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

ABSENT: Rick Hardy, Cathy Hoffman, Jeff Peters, Chet Rogers. (M. Hartnett appointed to vote for C. Hoffman).

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

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


3. DISCUSSION AND STAFF BRIEFING
   a. Agenda additions and deletions – B. Moseley -Add a discussion at the end of the meeting to discuss public hearing procedure. B. Fougere – File PB2019:18 has requested their application to be tabled to the March meeting. D. Petry moved, seconded by D. Cleveland, to table File PB 2019:18 to the March 19, 2020 meeting. Unanimous approval. The chairman noted that the next meeting will be on Thursday, March 19, 2020 (to avoid conflict with a school board meeting).
   b. Committee Reports - none
   c. Staff Report - none
   d. Regional Impact – Staff is in receipt of a notice from the Town of Amherst relative to a proposed 54-unit condo development on Rt. 122

4. SIGNATURE OF PLANS – None

5. HEARINGS
   a. File PB2020:01 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. Public Hearing – Site Layout Design Only. Tabled from Jan. 21, 2020

The chairman stated that because this application will be going through several stages of review, there will be additional opportunities for public input. M. Fougere noted that the Board had directed the applicant to provide a design that would require no waivers. Staff feels this revised design is much improved from the previous. The waivers that were previously requested, and are no longer necessary, are: parking between the building and the street, que length for the drive-thru, aisle width and parking spaces. Future waivers the board may wish to discuss are: wider entrance way for the drive-thru; waivers for aisle width behind the convenience store.

Jason Hill, T. F. Moran, stated that he believes this is the best design for this parcel in terms of efficiency and use, while meeting the Board’s directive to provide a design that would not require waivers. The plan meets all the objectives – parking, dimensional...
standards, and parking in front of the building. Mr. Hill thanked the Board for their
good ideas which have been incorporated to bring the plan to this point. Revisions to the
current plan include: rotated gas station 90 degrees, thereby eliminating the parking
between the right-of-way and the principal structure; increased parking to provide
minimum parking requirements as well as to reduce the drive-thru lane queing to
conform to the 5 queing requirement; two-way circulation around the gas tank canopy
area; one-way counter clockwise circulation through the drive-thru with a bypass lane at
the ordering window; relocate truck parking; dumpster more accessible to the store;
consolidated and expanded the green space.

Questions from the Board. B. Moseley asked about making one entrance point
“just an in” and the other “just an out” for a one-way circulation. J. Hill agreed
that would work. He noted that the slightly revised plan he has just submitted
this evening is the same as the plan the Board is looking at with the exception
that it allows for a greater capacity for the drive-thru. D. Petry – In the revised
version the screening is removed and two signs added; this plan has just been
received and the Board will need to see the final version. M. Fougere discussed
the area behind the drive-thru which is two 12’ lanes. Town roads are 22’ wide
and 24’ seems unnecessary in this case. J. Hill will review reducing the
pavement and increasing the vegetative buffer. D. Cleveland – Does traffic in the
gas pump/canopy area need to be two way? J. Hill – It could be one-way but he
wants to keep the 25’ minimum to accommodate larger vehicles. D. Cleveland –
Then all the traffic flow would be counter-clockwise – one-way traffic left to
right. B. Ming – Is the plan for accessing the truck loading area to force trucks to
the eastern edge? J. Hill: It will be accessible from both directions. The fueling
truck makes deliveries very early before the convenience store opens.

Public Hearing. Helena Briggs, 100 Runnells Bridge Road (aka Pineola Drive),
asked how this will effect Pineola Drive, which is a private road. Nobody has
signed off on this yet. M. Fougere – At this point there is nothing planned for the
land in the back, and the right-of-way is not being used. There is a well in this
location serving this development. Ms. Briggs noted that as well as living here,
she also works at the Hatch Convenience Store and she does not appreciate this
development. Mark Baril, 78 Runnells Bridge Road, noted that there is a ten-
foot slope to the left of the entrance road that rises to 20 feet near his property.
There will need to be a big retaining wall to protect his property; it is a
precarious situation. He suggested eliminating the drive-thru and getting away
from the slope. There is no visibility pulling out. There will be a back-up at the
drive-thru. Cars going in and out will interfere with the flow of traffic. Mr. Baril
discussed the water flow in and around the site and asked that the Board consider
requiring an ecological study. He pointed out the location of his house and barn
for his horses and how the project impacts his property. Traffic flow is a major
concern. If they are serious they should develop Pineola Drive to provide traffic flow out of both sides.

Mark Archambault, owner of the Hatch Convenience Store across the street, asked what the estimated cost of the project is, which he estimates to be 2 to 2.5 million dollars. There is no way this project will survive without a massive amount of traffic. There is already a gas station up the street that will compete with them. There is a Dunkin Donuts in the center of town; when people find out this location has a drive-thru they will come here instead. There is no way this site can handle all the traffic and it will be a situation of massive gridlock.

Joe Garruba, 28 Winchester Drive, stated that the plan is lacking items required for a site plan and also questioned why the Board is reviewing a plan submitted tonight. No one has had time to review the revised plans. It looks like a waiver will be required for the number of cars in the drive-thru. Currently, retaining walls in the setback are not allowed. It is inappropriate to even be discussing this plan. All critical factors (stormwater, impervious surfaces, other critical factors) need to be examined together in one piece, to ensure that everything is compliant.

Mr. Garruba asked who owns the third piece of property. He requested that the Board retain a hydrogeologist to evaluate the study submitted by the applicant which claims that the project does not meet the requirements of being in the aquifer protection zone. M. Fougere explained that an outside consultant working for the Planning Board has already confirmed the results. This was done several years ago during the subdivision process. Mr. Garruba suggested that the Board table the application because it is not appropriate to proceed now.

Michael Bates, 26 South Merrimack Road, asked if what gets presented actually happens in reality. In the case of the Montessori School, it took a great deal of work and effort by neighbors to have what was presented actually get done. He requested that there be follow-up to be sure that this project gets done properly.

Brandon Yarmo, 218 Federal Hill Road and current property owner, noted that Rt. 111 is a State road and everything done on the road must be approved by the State. He asked if the Board can legally deny the project. D. Petry explained that this plan is in the design review stage; it is not a formal application submittal with a formal public hearing. This is a conceptual drawing of a reconfiguration of what it would look like if the plan was submitted that needed no waivers. There is no review clock and they can return next time with other details on the plan. M. Fougere added that just because a plan does not require waivers, there is no guarantee that it will be either approved or denied. The process is more complicated with a number of review factors taken into consideration. The design drives the whole project, and the Board requested that the applicant come
in with a revised design needing no waivers. If the Board finds it is an acceptable layout, that will drive the rest of the process, at which time the other elements (grading, drainage, traffic flow, etc.) will be added and the review will proceed from there. Until the Board has decided on a circulation process that makes sense, it is a waste of time to talk about the other things. This was the proper procedure.

Jason Hill stated that he will incorporate the issues raised this evening into the plan and return at the next meeting. M. Fougere noted that this will be the first review project for the Board’s new consulting engineer, Mike McNally. Dennis LaBombard will assist during the transition time. D. Cleveland moved, seconded by B. Ming, to continue PB2020:01 to the March 19, 2020 meeting. All voted in favor; none opposed. Motion carries.

b. File 2020:005 – Request to amend stipulation of subdivision approval relative to removing the requirement that a note be placed in the deeds to Lots 4, 4-1, 4-11 & 4-13 referencing pesticide impacted soils. Map 36 Lots 4, 4-1, 4-11, 4-13, Woodmont Drive. Applicant/Owner Sky Orchard Realty Trust. Zoned R&A. Application Acceptance and Public Hearing.

Staff reviewed the previous discussion of this subdivision, during which there were a number of issues regarding pesticide impacted soils due to its past use as an apple orchard. At the time, the Board worked with an environmental consultant, HTE Northeast, to address high concentrations on four lots that were highly impacted. One condition was: “Place a note on the approved plan and the text of this note on any deed conveying title to any of the above-referenced four lots”. The applicant is requesting removal of the requirement of having that information placed in the deeds because it puts a cloud on the title to the properties and hinders the sale of those lots. The mitigation recommended by the consultant would remain in place (remove 20,000 sq. ft. or bring in soil to cover the area).

D. Cleveland moved to accept PB File 2020:005 for consideration. Motion seconded by B. Ming. Discussion. D. Petry stated that he does not believe this application is ready to come before the Board. He was on the Board when this plan was approved and there is a lot more information that should be presented. M. Hartnett agreed, noting that first it was arsenic and now it is also pesticides. How deep does this go? He cannot support removing the note from the plan until further review is done. D. Petry – There was a lot of discussion about the first two lots in particular that the applicant tried to sell to the Town. At that time the Conservation Commission had concerns. D. Petry questioned who is liable if the deed note is removed. This should be checked with town counsel. The mitigation
should be bonded. Additional information needed includes: history, liability, mitigation certification. D. Cleveland noted that taking the note off the deeds for the four lots would make them the same as all the other lots; however, the reason for the note was because the contamination was a lot higher than the others. He added that it would be good if the rest of the Board were present to participate in this decision. The Board then voted unanimously in opposition to the motion to accept the plan. Motion is denied and the application is not accepted. D. Cleveland moved to table PB File 2020:005 to the March 19, 2020 meeting. Motion seconded by M. Hartnett. Motion carries unanimously.


This plan creates four frontage lots along Nartoff Road and one back lot with no frontage to be dedicated to the Town of Hollis. Lot sizes range from 3.5 to 9.9 acres and the conservation lot is 15.5 acres. The site abuts Flint Pond and has significant wetlands. The open space lot will need frontage if it is not dedicated to the Town of Hollis. Issues include:

- Is HOSPD layout appropriate;
- NHDES subdivision approval required;
- $2,500 per lot cistern fee due at time of C.O.;
- A fence or barrier to be erected prior to site disturbance at the 100 foot wetland buffer line. Inspection required prior to any site work.
- All bounds to be set prior to plan recording;
- Well location on lot 5-1 to be noted.

This lot was originally subdivided in 2012 with one lot coming out of the parent parcel. The current proposal creates a “major” subdivision and the Board must decide if a HOSPD or conventional layout is appropriate, given the significant amount of wetlands. HOSPD lots on an existing road have to meet the basic conventional lot requirements of 200’ of frontage and two acres. A waiver from the Board is required to not do a HOSPD. The applicant has been in discussions with the fire chief regarding dedicating a location for a cistern easement; if this happens the $2,500 per lot cistern fee would not be necessary.

Randy Haight, Meridian Land Services, referenced the definition of “lot” from the zoning ordinance, and stated that the lot in the back does not meet the terms of this definition; therefore the plan does not need to be presented as a HOSPD because
there are not six “lots”. The definition reads: “A parcel of land or any combination of several contiguous lots of record occupied or intended to be occupied by a principle building or a building group as permitted herein, together with their accessory buildings or uses such access, yards, and open space required under this ordinance.” M. Fougere disagreed with R. Haight’s interpretation, noting that the only way this lot is allowed is if it dedicated to the Town; otherwise it needs 200’ of frontage. R. Haight stated that the result of the lot line adjustments and subdivision will be four new frontage lots with a remainder lot that will be contiguous to the town lot. C. Cleveland asked about the placement of the lot line separating the frontage lots from the open space lot; could it be moved east to capture more of the wetlands in the open space? R. Haight explained that this is what the two owners came to an agreement on; this utilizes a straight line to provide a layout that is easy to manage and police.

Tom Dufresne, Conservation Commission, stated that the open space parcel is a very desirable piece, and provides an opportunity to preserve shoreline. Final details of the transaction are yet to be worked out. D. Petry noted that lot 26-5 is a non-buildable parcel, regardless of whether it is conveyed to the Town. M. Fougere stated that Atty. Drescher has indicated that as long as there is a note on the plan that the lot will be conveyed to the Town there is no need for a strip of land; if it is not going to be conveyed to the Town, a 20’ strip out to Nartoff Road will be required to provide frontage.

M. Fougere stated that if the Board decides to waive the HOSPD, the rationale would be that it does not make sense to look at a HOSPD design because it will not be significantly different in shape then the conventional layout. With respect to the cistern location, R. Haight noted that the fire chief had indicated that an ideal location would be between lots 3 and 4.

Public Hearing. Peter Baker, Buttonwood Drive, asked for clarification regarding the wetland and buffer, and questioned the value of the Town getting a gift of wetland and buffer area if it can’t be built on anyway.

Joe Garruba, 28 Winchester Drive, stated that the fact that this this parcel will potentially be dedicated to the Town presents a good opportunity to waive the HOSPD requirements.

Consensus of the Board is to not require the HOSPD. The issue with the open space lot can be a pending condition until a final resolution is reached with the Town. D. Petry moved to authorize File PB2020:07 to proceed to final application. Motion seconded by D. Cleveland and unanimously approved.

The purpose of this application is to clarify the intent of the original subdivision by performing a lot line revision between lots 3-26-1 and 3-26-2. Lot 1 will receive .620 acres from lot 2, thereby increasing lot 1 from 5.067 to 5.687 acres. The original subdivision received conditional approval on February 19, 2019. The new plan meets all requirements and the only proposed condition is setting bounds.

D. Petry moved to accept PB2020:06 for review. The motion was seconded by M. Hartnett and unanimously approved. Randy Haight, Meridian Land Services, stated that this is simply to make the two lots the same acreage. Both lots are currently being developed. He requested that the condition for setting monuments happen at time of C.O. so the bounds do not get wiped out during construction.

There were no comments for the public hearing. D. Petry moved to approve File PB2020:06 with the understanding that the applicant is requesting a waiver of the 30-day waiting period, and that all bounds be set prior to issuance of certificate of occupancy. The motion was seconded by B. Ming and unanimously approved.


This is a request to convert the existing Horse & Hound Physical Therapy building into a rental flex office space. There will be six rental offices and a shared conference room for a total area of 745 sq. ft. The site plan regulations require one parking stall per 400 sq. ft. of leasable gross floor area and the office use will be required to provide two parking spaces. The site currently has 7 parking spaces available. The applicant received a variance from the ZBA in January to convert this space to office use. The ZBA conditions limited the business to 6 offices for rent; 9 non-residents on the premises at any given time not counting visitors; and no more than 26 vehicle trips per day, not including residents.

D. Petry asked for clarification on the amount of parking. M. Fougere noted that there are actually 10 or 11 spaces. If parking is an issue, they can come back and amend the plan. D. Cleveland moved to accept File PB2020:08 for consideration. Motion seconded by M. Hartnett and unanimously approved.
James Brooks, 288 South Merrimack Road, applicant and owner of the property, addressed the Board. He stated that he purchased the property in 2014-15, and has been slowly renovating it. It was the Hollis Line Machine for a long time, and subsequently set empty until he purchased it. J. Brooks’ wife, who had the medical license to run Horse & Hound, passed away last June, and that business was slowly eliminated as staff found new jobs. J. Brooks will use the space that is already there and there will be no changes to exterior of the building. These will be small offices for white collar workers. B. Moseley noted that the application mentions 6 offices, but he only counts 5. J. Brooks explained that he uses an area of the “common lunch room” as his personal office for his work in the solar industry, and this could become a future office.

There were no comments for the public hearing. M. Hartnett moved to approve PBFile2020:08. Motion seconded by D. Cleveland. Approval to include ZBA conditions and hard copies of the site plan. All voted in favor; none opposed. The motion carries unanimously.

6. OTHER BUSINESS
   a. Amendment to Section I. Subdivision and Site Plan Review Procedures
      The chairman, Bill Moseley, would like to add several items to section d. relative to the public hearing procedure. He presented a slide of the public hearing rules used by the Budget Committee, and noted that other boards in Hollis operate under similar rules. This will codify the operating procedure. The proposed additions are:

      (1) Speakers at the podium will be recognized by the Chair;
      (2) Speakers must state their Name and Address for the record;
      (3) Speakers may comment once for 2 minutes. Speakers may be recognized to speak again on an issue after all others have had an opportunity to speak once.
      (4) If a Speaker’s point has been substantially made by others, the Speaker will be requested to briefly conclude the presentation and be asked to yield the speaking opportunity.

      Board members agreed to move forward with these changes and staff will put it on the agenda for discussion at the next meeting.

   b. Recognition Breakfast. The chairman urged all Planning Board members to attend the Recognition Breakfast on March 7.
   c. Next Meeting – The next Planning Board meeting will be on Thursday, March 19, 2020 at 7:00 PM.
7. ADJOURN

There being no further business, D. Petry presented a non-debatable motion to adjourn. Motion seconded by D. Cleveland and unanimously approved. Meeting adjourns at 9:00 PM.

Respectfully submitted,

Virginia Mills
Secretary Pro tem