



Minutes of Planning Board Meeting 11 January 2017

Call to Order: A quorum being present, the regular meeting of the Hollis Planning Board was called to order at 7:05 PM by Chair Paul Mattor.

Roll Call: Present: Paul Mattor, Chair; Joe Ponzetti, Vice Chair; Bruce Wishart; Peter Lovell; Kevin Flinner; Heather Sullivan. Mike Seely, Select Board; Bob Cyr CEO; Martha Turner, secretary.

Review of Minutes: Motion was made and seconded to approve the minutes of 14 December 2016. Motion carried unanimously. Motion was made and seconded to approve the minutes from the 27 November 2016 Red Barn Lane Site Walk. Motion carried unanimously.

Mr. Mattor recommended that all Planning Board minutes be posted on the website, and remain there for future reference. Mr. Seely noted that if a meeting is recorded on video tape, it is not necessary to maintain written minutes; thus if some of the oldest minutes must be removed from the website, the video tapes of each meeting will still be accessible.

Correspondence: The secretary reported she has received new information re: Jason Beaulieu's CUP, and Mr. Beaulieu has requested to be on the agenda for the next Planning Board meeting.

Mr. Mattor presented a draft of proposed procedures regarding subdivision applications. He suggested that this type of procedural guideline be presented to each applicant as part of the subdivision application package. Ms. Sullivan stated that this is a good idea to help applicants know what to expect during the review and approval process, and that this draft is a good starting point. Mr. Ponzetti noted that some applicants who have never been through this process may have no idea where to start, and such a document could at least point them in the right direction.



CEO Report: Mr. Cyr noted that his office continues to be exceptionally busy, with nearly double last year's activity, which was in turn an increase over the previous year. Mr. Cyr reported on three pending items: He stated that the owners of Garrigue Restaurant have changed their septic design, which will require review by the Planning Board. He also stated that Mr. Van Hertel will be coming before the Board with plans regarding an illegal subdivision located on Bean Street. Mr. Cyr noted that the Fox and Hound Café is considering being open for three meals a day, which will require a Conditional Use Application to be presented to the Board.

Old Business:

- (1) Mark Floor, Tyler's Corner Estates Subdivision. Board members discussed the definition of the Economic Overlay Zone. The Hollis Zoning Ordinance clearly designates the EOZ to foster business and commercial growth. Thus, there is no reduction in frontage for residential purposes. Mr. Floor stated that he was considering home occupations for that area. Mr. Feldman emphasized that first you have to have the subdivision approved, and then consider the home occupation uses. Mr. Floor stated he will have to revise his subdivision plans to reflect the required road frontage.
- (2) Louis Neveux, minor subdivision. The Planning Board has received an email from Mr. Neveux that he is withdrawing his subdivision application at this time. Mr. Feldman stated that one of the Board's requirements is to have permission from the abutter to be part of the subdivision. The abutter, who sold Mr. Neveux the land, does not want to be part of the subdivision. Thus the application is withdrawn.
- (3) Shoreland Zoning Ordinance. Mr. Mattor has spoken with Mike Morse, who indicated that there is no deadline for adopting the new ordinance, so this can be postponed until the fall. Ms. Sullivan suggested that instead of looking at the old ordinance, the Board might just review the new proposed State ordinance and edit as necessary to pertain specifically to Hollis.

Terry Walters, a professional forester, addressed the Board concerning the forestry options in the proposed ordinance. He suggested that it would be much easier to continue to allow the State of Maine to regulate forestry and timber harvesting. There would be no charge to the Town for such enforcement services.



New Business:

- (1) Proposed new building code. Mr. Cyr presented a draft of his suggestions for a new building code for Hollis, including examples of water tests. Mr. Feldman noted that since the building code is not an ordinance, it does not have to be approved by the voters. It is possible that it does not have to be approved by the Planning Board. Mr. Cyr will seek legal advice regarding how to adopt the State Building Code for the Town of Hollis.
- (2) Proposed Zoning Ordinance changes. Mr. Cyr presented a draft of proposed changes to the Hollis Zoning Ordinance. Under Section 1, he suggested adding Section 1.3.5: "No building permit shall be issued to any parcel that has any known unresolved violation."

Under Section 1.7, "Additional Town Ordinances," the list is not accurate. "Growth ordinance" can be deleted at this time. The secretary noted that if this list is to be included in the Zoning Ordinance, it must be updated each time a new ordinance is adopted by the Town, which will require a warrant article to be approved by the voters.

Under Section 2.2, "Definitions," the definition of Accessory Dwelling Unit must be revised to match the town's Accessory Dwelling Ordinance. The word "cooking" may have to be removed. Discussion of whether to include a maximum allowable square footage for an accessory dwelling, or to simply refer to the Ordinance. Performance standards should not be included in definitions.

Under Section 2.2, "Definitions," there was discussion of whether to include or exclude marijuana under agricultural activities. Mr. Feldman noted that growing medical marijuana is regulated by DHHS, and recreational marijuana will also be regulated by the State. No recreational marijuana activity can begin until all State issues have been resolved, such as taxation and regulation questions.

Under Section 2.2, "Definitions," there are two separate definitions for "Auto Service Station." Suggested to designate "Auto Service Station- Minor" as including only one pump or service island, and "Auto Service Station – Major" as including more than one island.



PLANNING BOARD

Under Section 2.2, "Definitions," Conditional Use Permit was discussed. Is a CUP issued to the person, to expire at the time the business is sold, or does the CUP go with the property and continue with the new owners? Mr. Feldman indicated that he is not aware of other towns requiring a new owner to come back to the Planning Board if the use has not been changed and all existing conditions have been met. Suggestion that all new business owners should have to register with the Town. Perhaps these considerations do not belong in the definition section. Further discussion will be required.

Under Section 2.2, "Definitions," Mr. Cyr indicated the need to specify that a driveway is a road, and must meet all road construction requirements. New language suggested: "Driveway: a road serving two dwellings or less." Further discussion may be required.

Public Comment: Terry Walters addressed the Planning Board regarding forestry and timber harvesting enforcement.

Next Meeting: Mr. Flinner suggested adding a workshop meeting next week, and/or possibly meeting one hour earlier before each of the next two regular meetings, to allow workshop time to discuss the various proposed ordinance changes.

A workshop (non-televised) meeting will be held on 18 January 2017 at 7:00 PM, location to be determined. The secretary will work on location options.

The next regular meeting of the Planning Board will be 25 January 2017.

Adjourn: The meeting was adjourned at 9:15 PM.

Minutes Submitted by Martha Turner, Secretary
Approved by Planning Board 25 January 2017