



PLANNING BOARD

Paul Mattor, Chair
Max Kenney, Vice Chair
Peter Lovell
Heather Sullivan
Jessica Brackett
Tom Witkowski
Don Roth Jr.

Minutes of Planning Board Meeting 28 October 2020

Members Present: Paul Mattor, Chair; Max Kenney, Vice Chair; Don Roth Jr., Heather Sullivan, Tom Witkowski, Jessica Brackett, Peter Lovell.

Others Present: Dave McCubrey, Jack Rogala, and Mary Hoffman, Select Board; Tammy Munson CEO; Bennet Flinner, Select Board Office Assistant; Martha Huff, Town Clerk; Martha Turner, Secretary; Eric Sanderson, SMPDC.

Applicants: Leo McConnell, Dan Diffin, Brian Rayback, Chad Chahbazi, Steve Barrett, Dustin Burnett, Darren Elder.

Hollis Residents: Lee Klarman, Mary Markley, Tara Michaud, Derek Goff, Becky Bowley, Donald Sanborn, Rachel McCarthy, Jill Lundin, Benjamin Gagnon, Amanda Graham, Dave Durrell, Jeremiah Berube, Ruth Fearon, Dan Yarumian, Patricia Hanson.

Call to Order: A quorum being present, meeting was called to order at 7:05 PM by Chair Paul Mattor, via Zoom.

Minutes: Motion was made to approve minutes of 14 October 2020. Motion was seconded and discussed. Mr. Mattor suggested minor changes in the presentation of the names of all those present. Carried 6-0-1.

Correspondence: None

Reports: Ms. Munson reported that her office continues to be busy, and she expects at least one more Conditional Use Permit to be coming before the Planning Board in the very near future. Mr. McCubrey reported that the town is working to update its audiovisual systems to allow for simultaneous Zoom and live meetings. He also reminded everyone to vote on Tuesday.

Unfinished Business: None

New Business: Conditional Use Permit #2201-4140, Poland Spring/Nestle Waters. Presented by Leo McConnell, Poland Spring, and Dan Diffin, Sevee & Maher Engineers; also Cameron Lorrain and Joshua Bowe from Poland Spring; Brian Rayback, Attorney

There are three projects included in this application: installation of a 10 MW solar array, connection of existing Utility Well 7, and construction of a paved access drive for municipal offload. There was lengthy discussion of whether this application requires a separate Shoreland Zone application in addition to the Conditional Use Application already submitted. Moved and seconded to seek legal counsel regarding whether two separate permits are required. Motion carried 6-0-1. Mr. Mattor will contact MMA for legal guidance. Moved and seconded to find the application complete. Carried 6-0-1. Poland Spring Conditional Use Permit Application #2201-4140 is determined to be complete.

Discussion of public hearing date, and site visit date/time. Moved and seconded to schedule site visit for Sunday 15 November 2020, from 10:00 AM to 11:30 AM. Motion carried 6-0-1. Moved and seconded to schedule public hearing for Monday 23 November 2020 at the beginning of regular Planning Board meeting at 7:00 PM. Motion carried 6-0-1.

New Business: Conditional Use Permit #2201-4142, MEVS Hanson LLC, solar array to be located off Salmon Falls Road, Map 2 Lot 98. The property is owned by Kenneth Stone and Robert Hanson. MEVS Hanson LLC is the project entity that owns the development rights to the project, represented by Chad Chahbazi of Cenergy Power. The project is also represented by Stephen Barrett of Barrett Energy Resources Group.

Moved to find the application complete. Motion seconded and discussed. Motion carried 6-0-1. Mr. Sanderson recommended that the applicant should also submit a decommissioning plan, as well as fire protection, and maintenance of the access road from Amanda's Way, a private road.



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Discussion of public hearing date, and site visit date/time. Moved and seconded to schedule site visit for Sunday 15 November 2020 from 12:00 PM to 1:00 PM. Carried 6-0-1. Moved and seconded to schedule public hearing for Monday 23 November 2020 at the beginning of regular Planning Board meeting at 7:00 PM. Motion carried 6-0-1.

Unfinished Business: Conditional Use Permit #2201-4141, 344 Mansion Road, appeal of denial by Code Enforcement. Dustin Burnett and Darren Elder have applied for a wedding and event venue to be located at 344 Mansion Road, on the paved portion, in the RR2 zone. Ms. Munson has determined that this would be a commercial use, which is not permitted in this residential zone. Although a B&B would be OK in RR2, no food service is permitted. The applicants would like to use this venue for such functions as a song writers retreat, or other gatherings that would be a positive use for this historic property. Many questions were raised, such as: is this a community center? Would hiring a caterer for a specific event be considered food service? If a church were to be constructed in this zone, would they be able to have bean suppers? What would be the traffic impacts of these various uses?

Following is from the CEO's denial letter:

"The proposed function venue would clearly be a commercial use under the Town of Hollis Zoning Ordinance and the Town of Hollis Building Code. The Zoning Ordinance defines Commercial Use as follows: The use of lands, buildings or structures, other than a "home occupation," defined elsewhere, the intent and result of which activity is the production of income from the buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units.

After reviewing the Town of Hollis Use Table, commercial or industrial facilities involving outside sales or storage of any kind is not an allowed use in the RR2 zone.

This application is denied. This constitutes an appealable decision pursuant to Section 3.7.4. which states: Conditional Use Permits section d. Conditional Use Appeals shall lie from the decision of the Code Enforcement Officer to the Planning Board and from the Planning Board to the Superior Court according to State law."

Based on the CEO's interpretation of this as a commercial use, and also based on the fact that no food service is permitted in this zone, the Planning Board moved to uphold the CEO's denial, with the understanding that the applicant may submit a new application for uses that are listed as permitted in the Zoning Use Chart. Motion was seconded and discussed. Motion carried 6-0-1.

Long Range Planning: None

Public Comment: None

Plan for Next Meeting: Monday 9 November 2020, 7:00 PM via Zoom.

Adjourn: Meeting adjourned at 10:19 PM.

Minutes submitted by Martha Turner, Secretary