

**HOLLIS PLANNING BOARD MINUTES**  
**October 15, 2019**

**PLANNING BOARD MEMBERS PRESENT:** Bill Moseley – Chairman; Doug Cleveland – Vice Chairman, Chet Rogers, Cathy Hoffman, Jeff Peters, Ben Ming, Matt Hartnett (Alternate), Rick Hardy (Alternate) David Petry, Ex-Officio for the Selectmen.

**ABSENT:** All members present.

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

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

**2. APPROVAL OF PLANNING BOARD MINUTES – Meeting of September 17, 2019 - Tabled**

**3. DISCUSSION AND STAFF BRIEFING**

- a. Agenda additions and deletions – Several letters received will be reviewed at the appropriate case.
- b. Committee Reports - none
- c. Staff Report - none
- d. Regional Impact - none

**4. SIGNATURE OF PLANS – none**

**5. HEARINGS –**

- a. **File PB2019:18** – Proposed site plan for the installation of a two 450 square foot ground mounted solar tracking system, Map 3 Lot 31, Applicants: Go Solar NE; Owner: Matthew Levine, 16 Blood Road. Zoned R/A Residential Agricultural. **Application Acceptance & Public Hearing.**

Staff reviewed application to install two 447 sq. ft. trackers along the northeast corner of a six acre parcel. A tracker solar array will move during the day and reach a maximum height of 20.4 ft. The trackers will be 360-400 ft. off Blood Road, and due to this large setback the applicant is not proposing any vegetation buffer. The units are electric and non-hydraulic so no maintenance plan is required. Staff reviewed the required findings for the Conditional Use Permit. Issues: Does the Board wish to have a site walk? Waiver for the 10' height requirement and landscape buffer. Waiver for site plan to be prepared by licensed surveyor or engineer.

Moved by D. Cleveland, seconded by C. Hoffman, to accept File #PB2019:18 for consideration. All in favor; none opposed. Erik Pickhardt, Go Solar NE, stated that the nature of the project is energy independence for the homeowners. The tracking units are 45% more efficient than ground mount, meaning that fewer panels are necessary; taller but requiring a smaller footprint. R. Hardy asked for additional information regarding the waiver request for screening. Mr. Pickhardt distributed photos of the site and offered to work with the Board if it is determined that a screening plan is required. He noted that the installation is next to a tennis court and 400' from the road. Board members unanimously agreed that a site walk is in order. J. Peters asked why this location was chosen. E. Pickhardt: Setback requirements and the septic location preclude the back edge of the property so the northeast corner made the most sense. M. Hartnett asked about controlling the solar glare from the panels. E. Pickhardt: Glare is minimized by this type of panel and is regulated by FAA regulations. B. Moseley: Is there a reason why you do not want to have a licensed engineer or surveyor prepare the site

plan? E. Pickhardt: No; will do this if necessary. D. Cleveland: Requirement is 10' and you are proposing 20'; how would you redesign this if waiver is not granted? E. Pickhardt: Would have to go to a non-tracking system, which would require more space, which is not available at this site.

The chairman opened the public hearing. Robert Burke, Shedd Lane, spoke in favor of the proposal, noting that he would like to do something similar. Debbie Eades, 251 Farley Road, asked if the variance would be for 7' higher than the walls of the community room. (yes). Matthew Levine (homeowner), noted that the neighboring Kimball Farm has 5 of these units within 50' of the road, while his will be set back far from the road. The alternative non-tracking system would be double the amount of units and like a solar farm, which is not appropriate for a residential property. There being no further comments, the chairman closed the public hearing. D. Cleveland moved to table PBFile2019:18 to the Nov. 19 meeting following the site walk. Motion seconded by C. Rogers and unanimously approved.

- b. **File PB2019:016**– Proposed site plan for the installation of two ground mounted solar arrays, each 540 sq. ft. Map 13 Lot 67, 26 Dow Road. Applicant: Revision Energy. Owner: Charlie & Kathleen Morgan. Zoned R&A Residential Agricultural. **Application Acceptance & Public Hearing.**

This proposal is for two ground-mounted solar arrays that meets the 10' height requirement, and will be located on the south lawn 60-90 feet off the road right-of-way. A landscaping plan has been submitted proposing two rows of red cedar evergreens, 5'-6' tall, 10' on center, staggered 5' apart. Five deciduous trees will be removed along the driveway. The board will need to review the required Conditional Use Permit findings. Does the Board wish to have a site walk? C. Rogers moved to accept PBFile2019:16 for consideration. Motion seconded by J. Peters and unanimously approved.

Charlie Morgan has proposed two ground-mounted solar arrays to the south of his house. Two rows of cedar trees are proposed, one row of 5-6' trees and one row of 3-4' trees. He would like to leave a path to get utility vehicles to the back of the house. Erik St. Pierre, ReVision Energy, confirmed that plan is for a 60 panel 19.2 kilowatt installation. All panels have been treated with an anti-glare coating, Board agreed to schedule a site walk. D. Petry: How far back off the road are the 5 trees? C. Morgan: About 8' on property side of the stone wall. M. Hartnett: Is there a surveyed drawing? C. Morgan: No – wanted to avoid the cost. Board noted that this is a requirement for all solar applications and they want to be consistent. C. Rogers: array footprint should be staked out for the site walk, for this and all other applications. There were no other comments, the public hearing was closed. D. Petry moved to table this application until the next regular meeting, and schedule a site walk. Motion seconded by J. Peters and unanimously approved. Site walk for this and the previous solar application was set for Sat., Nov. 9. Blood Road will be at 8:00 AM and Dow Road will be at 8:30 AM. Rain date for both is Nov. 16.

- c. **File PB2019:019** – Final application for proposed addition to existing veterinary hospital, a 138 sq. ft. addition to the front and a 400 sq. ft. addition to the back. Map 52 Lot 26, 11 and 11A Silver Lake Road. Applicant Hollis Veterinary Hospital. Owner Graham-Evelyn Property Holdings, LLC. Zoned Agriculture-Business & Historic District. **Application Acceptance & Public Hearing.** (C. Rogers recuses himself for this application; M. Hartnett takes his place for this case.)

93 This is a proposal to construct two small additions to the existing Hollis Veterinary Hospital,  
94 a 138 sq. ft. addition along the front of the building and a single story 400 sq. ft. addition to  
95 the rear. The existing parking lot has 13 parking spaces (12 are required). The applicant has  
96 obtained HDC and ZBA approval. The applicant has requested a waiver of providing a  
97 drainage plan.

98 C. Hoffman moved to accept PBF#2019:019 for consideration. Motion seconded by D.  
99 Cleveland and unanimously approved. C. Brannon, Fieldstone Land Consultants, reviewed  
100 plans for a 138 sq. ft. addition on the southwest corner of the exiting building to provide  
101 additional room in the waiting area. A special exception for a front yard encroachment has  
102 been obtained from the ZBA. The rear addition will be 400 sq. ft. for additional exam  
103 rooms. Existing parking meets all requirements. The walkway will be shifted slightly, and  
104 an A/C unit will have to be relocated. Rain water from the rear addition will sheetflow over  
105 a lawn area, and with sandy soils no stormwater impacts are anticipated, and the applicant is  
106 seeking a waiver of providing a drainage plan. All other requirements are met. J. Peters:  
107 What are the soil types? Jill P???, DVM, owner of Hollis Vet Hospital, stated that the HDC  
108 and ZBA have approved the project. The front addition is needed because the waiting room  
109 is much too small. J. Peters: Which way is the stormwater flowing? C. Brannon: To the  
110 west.  
111 There were no comments for the public hearing. J. Peters moved to grant the drainage  
112 waiver for File PB2019:09. Motion seconded by ??? and unanimously approved. C.  
113 Hoffman moved to approve the application for the Hollis Veterinary Hospital. Motion  
114 seconded by J. Peters and unanimously approved.

115 d. **File PB2019:017.** Proposed conceptual consultation, site plan application outlining the  
116 construction of a 4,500 sq. ft. gas station and two apartments and an 8,000 sq. ft. retail store  
117 on a 4.19 acre site. Map 5 Lot 28, 82 Runnells Bridge Road, Applicant: Runnells Bridge  
118 Realty Trust. Owner: Team Yarmo Investment 1, LLC. Zoned Commercial. **Public**  
119 **Hearing.**

120 M. Fougere noted correspondence received regarding this application: (1) Letter from Marc  
121 and Maureen Baril, 78 Runnells Bridge Road and (2) Memo from E. Clements regarding  
122 traffic impacts.

123 M. Fougere reviewed staff report of this proposal to merge two lots into a single parcel and  
124 create a mixed use development with two buildings. The property is located on the south  
125 side on Runnells Bridge Road, approx. 315 ft. southwest of the intersection with Depot Road.  
126 The north building will be 4,500 sq. ft with a gas station with 10 pumps, a convenience store,  
127 a Dunkin Donuts with a drive-thru and apartments above the convenience store. There will  
128 be 35 parking spaces and stacking storage for 11 cars in the drive-thru, where there will also  
129 be a by-pass lane. The south building will be for 8,000 sq. ft. of retail space with 28 parking  
130 spaces, a loading dock and two-way circulation around the building. The buildings will  
131 share a common access drive from Runnells Bridge Road. The applicant is working with  
132 NHDOT on a Traffic Impact Study, and other possible improvements to Runnells Bridge  
133 Road.

134 There are an extensive number of issues that must be addressed with this plan (see detailed  
135 list in staff report dated 10/17/19) and staff has identified a preliminary list of additional  
136 materials and studies that should be submitted as part of the design review stage of the  
137 review process:

- 138 • A landscape/screening
- 139 • A photometric plan
- 140 • A topographic plan showing all drainage and proposed grades
- 141 • Renderings and color elevations of the proposed buildings
- 142 • A traffic impact study and comments from NHDOT
- 143 • Environmental hazard analysis
- 144 • Wildlife habitat study
- 145 • Fiscal impact study
- 146 • Visual impact study (Rural character)
- 147 • Historic significance documentation
- 148

149 M. Fougere noted that this is a conceptual review, which will be followed by design review,  
150 and ultimately to a final application.

151 Jason Hill, project manager with T.F. Moran, accompanied by Seth Cohen of Runnells  
152 Bridge Realty Trust, presented an overview of the project. He distributed renderings of a  
153 similar type of project and a set of elevation drawings. The project is located at 82 Runnells  
154 Bridge Road, recently subject of a 3 lot commercial subdivision. The applicant is looking to  
155 purchase the front two parcels of approx. 2.5 acres, consolidate them, and construct a two-  
156 phase commercial development. Phase 1 is a 4,500 sq. ft. convenience store with attached  
157 drive-thru restaurant and a gasoline station with 10 fueling stations as well as two  
158 apartments. A shared driveway will access pad site 1 and pad site 2, with the back piece  
159 being retained by the original owner. Phase 2 will be an 8,000 sq. ft. dry goods retail  
160 building with associated parking. Truck access with a loading dock will be in the rear. The  
161 applicant has met with the DOT regarding traffic and DES regarding underground fuel  
162 storage. This is a perfect use for this commercial site. There is a lot of traffic coming from  
163 Pepperell to Nashua on Rt. 111, which is well sited for this type of use. Circulation will be  
164 primarily two-way around the parking lot with one-way heading into the drive-thru. Noting  
165 that Rt. 111 is a busy road, B. Moseley asked how many tractor trailers could be  
166 accommodated at the site. J. Hill pointed out areas where one to two tractor trailers could  
167 park. Landscaping will be hardy four-season shrubbery. 60% is the maximum coverage in  
168 this commercial zone and the open space requirement is 40%. A portion of the truck drive is  
169 to be a pervious paver surface to help meet the open space requirement. Soils have good  
170 infiltration, and suitable to put an underground drainage system under the parking lot. An  
171 Alteration of Terrain Permit from DES will be required because there is more than 100,000  
172 sq. ft. of site work. Mr. Hill described the containment system that will be designed to  
173 accommodate fuel spills; a permit from DES will be required for this also. Catch basins will  
174 have oil/gas trap hoods. No waivers will be requested for the drainage system. M. Fougere  
175 noted that the Hollis site plan regulations encourage the use of pervious pavers. C. Hoffman  
176 recalled concerns from a previous site walk regarding the proximity to the aquifer. J. Hill  
177 discussed the fuel tanks, which will be triple walled. A non-public transient water system is  
178 proposed, which will serve both uses and will be subject to regular testing. The septic will  
179 be in the central part of the site. There will be one one-bedroom and one two-bedroom  
180 apartment, and will be occupied by the employees.

181 D. Petry explained the Hollis requirement of the three application phases. He cautioned the  
182 applicant to not get ahead of himself because the plan will probably change and there are a  
183 number of items that have not yet been addressed. He expressed concern about traffic issues.  
184 He noted that when this site was originally before the Board it was presented as child care for

185 the back two lots and a small convenience store on the front lot; what is now being presented  
 186 is much larger. A second building seems excessive. D. Petry reiterated a number of the  
 187 additional studies and requirements listed in the staff report. D. Cleveland: What company  
 188 will be the supplier? S. Cohen: 7 Eleven and possibly Exxon for gas and diesel. D.  
 189 Cleveland: Will right-of-way be blocked off? J. Hill: Need to look at legal status of the  
 190 right-of-way; not proposing to gate it. B. Moseley: Not going to use it to service your  
 191 property? J. Hill: No (small section of the wellhead easement overlaps it). D. Cleveland:  
 192 Will berms along Runnells Bridge Road be removed? J. Hill: Yes. D. Cleveland: Any  
 193 comments on the future of the back lot? J. Hill: Don't want to speculate; will be limited in  
 194 terms of sewer and water. J. Peters: Will well for front parcels be located on the rear lot? J.  
 195 Hill: Yes. D. Petry: Why not consolidate with the other lots and leave the back part as open  
 196 space? S. Cohen: We are only buying the front two lots and have agreement for well  
 197 easement on the rear parcel. M. Fougere: What uses can go in the well radius? J. Hill:  
 198 While there are restrictions within the well radius, there are uses that can take place on this  
 199 lot. B. Moseley: How far will the neighbors wells be from the underground fuel tanks? J.  
 200 Hill: Will need to get that information. R. Hardy: We had screening requirement areas on  
 201 the original subdivision plan on the east side. M. Fougere: Correct.

202 PUBLIC HEARING. Mark Archambault, 83 Pepperell Road, owns convenience store  
 203 directly across the street from this proposal. Don't think we need a gas station or  
 204 convenience store; we already have both in this area. This is big corporate money that will  
 205 undercut everything he has done for the last 25 years with his business. The Hollis residents  
 206 30 or 40 years ago put the commercial zoning on the outskirts of the town. His family had  
 207 several businesses. His family has always done something that is positive and constructive  
 208 (eg. The Alpine Grove, the convenience store, etc.). He deliberately did not put gas at his  
 209 convenience store because of J. Don's down the street. M. Archambault testified to all the  
 210 detailed requirements the town has imposed to maintain the rural character intact, but there is  
 211 something there are some things more important than rock walls and trees and that is the  
 212 family heritage. His family has put hundreds of thousands of dollars in taxes and makes  
 213 Hollis one of the best towns in the State. He is concerned about this project wiping out his  
 214 business and his livelihood.

215

216 Mark Barrill, 78 Runnells Bridge Road, stated that this plan is very different to what was  
 217 proposed at a previous meeting. He is perplexed. There will be a lot of pavement and there is  
 218 a lot of water that has to go somewhere. It is documented that spillage for a project like this  
 219 is 40 gal. year. Mr. Barrill stated that he was approached by the buyer to remove his well, to  
 220 take his trees down, and to sell a portion of his property where he has a right-of-way. This is  
 221 a huge impact that will change Hollis.

222 (Town Residents). Joe Garruba, 28 Winchester Drive, questioned the concept of using  
 223 impervious pavers as open space. The definition of open space in the commercial section  
 224 would preclude roads or parking areas from being open space. With the MS4 stormwater  
 225 regulations there is a serious concern of the cost to the town if any water leaves the site so it  
 226 is crucial that water does not leave the site.

227 Daniel Bredo, 15 Old Runnells Bridge Road, asked for clarification on the proposed tenant in  
 228 the rear building

229 Alice Mann, Pineola Drive, stated that she is opposed to this application. She has lived at  
230 this location for 45 years, and seen a great increase in traffic, lights, and noise. Hollis does  
231 not need this. The well on the extra lot is useless. One year someone blocked the access road  
232 has her kids could not get through with a snowmobile; the police said there was nothing they  
233 could do because it is a private road. She is not against progress but does it all have to be  
234 dumped here? The traffic here already backs up. If the access road goes in, it should be  
235 blocked at the end where the Savoie property is. There are only four houses on that road and  
236 residents have endured enough, and traffic will be a nightmare.

237 ~~John Garruba, 30 Meadow Drive, noted that there are no controls on who can live in the~~  
238 ~~apartments in the future.~~

239 **(Following further review the Planning Board voted at the December 17, 2019 meeting**  
240 **to re-open and amend the above struck comments to read as follows)**

241 John Garruba, 30 Meadow Drive states that the applicant plans to use the proposed  
242 apartments for employees but does not believe that the Town can guarantee, or has any  
243 ability to control that these dwelling units stay as employee only residences. He also noted  
244 that the applicant has ignored a residential property that is adjacent to the site in favor of  
245 building these apartments above the convenience store.

246 **(Amendment ends)**

247 Mark Wanton ???, 60 Dow Road, noted that it appears to be about 300' from intersection of  
248 Depot Rd and Runnells Bridge Rd and this is a very busy intersection, and 500' from the  
249 Nashua River so underground fuel tanks are an environmental risk.

250 Dave Sullivan, 58 Jewett Lane, expressed concern about protecting the groundwater supply  
251 with this project as with the Pepperell toxic dirt issue nearby.

252 Bonnie Bruno, 35 Milton Place, stated that she purchased her home in Hollis for a "particular  
253 vibe" and this project is disappointing, and not at all what she thought the Town would be as  
254 it plans its future.

255 Robin Davis, 1 Dalkeith Road, stated that she is a new resident and she is happy to hear the  
256 Planning Board say that Hollis is a "different town". She moved to Hollis because it is not  
257 another Bedford, NH (where she moved from). She asked that the Planning Board carefully  
258 check the easements and that there may be families that have rights-of-ways that will prohibit  
259 parts of this plan from happening. The tractor trailers should not have the right to stay  
260 overnight; we do not want human trafficking to be a problem in Hollis. This development  
261 could destroy the aquifers, and more information is needed about the entire area. Property  
262 assessments are an issue. Would not have bought where I did had I known that this project  
263 and workforce housing down the street were going in. The Planning Board has the  
264 responsibility to protect the residents. Should look into what T.F. Moran has done in  
265 Bedford; do not want Hollis to turn into another city.

266 Sandra Jeffrey, 229 Depot Road, stated that she has permeable pavers and they grow a lot of  
267 grass and weeds and she would hate to see that much Roundup being used that close to the  
268 Nashua River.

269 Pam Hicks, 8 Maple Knoll Drive, stated that she is “horrified to see this”, and charged the  
270 Planning Board to do everything it can to make sure this project does not happen.

271 Ken ??? Forest View Drive, stated concerns regarding lighting and night glare, and  
272 questioned if the power lines are sufficient to support this business. He is also horrified by  
273 this project.

274 Michelle St. John, Orchard Drive, stated that she is not in favor and has concerns regarding  
275 the underground storage tanks and the sprawl. This feels like 101A and not Hollis.

276 Robin Davis, 1 Dalkeith Road, noted that Bedford prohibited fast food establishments in the  
277 non-performance zone. The reason for this is trash.

278

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

280 Applicant Seth Cohen stated that he is willing to address all the issues raised. D. Petry  
281 responded that staff will provide a list of all concerns. He stated that it is a husband and wife  
282 who own this and not a big corporation. B. Moseley asked about the status of the larger  
283 building in the back. S. Cohen: We have not negotiated with anyone. J. Peters: You are  
284 looking to buy this from Team Yarmo? S. Cohen: Yes.

285 M. Fougere reviewed the detailed list of items needed from his staff report (see item 11). B.  
286 Moseley asked about well stress testing, as was done at Cobbett Lane. D. Petry cited a  
287 thorough review of the open space, use of porous pavers for open space, legal review by  
288 town counsel, regional impact. D. Petry presented a motion to notify and request feedback  
289 from abutting towns for regional impact. The motion was seconded by J. Peters and  
290 unanimously approved. M. Fougere noted that for the project to undergo a detailed review it  
291 is necessary to move to design review. D. Petry added that the applicant could also decide to  
292 withdraw the plan. He also clarified that moving to design review and getting all this  
293 additional information is not supporting the application one way or another. M. Fougere  
294 agreed, noting that there is no obligation that design review will lead to an approval. The  
295 chairman summarized the mechanics: the board votes for the applicant to go to design  
296 review, the applicant submits all the required information with an application to get on the  
297 agenda, there is another public hearing. Board agreed that a site walk would be appropriate  
298 when more information is available. D. Cleveland asked if the applicant wants to proceed to  
299 design review. J. Hill: Yes; we have already assembled a lot of the material requested. D.  
300 Petry added that the applicant also has the option of coming back with a different conceptual.  
301 Board members discussed the option of tabling the conceptual. D. Petry noted that this  
302 would give residents time to provide additional comment. D. Cleveland asked if it would be  
303 possible to have the applicant provide the additional information at the next meeting but stay  
304 in the conceptual phase. M. Fougere explained that by state statute, conceptual should be  
305 “broad brush”. E. Clements added that to do the detailed zoning analysis and technical  
306 review the board and staff need more than what it has been given at this point. M. Fougere:  
307 The board will not be in an adverse position by going to design review. The board is looking  
308 for very specific answers, which is part of the design review phase. D. Petry moved to move  
309 this application to the next meeting at the conceptual stage. Motion seconded by J. Peters.  
310 C. Rogers: If we go to design review they can always come back with a new concept. B.  
311 Ming: How likely is that? R. Hardy: Do not see any harm in going to design review – we

312 can always request more information. Voting in favor: D. Petry, J. Peters, ONE OTHER  
313 VOTE Abstaining: TWO VOTES. HELP – WHO VOTED WHAT????? The Board then  
314 adjourned for a 10 minute recess.

315 e. **File PB2019:05: Final Review** – Bella Meadows. Proposed two-lot subdivision and site  
316 plan for multi-family (32 units) townhome Workforce Housing (10 units) & market rate  
317 homes development (22 units). Old Runnells Bridge Road and South Depot Road. Map 10  
318 Lot 31-1. Owner: Raisanen Leasing Corp. Applicant: Raisanen Homes Elite, LLC. Zoned  
319 R&A, Recreation and Multi-family Overlay Zone. **Acceptance & Public Hearing.**

320 M. Fougere presented a summary of his staff report for this application, which is submitted  
321 pursuant to RSA 674:58-61 Workforce Housing Statute, which requires each community to  
322 provide a reasonable and realistic opportunity for the construction of owner occupied  
323 housing for those of median income and rental housing for low income groups. Workforce  
324 housing limits are set by HUD and adjusted annually. At this time the median income for the  
325 Nashua region is \$102,000, which translates into a home purchase price of \$336,000; the  
326 workforce housing units cannot sell for more than this amount. For a rental property, it is  
327 geared to those making 60% of the area median income, which is \$55,570, and their rent  
328 cannot exceed \$1390 per month. The Workforce House Statute was passed by the NH  
329 Legislature about 10 years ago, and it mandated that every community in the State had to  
330 provide workforce housing. Hollis could have ignored the statute and hope nothing  
331 happened, but there is a builder's remedy that would place the project in the hands of a  
332 judge. The Planning Board decided to be proactive and decide where it would be appropriate  
333 to have Workforce housing. This was sent to the voters and was approved at Town Meeting.  
334 One of the requirements of Workforce housing is that there be a multi-family zone; after  
335 extensive discussion the Planning Board decided that this location is the best for multi-family  
336 housing because it has access to Pennichuck water and good road access. This is the only  
337 area in Hollis where multi-family is allowed. This is the first application, and this is the 7<sup>th</sup>  
338 meeting on the topic. This application has already been through extensive review, including  
339 conceptual and design review, and it is now in the final stage.

340 This is a 32 unit owner-occupied townhome development with 30% of the units restricted to  
341 Workforce housing with covenants and deed restrictions for the maximum sale price. There  
342 will be public water, 4.5 acres of open space, and a gated emergency access off Old Runnells  
343 Bridge Road. The main access will be off South Depot Road. Workforce units will be  
344 dispersed throughout the project, and a recorded covenant will ensure the affordable units  
345 will remain as such for 30 years. This use is allowed by a Conditional Use Permit, provided  
346 the Planning Board finds it meets the specific criteria set forth in the Ordinance (see staff  
347 report). Issues addressed to date include:

- 348 • Detailed landscaping plan addressing concerns raised at the site walk has been  
349 reviewed and is supported by the Board's landscape experts. Elevation drawings  
350 are complete.
- 351 • Traffic study received (see staff report);
- 352 • Drainage analysis complete and reviewed by the Town Engineer, who concurs with  
353 the findings;
- 354 • An Alternation of Terrain permit is required and will be reviewed by the State;
- 355 • Wetland mapping has been reviewed by Gove Environmental; Jim Gove concurs  
356 with the wetland findings;
- 357 • 24 test pits have been completed and inspected by the town's septic design expert;



- 358 • Letter from the property owner has been submitted outlining the site's history;
- 359 • Plan has been reviewed by the Police and Fire Chiefs;
- 360 • Town engineer has reviewed the site nitrate loading analysis;
- 361 • Staff has reviewed area (Hollis, Bedford, Amherst & Windham) to gather data on
- 362 the number of school age children that may reside within the proposed
- 363 development. (See staff report). Hollis Superintendent of Schools is not concerned
- 364 with accommodating potential students that may live in the development. Overall
- 365 enrollment has declined by 258 students since 2008; at worst case a new teacher
- 366 may be needed.
- 367

368 Issues to address include:

- 369 • Two waiver requests – (1) providing hammerheads at the project's ends, and (2)
- 370 minimum radius standard of 125 feet. Town engineer will be commenting on these.
- 371 • Abutter on Old Runnells Bridge Road has requested a fence along his property line
- 372 and would prefer a more random placement of screening landscaping;
- 373 • Applicant will be applying to fill the lower/smaller manmade pond. NHDES now
- 374 requires evidence to prove that the pond was manmade.
- 375

376 Staff Recommendations:

- 377 • NHDES state subdivision shall be required;
- 378 • NHDES permit to fill irrigation pond;
- 379 • Bonding for all landscaping;
- 380 • Site bonding for erosion control and general site inspections;
- 381 • Workforce housing covenant to be recorded with the plan
- 382 • All lot pins set prior to plan recording;
- 383 • Note on plan that this will never be a town road
- 384

385 M, Fougere then addressed the mailing that was sent to residents. The Planning  
386 Board is very disappointed to see this happen. The flyer is not factual, is hyperbole,  
387 has a lot of misinformation, and it is disappointing that this was sent out in such a  
388 disparaging way. It makes the staff and Planning Board look bad, and like they are  
389 not doing their job, but nothing can be further from the truth. Mr. Fougere stated  
390 that he has been a Planner in NH since 1987, has worked with numerous Planning  
391 Boards, and the Hollis Planning Board works harder than any other board he has  
392 worked with. Hollis has some of the most restrictive zoning in the State and nothing  
393 gets by this board easily - and if people do not have faith in this board, something is  
394 wrong. It is very disappointing that people have prejudices and preconceptions and  
395 spread rumors instead of facts. The board makes its decisions on facts. The Court  
396 approved a Workforce housing project in Windham, and that is not what we want;  
397 we want the residents to make the decisions. D. Petry pointed out that with the  
398 exception of town staff and himself as a Selectman who is elected, all the others are  
399 volunteers appointed by the Selectmen. They have not volunteered to do a bad job,  
400 and for someone to go to a public meeting and say that the Planning Board is  
401 ineffective, is not thorough and does not know what it is doing is not factual.

Planning Board members also follow a code of conduct, the most important item being that board members only discuss cases during the meetings. The way to contact the board is to send an email or letter to town staff. The board takes in information and public input and then makes an informed decision. Any information received from outside sources should be fact checked; the only source of valid information is from the Planning Board and staff. Board members cannot take a for or against position until they take a final vote. Board members take this job very seriously. Ask Hollis police, fire, and teachers how many of them live in town; the answer is very few – they cannot afford to live here. Before people take a position they need to understand all the facts.

D. Cleveland moved, seconded by C. Rogers, to accept the application for consideration. The motion was unanimously approved.

Project manager Chad Branon, Fieldstone Land Consultants, addressed the Board, stating that they have been working on this project with the board for 12-14 months, and they are now in the final review phase. There have been many meetings with town boards, town staff and consultants, and State permitting officials. Since the last meeting the plan has been finalized. As indicated in the staff memo, the plan has favorable review and support of findings from third party consultants and town departments. This process has been long and with multiple design revisions. The plan shows a two-lot subdivision, with the commercial lot being subdivided off. The remainder of the property will be 9.1 acres, which will be developed into a multi-family housing project consisting of 32 townhouse style units. This development is submitted pursuant to the State Workforce Housing statute, as well as under the Town's Multi-family Workforce Housing Ordinance. 9 or 10 of the units will be restricted based on income. Covenants in the deed will restrict the maximum sale price of the units for 30 years. The units are arranged in 2, 3 and 4 plex pods and the site will have Pennichuck water, onsite septic, underground electric, and stormwater will be handled completely onsite. There will be an emergency gated connection to Old Runnells Bridge Road. There will be 2 garages and 2 outdoor parking spaces for each unit along with 19 visitor parking spaces. There will be approx. 5.6 acres of open space, which far exceeds the 40% requirement. The design meets all requirements with the exception of the two requested waivers. The first is for hammerheads at the end of the access roads and the second is for minimum centerline radii. The required minimum is for 125'. This could never become a Town road because there is no right-of-way. The 125' requirement is typically on roads with speeds of 30 mph; this private road will have much slower speeds. The waiver allows for the development to be consolidated thereby providing more open space. Town safety personnel support the design. Detailed narratives addressing the conditional use criteria have been submitted. A fire hydrant has been provided. There is a lot of public interest in this project, much of it due to misrepresentation of many topics, including the two agricultural ponds on the site. Per the Hollis Ordinance, the ponds are exempt. The Wetlands Ordinance exempts man-made agricultural and irrigation ponds. Early on in this project, the State interpretation

was that a wetland permit is not required. At the last meeting with the State, the application was informed that even man-made wetlands and ponds require a permit; therefore the applicant will be applying for a State permit for the wetlands. The State and the town's consultant (Gove Environmental) agrees that it is a man-made wetland. There are no hydric soils on this site. There are pipestone soils on the soil survey, but it is called out as a somewhat poorly drained soil. There is a letter from the applicant's wetland/soil scientist stating that. The NRCS website cautions users that the information may not be factual because it is taken from about 20,000 ft. and classified in big groups. This is why you have a site specific soil survey. If it is a hydric soil it is a wetland, but it is not, and this has been verified by qualified professionals. Information being distributed by interested residents is not coming from a qualified source. The plan meets all the town's regulations and zoning with the exception of the two waivers, and the applicant is seeking approval.

J. Peters asked what assurance there is that this will not become a public right-of-way. M. Fougere responded that this is being approved as a condominium and you could not put a right-of-way on it. He recommends that a note be added to the plan. M. Fougere noted receipt of two letters received today from (1) Joan Pitarys and (2) Michelle St. John. Both letters are in the Board's packets. J. Peters asked if fire trucks could get around the intersection of Joe's Way and Pat's Way. C. Branon: Will not be a problem. J. Peters: Roads are only 20' wide; can fire trucks get around? C. Branon: Road meets Town's recommended width, plus we are proposing visitor parking spaces. It is also possible for someone to pull up on the curb. D. Petry: How would the layout change if you had to do the plan with the 125' radii? C. Branon pointed out how the roadway would have to shift; it would not have an impact on units but it would have an impact on layout. This is really a site plan where different standards apply. 75' is plenty to accommodate emergency vehicles. D. Petry: How far off the road is the hydrant? C. Branon: About 10'. M. Hartnett: Is there is well that has to be filled under the wellhouse that has to be removed? C. Branon: Yes – it will be filled and sealed in accordance with State criteria. R. Hardy: Are you aware that manmade ponds can be considered abandoned after 5 years if they are not used for irrigation? If that is the case it would require the 100' buffer. That would impact buildings 7 and 8. C. Branon: We have had meetings with the State and they have agreed that their classification of the ponds is manmade. R. Hardy: Suggest you clarify this because things can change with the State. C. Branon: There have been personnel changes at the State since the start of this project which is why we went back and met with them several times. M. Fougere noted that the Hollis wetlands ordinance exempts manmade ponds forever. Mr. Branon reviewed letters dated Sept. 23, addressing Workforce Housing Requirements and Workforce Housing Conditional Use Permit Criteria. The project attorney has submitted covenants which have been reviewed by the town's attorney.

PUBLIC HEARING.

487 Daniel ???, 15 Old Runnells Bridge Road, thanked the Board for their volunteer  
488 work. He asked what assurance there is that the project will be financed through to  
489 completion. He also has concerns about buried debris. Christopher Guida's Sept. 9  
490 letter states that 4 of the 24 test pits have debris in them. This conflicts with a  
491 previous letter from Alan Archambault stating that there is no debris. Richard  
492 Raisanen, Raisanen Homes, explained that the project requires Attorney General  
493 approval, and part of that is submission of all his financial plans. C. Branon stated  
494 that reviewed what was found in the test pits (some debris from old burned building;  
495 stumps; old wire farm fence. There was nothing found of any concern. The  
496 Town's consultant witnessed all the test pits.

497 John Leavitt, 29 Rail Way, questioned why the Board of Directors of Hollis Depot  
498 had never been approached. D. Petry explained that the Board is required to notify  
499 abutters by certified mail, but abutters must actually touch the property line of the  
500 subject property. His concerns include: drop in elevation, adding another  
501 development to Rt. 111, access on South Depot Road, which is a major cut-through,  
502 drainage. C. Branon referenced extensive discussions about not contributing to the  
503 traffic on Old Runnells Bridge Road, primarily because of the intersection with Rt.  
504 111. The chosen location was addressed with the traffic consultant. Water on the  
505 site all goes into the ground, and does leave the site. There is not a lot of elevation  
506 drop on this site. The ten workforce unit will be at \$336,500; the market rate units  
507 will be at what the market bears, estimated at \$425,000.

508 Connie Messer, 17 Old Runnells Bridge Road, expressed appreciation for the work  
509 the Board has done, but some feel that their concerns are not being completely  
510 heard. If only 9 or 10 units are needed to meet the requirement, why are 22 more  
511 needed? This is not the pastoral landscape of Hollis. There is multi-unit project  
512 being built on Gilson Road which will greatly increase traffic onto Old Runnells  
513 Bridge Road. Our well was drained when the golf course on this property was put  
514 in. We know about the water and traffic because we live here. M. Fougere  
515 explained that there had been discussions realistic to how many units are needed to  
516 offset the cost of providing the lower cost units, as well as to meet the number of  
517 units for rental housing and the decision was to have 4 units per acre. This was  
518 voted on by the residents.

519 John Garruba, 30 Meadow Drive, stated that he supports the legal right to develop  
520 this property as workforce housing, but he is also for maintaining the highest  
521 building standards. Following the Town ordinances as written is the only way to  
522 protect the interests of residents. Three instances of this application being  
523 noncompliant are: (1) Development should not be done at the expense of current or  
524 future residents and the Board should not be granting waivers. The two waiver  
525 requests are an acknowledgement that this is a noncompliant proposal. Plan could  
526 have been adjusted to be compliant. Sec. III.K lists the criteria required to grant a  
527 waiver. Mr. Garruba argued that if the waiver is contrary to the spirit of the  
528 regulations it should not be granted. (2) State guidance on roads. D. Petry stated

529 that the purpose of the hearing is to hear if parties do or do not support the  
 530 application, not to get a lecture on State law. The State “guidebook” should insist  
 531 with compliance with road standards. J. Peters noted that this road can never  
 532 become a town road because there is no right-of-way. The ordinance requires that  
 533 turn-arounds be 55’; the proposed plan is 25’. The Fire and Police departments are  
 534 not the only users of this development, e.g., Amazon Prime. Do not see the hardship  
 535 to justify the waiver. Minimum turn radius is 125; these are 75’, and do not  
 536 represent the rural character of Hollis. Regulations call for 2 parking spaces per  
 537 unit, 9’ wide by 18’ long, these are 8’ wide, which is noncompliant. M. Fougere  
 538 noted that in his review the parking spaces measured properly. Economic impact is  
 539 not enough to grant a waiver for something as important as road standards. Mr.  
 540 Garruba stated that he is looking for the Board to not grant the waivers and insure  
 541 that the plan is corrected to be compliant with the Town laws as written. He would  
 542 like to see a detailed financial report to show the economic viability of the  
 543 development.

544 John Ferlins, Dow Road, asked that the Board use every means at their disposal to  
 545 push back against those that are trying to impose a development like this on Hollis.  
 546 This project has no benefit to Hollis, but there are long-term negative consequences,  
 547 including visual impact of high density housing, which will be seen by a lot more  
 548 people than the solar arrays on Blood or Dow Road. Board has the authority to deny  
 549 waivers, and should do so in this situation. During rush hour there is a lot of  
 550 congestion at the two traffic lights and this 32 unit development will add to that.  
 551 Do not need an influx of a lot more cars near athletic fields on Depot Road. Also  
 552 concerned about burden on the school system; do not believe forecast of 17 students.  
 553 Are we starting a low income enclave? Concern of social justice advocacy groups  
 554 being involved in financing, and setting a precedent for future projects. Mr. Ferlins  
 555 thanked the Board for their work.

556 C. Branon pointed out that if the waivers are not granted, they will have to add more  
 557 pavement to the site. It is routine to ask for waivers and if issues of safety,  
 558 reasonable rationale and good design and it is supported by town officials, then it  
 559 meets the design requirements for the project. The waivers are actually favorable to  
 560 the rural character. We did a large presentation on visual impact during the design  
 561 review. This is absolutely not a low income project, and the school numbers speak  
 562 for themselves. A lot of elderly people with no kids do more into developments like  
 563 this.

564 Robert Degrazia, Rideout Road discussed financial impact of 16 students at \$15,000  
 565 per student, which equals \$240,000 annually. To cover that you need \$7,500 in tax.  
 566 60% of taxes goes to the schools. Therefore you need \$12,500 per unit. A few  
 567 years ago the Conservation Commission estimated that a typical new house costs the  
 568 town \$2,300/year. This means collecting a tax of \$10,200/unit. This comes to a  
 569 valuation on each unit comes to \$434,000. Using these figures one can figure out  
 570 what this will cost the town.

571 Pam Hicks, Maple Knoll Drive, argued that this project is on the backs of taxpayers.  
572 She stated that she does not like the way staff is addressing residents, and the body  
573 language of Board members. She appreciates the time and effort put in by residents  
574 to educate others who cannot come to all the meetings. Do not believe we have to  
575 allow this project. Plan has never been reduced and there is a lot of money to be  
576 made. It is not in keeping with the rural character; nobody wants a gas station but  
577 what about this? Appalled that developer will fill in wetlands because they are  
578 manmade. This project maxes out every inch of this property. Board has not done  
579 enough to prevent this project. Encourage you to have staff not address residents in  
580 that manner.

581 Michelle St. John, Orchard Drive, thanked the Board, noting that she appreciates the  
582 traffic study. She commutes on this road daily, and has never seen anyone speeding.  
583 She is glad to see that this is a Workforce housing application. There are people  
584 who grew up and/or work in Hollis that would love to live here, but cannot afford to  
585 do so. The median price for a house in Hollis is \$471,000; of the 69 properties  
586 currently for sale in Hollis only one is under \$336,000. Ten properties are over a  
587 million dollars. The ten workforce units are a wonderful contribution and will  
588 contribute to the community spirit. Trust the Board will make the right decision  
589 regarding the waivers. Looking forward to seeing what can be done at this site, and  
590 welcome the addition of new individuals to our town.

591 Kristin Powers, 118 Wheeler Road, noted that she moved here in March, and came  
592 to hear all points, and sees both sides. It's good to welcome new people. What will  
593 ensure the non-workforce units will not be rented out. M. Fougere responded that  
594 there will be a covenant restricting the renting of the units; they are to be owner-  
595 occupied.

596 Alice Mann, Pineola Drive, testified that this end of town has become the dumping  
597 ground for State mandated projects. Pineola Drive became commercial because of  
598 the Dunkin Donuts issue. Wish you would find a dumping ground elsewhere.

599 Tanya Rasmussen, 16 Depot Road, pastor of the Congregational Church of Hollis,  
600 noted that she is not representing the church, but speaking personally. She added  
601 her appreciation for the work the Board has done, and appreciates hearing the facts.  
602 Supports addressing the State's mandate because nobody wants affordable housing  
603 in their community. Everyone benefits from opening the community to those who  
604 have less privilege. Share concerns about needing 32 units when only 10 are  
605 affordable. NH has less than 1% affordable housing, which drives up costs and  
606 there is a crisis in Hillsborough County due to the need for affordable housing.

607 Kaura Bianco, Nartoff Road, questioned why there has to be 30% of 32 units. If you  
608 put nine homes, three can be workforce. Hollis is not designed to have high density  
609 areas. Why not do ten units all workforce?

610 Pam Hicks, noted that Brookline has a Workforce housing project that was not  
611 approved and they are not in court. We need to not lose sight of the people who live  
612 here who are trying to stay in their homes and will be impacted by the tax burden of  
613 this project.

614 Joe Garruba, 28 Winchester Drive, noted that the ordinance relieves man-made  
615 ponds from the 100' buffer, but not from requirements that the State imposes. It is  
616 put in place to support farmers. The exception is for the 100' buffer only. The  
617 applicant is applying for a permit to fill the southern pond, but the northern pond  
618 cannot just be filled. The northern pond is an altered wetland that was dredge into a  
619 pond. One cannot just fill in a pond without getting permits and then take credit for  
620 the land the pond has in the density calculation is not correct. There have been two  
621 wetland delineations done, one by Chris Guida who called out two jurisdictional  
622 wetlands and one by Jim Gove, who agreed that there are two jurisdictional  
623 wetlands. In addition to getting approval from the State, you must also seek  
624 approval from the local Conservation Commission. This must happen before the  
625 Planning Board can approve the project. Mr. Garruba read a section from a letter  
626 from Craig ???, Inland Wetlands Supervisor at the State Wetlands Bureau.

627 Mr. Garruba states that the project cannot be approved without approval from the  
628 Conservation Commission. He states that there was personnel changes at NHDES  
629 wetlands bureau. He reads letters that he received from staff at the wetlands bureau.  
630 First letter written by Craig Renny, Inland Wetland Supervisor which stated that the  
631 developer would be required to apply for a wetland fill permit and show how the  
632 developer attempted to mitigate the wetland impact. Mr. Garruba noted that the  
633 wetlands on the map are labeled non-jurisdictional wetlands. Craig Renny in a  
634 second letter states that there is no such term as a non-jurisdictional wetland. All  
635 wetlands are jurisdictional, however, some do not require a permit to maintain them.  
636 Third letter is from Jessica Bruchard, Wetland Specialist at NHDES which states  
637 that she informed both the Town and Fieldstone that a wetland permit would be  
638 required for work on the southern pond and they would need to minimize the impact  
639 to the wetland

640 (NOTE: Tape cuts off at 11:30pm.)

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642 **D. ADJOURN - Meeting to be continued on November 5, 2019.**

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Respectfully submitted,

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Virginia Mills

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Secretary *pro tem*

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