



PLANNING BOARD

Paul Mattor, Chair
Don Roth Jr, Vice Chair
Peter Lovell
Heather Sullivan
Jessica Brackett
Tom Witkowski
Vacant Seat

Minutes of Planning Board Meeting 10 November 2021

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

Others Present: Dave McCubrey, Select Board; Alain Carrier, Jill Polster, Dan Yarumian, Ralph Ruel, Josh Ruel, Anna McClay, Katie Carrier, Todd Hurtubise, Tammy Munson CEO, David Galbraith SMPDC.

Call to Order: With all members present, the meeting was called to order by Chair Paul Mattor at 7:05 PM.

Minutes: Motion was made to approve minutes of 4 November 2021. Motion was seconded; carried 5-0-1.

Correspondence: Two letters received from Hollis residents concerning location of marijuana businesses.

Reports: Tammy Munson noted how busy the Code Enforcement office has been, and thanked Martha Turner and Tammy Thompson for their assistance. Dave McCubrey reported that an application from a prospective new Planning Board member will be on the agenda for the next Select Board meeting.

Unfinished Business: Point of View Subdivision #2202-4250, final review. Developer Ralph Ruel has submitted a letter to the Select Board regarding a performance guarantee for completion of Dakota's Way prior to selling any lots. The road will be completed except the pavement, and will be bonded for the completion of the paving. This will be a condition of approval. The road will be inspected by the Road Commissioner as well as an independent engineer to be hired by Mr. Ruel.

Motion was made as follows: Prior to the sale of any lots, there shall be surety in place in the form of a bond at a price determined to be acceptable by the Select Board and the town's contract engineer. The motion was seconded and discussed. Motion carried 5-0-1.

As listed under Hollis Subdivision Regulations Article 1, the Planning Board voted on each of the following motions. The subdivision:

- 1.1 Will not result in undue water or air pollution. *Soils scientist designed plans to mitigate the effect of wastewater on groundwater. Carried 5-0-1.*
- 1.2 Has sufficient water available for the reasonably foreseeable needs of the subdivision. *Letter from well driller indicating adequate water supply in the area. Carried 5-0-1.*
- 1.3 Will not cause an unreasonable burden on an existing water supply if one is to be utilized. *Private wells will be drilled on each lot. No existing water supply will be utilized. Carried 5-0-1.*
- 1.4 Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water. *Professionally designed septic systems. Carried 5-0-1.*
- 1.5 Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result. *Engineer designed drainage plan. Carried 5-0-1.*
- 1.6 Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways and existing or proposed public roads in Hollis, and in an adjacent town where proposed subdivision crosses municipal boundaries. *No adjacent town involved. Lots will have access from a private road, Dakota's Way, off Deerwander Road. Carried 5-0-1.*
- 1.7 Will provide for adequate solid and sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized. *Private septic systems. Carried 5-0-1.*



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1.8 Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline, as identified in the Comprehensive Plan. *Not a historic site. No wildlife habitat identified. Wetland area will be left in its natural state. Carried 5-0-1.*

1.9 Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan or land use plan. *Yes; has been reviewed against Town of Hollis regulations and ordinances. Carried 5-0-1.*

1.10 Will be developed by a subdivider with adequate financial and technical capacity to meet the standards and requirements in the Subdivision Regulations. *Performance bond will be required. Carried 5-0-1.*

1.11 Is in conformance with the Town of Hollis Shoreland Zoning Ordinance. *Shoreland Zone application received and reviewed according to Hollis Shoreland Zoning Ordinance. Carried 5-0-1.*

1.12 Will be developed so that all principal structures within the subdivision shall be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation in accordance with Hollis Ordinances. *Not located in flood zone. Carried 5-0-1.*

1.13 Will provide for adequate storm water management. *Stormwater management plan submitted and reviewed by engineer. Carried 5-0-1.*

Review of Shoreland Zoning Application, due to presence of wetlands. SZO Section 1.4: Based on the information presented, the proposed use:

1. Will maintain safe and healthful conditions. *The wetlands will remain undisturbed; all activities will be on the upland side of the wetland area. Carried 5-0-1.*
2. Will not result in water pollution, erosion, or sedimentation to surface waters. *Erosion control plans are in place. Carried 5-0-1.*
3. Will adequately provide for the disposal of all wastewater. *There will be no wastewater associated with the shoreland zone. Each lot will have professionally designed septic system. Carried 5-0-1.*
4. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or wildlife habitat. *No wildlife habitat in the wetlands will be disturbed. Carried 5-0-1.*
5. Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters. *No access to inland or coastal waters. Carried 5-0-1.*
6. Will protect archaeological and historic resources as designated in the Comprehensive Plan. *None designated in that area. Carried 5-0-1.*
7. Will avoid problems associated with flood plain development and use. *Not located in flood plain. 5-0-1.*
8. Is in conformance with the provisions of Chapter 17, Land Use Standards. *Carried 5-0-1.*
 - a) 17.1 *There is no shore frontage. All activities are on the upland side of the wetlands 5-0-1.*
 - b) 17.2, 17.3, 17.4 *Do not apply.*
 - c) 17.5 *No filling of wetlands to create campsites. Carried 5-0-1.*
 - d) 17.6, 17.7, 17.8 *None located in wetland areas. Carried 5-0-1.*
 - e) 17.9 *Stormwater management plan, using best management practices. Carried 5-0-1.*
 - f) 17.10, 17.11, 17.12, 17.13, 17.14 *Do not apply.*
 - g) 17.15 *It is a forested wetland. Adjacent area has been previously clear cut.*
 - h) 17.16, 17.17, 17.18, 17.19 *No issues identified.*

Motion made to approve the Shoreland Application. Motion seconded and discussed. Carried 5-0-1.

Motion made to approve the Subdivision Application. Motion seconded and discussed. Carried 5-0-1.

Final plan for Point of View Subdivision were signed by all members.

Two conditions of approval were identified:

1. Performance guarantee for road completion.
2. No disturbance of wetlands, no filling, no excavation.



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New Business: #2201-4145 Alain Carrier, Green Roots, medical marijuana business applications at 64 Hollis Road. Mr. Carrier was joined by his attorney Jill Polster. Ms. Munson noted that Mr. Carrier owns two contiguous properties. One is a legally non-conforming lot. They are deeded separately and have separate lot numbers. Ms. Munson stated it appears that a previous CEO approved the non-conforming lot.

Mr. Carrier is submitting two separate applications tonight: #2201-4145 for existing medical marijuana retail store, currently in operation as a home occupation, located at 64 Hollis Road. He stated that he will no longer be living on the property, so the business will not be a home occupation. The second application is #2201-4154 for medical marijuana cultivation, currently existing at 62 Hollis Road.

Motion was made and seconded to consider both applications at tonight's meeting, as long as time permits, even though one of them is not on the agenda. Motion carried 5-0-1. Both applications will be reviewed against conditional use criteria as well as marijuana business criteria.

#2201-4145 Medical Marijuana Caregiver Retail Store, 64 Hollis Road. Mr. Carrier stated that this business is currently existing as a home occupation out of his garage. This lot does not have enough space and bulk for two uses (retail store plus residence). He will be moving out of the house that exists on the property, and will eventually move the retail store from the garage to the house. There are currently offices operating in the house as part of the retail business.

Motion was made and seconded to table further review of #2201-4145, 64 Hollis Road, pending receipt of further documentation: floor plan of house showing proposed layout for store and offices, sketch plan of property showing parking for employees and clients, and a map showing that the property is more than 1000 feet from schools. Motion carried 5-0-1. CEO will work with applicant on these documents.

#2201-4154 Medical Marijuana Cultivation, 62 Hollis Road. This is also an existing enterprise out of an existing commercial building on a non-conforming lot, permitted by a previous CEO. A sketch of the floor plan of the building is requested, as well as a sketch plan of the property showing location of employee parking for a maximum of four people.

Discussion of odor control. The ordinance requires no odor detectable at the property line. Ms. Polster stated that her client has not had any complaints about odor since beginning operation in 2018. Mr. Galbraith stated that if there haven't been any problems with odor, he would not recommend third party review.

Discussion of distance from schools. CEO will assist applicant with providing maps showing distance to nearest school. Copy of deed for 62 Hollis Road will be provided by applicant. Motion was made and seconded to table further review of #2201-4154, 62 Hollis Road, pending receipt of further documentation.

Plan for Next Meeting: Thursday 18 November 2021, 6:30 PM, Hollis Community Building; to be preceded by a site visit to 321 Hollis Road at 3:30 PM.

Adjourn: Meeting adjourned 9:30 PM.
Minutes submitted by Martha Turner, Secretary