. O'Hara: Cost. It will only  
96 serve one house. It will be upgraded at the time the second lot is developed. C. Rogers:  
97 Proposed drive goes through the tree conservation zone. D. O'Hara: Trees can be cut  
98 with Town of Hollis permission. D. Cleveland: There is only about 100' from the tower  
99 to the building envelope on 2<sup>nd</sup> lot; is this a problem? M. Fougere: There are plenty of  
100 other areas to locate the house; there is not a requirement that the building be put in the  
101 building area. D. O'Hara: Envision the house at the top of the hill. R. Hardy: Need  
102 clarification on the thin wedge of wooded area next to Howe Lane that should be  
103 protected. M. Fougere: This will have to be a stipulation added to the plan. R. Hardy:  
104 Will whole driveway have to be redesigned for the 2<sup>nd</sup> house? M. Fougere: Correct –  
105 and I recommend that they design it at this time so it is ready to be built when the house  
106 in back is constructed. (Approx. 7:40 – J. Peters arrives and takes over as voting  
107 member.) D. O'Hara: There is not a problem meeting the 8% grade. B. Ming: Does  
108 the driveway have to go around the tower on that particular side? D. O'Hara: Yes –  
109 because there is a 100' setback to the brook on the other side. M. Fougere: More detail  
110 is needed on this plan. B. Moseley: Suggest we do a site walk.

111 Public Hearing: David Seager, brother to Jim Seager and abutter, stated that he has no  
112 objections to the plan. This was all part of the family farm. The trees surrounding the  
113 cell tower are very large; should be possible to put a driveway in with very little visual  
114 impact.

115 Dawn Jewett, 90 Howe Lane, expressed concern regarding speeding on Howe Lane, and  
116 the fact that a lot of waivers are needed. There being no further discussion, the chairman  
117 closed the public hearing. Board members agreed to set a site walk time at the  
118 conclusion of the meeting. D. Cleveland moved to table File PB2019-009 to the August  
119 PB meeting. Motion seconded by C. Hoffman and unanimously approved.

120 c. **File PB2019:010** - Proposed minor site plan proposing two small additions, a 180 square foot  
121 stairwell and 954 square foot addition to the front of the church, also a patio amphitheater will be  
122 constructed. Map 52 Lot 53, 3 Monument Square. Applicant/owner: The Congregational  
123 Church of Hollis. Zoned TC Town Center, Historic District. **Application Acceptance & Public**  
124 **Hearing.**

126 (C. Rogers recuses himself for this case; R. Hardy votes in his place.)

Planner M. Fougere presented background information on this application. The application has received approval from the ZBA for setback and lot coverage issues, and the applicant has met with both the Selectmen and Library Trustees. Changes to the front include a 954 sq. ft. addition as well as a new handicapped entrance. There will be a one-way drive at the front of church, and the main driveway will be realigned on Monument Square. On the east side of the property a fire escape will be enclosed within a 180 sq. ft. addition adjoining the cemetery, and the eastern lawn will be regraded to accommodate a small amphitheater. The existing sidewalk will be relocated to the edge of pavement along Broad Street. The site is in the HDC. Drainage is under review by the town engineer; landscaping is proposed along the frontage. The applicant has requested waivers from site details within 200' of the site, and for special studies. Other issues: Has approval been granted by NHDOT to relocate and construct new sidewalks within the State's right-of-way? Need a letter from the library trustees stating their agreement with the proposed relocated driveway.

D. Cleveland moved to accept PB2019:010 for consideration. Motion seconded by J. Peters and unanimously approved.

Tom Hildreth, 15 Broad Street, attorney for the church and member of the building committee, addressed the board. He introduced a number of other representatives associated with the project: Paul Chisolm, civil engineer, Keech Nordstrom; Dennis Meyers and Christine Morrell, architects; Ed Wigfield, chair of the building committee and capital building committee; Drew Mason, treasurer of the church and member of the building committee; Tanya Rasmussen, pastor. Mr. Hildreth summarized the reason for the project (see his letter dated 6/24/19), which is: "Welcome, worship, learn and serve on a foundation of safety". He distributed illustrations depicting the proposed changes, and discussed details of each. The newest plans show the sidewalk continuing along the frontage. The final sidewalk/driveway configuration involves both the Town and the State. Approvals are pending from NHDOT. The existing stairway will be enclosed and it is anticipated that people will then use it to get from the sanctuary to the fellowship hall. The amphitheater will create a community gathering space. As it stands today, Hardy Hall does not comply with life safety code; the addition will bring that section into compliance. The construction material for the amphitheater will be reviewed with the HDC. The surface is approx. 1,000 sq. ft. and they have received a variance for this. Mr. Meyers noted that one of the materials under consideration for the patio is a paver known as "Hanover Block". The height of the seats is 18' to 21". There are several options under consideration for the retaining walls. These items should be finalized when they go to the HDC. Mr. Hildreth pointed out that there is an interior wall at the back of the sanctuary that is not the exterior wall of the building. The plan is to remove the interior wall and expand the sanctuary out to the exterior wall, adding windows to bring in light. The plan also calls for putting the power underground. Comments have been received from DPW Director Todd Croteau and town engineer Dennis LaBombard, and changes made to the latest plans, including a small stormwater drainage swale that is

168 piped to an existing catch basin. Mr. Hildreth requested conditional approval, subject to  
169 satisfaction of the DPW director and town engineer.

170 B. Moseley: Assume you have taken steps to assure you will not be encroaching on the  
171 cemetery. T. Hildreth: Yes. Have been in conversations with the Cemetery  
172 Commission for over a year, and did a lot of historical research to confirm the actual  
173 boundaries. Also had a company with ground penetrating radar survey the area and  
174 found nothing of concern. J. Peters: Any lighting impact on neighbors? T. Hildreth:  
175 Several additional post lights will be added; also lighting in the entrances. No all-night  
176 lighting. J. Peters: What are hours/uses of amphitheater? T. Hildreth: A committee is  
177 working on that. Hoping this will encourage interaction with adjoining spaces and  
178 properties. R. Hardy: Do we need comment from the State relative to the drainage  
179 going into their catch basin? Project engineer Paul Chisolm responded that the catch  
180 basin sits on private property and the project is not big enough to trigger any State  
181 permits. R. Hardy: Do we have to be concerned with having railings in the  
182 amphitheater? M. Fougere: This is a building code issue. Dennis Meyers, architect,  
183 stated that there is a guard rail at the top of the retaining wall and a handrail down the  
184 steps. All other grade changes do not require anything.

185 Town engineer Dennis LaBombard reviewed his letter of June 12, 2019. He just  
186 received a revised set of plans and drainage calcs yesterday and has not had time to  
187 review them.

188 M. Hartnett: Any concerns about the lighting's effect on the neighbors? Stair lighting?  
189 D. Meyers: Ground level lighting is built into the stairs.

190 Public Hearing. Joe Garruba, 28 Winchester Drive, spoke in favor of the proposal. He  
191 asked the board members to read the four letters he sent previously on another project.  
192 The chairman informed Mr. Garruba that this application is regarding the church, and  
193 would he please sit down if his comments are not relative to this application.

194 Tanya Rasmusson, 16 Depot Road, Hollis, pastor for the church for 4 years, stated that it  
195 was clear that the members of the church had been called to expand their ministry. The  
196 church is in its 276<sup>th</sup> year as a congregation, and she is proud of the congregation and the  
197 leadership of the team. There are other groups involved as well. The only way the  
198 church can continue to thrive is to make these changes. The process has been  
199 completely transparent, with "tons" of input.

200 There being no further comment, the chairman closed the public hearing. B. Ming asked  
201 if a traffic study is needed now that there will be an additional entrance. M. Fougere  
202 noted that this was reviewed by NHDOT and they have issued a permit. C. Morrell,  
203 architect, explained that the redesign of the driveway actually improves safety by  
204 eliminating the jog. B. Ming: Is there anything to protect the library parking while the

205 construction is going on? T. Hildreth: Estimate for the work is a maximum of 2 days;  
206 we will coordinate this with the library.

207 M. Fougere reviewed outstanding issues: Final review by DPW director and town  
208 engineer; waiver requests. J. Peters moved to grant the waiver from depiction of site  
209 details within 200 feet of the site, including all roads and structures. Motion seconded  
210 by C. Hoffman and unanimously approved. (The second waiver is not necessary  
211 because Special Studies are generally not required for site plans.)

212 J. Peters moved to approve File PB2019:010, subject to the following stipulations:

- 213 • The applicant shall obtain a driveway permit from NHDOT as well as authority to
- 214 relocate the sidewalk within the State's right-of-way
- 215 • Obtain HDC approval
- 216 • Finalize any outstanding issues with the town engineer
- 217 • On note 5, add that the site is within the Historic District
- 218 • Address issues raised by the Public Works Director
- 219 • Add a sidewalk within the drop-off island
- 220 • Accommodations shall be made to protect the Veterans Park during construction,
- 221 including a bench that is very close to proposed drainage work. Proper temporary
- 222 fencing and/or a barrier shall be erected.

223 The motion was seconded by D. Cleveland and unanimously approved.

224 d. File PB2019:011 – Proposed minor site plan outlining a change of use to an existing industrial  
225 building; 1,000 sq. ft. of space will be occupied by Wilson's Ground Maintenance Company; a  
226 portion of the existing parking area will be used for equipment storage and material storage.  
227 Map 4 Lot 76. Owner Travis Wilson; applicant Brian Wilson, 3 Clinton Drive. Zoned Industrial.  
228 **Application Acceptance & Public Hearing.**

230 This minor site plan calls for a change of use to an existing industrial building: a  
231 landscaping company will occupy 1,000 sq. ft. of the existing 5,576 sq.ft. structure. The  
232 company has 4 employees, 2 dump trucks and 4 plows. Three outdoor bins for mulch,  
233 stone and loam are proposed; there will be no material processing or onsite sales of  
234 materials. No fertilizers or pesticides will be stored on the property. Hours of operation  
235 will be 6 am to 5 pm.

236 Brian Wilson clarified that he is the property owner and Travis Wilson is the applicant.  
237 J. Peters moved to accept File PB2019:011 for consideration. Motion seconded by D.  
238 Cleveland and unanimously approved. Travis Wilson, owner of Wilson's Ground  
239 Maintenance, explained that he is looking to occupy the warehouse space in the rear of  
240 the building for inside storage and maintenance, as well as a portion of the paved area to  
241 the rear of the building. He would also like to extend the fence line and add some  
242 storage bins. This is the former Dunwell Electric site.

243 Comments from the Board: R. Hardy: In favor of using the same hours of operation as  
244 the recent application next door. There were no comments for the public hearing. J.

245 Peters moved to approve File 2019:011. Motion seconded by D. Cleveland. All in  
246 favor; no one was opposed. Motion carries and the application is approved.

247 e. File PB2019:012: Proposed minor site plan for a change of use of an existing 5,000 sq. ft.  
248 building to be occupied by a concrete construction company. Map 11 Lot 8. Applicant/owner:  
249 Thomas Walton, 265B Proctor Hill Road. Zoned Industrial. **Application Acceptance & Public**  
250 **Hearing.**  
251

252 This is a change of use minor site plan for an existing 5,000 sq. ft. building for use by a  
253 concrete company with 5 employees. The building will be used to store equipment  
254 including hand tools, a bobcat, a mini excavator, power tools, drills, concrete stamps,  
255 etc. There will also be biodegradable concrete colorants and a gallon of 2 cycle oil and  
256 water sealant. There will be three equipment trucks and a box truck parked outside.  
257 Hours of operation are from 5:30 am to 7:30 pm and all work will be conducted off site.

258 D. Cleveland presented a motion to accept File PB2019:012 for consideration. Motion  
259 seconded by C. Rogers and unanimously approved. Joe Vallencourt, Vallencourt  
260 Construction, indicated that he is looking to rent space from Mr. Walton for his concrete  
261 operation. The chairman opened the public hearing. There being none, the chairman  
262 closed the public hearing. D. Cleveland moved to approve File #2019:012. Motion  
263 seconded by J. Peters and unanimously approved.

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## 265 7. OTHER BUSINESS 266

267 a. Draft Administrative Rules – Workforce Housing  
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269 Chairman B. Moseley noted that he and M. Fougere had met with representatives of the  
270 NH Housing Finance Authority, and received comments and suggestions which have  
271 been incorporated into the document. M. Fougere reviewed the draft, noting that it sets  
272 up the administrative rules that the Board adopted a number of years ago, and provides  
273 guidelines of what the planning board's expectations of the applicant will be with  
274 respect to covenants, and how long the covenants will be in force. Because there are  
275 density waivers, the affordability should remain in effect for a specified period. J.  
276 Peters: Thought affordability was perpetual. M. Fougere: The standard covenant  
277 restriction is a minimum of 30 years. If the unit is resold prior to 30 years, the covenant  
278 gets reset. Rules differ for rental vs. for-sale housing. A third party administrator  
279 should be involved in for-sale housing because it is a complicated procedure which must  
280 follow federal guidelines as well as state statute. Owners of rental units will often have  
281 a professional group to file annual reports and confirming that the tenants meet the  
282 income criteria. A third party reviewer takes a fee at closing to cover their  
283 administrative costs. M. Fougere noted that while this is the only zone in town for

284 multi-family, there is a provision in the ordinance to allow for an affordable housing unit  
285 for sale within a HOSPD. R. Hardy: What is town cost on an annual basis for  
286 administering this? M. Fougere: The only thing the town has to cover is the reporting  
287 requirements. The third party administrator is a built-in fee paid at the closing. The  
288 town will only be responsible for getting the annual reports. R. Hardy: How do we  
289 determine what percentage of units are rented vs. owned? M. Fougere: 25% of the units  
290 have to be affordable and have to be spread out throughout the project. When they  
291 submit the application they will have to designate where the rental units will be located.  
292 Workforce owner-occupied is 30% and rental is 25%. D. Cleveland: Are these rules  
293 consistent with what other towns do? M. Fougere: Yes – spoke to a number of different  
294 communities. B. Ming: Are there limits on the lease terms? M. Fougere: We can add a  
295 stipulation that leases are for a one-year period. B. Ming: (Ref. pg. 3 regarding  
296 prohibition of sub-leasing...do you mean leasing or do you only mean subleasing? M.  
297 Fougere: I mean “leasing to somebody”; if you own a workforce housing unit you can’t  
298 rent it. He will remove “sublease” and “third party individuals”. B. Ming: On page 2,  
299 suggest doing something to tie in to the recorded deed. Finally – suggest adding a  
300 reference to the state statute. All agreed to make these changes.

301 C. Hoffman presented a motion to approve the Workforce Housing Administration,  
302 Compliance and Monitoring Rules: Assurance of Continued Affordability” dated July 8,  
303 2019, as amended. Motion seconded by D. Cleveland and unanimously approved.

304 **b. Separate meeting for upcoming workforce housing application.**

305 The chairman suggested that the board designate a separate meeting day to deal with the  
306 workforce housing application. Mark will check on the availability of the room and the  
307 application will be scheduled accordingly. Scheduling is somewhat dependent upon  
308 what comes in by the deadline for the next meeting. Board members agreed that if the  
309 situation dictates it is agreed to have a separate meeting.

310 **c. Site walk for Seager property**  
311

312 Board members agreed to conduct the site walk for the Seager application on Tuesday,  
313 August 20 at 5:00 pm. Meet at the entrance of the property.

314 **8. ADJOURN**

315 This concluded the public portion of the meeting and the Board voted to move into non-public session at  
316 approx.. 9:12 pm.

317  
318 Respectfully submitted,

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322 Virginia Mills  
323 Secretary *pro tem*  
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