

HOLLIS PLANNING BOARD MINUTES
November 19, 2019
FINAL

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

ABSENT: David Petry, Ex-Officio for the Selectmen.

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

1. CALL TO ORDER: 7:00 PM. J. Peters lead the group in the Pledge of Allegiance.

2. APPROVAL OF PLANNING BOARD MINUTES – Meeting of November 5, 2019 – Tabled until the next meeting.

3. DISCUSSION AND STAFF BRIEFING

- a. Agenda additions and deletions -At the request of the applicants, File PB2019:18 is tabled until the 12/17/19 meeting and File PB 2019:16 is tabled until the 1/21/20 meeting.
- b. Committee Reports - none
- c. Staff Report - none
- d. Regional Impact – When File PB 2019:17 (gas station) gets to the design review stage it will be noticed as regional impact.

4. SIGNATURE OF PLANS – None

5. HEARINGS –

- a. File PB2019:17 – Proposed conceptual consultation, site plan application outlining the construction of a 4,500 square foot gas station and one apartment and a 8,000 square foot retail store on a 4.19 acre site, Map 5 Lot 28, 82 Runnells Bridge Realty Trust Owner Team Yarmo Investment 1, LLC, Zoned Commercial. **Tabled from Oct. 15th.**

M. Fougere noted that the applicant has submitted an updated landscaping plan and traffic report. There is also correspondence from Joe Garruba. Mr. Fougere recommended that the board move on to the design review phase following this evening's discussion. By statute, design review provides for a much more detailed review as well as an additional public hearing. E. Clements referred to an email from Barbara King, given to the board this evening, referring to several cases before the board, including this one.

Jason Hill, T.F. Moran, Bedford, NH, appeared on behalf of the applicant to provide the board with an update on the project and changes made since last month. The program has not changed with the exception of the back parcel, which has now been incorporated resulting in a single parcel. This will increase the open space and decrease the density. The well will now not require any cross easements, and the impervious coverage has been reduced. Several parking spaces have been eliminated. The delivery driveway has been reduced from two-way to single lane. The coverage is now 45%, reduced down from the previous coverage of 65%. Mr. Hill presented an initial rendition of the landscaping plan, which has an enhanced level of interior and perimeter landscaping providing both screening and shade.

Fully developed plans will be presented during the design review, as well the various studies that the Board requests. At this point there are no anticipated waiver requests. A traffic study done by T.F. Moran has been submitted. In summary, the report found that the majority of the traffic for this development is already on the road; the new trips that this project will generate is relatively low. There is adequate capacity at all three intersections. All entering traffic operates at level of service A; for exiting traffic it is a C. For mitigation, this protect will extend the dual left turn lane. A new right turn lane will be added. The applicant is working with NH DOT on finalizing the design process. Signage details will be presented at the design review stage.

M. Fougere noted that he has created a list of items that should be addressed for design review based on his staff report as well as comments raised at the last meeting. Noting that the rear lot with a dwelling will now be absorbed into the front lot, B. Moseley asked if there are any issues with the dwelling or the existing easement. J. Peters asked if there is a conflict with the applicant's engineering firm doing the traffic study. J. Hill noted that NHDOT will be reviewing the study and the town has the option of having its own traffic expert review it. M. Fougere has spoken to NHDOT about having their representative available to appear at a PB meeting. J. Peters asked for clarification on the landscaping, which appears to be on an abutter's property at one location. J. Peters: What is a "super convenience" store? J. Hill: It's a classification for new larger-scale convenience stores, and provides sales of fuel as well as food. B. Moseley: Need to see how you will deal with tractor trailers. Also – off peak time deliveries. J. Peters: Need to see details off all loading areas. J. Hill indicated that he will provide complete operational details as the process continues. This will include a plan to minimize conflict between pedestrians and traffic. The parking spaces are the minimum required by the ordinance. Information will be provided regarding how many pumps will be diesel vs. gas. M. Hartnett noted that the southern portion of the loop road goes from two-way to one-way; J. Hill noted that this should be one-way. At this point the rear lot is proposed to be open space. R. Hardy noted that there was a specific dimension for the landscaping on the first plan and the Board will be looking at how creative the enhanced landscaping plan will be. The parking on the North side near the pumps is not safe and not pedestrian friendly. Board will need to see the radius requirements for the community well. M. Hartnett referenced requirement for at least 15 feet between roads that is open and landscaped. A discussion followed regarding revising the parking spaces to get them behind the building. Mr. Hill noted that the site layout is driven by several things: septic setbacks, fuel system, wells, abutter locations. R. Hardy: Suggest Mr. Hill bring in several alternative parking layouts, What is size of retention wall? J. Hill: Not finalized but it will be under 10 feet. B. Moseley: Will you get rid of berm along Runnells Bridge Road? J. Hill: Yes – to roughly highway grade; will supply an elevation plan and a 3D rendering. He will also do an exhibit plan showing several parking alternatives that he will submit with the design review.

M. Fougere suggested beginning the design review with the site layout and parking arrangement. Some of the studies the Board is expecting are:

*a detailed landscaping screening plan including renderings and elevation drawings to cover the visual impacts for the rural character ordinance;

* a lighting plan with details on lighting fixtures and levels of light;

* environmental impact study addressing concerns relative to private wells, how spills are dealt with, what protections are built into gasoline storage, fire protection.

C. Rogers moved, seconded by J. Peters, that File PB2019:17 move to the design review phase. All in favor; none opposed. Motion carries.

- b. File PB2019:21 - Proposed Design Review subdivision application of an existing 17.75 acre property into five frontage lots, Map 2 Lot 44, North Pepperell Road & Worcester Road. Owner/Applicant: Kathleen & Hans Olson, Zoned R&A. **Public Hearing**

M. Fougere presented details of this proposal to subdivide an existing 17.7 acre parcel into five lots from 2.6 to 5 acres. A large portion of the property is currently farmed and there are wetland areas on the property. Three driveways are presented on Worcester Road and two on North Pepperell; both roads are designated as “scenic”, which means there is a 100’ setback requirement. The rural character ordinance must be addressed and there will be a fire cistern fee required at time of C.O. for each home. The fire chief needs an easement for the location of a cistern. DPW has concerns with road drainage. The two eastern driveways on Worcester Road are at a rather steep location so consideration should be given to one driveway entrance which would then fork off into two. Other issues include NHDES subdivision approval, will stumps be buried, site walk, buffer signs.

Tom Carr, Meridian Land Services, presented a design review layout showing lots, wetland areas, required building areas and setbacks. Septic test pits have been witnessed by Tom Mercurio. Four of the lots require DES subdivision approval; the fifth is over 5 acres and does not. Mr. Carr presented a preliminary plan addressing the rural character ordinance. The area of largest visual impact is at the southeast corner of Worcester and North Pepperell. Cynthia Boisvert is working on a conceptual landscaping plan. She recommends avoiding tall trees so as not to put shade on the intersection. Board agreed to do a site walk. It was noted that there are several small wetland areas under 3,000 sq. ft. so they do not require the 100 foot buffer.

PUBLIC HEARING.

Josephine MacMillan, 51 Worcester Road, spoke in opposition. She cited a number of animals that she has seen on the proposed site over the 20 years she has lived adjacent to it (owls, egrets, blue herons, geese, red-tailed hawks, pileated

128 woodpeckers, Peregrine falcon (considered endangered by NH Fish & Game).
129 Mallard ducks visit the vernal pond on lot 4 each year. Also bobcats, black bears
130 with cubs, flocks of turkeys, deer herds, fisher cats, porcupines, raccoons, an otter,
131 turtles, toads. There are several endangered species of turtles that may be present.
132 Ms. MacMillan requested that the Board require a wildlife inventory assessment.
133 There are also skunks, New England cottontail rabbits (an endangered species),
134 beaver, fox, an occasional moose, coyotes and groundhogs. She asked that the
135 Board consider the abundance of wildlife that lives on this land. It has been
136 farmland for over 100 years, and wildlife patterns have been firmly established.
137 This parcel is a major pathway south to surrounding open woodlands and Beaver
138 Brook land on Worcester Road. Ms. MacMillan cited numerous parcels of land that
139 have remained open and are part of wildlife corridors, and noted that she has made
140 every effort to be a good steward of the land. Everyone benefits from the beauty
141 that wildlife corridors provide. She requested that the Board require a wildlife
142 habitat inventory by a wildlife biologist approved by the Hollis Conservation
143 Commission.

144 Richard MacDonough, 83 Worcester Road, disagreed that the pond is not a vernal
145 pool. The area has all the characteristics of a vernal pool, and it is a breeding ground
146 for all that lies below. We moved here for rural character and everything it entails.
147 The rural character ordinance gives the boards the opportunity to preserve the vistas,
148 ridges, farmlands and woodlands are preserved. The area is teeming with life in the
149 Spring. Worcester Road is a designated scenic road. Mr. McDonough stated that he
150 bought the Worcester Farm and he plan to stay for a long time and reserve its
151 history. Daivid Orde has farmed this area “forever” and people have been skating
152 on the pond for decades. Before the plan proceeds any further, the pond must be
153 evaluated because it is definitely a vernal pool.

154 Daniel Palmer, 167 N. Pepperell Rd., spoke in opposition to the plan for all the
155 reasons stated by the first two speakers. He challenged the contention that the rural
156 character will be maintained by a 100’ setback. The beautiful vista will be ruined by
157 a five-lot subdivision.

158 Mark Hyde, 64 Worcester Road, agreed with previous comments, and stated that he
159 has lived here for 27 years in a Worcester house, and the rural character of the
160 environment is everything to him. He lives in the area next to the pond and agreed
161 with Ms. MacMillan’s comments about the amount of wildlife. This area does not
162 have plentiful well water; when he moved into his house he had under a gallon a
163 minute with a 660 foot well. Adding five new homes will really effect the aquifer.
164 Another concern is runoff off the steep embankment.

165 Len Pomeranz, 9 Deer Run Road, stated that the rural nature brought him to Hollis
166 17 years ago. It would be a shame to see a loss of wildlife due to development. The
167 grading goes down not only towards Worcester Road, but also towards Deer Run,

168 where several houses and wells could be impacted. He would like a study to show
169 that Deer Run will not be adversely affected by this.

170 Karen Crampton, 15 Deer Run Road, supported all previous comments with respect
171 to preservation of the rural character and the wildlife, and stated her opposition to
172 the development.

173 Philip Smith, 38 Deer Run Road, stated that he has lived here for 22 years. He is
174 opposed to the development for all the reasons previously stated. He showed two
175 satellite photos showing the vernal pool as well as an additional wet area. The area
176 where N. Pepperell and Worcester Road intersect is the lowest part of the area and
177 has been used for farming. It has not been used for building because it is not
178 suitable. The depth of the seasonal high water in the test pits is 30"-38". New
179 Hampshire requires 4 feet from the bottom of leach field. The leach fields would
180 have to be built up by 3 feet, requiring a substantial amount of grading. His biggest
181 concern is the water, drainage, and the visibility from the scenic roads.

182 Joe Garruba, 28 Winchester Drive, suggested having an alternate wetland
183 delineation done. He asked about the width of the road relative to the actual right-
184 of-way.

185 Martha Goodwine, 32 Black Oak Drive, stated that it is her understanding that the
186 subject property is on the Conservation Commission's list of areas of extreme
187 interest to the town, and asked C. Hoffman (PB and HCC member) if it will be
188 discussed at their next meeting.

189 Tom Carr noted that if a wetland area less than 3,000 sq. ft. is a vernal pool, it does
190 have a buffer. There are obligate species that identify what a vernal pool is. This
191 evaluation has not yet been done. The vernal pool species are only there during a
192 specific period in the Spring, and this is the window of opportunity to evaluate
193 whether an area is a vernal pool. The subject pond holds water all year long; vernal
194 pools dry up in the Spring. The evaluation has not yet been done. Mr. Carr stated
195 that the plan is to minimize the impacts of the development through what is
196 specified in the rural character ordinance. He asked that the abutters show him the
197 location of the wildlife trails so they can be identified and mapped. With respect to
198 the leach fields, the Town's requirement is 24" minimum to seasonal high water
199 table; the town's inspector has witnessed the test pits. He noted that there are many
200 raised septic systems in Hollis; once they are graded in you do not notice they are
201 there. North Pepperell Road is narrow, and if DPW wants a widening easement it
202 should not be a problem, but the road is "pretty nice the way it is". M. Fougere
203 explained that DPW's concern is not the width, but the runoff. T. Carr asked that
204 someone from DPW come to the site walk to point out the locations of concern.
205 Items that should be staked out for the site walk are: driveways, building boxes, lot
206 lines, wetland areas. E. Clements noted that he had looked at the road with the DPW
207 director; possible improvements include upgrading the functionality of the culverts
208 on N. Pepperell and installing a swale along Worcester. Board agreed to set a site

209 walk for Saturday, Dec. 7 (snow date Dec. 14) at 8:00 AM. J. Peters moved to table
210 PB File 2019:21 to Dec 17, 2019. Motion seconded by C. Rogers and unanimously
211 approved.

212 **6. OTHER BUSINESS – PROPOSED ZONING AMENDMENTS**

213 **a. Petitions**

214 M. Fougere noted that the petitions submitted to the town were formal submissions
215 so there is no opportunity to amend them. They have been forward to the town
216 clerk. The window for submission closes on Dec. 11, and the planning board must
217 set up a public hearing at the December hearing, and that will happen at the January
218 meeting. At that time the planning board can made a determination if it want to
219 support the proposals, and this will be listed on the ballot.

220 **b. Workforce Housing**

221 M. Fougere distributed a press release from the Governor’s Office regarding
222 Workforce Housing. Two bills will be submitted this year dealing with procedures
223 at the planning board level, timing of development, training, etc.

224 **7. ADJOURN**

225 There being no further business, C. Rogers moved to adjourn. Motion seconded by J. Peters
226 and unanimously approved. Meeting adjourns at 9:10 PM.

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Respectfully submitted,

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Virginia Mills

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Secretary *pro tem*

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