

# HOLLIS CONSERVATION COMMISSION

Minutes of Public Meeting

February 19, 2020

Approved March 4, 2020

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6 Regular Members: Tom Dufresne, Thomas Davies, Mark Post, Jonathan Bruneau, Paul Edmunds;  
7 Alternate Members: Laura Bianco, Karen Bridgeo, James Plummer.  
8 BOS Ex-Officio: Peter Band  
9 Staff: Connie Cain  
10 Attendees: Thomas Carr, Meridian Land Services; Fredricka Olson & Atty. Morgan Hollis for Hans &  
11 Kathleen Olson; Tom Cook, Cook Custom Homes; Joseph Garruba; James Petropoulos, Hayner &  
12 Swanson Inc.; Kevin Slattery, Etchstone Properties  
13

14 The meeting was called to order at 7:03 pm.  
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16 T. Dufresne introduced James Plummer to the HCC as an Alternate Member. J. Plummer has attended a few meetings in  
17 the past, and has expressed an interest in joining the HCC on a regular basis.  
18

## 19 **OLSON SUBDIVISION, WORCESTER & NORTH PEPPERELL ROADS, MBLU 002-044**

### 20 **Thomas Carr, Meridian Land Services**

21 T. Carr noted that the Planning Board (PB) had tabled any further action on the proposed subdivision plan tabled until  
22 June 2020 pending results of the Wildlife Habitat Inventory and Assessment (WHIA) study.  
23

24 T. Carr presented a revised plan based on comments from both the PB and the HCC. Drainage along North Pepperell Road  
25 is raised; presently the Town has 3 drainage areas on the property with no easement. The owners, Hans & Kathleen Olson,  
26 have agreed to provide the Town with easements to these areas so that these areas can continue to be utilized. There is  
27 no additional run-off to adjacent properties, as State Law requires, and any run-off will be contained on the properties  
28 via drainage systems as detailed on the plan. While this plan still calls for about 3600 square feet of encroachment to the  
29 buffer, if the pond is found to be a vernal pool, the area of encroachment will be retracted. T. Carr noted that he has not  
30 found any evidence of endangered species or that the pond is a vernal pool, but they are investigating as the HCC  
31 requested. A brief discussion of the NH Dept. of Environmental Services (DES) definition of a vernal pool; T. Carr noted  
32 that Tracy Tarr was not present at tonight's meeting as she has not completed the studies and could not add any  
33 information at this time. He stated that if the pond is determined to be a vernal pool, the plan to place the driveway on  
34 the one lot in the buffer will be removed from that area and re-routed. Ultimately, they would like to understand why the  
35 HCC felt that the WHIA was requested.  
36

37 T. Dufresne explained that the HCC had met with the abutters group on December 18, 2019, and heard testimony from  
38 the abutters, but felt the WHIA would have been recommended regardless of that meeting. The HCC is charged with  
39 protecting water resources, and the determination and protection of a potential vernal pool falls under this charge. T.  
40 Davies asked if early May is the prime salamander period during which the vernal pool determination is made; T. Carr  
41 stated May to June is the prime period, which may last 4 to 10 weeks. Discussion ensued over water run-off, drainage,  
42 current laws and ordinances, stormwater plans, and other related matter. T. Dufresne felt that the HCC has concerns  
43 stemming from the knowledge that once the plan is approved and construction begins, the HCC loses any potential to  
44 protect a property from that point forward.  
45

46 Atty. Morgan Hollis, on behalf of the Olson family, asked the HCC to state what they were hoping to achieve with the WHIA.  
47 There is no proposed fill, and a minimum impact on the wetland buffers. As the pond on the property is not felt to be a  
48 vernal pool, and there is no evidence of endangered species, there does not appear to be a good reason for requiring the  
49 WHIA. The study in and of itself is usually only valuable for specific items, none of which appear to be on this property.  
50 He would like to understand the HCC reasons for the request. Members felt that the primary focus is to determine whether  
51 or not the pond on the property is a vernal pool, and if so, they are charged with protecting the pool. Secondary to that  
52 concern is whether or not there are endangered species on the property, and if so, how best to protect their habitat. The  
53 study will determine the answers, and the HCC is proceeding with conducting its due diligence in the matter. T. Dufresne  
54 further stated that there is a limited time to review and respond to Dredge & Fill permits once the application is submitted  
55 to DES, he believes 14 days. The pond may not be vernal but without study cannot determine; unless something  
56 unexpected was found as part of the studies, he did not feel the applicants would need to come back to the HCC.  
57

58 Atty. Hollis noted that, regardless of the vernal pool determination, there is no fill proposed and no impact to the pond  
59 itself, just to the buffer. T. Carr stated that he had just received a letter from the NH Heritage Bureau that no endangered  
60 species have been reported in that area.

61 J. Garruba stated that NH Heritage Bureau report did not prove there were no endangered wildlife species on the  
62 property, just none had been reported.

63  
64 F. Olson spoke to the HCC, and asked them to consider the ongoing support of her family to protecting and conserving  
65 land in Hollis. The Worcester, Bell, Bliden and Rogers families have donated many acres to the Town of Hollis and she  
66 would like the HCC to remember this dedication towards preserving land in Town.

67  
68 The HCC thanked all for attending and for communicating their concerns to members. Tom Carr, Atty. Morgan Hollis,  
69 Fredricka Olson, and Tom Cook left the meeting at 7:50 pm.

70  
71 **ETCHSTONE PROPERTIES, 4 SPAULDING LN, MBLU 008-048**

72 **Dredge & Fill Application, James Petropoulos, Hayner & Swanson Inc.**

73 J. Petropoulos introduced himself and his client, Kevin Slattery of Etchstone Properties. T. Dufresne noted that due to the  
74 limited time window to comment on the Dredge and Fill application at the DES, he and J. Bruneau, along with J.  
75 Petropoulos, walked the 13.5 acre property about a week or so ago. J. Petropoulos described the property as a mix of  
76 forest and farm land, with wetlands identified on the plan as "ditched meadow". Hollis requires a 100 foot buffer around  
77 any wetlands. The subdivision plan for the property proposes 4 lots total, with the existing house and outbuildings to  
78 remain on one of the lots. An additional front lot, and 2 rear lots are proposed. The 2 rear lots will be accessed by one  
79 driveway, on an existing tractor path, with an improvement to an existing culvert. The plan is to replace two existing  
80 culverts with one larger culvert, and the driveway will become gravel away from the street. Discussion ensued regarding  
81 the culvert replacement, property in general, wetlands and other associated items. There are some buffer impacts, and  
82 this is considered a minor impact project development with DES. The plan calls for minimizing the crossing to the  
83 narrowest point of the ditched meadow. J. Bruneau stated this appears to be about 758 feet more or less. He would have  
84 thought that skirting the buffer would have had less of an impact to the buffer; J. Petropoulos stated that the impact would  
85 be the same. T. Dufresne felt that lessening the height of the driveway would have an impact on the Rural Character. J.  
86 Bruneau felt that driveway would have less impact, Discussion in regards to specific items on the plan, and based on  
87 discussion, would be able to have a few hundred feet less impact than proposed. T. Dufresne will pass on J. Bruneau's  
88 input to the Planning Board, otherwise felt the HCC was good with the plan.

89  
90 James Petropoulos and Kevin Slattery, along with Joseph Garruba, left the meeting at 8:06 pm

91  
92 **NON-PUBLIC SESSION**

93 *T. Dufresne motioned to enter into Non-Public session to discuss potential land acquisition under RSA 91-A:3, II (d);*  
94 *seconded by T. Davies. T. Dufresne polled the members, all those present voted to enter into Non-Public session by a*  
95 *vote of 8-0-0. The HCC entered into Non-Public Session at 8:06 pm.*

96  
97 **RETURN TO PUBLIC SESSION**

98 *T. Dufresne motioned to conclude the Non-Public session and to keep the minutes sealed until voted by the HCC to*  
99 *release, seconded by T. Davies. T. Dufresne polled the members, all members voted to conclude the Non-Public session*  
100 *and keep the minutes sealed by a vote of 8-0-0. The HCC concluded Non-Public Session at 8:46 pm.*

101  
102 J. Garruba returned to the Public Session.

103  
104 **BOARD & COMMITTEE UPDATES**

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106 *Board of Selectmen – Peter Band*

107 There are two petition Warrant Articles on this year's Town Meeting Ballot dealing with the subject of target shooting on  
108 Town property, one for and one against. T. Dufresne and P. Band have been working with both groups with the goal of  
109 coming up with a compromise, but social media involvement undermined that effort, and it will be determined by the  
110 voters at Town Meeting.

111  
112 There has also been some discussion that items presented as Petition Warrant Articles at Town Meeting may not be  
113 enforceable. M. Post asked about the Warrant Article order; while generally petition Warrant Articles are always listed  
114 after Town Warrant Articles, voters can motion to consider changing the order of the articles.

115  
116 *Planning Board – Tom Dufresne*

117 The proposed Corosa subdivision was presented for first review. On this property on Nartoff Road, MBLU 026-008, the  
118 developer is allowing a cistern easement on the property, as requested by the Fire Chief. There are four house lots  
119 proposed, with a lot line relocation with MBLU 026-005-001, and a 15.5 +/- acre Conservation Lot to be donated to the

120 HCC. A letter of intent is forthcoming from the developer and T. Dufresne will speak to Lori Radke, Town Administrator,  
121 in regards to the donation.

122  
123 The site plan for the 3-lot subdivision on Runnells Bridge Rd, MBLU 005-028, was also discussed.

124  
125 Sky Orchard Realty Trust requested of the PB that the deed language requirement regarding potential arsenic in the soil  
126 be removed for the two front lots along Silver Lake Road in the Woodmont East subdivision (MBLU 036-004 and 036-  
127 004-013).

128  
129 There were no HCC-AG Workgroup or Treasurers updates at meeting time.

130  
131 **MINUTES**

132 *T. Dufresne made the motion to accept the minutes of the February 5, 2020 meeting as written; seconded by T.*  
133 *Davies. All members voted in favor, none opposed or abstained, and the minutes were approved by a vote of 8-0-0.*

134  
135 *T. Dufresne made the motion to accept the non-public minutes of the February 5, 2020 meeting as written and to*  
136 *keep them sealed until voted to release; seconded by P. Edmunds. All members voted in favor, none opposed or*  
137 *abstained, and the minutes were approved by a vote of 8-0-0.*

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139 **ADJOURNMENT**

140 *T. Dufresne motioned to adjourn the meeting, seconded by L. Bianco. All members in favor, none opposed, and the*  
141 *motion carried by a vote of 8-0-0. The meeting adjourned at 9:10 pm.*

142  
143 Respectfully submitted,  
144 Connie Cain  
145 Staff