

HOLLIS PLANNING BOARD MINUTES

June 2, 2020

Final

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

ABSENT: None

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

THIS MEETING WAS CONDUCTED VIRTUALLY WITHOUT A PHYSICAL LOCATION IN COMPLIANCE WITH GOVERNOR SUNUNU'S EMERGENCY ORDERS #12, 16, & 17

1. CALL TO ORDER: 7:00 PM. B. Moseley led the group in the Pledge of Allegiance.

2. APPROVAL OF PLANNING BOARD MINUTES:

- a. **May 19, 2020 Minutes** – Motion to table consideration of May 19, 2020 minutes to the June 16, 2020 meeting. Motioned by D. Petry; Seconded by M. Hartnett – J. Peters abstains – motion passes

3. DISCUSSION AND STAFF BRIEFING

- a. Agenda additions and deletions – none
- b. Committee Reports – none
- c. Staff Report – March Zoning Ballot Vote
 - a. M. Fougere discussed the implications of the three petition zoning amendments that were passed at the 2020 Town Meeting. He noted that the petitions were not supported by the Planning Board. Both staff and the Town Attorney believe that the Town is no longer in compliance with the State Workforce Housing statute. M. Fougere stated that the Board will have to revisit the changes that were made and the Board will need to discuss additional zoning changes in the fall. He noted that the Town needs to do a better job of disseminating information to the voters.
- d. Regional Impact – none

4. SIGNATURE OF PLANS – File PB2019-020 – Bella Meadows Subdivision & Site Plan

- a. M. Fougere noted that the Town Attorney finished his review of the changes made to the Workforce Housing covenants and stated that he did not believe that they were substantive. All other conditions have been met.

Motion to Authorize Plan Signature – C. Rogers motioned; M. Hartnett seconded – D. Petry abstained – motioned passed

5. HEARINGS

- a. **File PB2020:001** – Proposed **Design Review**, site plan application outlining the construction of a 4,500 square foot gas station and one apartment and an 8,000 square foot retail store on a 4.19 acre site, Map 5 Lot 28, 82 Runnells Bridge Road, Applicant Runnells Bridge Realty Trust Owner Team Yarmo Investment 1, LLC, Zoned Commercial. **Tabled from May 19, continued Design Review Discussion, public hearing.**

M. Fougere noted that the Board have received several letters from abutters highlighting their concerns for the project. Since the discussion between the applicant and the Board

51 went long at the May 19 meeting the public did not have a chance to comment. M.
52 Fougere noted that a local community organization continues to provide misleading
53 information about this project and requested that the public seek their information from
54 the Town directly.

55
56 M. Fougere stated that in regards to the property being located in the aquifer the Board
57 requested a study be conducted when the parcel was subdivided. The study was received
58 and then verified by an independent third party consultant.

59
60 J. Peters asked to clarify that submittal procedure for new materials coming to the Board
61 was two (2) weeks prior to the meeting. B Moseley responded by saying that while this
62 was technically correct, the information was requested by the Board, no decision on the
63 application would be taking place at this meeting, and the Board requested the
64 information at the May 19 meeting which was two (2) weeks ago.

65
66 **Public Hearing**

67
68 Mark Archambout, 85 Runnels Bridge Road – Started by saying that his business is
69 located across the street from the project and that he is greatly against this proposal. He
70 raised concerns regarding the change in location of the driveway still being too close to
71 the intersection of Depot Road and Runnels Bridge Road. He noted that headlight glare
72 from cars stacked up trying to exit the site would shine directly on his property. He
73 stated that cars stacked up on Runnels Bridge attempting to turn left into the subject
74 property would block access to his property and business. He noted that the proposed
75 driveway entrance would appear abruptly from the perspective of drivers traveling
76 easterly towards Nashua. He asked about the proposed retaining wall along the western
77 property line and raised concerns relating to the berm located on the abutter's property.

78
79 He noted that the tight conditions of the site would make truck movement challenging.
80 This included entering and exiting as well as internal circulation. He noted that the
81 number of pumps, which he stated would be 20 pumps, would make for frequent fuel
82 deliveries and problems in regards to internal circulation. He stated that he believes that
83 this project will de-value his property and be disruptive to the access of his property and
84 business.

85
86 He stated that no wetlands are shown on the site plan and believes that there are
87 wetlands near the subject property. He stated that any gas spillage or other liquids on the
88 site has the potential to contaminate surrounding water resources. He noted that water in
89 the area eventually runs into the pond behind his property and that eventually drains to
90 the Nashua River.

91
92 Marc Baril, 78 Runnels Bridge Road – Started by discussing the posed dumpster that is
93 located along the eastern property line. He stated that the dumpster location is next to his
94 side door. He believed that refuse removal operations would create significant visual and

noise impact to his property. He also had concern relating to the ordering board and the amount of noise that would be created. He noted that ordering during the early morning and late at night would be particularly disruptive. He recommended that the drive through and by-pass lanes be removed and noted that the terrain of that area would make installing the drive lanes challenging.

He stated that the proposal was 10 gas pumps with 20 fueling stations. He has never seen a gas station as big as he described anywhere other than on major highways. He has concerns about 1000 cars a day for total trips.

He believes that the topography shown on the plan does not reflect real conditions. He has concern about gas spillage.

Joe Garruba; 28 Winchester Drive – He began by stating that the old turning plan was reviewed by the Town Engineer, who noted that there was overhanging turning motions on the site.

He brought up the third party review of the potential aquifer on the site that was conducted during the subdivision of the property in 2019. He stated that according to the NRPC map the site is in the aquifer. He stated that the third party review of the developer's aquifer study had inconsistencies and that the third party review stated that there could be evidence that the site is in the aquifer.

M. Hartnett noted that the conclusion of the third party analysis was that it concurred with the original study that stated that the site was not located within an aquifer.

M. Fougere stated that long term monitoring wells were identified in the third party analysis as necessary to monitor water quality on and around the site. He noted that the applicant intends to do this anyway.

Public Hearing continued to next meeting

B. Moseley asked J. Hill about snow storage.

J. Hill noted that the 1000 cars per day trips was inaccurate as well as the proposed number of gas pumps. He stated that at the next meeting he would be presenting landscaping, screening, and the truck turning plan.

D. Petry asked about the drive-thru on the east side of the property and the distance from the pavement to the property line.

E. Clements stated that it was shown as 15'.

D. Petry responded that, that was not a lot of room for adequate snow storage and screening. He recommended that the dumpster be relocated from the east property line and a new location, such as the south east corner, shown at the next meeting.

B. Moseley stated that this project cannot rely on landscaping located on abutter property as screening.

J. Peters raised concerns relating to the location of the underground storage tanks and their proximity to neighboring water wells.

B. Moseley stated that he wanted a clean, easy to read well radius plan showing all abutter well radii.

Motion to table – J. Peters motioned; M. Hartnett seconded – passed unanimously

- b. File PB2020:015 – Conceptual Discussion** Proposed site plan/subdivision for the development of a 50 unit Housing for Older Persons development on a 36.09 acre property, Map 41 Lots 25, 28 & 44, 365 Silver Lake Road, Applicant: Fieldstone, Owner: Raisanen Homes Elite, LLC, Zoned R&A. **Tabled from May 19th, continued Public Hearing.**

Continued Public Hearing

Erika MacDonald; 66-3 Truell Road – Asked how many of these type of projects are allowed in Town. At what point do we say no?

B. Moseley responded by stating anywhere there is room of a project like the proposal, there can be one.

M. Fougere stated that the Board discussed the zoning for this kind of project roughly 3 years ago and identified approximately 10 sites where this type of project could be located.

Douglas White; 23 Forest View Drive – Asked about the club house and mail room and how many parking spots will be located on NH 122.

M. Fougere stated that the club house is not located on NH 122 but is approximately 1000' up the proposed driveway within the site.

Barry Johnson; 66-2 Truell Road – Stated that he was against the development stating well water concerns. He asked if the Board has the authority to deny an application even if it meets all regulations. He also asked how the Planning Board values the input of existing residents.

B. Moseley responded by stating that the Board needs legal grounds in which to deny an application.

D. Petry stated that this project is in a conceptual stage and the Board does not know what the actual project proposal will look like so it cannot make decisions on if it will deny or approve the proposal at this time.

Jim Cowan; 38 Truell Road – Asked if the water studies will be reviewed by a third party consultant. He also asked if there will be any consideration for this proposal since it abuts the Cobbett Lane project to the north and essentially doubles the impact of the Cobbett Lane development.

M. Fougere responded that there are different studies relating to water on the site. He noted that NHDES will be handling the permitting for the wells on the site. He also noted concerns relating to Witches Stream Brook and the projects impacts to that natural resource. The Town Engineer will be reviewing all drainage for the project.

B. Moseley stated that the project has to meet all regulations. He stated that is why the Planning Board reviews these kinds of projects in three phases so all impacts can be addressed and reviewed.

Chris Alpoka; Mooar Hill Road – Stated that Hollis currently has three 55 and older projects, 52 units at Cobbett Lane, approximately 45 units at Runnells Landing, and approximately 75 units at the Village at Hollis Depot for an approximate total of 175 units for 55 and older residents. She asked how is it determined when the Town has enough elderly housing units. She also stated that the subject parcel become part of the Town Forest. How is the Town Forest and the wildlife going to be protected from the impacts of this development? She also raised concerns to the long term economic viability of this kind of project.

Katie Whitman; 17 Toddy Brook Road – stated they her family chose to move to Hollis for small town life and great schools. They chose the Toddy Brook neighborhood in particular due to small community feel and proximity to Witches Spring Brook. She raised concerns in regards to traffic and school bus operations. She asked about the installation of a traffic light.

Brenda Becker; 341 Silver Lake Road – states that there is no place in Hollis for plastic cluster projects and Hollis needs to maintain the family oriented rural character. Asked if there is any recourse if they have water issues after this project goes forward.

Chris Hyde; 66 Arbor Lane – Asked about high density development in Hollis, specifically this project and its proximity to the Cobbett Lane development. Asked the Board to look at the larger impact of development in this area.

Kerin Pendergast; 325 Silver Lake Road – Raised concerns related to blasting and construction noise/ neighborhood disturbance.

Michael Johnson; 139 Farley Road – stated that he is supportive of this project because he would like to stay in Hollis as he downsizes. He noted that some concerns for this project relating to tax burden but does not believe that it would be a burden.

Howard Burke; 331 Silver Lake Road – Stated concerns relating to elderly housing density on steep grading with site limiting issues such as no sidewalks. Also raised concerns about energy issues if power fails to vulnerable elderly populations.

Haiyang; Raised concerns about water resources.

Matt Belmonte; 46 Truell Road – Asked about the slopes plan that was oriented differently than the conceptual site plan and if an updated slopes plan with the same orientation was provided. Asked for the 15% slopes be highlighted on the slopes plan.

Jason Bates; 46 South Merrimack Road – states that he is against this proposal due to high density and traffic concerns. He also raised concerns to landscaping along NH 122.

Karen Belmonte; 46 Truell Road – Asks that any traffic study include the Truell Road, Silver Lake intersection. Stated that a waiver for the slopes will be needed for this proposal and that the Planning Board is under no obligation to issue waivers.

Joe Garruba; 28 Winchester Drive – Asked about how the slopes were calculated. Requested that all studies be verified by a third party. Asked that a no waiver plan be submitted.

Joshua Becker; 341 Silver Lake Road – states that he is a builder and would not attempt to get a project like the one proposed approved in Hollis. He states that Silver Lake Road is a dangerous road. Raised concerns to construction impacts.

Barry Johnson; 66-2 Truell Road – stated that this project will move forward in some form despite objections from the neighborhood.

Public Hearing Closed

C. Branon; Fieldstone Land Consultants requested that the Board move the project to Design Review so that the applicant can address all of the issues raised by the Board and residents. He requested that the Board identify what studies they would like the applicant to produce.

268 M. Fougere stated the list of studies that the Board may want to consider for this
269 proposal – Environmental Hazard Analysis, Wildlife Habitat, Visual Impact, Historic
270 Significance, Traffic, Stormwater, and Fiscal.
271

272 B. Moseley asked where does the well stress testing come in. M. Fougere responded by
273 stating that NHDES handles wells and they will perform their own analysis during the
274 Design Review Phase.
275

276 J. Peters noted that due to Covid-19 traffic patterns have been affected that may
277 compromise any Traffic Study performed during this time. He also asked about a no
278 waiver plan.
279

280 M. Fougere stated that would be produced for Design Review as a detailed Grading Plan
281 will be the driving force for this proposal.
282

283 B. Moseley noted that once the Board has a detailed Grading Plan, a site walk should be
284 conducted.
285

286 D. Petry recommended that the layout be reconsidered based on resident comment. He
287 noted that this is the maximum allowed by regulation but may not be practical.
288

289 C. Branon responded by stating that the Design Review Phase is the best way to address
290 all concerns raised.
291

292 D. Cleveland noted that a site walk is necessary and is unsure if the Board can determine
293 what studies are necessary based on the information provided. Asked if it is possible to
294 develop the site at all without any waivers.
295

296 M. Fougere stated that it might not be possible to enter the site from NH 122 without a
297 Cut & Fill waiver.
298

299 B. Ming raised concerns about the proposed layout and density and if moving to Design
300 Review is appropriate.
301

302 C. Branon noted that the conceptual phase is a sketch plan and any question regarding
303 layout, elevation, and density are all design elements. These are things that get explored
304 in Design Review.
305

306 D. Petry asked if the site can be accessed without a waiver. C. Branon responded that he
307 did not know.
308

309 R. Hardy asked if some studies be asked for before other studies so they can be
310 addressed before other issues. M. Fougere responded that the Board has the power to do
311 that.

312 M. LaDoux reiterated that maximum density allowed might not be practical for the
313 proposed site.

314
315 M. Hartnett recommended that this proposal be moved to Design Review and then the
316 applicant should submit a proposal that requires no waivers. Once the no waiver Grading
317 Plan is submitted the Board will address other studies to require of the applicant.

318
319 **Motioned to move into Design Review** – M. Hartnett motioned; D. Petry seconded –
320 motion passes unanimously

- 321
322 **c. File PB2020:016** – At the request of the Planning Board, limited application review to
323 amend approval of the Federal Hill Estates major subdivision to explore available
324 options to reduce the hammering and extraction of ledge necessary to finalize the
325 development of the project. No other aspects of the project, such as project density will
326 be considered. Map 29 Lots 1-1 to 1-28 & 29-1, Keyes Hill Road & Lorenzo's Lane
327 (Federal Hill Road & Rocky Pond Road), Zoned R&A, Rural Lands, Applicant/owner:
328 Raisanen Homes Elite, LLC **Application Acceptance and Public Hearing.**

329
330 D. Petry has recused himself as he is an abutter. Mark LaDoux, Chairman of the Select
331 Board is voting in D. Petry's place.

332
333 M. Fougere began by giving a brief history of the project and stated the impacts of the
334 construction noise on the neighborhood. The applicant has come forward voluntarily to
335 discuss options to reduce the construction impact to the neighborhood. He noted that
336 discussion will only address the road. Subjects such as reducing the number of lots in the
337 project will not be discussed. He noted that the rock is surprisingly hard and the removal
338 of material that should have taken days took weeks.

339
340 B. Moseley noted that he has talked to the developer who estimates 8 months of
341 hammering will be required. The developer has rented a second hammer to speed up the
342 process but it will also increase the amount of noise generated.

343
344 M. Fougere listed the 3 options being considered. Field changes to the road to lift it off
345 the ledge. Terminating the road at a hammerhead and making Keyes Hill Road a dead-
346 end street. This would require a waiver from the Planning Board. The third option would
347 to discuss allowing the developer to blast.

348
349 C. Branon, Fieldstone Land Consultants, representing the developer. He noted that he
350 explored installing a turn around on one of the lots that would meet regulations. He
351 noted that the rock is extremely hard and unlike a site he has ever worked on. He is
352 unsure if field changes that raise the road is a viable option since the issue is a cross
353 slope. He did note that the electric for the subdivision would need to be modified since it
354 was supposed to follow the road and loop for redundancy.

J. Peters asked to clarify that if the decision is made to install the turnaround then the hammering needed for the road bed would be done. C. Branon stated that was correct.

B. Ming asked if the road could be moved. C. Branon stated that it could not.

M. Hartnett asked if the lot with the proposed lot was a marketable lot and suggested that the turnaround be located to the south. C. Branon stated that the lot in question was marketable and the proposed southern area was open space that every property owner owned a portion of. It would be much easier for the developer to locate the turnaround on the marketable lot.

M. LaDoux asked if there is going to be traffic issues on Federal Hill Road if Keyes Hill Road becomes a dead-end street.

M. Fougere stated that the Traffic Study estimated 260 trips a day. Federal Hill Road is closer to NH 122 so it is likely that more residents will use Federal Hill Road than Rocky Pond Road.

M. LaDoux raised the idea if the developer saved significant money by not having to complete the road would there be some kind of quid pro quo to benefit the community.

B. Moseley noted that if the road does not go through the rough road bed would need to be restored.

C. Branon noted that he could not speak to costs and there may be a time to discuss that.

Public Hearing

Ron Corsetti, 99 Rocky Pond Road – stated that he is in favor of the turnaround to stop the hammering. He stated that blasting and the raised road are not an option. He stated several lots should be removed from the plan to avoid having to hammer for foundations and driveways. He stated that days and hours of construction should be limited. He stated that this is not magic rock but malfeasance in engineering.

Timothy Penisack, 101 Rocky Pond Road – stated that the hammering is 600' from his house. He stated that he is in favor of the turnaround. He agreed that several lots should be removed and restrict the hours and time of the hammering.

David Petry, 88 Federal Hill Road – stated that he is in favor of the turnaround and asks that the lot that the turnaround will be located on??? Recommends getting input from Fire and Police.

Alan Bouleigh, 121 Rocky Pond Road – stated that he against blasting and has concerns relating to his foundations. He is in favor of the turnaround.

Joe Garruba; 28 Winchester Drive – stated that the Town Engineer should do a cost estimate on the amount saved by the road not being built. He asked about where the school bus would pick up the children if the road does not go through.

D. Petry noted that the school bus does not go up to the Federal Hill Road and Keyes Hill Road intersection but instead turns onto Wood Lane. M. Fougere noted that he was waiting to hear back from the bus company to gather information.

Duncan Wormer; 35 Keyes Hill Road – stated that he was in favor of the turnaround, however, he would prefer a rotary to a hammerhead. He stated general concerns to the construction process such as noise. He stated that he has children playing in his front yard while construction is going on. He stated concerns to where gravel crushing will take place for the subdivision. Asked about the amendment approval process.

Public Hearing Closed

M. Fougere noted that if the Board decides to approve the plan amendment, engineering details will need to be produced by the applicant and verified by the Town Engineer.

C. Branon stated that the developer is here at the Town's request and the project went through three years of review. He stated that the Town's strict regulations force the design decisions that were made. The project will maintain the approved number of lots and the developer will not entertain additional restraints to this project as he has an approved subdivision plan.

D. Cleveland stated that the turnaround seems to be the best choice based on resident comment.

Motion to Direct the Applicant to Pursue the Turnaround Option – M. LaDoux motioned; J. Peters seconded – passed unanimously

6. OTHER BUSINESS

a. Adopt Planning Board Rules of Procedure

Motion to Adopt Procedure Changes – D. Petry motioned; J. Peters Seconded – passed unanimously

b. Non-public RSA 91A:3, II(c).

Motion to Enter Non-Public – J. Peters motioned; ??? seconded – passed unanimously

442 One topic was discussed

443 One decision was made

444

445 **Motion to Exit Non-Public** – J. Peters motioned; M. Hartnett seconded – passed
446 unanimously

447 **Motion to Seal the Non-Public Minutes** – passed unanimously

448

449 **7. ADJOURN**

450 There being no further business, D. Perty presented a non-debatable motion to adjourn.

451 Motion seconded by. R. Hardy and unanimously approved. Meeting adjourns at 10:45 PM.

452

453 Respectfully submitted,

454 Evan J. Clements,

455 Assistant Planner

456