



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 22 September 2021

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

Others Present: Dave McCubrey, Select Board; Martha Turner, Secretary; John Mattor, Joanne Toone, and Richard VanLangen, Hollis Conservation Commission; Eric Sanderson SMPDC; William Thompson BH2M, Ralph Ruel, Dan Yarumian, Jack McGarry, Shannon Clark, Sandra Kimball.

Call to Order: All members present; meeting called to order at 7:00 PM by Chair Paul Mattor at the Hollis Community Building.

Minutes: Motion was made to approve minutes of 8 September 2021. Motion was seconded; carried 3-0-3.

Correspondence: None

Reports: CEO reported that there are some specific time frames from the State for reviewing marijuana business applications. Applicants will be notified that if no action is taken within 180 days, the application is automatically denied. This timeline includes the final approval from the Select Board.

Mr. McCubrey reported that there will be a Town Meeting at the Community Building on Wednesday 29 September 2021 at 7:15 PM.

Public Hearing: Motion was made and seconded to suspend meeting and open public hearing for the McGarry Tea House Shoreland Zoning application #2201-4149. Motion carried 5-0-1. Public hearing opened at 7:15 PM. Mr. McGarry presented a brief history of the project. The plans have been approved by Saco River Corridor Commission.

Joanne Toone, Hollis Conservation Commission, noted that it doesn't appear that the new residence will interfere with access to the Indian Cellar preserve. She emphasized that the area is continuing to be very busy during the summer season.

John Mattor, Hollis Conservation Commission, expressed concern about the location of the septic system, noting that the area contains many springs. He questioned the location of the boundaries of this property. Paul Mattor replied that he has a survey showing the exact location of the boundaries, and he noted that the septic system will be professionally designed to current standards.

Hearing no other comments, motion was made and seconded to close public hearing and reopen Planning Board meeting. Motion carried 5-0-1. Meeting resumed at 7:19 PM.

Unfinished Business: McGarry Tea House SZO #2201-4149, presented by Jack McGarry, owner. Address of property is 315 East Old Alfred Road, Map 3 Lot 1. A site visit at that location was held at 6:00 PM today. The existing building is less than the required setback from the Saco River. The Board is charged with ensuring that the new structure is in compliance with the setback requirement "to the greatest practical extent" as determined by the Planning Board or its designee, according to Article 14.3 of the Shoreland Zoning Ordinance (SZO). The septic system will be located even farther away from the river.

Members reviewed each of the 8 items on Page 5 of the SZO, Article 1.4, shown below with vote counts.



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1. *Will maintain safe and healthful conditions.* The new residence will be an improvement over the existing unsafe building. Carried 5-0-1
2. *Will not result in water pollution, erosion, or sedimentation to surface waters.* Erosion and sedimentation control will follow best management practices. Carried 5-0-1.
3. *Will adequately provide for the disposal of all wastewater.* Septic system designed by a professional soil evaluator. Carried 5-0-1.
4. *Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat.* Construction will follow best management practices. The new building will not have any increased impact. Carried 5-0-1.
5. *Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters.* This structure will not interfere with the existing public access to the Saco River. Carried 5-0-1.
6. *Will protect archaeological and historic resources as designated in the comprehensive plan.* The neighboring Indian Cellar preserve is historic, and will be protected. Carried 5-0-1.
7. *Will avoid problems associated with flood plain development and use.* The property is not located in the flood plain. Carried 5-0-1.
8. *Is in conformance with the provisions of Chapter 17, Land Use Standards.* This project conforms to all relevant provisions of Chapter 17. Carried 5-0-1.

Mr. Roth noted that there is an area on the plan that is marked as an existing cess pool or septic system. If there is, it must be removed, decommissioned, filled. Any existing abandoned underground infrastructure, including water pipes, must be plugged appropriately. Motion made and seconded to add this requirement as a condition of approval. Motion carried 5-0-1.

Motion made and seconded to approve application #2201-4149 with one condition, as noted above. Motion carried 5-0-1. The McGarry Tea House plan is approved, to include one condition.

Unfinished Business: Noble Ridge Subdivision #2202-4247, William Thompson BH2M, final plan review. All of the engineering has been reviewed and approved by Civil Consultants. Homeowners Association documents were discussed, including the requirement to maintain the detention basin for stormwater management.

Members reviewed each of the standards in Article 1 of the Hollis Subdivision Regulations. Responses, including votes, are itemized below.

- 1.1 *Will not result in undue water or air pollution.* Professionally designed septic system; test pits documented by licensed soil scientist. Carried 5-0-1.
- 1.2 *Has sufficient water available for the reasonably foreseeable needs of the subdivision.* Letter from local well driller. Carried 5-0-1.
- 1.3 *Will not cause an unreasonable burden on an existing water supply, if one is to be utilized.* Does not apply. Carried 5-0-1.
- 1.4 *Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.* Residential area, small usage, documentation from soil scientist. 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.* Best management practices will be followed during construction. 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 a proposed subdivision crosses municipal boundaries.* DOT entrance permit has been received. Road has been designed to accommodate appropriate traffic. 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.* No municipal services. Sewage disposal designed by licensed engineer. 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.* No shoreline involved. Consistent with the development of the area. 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; all guidelines were followed. 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.* Provision of performance bond ensures financial capacity. Carried 5-0-1.
- 1.11 *Is in conformance with the Town of Hollis Shoreland Zoning Ordinance.* Does not apply. 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 near flood zone. Carried 5-0-1.
- 1.13 *Will provide for adequate storm water management.* Professionally designed stormwater management plan. Carried 5-0-1.

Motion was made and seconded to approve the Noble Ridge Subdivision application as presented.
Motion carried 5-0-1. The subdivision is approved.

Unfinished Business: Point of View Subdivision #2202-4250, Dan Yarumian and Ralph Ruel. Members reviewed both the Subdivision Application and the Shoreland Zoning Application. Motion was made and seconded to find the Shoreland Zone Application to be complete. Carried 5-0-1.

Mr. Mattor noted that the board has not received a letter from Civil Consultants indicating that all engineering concerns have been addressed. Motion made and seconded to approve the preliminary subdivision plan with one condition: receipt of letter of satisfaction from Civil Consultants engineer. Carried 5-0-1. If the letter is received prior to the next meeting, this can proceed to the final plan.

Discussion regarding holding an additional public hearing to review both applications. Motion was made and seconded to schedule a public hearing for the next Planning Board meeting on October 13.
Motion carried 4-1-1.

Plan for Next Meeting: Wednesday 13 October 2021, to include public hearing for Point of View Subdivision.

Adjourn: Meeting adjourned 9:00 PM.

Minutes submitted by Martha Turner, Secretary
Approved by Planning Board 13 October 2021