



Town of Hollis

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HOLLIS PLANNING BOARD MINUTES
January 18, 2022 – 7:00 PM Meeting
Final

MEMBERS OF THE PLANNING BOARD: Bill Moseley, Chair; Doug Cleveland, Vice Chair; Chet Rogers; Julie Mook; Benjamin Ming; Virginia Mills; David Petry, Ex-Officio for the Selectmen; Alternate Members: Richard Hardy; Jeff Peters; Kevin Anderson

ABSENT: Chet Rogers, Jeff Peters, Kevin Anderson, Benjamin Ming, David Petry. Richard Hardy will be voting for Chet Rogers.

STAFF: Mark Fougere, Town Planner; Evan Clements, Assistant Planner; Chris Drescher, Town Counsel.

1. CALL TO ORDER – 7:00 PM.^[1]_{SEP} Bill Moseley led the group in the Pledge of Allegiance.

2. APPROVAL OF PLANNING BOARD MINUTES:

December 21, 2021: **Motion to approve** – motioned by D. Cleveland, seconded by V. Mills; motion passed unanimously.

3. DISCUSSION AND STAFF BRIEFING:

- a. Agenda Additions and Deletions:
 - PB2021:023 is ready for signature.
- b. Committee Reports: none.
- c. Staff Report: none.
- d. Regional Impact: none.

4. SIGNATURE OF PLANS:

E. Clements reports that File PB2021:023, Austin Lane lot line adjustment, has submitted final plans for signature, and they are ready to be signed.

Motion to approve signature – motioned by D. Cleveland, seconded by R. Hardy; motion passed unanimously.

5. Subdivision Regulations Amendment:

- a. Proposed amendment to require the Board to consider construction noise related impacts as part of their deliberations on a development proposal.

M. Fougere mentioned that the Board has been discussing taking this action for some time, and felt that it would be appropriate to get it on the books sooner rather than later. It will be a new section in the Subdivision Regulations, entitled “Impact of Construction Activity”, and reads:

During the course of an application review, the Planning Board shall take into consideration the impact of construction activity (road & building) on neighboring residential properties. In appropriate situations, the Board may limit construction hours to reduce noise related impacts. The Planning Board shall consider the following when reviewing a proposed plan: the proximity of the proposed project to residential uses; the size of the project and the anticipated length of construction activity necessary to complete the development; will ledge removal be required and if so, what quantities are involved? How will the ledge be removed? Are there other access points available to reduce impacts? What is the timeline for road construction?

Public Hearing.

Paul Valihura, 273 Hayden Road. Suggested we should cast a wider net, and look at other types of noise, such as the total amount of noise that will come from the developments, in addition to construction noise. He suggested we look at what the National Parks Service is calling a “soundscape”. The soundscape of a farm is unique; the soundscape of a forest is unique; the soundscape of a stream is unique. As we look at noise, we should consider not only construction noise, but also noise that will be changed from the activity of building. Whether it’s one home, five homes, ten homes – whatever we’re developing here in Town, we should consider the soundscape.

Joe Garruba, 28 Winchester Drive. Suggested that this proposed amendment cannot be taken on its own, but needs to be contrasted against the petition Zoning amendment that was submitted by residents of Deacon Lane, that includes restrictions. Suggested that as the proposed amendment is written, it is more of a Planning Board process that does not impose restrictions on applicants, such as time limits on construction noise activity, and changes nothing.

Public Hearing Closed.

Comments from the Board:

R. Hardy suggested that in regard to some of the public comments, this amendment would be something that can be implemented right away, and that can be effective in the event that the mentioned petition Zoning amendment does not pass – so that the Planning Board would still have some control over the issue, and some input.

V. Mills asked about the mechanics of the amendment: if the Board votes to adopt it as part of the Subdivision Regulations, and then the mentioned petition Zoning amendment passes, would we then have both?

M. Fougere answered that yes, in that instance we would then have both. If the Zoning amendment passes, it would still not address all the issues that are listed in the Planning Board amendment. He also pointed out that this process would allow the Board to look at each project individually, and would provide the mechanism to present restrictions on a case-by-case basis. Not every site is in proximity to anyone, while some might be close in to Town. Every site is unique, every site has different sensitivities. One of the concerns the Board had with the Zoning initiative was that it would treat all projects the same. If this amendment is accepted tonight, it would become effective immediately and all projects coming forward would have to comply.

D. Cleveland mentioned that in the past 15 years, he can remember only two instances in which noise was a significant issue; one of those involved a case in which residents did not want blasting of ledge, but hammering of ledge instead. Blasting would have been less noise over a shorter period of time,

97 while the hammering of ledge was a great deal of noise over a long period of time. He also
98 mentioned that a number of years ago a noise ordinance as a warrant article was brought up at Town
99 Meeting, and it was overwhelmingly defeated. This proposed amendment, however, would solve
100 such issues.

101
102 M. Fougere agreed with the idea of looking into soundscapes. We can amend the regulations further,
103 as more sophisticated analysis becomes available.

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105 B. Moseley further agreed that the idea of soundscapes bring up a very interesting aspect that we
106 should potentially evolve our regulations to encompass, especially in light of today's society.

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108 **Motion to approve the subdivision regulations amendment** – motioned by R. Hardy, seconded by
109 D. Cleveland; motion passed unanimously.

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112 **6. Cases:**

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114 a. [File PB2021:021](#) – Proposed site plan for a ground mounted solar system with the installation of two
115 41 foot by 14 foot solar arrays on a 19.1 acre residential lot, 91 North Pepperell Road, Applicant:
116 Revision^[1]Energy, Owner Laura Gargas 2005 Rev Trust, Map 7 Lot 48. Zoned R&A. **Tabled from**
117 **December 21st.**

118
119 M. Fougere reported that we did hear back from the applicant; solar panels were going to be placed in
120 a wetlands area, and the solar engineers cannot support proposing solar panels in that location as they
121 can't guarantee the stability of the units that they were going to install. They have been working with
122 the owner to relocate them, and they have found a new spot. They will be in, next month, with a
123 revised plan to show where that new location is. They are asking that the application be tabled until
124 February 15, 2022.

125
126 No comments from the Board.

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128 **Motion to table File PB2021:021 until the next Planning Board meeting on February 15, 2022** –
129 motioned by V. Mills, seconded by J. Mook; motion passed unanimously.

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132 b. [File PB2021:022](#) – **Final Review:** Proposed amendment to the approved Federal Hills Estates
133 HOSPD (Keyes Road) subdivision, by attaching a minor subdivision of an adjoining 18.7 acre
134 property into three lots (Lots sizes ranging from 5-7.8 acres) through the extension of Lorenzo Lane,
135 in addition a lot line relocation will occur with an adjoining property, Owner: C.W. Rev. Lvg. Trust
136 & Raisanen Homes Elite, LLC – Applicant: Raisanen Homes Elite, LLC, Map 29 Lot 1, 1-17, 2 & 4,
137 Zoned Rural and R&A. **Application Acceptance and Public Hearing.**

138
139 M. Fougere stated that this application has been in front of the Board for some time; the conceptual
140 application came into the office on March 29, 2021. The purpose of this plan is to amend the
141 approved Federal Hills Estates HOSPD plan with an extension of Lorenzo's Lane. The road would be
142 extended 400 feet in order to access an adjoining 16.1 acre land locked parcel. In addition, a lot-line
143 relocation is proposed which will add 3.52 acres to the project. Three non-HOSPD standard lots will
144 be created ranging in size from 5 – 7.8 acres; two of the lots will be backlots. The road extension and
145 development will encumber 7,158 square feet of HOSPD open space, which will be replaced with an
146 area of 28,394 square feet of new open space (+21,236 square feet). The existing house Lot 1-17 will
147 decrease in size by 4,160 square feet with the lengthening of the road. All proposed driveways reach
148 the Building Box without the need for waiver of the cut/fill regulation. A small wetland impact (600
149 square feet +/-) is planned on Lot 4-2 relative to a proposed driveway. The proposed road extension
150 is mostly fill which should reduce the probability of ledge removal.

An existing trail network exists through this area along the PSNH right-of-way. The applicant is proposing trail easements over lots 4-2 & 29-4 to ensure these trails remain viable. It is Staff's opinion that the lot sizes (compared to the size of the adjoining lots) and isolated locations address the Rural Character Ordinance.

M. Fougere noted that the application has issues that need to be addressed by the Board. The existing backlot 29-1-2 is being reduced in size, so the applicant will need to demonstrate that the remaining lot meets zoning standards for contiguous upland and building area. The Town Engineer is reviewing this plan; all comments shall be addressed by the applicant. The proposed driveway to Lot 4 shall be relocated per the request of DPW. A drainage easement shall be added to Lots 2 & 4.

If the Planning Board is inclined to accept and approve the Plan at the January 18th meeting, M. Fougere has prepared the following draft conditions of approval:

1. The applicant shall submit a digital file along with three (3) hard copies of the revised plan along with a recordable mylar.
2. Prior to plan recording, all lot bounds shall be set.
3. A trail easement document shall be provided to connect to the project's open space areas. In addition, snow storage & drainage easement documents shall be submitted. Said documents shall be recorded with the mylar.
4. NHDES wetland permit shall be obtained prior to plan recording.
5. Proper security shall be in place prior to any road construction. A preconstruction conference shall be held with the Town's road inspector to coordinate timing and details of road construction.
6. Wetland buffer signs shall be installed, every 50 feet, along the wetland buffer areas for Lots 4, 4-2 & 4-1, prior to any site construction.

M. Fougere pointed out that a Town-wide mailing had gone out from "Hollis Watch"; Attorney Drescher is present tonight because there has been an alleged issue raised about the legality, or ease in which the Board can deny this plan. Selectman D. Petry had suggested that Attorney Drescher be present to address that matter. Staff spoke with Mr. Drescher last summer relative to this issue, as to whether this application could come in with this type of amendment across open space, and Mr. Drescher said at that time that it would be possible.

M. Fougere further stated that it was unfortunate that the mailing went out; often times, unfortunately, the issues that are submitted and the commentary that comes from Hollis Watch is not the clearest of information: it's uninformed, it's usually biased, and it's misleading, and that that is certainly the case today. It is important that the voters understand that if they have questions or concerns about land-use matters they should reach out to the Planning Staff, who can explain and convey any issues to members of the public. Attorney Drescher is here to answer any questions that the Board may have.

Motion to accept the application – motioned by J. Mook, seconded by R. Hardy. V. Mills recused. Motion passed.

Chris Drescher, Town Counsel, 8 Skyline Drive, Brookline, NH. Attorney Drescher did speak with M. Fougere via telephone over the summer regarding the issue of whether or not the piece of road could be allowed to go across the open space, and that is not forbidden by any statute or ordinance. That right was reserved by the land owner in the Declaration of Covenants and Restrictions that was recorded in 2016. The Hollis Watch mailer cites to the correct section of the Declaration, and it is true that the Planning Board can approve such changes, but asks why do so in view of all the disruptions of construction and to the open space? C. Drescher pointed out that we can't simply say "no" because we can or want to. If we say "no", it would be because what is being proposed violates the ordinance, violates zoning, violates statute, violates the covenants that are restricted. Whether that is the case is at the discretion of the Planning Board, and is not for Counsel to state. Planning Boards and Zoning

Boards do have a legal obligation to work with applicants, and land owners, who do have rights as well. If a Board said “no” because they didn’t want development, it would create an undefendable position for an appeal. Indeed, more than just a land-use appeal, saying “no” just to say “no” could open a Board up to the possibility of a cause of action civil litigation based on what could be argued to be discriminatory or exclusionary. If the Board says “no”, it should be for the right reasons.

Applicant: Chad Branon, for Raisanen Homes, Elite, LLC. Spoke to the fact that they have accepted and made suggested revisions to their plan since they were last before the Board on December 21, 2021, at which point they were in the Design Review phase. Since that time, they have submitted a final plan set to the Planning Board, including a storm water management report. These details were also submitted to the Town Engineer for review. The Department of Public Works had had some concern regarding snow storage along Lorenzo Lane, so they have agreed to provide a snow storage easement off the end of the hammerhead. There are three easements that need to be finalized as part of this project: two of them are associated with the trails, as discussed in the Design Review, and then a drainage easement as well.

The applicant has also done a total of 24 test pits, to a depth of six feet. It is in their best interest to avoid ledge, and those test pits were very favorable. This would be a fill construction. They do not anticipate encountering ledge with this project.

M. Fougere mentioned that e-mails have been received from neighbors in regard to this project, and that those e-mails have been submitted to the Board.

E. Clements mentioned that K. Anderson had asked via e-mail to see site-specific soil mapping, as stamped by a soil scientist, added to this plan; applicant agreed to add those stamped soils to the plan.

D. Cleveland asked what the anticipated timeline for construction would be, and whether they anticipated completion this year. Applicant answered that full completion of the entire project would probably be expected to go through until next year, 2023.

Public Hearing. ^[1]_{SEP}

Paul Valihura, 273 Hayden Road. Would like to have a better understanding of the environmental destruction that will occur outside of the actual foundation of the property. Could there potentially be restrictions placed or an easement regarding preservation of the woods outside of the exact area of the houses? The traditional hunting, for generations, in the area will certainly be gone as a result of this construction.

Joe Garruba, 28 Winchester Drive. Pointed out that this project, if approved, might be a good example of a project to which restrictions, particularly regarding noise, might be added, especially as construction is expected to go on for at least the rest of this year. Also pointed out that abutters rejecting blasting, in previous developments, was not simply for noise concerns but for protection of their own wells. Also pointed out that open space requirements are regulated, and need to be followed. If a road is allowed through open space, it divides the wildlife corridor and materially & adversely affects the intent of the open space. He asks that the Board consider the intent of the open space; making a judgment from that standpoint would not be capricious, and should be defensible. Mentioned part of the Zoning ordinance regarding open space, and the homeowner’s Declaration as two potential reasons for denial of approval of the project. Argued that the protected intended purpose of the open space was never to include a road between developments.

Applicant rebuttal: Chad Branon, for Raisanen Homes, Elite, LLC. Showed that open space requirements were followed, are in the plan, and have been site-walked by the Planning Board. Said that there is great likelihood that the construction would in fact be completed in this calendar year.

Public Hearing Closed.

Comments from the Board:

R. Hardy mentioned that he was glad so many questions and issues have been addressed by the applicant. Also pointed out that he doesn't see impact to the rural character of the area being a concern in this instance because the three proposed lots are so large.

D. Cleveland asked whether the trail and power line easements would be maintained; applicant answered that yes, the easements would be maintained, including connectivity in perpetuity for the trail, the public being allowed to cross over the property line. Confirmed that a property owner could not restrict or block the trail line.

B. Moseley pointed out that although most large questions regarding this project have been addressed, there are still many minor points and details that need to be reviewed before approval. He would like to continue this case to the Planning Board's next meeting, February 15th.

D. Cleveland agreed that noise concerns on this project should be addressed.

J. Mook mentioned that if the applicant does encounter ledge, they would need to come back before this Board.

M. Fougere said that if ledge is encountered, there are two ways of dealing with it: blasting and hammering – each of which have their own pros and cons. Mentioned the weeks that the Board discussed ledge previously, including with the input of scientists and other specialists. He suggested that the Board may want to decide whether to limit the amount of ledge removal and noise allowable with the project up front, or to stipulate that the applicant return to the Board if any ledge is found.

B. Moseley pointed out that any decision would be dependent on how much ledge was encountered.

D. Cleveland said that there is very little likelihood of encountering any ledge with this project.

J. Mook suggested that she would prefer the applicant come back to the Board if ledge is discovered – that may be some incentive for them to work around it, and not have to come back.

J. Mook further asked if there were homework that the Board could do regarding noise level restrictions, should ledge be encountered. Asked if Staff had recommendations for reasonable levels of restrictions.

E. Clements said that one possibility would be an if-then scenario; if ledge is encountered that would take more than a day to clear, for instance, the Board could consider restrictions that might include something like hammering for four hours at a time and only every other day.

J. Mook answered that such suggestions are exactly what the Board should look at; does not want the Board to suddenly have to come up with all answers in a month.

B. Moseley additionally questioned other construction noise: should limitations be imposed such as sunrise to sunset, or Monday – Saturday, or Monday – Friday, only?

R. Hardy suggested that 8:30am is a bit late for work to have to start. Said that restrictions around gravel removal, for example have been set at 7:00am. Does not find restrictions set to 7am – 5pm at all unreasonable.

J. Mook agreed that 8:30am is unreasonable, especially in the summer, but does think that Saturdays

are off the table.

M. Fougere pointed out that when Staff receives a proposed project, they do look at all of the zoning and regulations first, seeking out Counsel advice when there is any question, and that they certainly did this in this instance.

J. Mook brought up the question of construction vehicle access and road use. M. Fougere answered that the construction vehicles are indeed following the approved routes, to date.

Motion to table PB2021:022 until the next Planning Board meeting, February 15 – motioned by D. Cleveland, seconded by J. Mook. V. Mills recused. Motion passed.

- c. [File PB2022:001](#) – Proposed site plan amendment to accommodate a special event use to an existing Bed & Breakfast on a 2.10 acre mixed use property, 162+162A Broad Street, Owner & Applicant: Timber Post Bed & Breakfast LLC, Map 54 Lot 17, Zoned R&A. **Application Acceptance and Public Hearing.**

E. Clements stated that the purpose of this plan is to detail the expansion of an existing bed & breakfast to accommodate special events that include the use of a small outdoor tent. The proposal includes 11 parking stalls along the front of the barn, 8 parking stalls behind the barn, and 1 parking stall in front of the house. The applicant has informed staff that there are plenty of overflow parking opportunities on the front lawn to the east of the house. The anticipated flow of traffic is to travel along the western property line around the garage then wrap around east before traveling back towards Broad Street between the house and barn. The 40' tent is proposed in the north east corner of the property.

In 2013 the applicant received a special exception and two Variances to convert the existing barn on the property into a residence for the applicant and her family and then convert the house into a bed & breakfast where rooms would be rented. The applicant stated in the minutes of the November 14, 2013 ZBA meeting that their intent was to initially rent 3 rooms for guests while the barn was being converted into a residence for the owner. Once the barn was ready, the intent was to rent to more than 3 rooms for guests.

The following conditions were set on the business by the ZBA in 2013: The hours of operation shall be 5am-5pm, seven days a week; the operation shall be limited to four employees; the maximum length of stay for guests shall be limited to 30 days.

The applicant came back before the ZBA in 2021 in order to amend their approvals to accommodate the expansion of the business into a special event use that had been going on for some time. The ZBA approved the expansion of use, removed the above mentioned conditions, and added the following new conditions: Parking spaces are limited to 8 spaces for overnight guests and 22 spaces for event parking; no amplified sound equipment shall be used during outside events; outdoor events are limited to 50 persons; outdoor events are limited to 6 per year; all outdoor events shall end no later than 10:00 pm.

The Planning Board included the conditions set by the ZBA in 2013 as part of its own approval in 2014.

E. Clements pointed out that part of the applicant's request to the ZBA has been to extend the maximum length of stay from 30 days to 90 days, and the ZBA may not have addressed that issue – so the 30 day limit seems to still be in effect.

He noted that issues with this application include the fact that a letter sent from the Fire Department dated May 28, 2021 outlines concerns for safety personnel to navigate portions of the site and should be addressed on the site plan; site loading for the septic systems is uncertain and needs to be addressed; a letter from Kent Clean Septic Service, LLC dated March 3, 2014 noted that the house has a 1000gal. tank and leaching area which is suitable for a 3-4 bedroom house; the applicant is renting 5 rooms as part of the Bed & Breakfast operation. The letter also noted that the system has exceeded its life expectancy – how will sanitary facilities be dealt with for outdoor special events of 50 persons? The applicant has addressed the issue of advertising retail sales of local products on their website, and that issue has now been resolved. The applicant is advertising parking for horse and snowmobile trailers and that should be addressed as part of the parking plan. A scaled plan should be submitted depicting the site, parking, and flow of traffic.

Access on and off the site should be limited to the single curb cut on the property. The second curb cut on the property should be permanently decommissioned as NHDOT will not permit its usage. Additionally, the current length of stay for bed & breakfast overnight guests is unclear and should be clarified.

E. Clements said that Staff recommends that this application should not be accepted until a scaled plan is submitted addressing parking, traffic flow, and emergency access.

B. Moseley agreed that this application is not yet ready to be presented.

V. Mills supported Staff's recommendation for a scaled plan.

R. Hardy concurred with the need for a scaled plan, and added that we also need the travel ways to be designated in regard to the parking, and the parking plan standardized.

J. Mook and D. Cleveland also concurred with the previous Staff and Board comments.

Motion to accept the application – motioned by D. Cleveland, seconded by V. Mills; motion failed unanimously.

In light of the application being on the Agenda for a Public Hearing tonight, B. Moseley asked the Board if it might deviate from typical process to allow the applicant and any members of the public who came to hear the application to be allowed to speak; the Public Hearing would then not be closed out, but continued to the point at which the applicant has an acceptable application.

Motion to alter procedure for this evening to allow Public Discussion on PB2022:01 – motioned by J. Mook, seconded by R. Hardy; motion passed unanimously.

Applicant: Vivian Girard, 162 Broad Street, for Timber Post Bed & Breakfast LLC. Discussed that as an already approved Bed and Breakfast, part of that expected business is to accommodate special events. Additionally, part of accommodating guests at all is being able to accommodate any trailer, for instance, with which the guest may be traveling. Regarding the 30-day restriction, applicant pointed out that there may be, and has been, need for housing for anyone displaced by fire, disaster, domestic violence, and also for those temporarily displaced by moving in or out of the area. Applicant showed evidence that the property's septic system has passed maintenance inspection every year with a rating of "Good". According to applicant's record of seasonal use, the temporary, additional use of the septic should not put any permanent strain on the system. Pointed out that part of the plan of the business has always been to preserve the historic, rural look and character of the property. Applicant gave evidence that parking is not an issue, and that access by emergency personnel has also been proven to not be an issue.

D. Cleveland asked what type of special events the applicant has hosted; applicant answered that they

have had baby and bridal showers, small weddings, small business meetings, graduation parties, and events of that sort that are larger than what an individual might host in their own home, but indeed quite limited in scale based on the size and capacity of the property.

D. Cleveland mentioned that eventually, the Board may want to consider a site walk for this case.

Public Hearing.

An abutter did send a letter to Staff regarding this application.

Public Hearing remains open until the application is formally accepted.

Motion to table PB2022:01 until the next Planning Board meeting, February 15th – motioned by J. Mook, seconded by V. Mills; motion passed unanimously.

RECESS from 9:05 – 9:15pm.

- d. **[File PB2022:002](#) – Conceptual Review:** Proposed site plan for a 2,500 SF convenience store with a 2- bedroom apartment on the second floor on a 1.58 acre parcel with an existing residential use, 88 Runnells Bridge Road, Owner & Applicant: Runnells Bridge Realty Trust, Map 5 Lot 27, Zoned Commercial. **Public Hearing.**

E. Clements stated that the purpose of this plan is to depict the construction of a single 2,508 SF mixed use commercial/residential building. The first floor will contain a convenience store and the second floor will contain a 2-bedroom apartment. The proposal includes a parking lot located to the rear of the building with 9 regular parking stalls and 1 ADA compliant parking stall. The subject parcel is located on the south side of NH111, across the street from the Hatch convenience store and was subdivided circa. 1956. The parcel has an existing 1,362 SF single family residence that is vacant and to be demolished as part of this proposal. The parcel has two narrow disconnected wetlands that run the entire length of the property from north to south. The project proposes a retaining wall between the wetlands located on the western side of the property and the development on the eastern side of the property. The majority of the property is covered in the 100' wetland buffer, however, the property pre-dates the wetland protection Ordinance. This proposal will require a Variance from the Wetland Conservation Overlay because section XI(C)3(c) of the Hollis Zoning Ordinance does not take into account a change of use for a pre-existing parcel. The section allows for new construction on an unimproved parcel or the expansion of an existing use but not a change of use that proposes new construction on a previously improved parcel. The design of the site and proposed location of the new building meets the requirements of section XI(C)3(c), since it is not feasible to place the structure outside the buffer zone; the structure must be set back as far as possible from the delineated edge of the wetland or surface water; appropriate erosion control measures must be in place prior to and during construction; any disturbance to the surrounding buffer zone must be repaired and restored upon completion of construction; and all available mitigation measures to address changes in water quality and quantity be implemented, if required by Planning Staff/Planning Board.

E. Clements pointed out that the application has issues that need to be taken into consideration by the Board, including details such as Rural Character, Stormwater, Traffic, and Highway Improvements, that will need to be addressed at the Design Review stage, and the floor area of each use should be identified to make sure that the proposal meets the zoning requirement for Mixed Use Occupancy.

E. Clements helped to clarify that a Conceptual Review is a wider overview of a potential project, presented prior to Design Review.

Applicant: Jason Hill, P.E., TFMoran, for Runnells Bridge Realty Trust. Described the physical site, and reiterated what the project proposes. Looking for initial comments and feedback.

B. Moseley said that one of his concerns is that the property is on a curve.

V. Mills asked if test pits for the septic have been done as yet; applicant answered that no, they have not.

D. Cleveland asked whether it was possible to move the building away from the property line; in answer, it was shown that impact to the wetlands area would nullify any such movement.

R. Hardy pointed out that, with the building so close to the property line, screening for the abutting property would be important.

D. Cleveland asked what the square footage of the second floor apartment would be; applicant stated that the square footage is still to be determined. E. Clements added that the maximum possible square footage would be 50% of the commercial floor area. M. Fougere pointed out that the only way to increase that size would be if any additional units were workforce.

Questions from Staff and the Board showed that power will have to be updated from the previous residential single-phase to a new overhead for triple-phase service.

B. Moseley asked whether the applicant no longer has interest in the adjoining lot to the east; applicant stated that at this time, the answer was no. There is no bigger plan by applicant to develop that lot.

Public Hearing.

Abutter: Mark Archambault, 85 Runnells Bridge Road. Concerned about traffic coming in and out, turning and entering. Also concerned about the proposed new well, the runoff, the proposed new septic system, and possible contamination for his own well, across the street. He pointed out that residents of Pineola Drive may have right-of-way to approve any construction on that road; in any case, they should all be notified of the application.

Abutter: Helena Briggs, 100 Runnells Bridge Road (Pineola Drive). Concerned about the proposed septic, and water flow. Works at the Hatch Convenient store, and questions why another convenience store is necessary in the area. She is additionally concerned about the traffic, and states that there is already a traffic issue with the garage up the road. Noise of the construction would also be an issue.

Joe Garruba, 28 Winchester Drive. Pointed out acceptable use in a Commercial Zone. Mixed Use is permitted, but there are specific restrictions. Suggested that one of the restrictions is that all existing ordinances and regulations must be met without waiver or variance. Objected to differences in the plan available for review prior to this meeting, versus plan documentation presented by the applicant at the meeting itself. Would like to know whether the project is actually within the aquifer zone, or is on the boundary to the aquifer zone.

Applicant had no rebuttal at this time.

Public Hearing Closed.

Comments from the Board:

R. Hardy agreed that information about the aquifer zone is very important, and pointed out that when we get to that point, abutter input is also critical.

B. Moseley reminded the applicant of submission of up-to-date materials in a timely fashion, in compliance with Planning regulations.

Applicant will go to the Zoning Board of Adjustment prior to the Design Review process.

B. Moseley suggested that this would be another candidate for a site walk, if the project does get to the Design Review stage.

Motion to move PB2022:02 to Design Review – motioned by R. Hardy, seconded by D. Cleveland; motion passed unanimously.

7. OTHER BUSINESS:

a. Master Plan Update.

B. Moseley pointed out that discussion of the Master Plan Update was scheduled for this meeting; however, Selectman D. Petry was not able to attend, and did have input on the matter. He asked the Board for thoughts on tabling discussion until the next meeting; all indicated that they would be in favor of tabling.

J. Mook has some updated data for the Master Plan for review by Staff and the Board, for potential addition.

Staff did voice some concerns about the timeline of and work that has already gone into the Master Plan Update; it has been in process for such a period that while some data have become out-of-date during the updating process, at some point we have to stop adding changes and move forward with the document.

b. Further discussion on the proposed Construction Hours of Operation Zoning Petition.

E. Clements brought up that, pursuant to previous other business, after receiving input from Town Counsel, we will not be doing expansive notation on the residents' Zoning Petitions; we will simply be stating how the Board voted, and what numbers voted for or against supporting the Petition. There will not be any further comments on the ballot, per RSA.

ADJOURNMENT:

Motion to adjourn at 10:04pm: motioned by D. Cleveland, seconded by R. Hardy; motion passed unanimously.

Respectfully submitted,
Aurelia Perry,
Recording Secretary.

NOTE: Any person with a disability who wishes to attend this public meeting and who needs to be provided with reasonable accommodation, please call the Town Hall (465-2209) at least 72 hours in advance so that arrangements can be made.