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## PLANNING BOARD

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Paul Mattor, Chair  
Joe Ponzetti, Vice Chair  
Peter Lovell  
Kevin Flinner  
Heather Sullivan  
Bruce Wishart  
Ashley Janotta

### Minutes of Planning Board Meeting 26 July 2017

**Call to Order:** A quorum being present, the regular meeting of the Hollis Planning Board was called to order at 7:00 PM by Chair Paul Mattor.

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

**Review of Minutes:** Motion was made and seconded to approve the minutes of 28 June 2017. Motion carried.

**Correspondence:** None

**Reports:** Mr. Mattor reported on the progress of the Long Range Planning Committee. He encouraged residents to be involved, as the updated Comprehensive Plan that results will be the guiding document for the Town of Hollis.

**Old Business:** Tom Witkowski #2201-4122 Conditional Use Permit application for used auto sales business at 660 Cape Road. Mr. Witkowski presented his plan showing the area where the cars will be located, including setback measurements, driveways, and lighting location. He stated that the south end of the building is where the new garage door will be located, replacing an existing bay window.

Board members discussed the location of vegetative buffers. Mr. Mattor suggested that an evergreen vegetative buffer no less than 25' shall be maintained along the south line of the car sales lot as delineated on the plan.

The scale is already indicated on the plan. Mr. Witkowski signed and dated the plan and included the north arrow. Mr. Witkowski will repaint the existing sign which already meets the town's requirements. This plan will remain on file with the Town of Hollis.

Mr. Ponzetti made a motion to approve the Conditional Use Permit for HRS Auto Sales, 660 Cape Road, with the following 10 (ten) conditions:

1. There shall be no more than 15 vehicles on the site for sale at any time.
2. If any other uses are proposed for the site, or an expansion of the existing building is proposed, the applicant is required to obtain additional Planning Board approval.
3. The sale of vehicles on the site shall occur only Monday – Saturday, between the hours of 10:00 AM and 6:00 PM.
4. All business activity shall be directed to use the main access in front of the property on Cape Road (Route 117). The secondary access north of the property shall only be for personal use by the owner of the property.



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5. No more than 2 employees, in addition to the owner, shall be on the property at any one time without prior Planning Board approval.
6. No hazardous materials or oily waste shall be stored on the property.
7. An evergreen vegetative buffer of no less than 25 feet shall be maintained along the south line of the car sales lot as delineated on the attached plan.
8. Any changes to the current sign on the property shall meet the requirements of the 2017 Hollis Zoning Ordinance.
9. No outdoor speakers or bells associated with the business shall be allowed outside the building.
10. Indoor auto sales use shall only occur in the area indicated on the attached plan.

The motion was seconded and discussed. The motion carried.

**Old Business:** Milo Farm Subdivision #2202-4238, presented by Bill Thompson BH2M. Mr. Thompson reported that, as requested by the Planning Board, he has located the well belonging to the abutter, and it is not close enough to be affected by this subdivision.

Mr. Cyr noted that the private gravel way must be a minimum of 18'. He also stated that the road must be complete before the sale of any lot or the issuance of any building permit.

Mr. Cyr also requested that a proposed street name should be indicated on the final plan. He explained the process for entering the new road name into the 911 system.

Mr. Feldman's Findings of Fact were reviewed. Mr. Thompson will update the final plan for submission at the next Planning Board meeting.

Jessica Brackett, Sarah Vaughn Road, asked why the Planning Board is proceeding with a subdivision for a developer who is currently under investigation for an illegal subdivision within the Town of Hollis.

Mr. Seely responded. He noted that the Select Board has met with the town's attorney, who determined that the town cannot refuse to accept an application from someone with an existing violation unless this is specified in the Ordinance. Mr. Seely emphasized that the Planning Board deals only with approving or not approving an application, while it is the Code Enforcement Officer who then issues the necessary permits.

**New Business:** Bean Street Subdivision #2202-4237, presented by Mr. Thompson. Mr. Ponzetti noted that this is currently an illegal subdivision. Mr. Cyr noted that some of these lots have already been sold. Mr. Seely stated that this subdivision is currently under review by the town's attorney, who is going over all of the town's documents going back to the original violation in 2002. He stated that the Planning Board may continue to process this application even while it is under legal review.

Mr. Cyr emphasized that the developer is presenting this subdivision application in an effort to bring the property into compliance. He stated that he and Mr. Feldman have both agreed that this is going to be a nine-lot subdivision, rather than the five lots originally submitted. Further discussion tabled for next meeting, pending results of legal review.



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**New Business:** Chris Woods, Woods Excavating, gravel pit on Cape Road, Conditional Use Permit #2201-4123. Mr. Cyr reported that his office has received several complaints regarding excessive noise, as well as activities being conducted outside of approved business hours.

Mr. Woods is leasing the gravel pit from Lora Hertel, and stated that he was unaware of the conditions included in the original use permit. Mr. Woods explained that he would like to work with the town to correct the violations and bring the activities at the pit into compliance. He stated that he has been in touch with all of the abutters, and he has also paid the fine assessed by the town.

Mr. Woods stated that he would like to be able to utilize the pit for the next few years, and then reclaim the site and clean it up to be used for residential or other purposes in the future. He is submitting an application for a new Conditional Use Permit, with the following description: "Gravel and sand borrow extraction, temporary storage of stumps, loam, pavement for recycling. Periodic crushing of gravel to produce products to municipal and state specifications."

Peter Dalfonso, engineer, further described the pit operations. He stated that the site is limited. He noted there is an access road that goes into the pit, and there is a ridge that has the majority of the gravel in it. He stated that if the ridge is taken down to the level of the access road going in, that will leave it as a buildable lot. He indicated that this would probably take approximately three years. This would require extraction of more than the 5000 cubic yards per year indicated in the original CUP. Based on an estimate of 30,000 yards of material still available, raising the annual limit to 10,000 cubic yards would suffice.

Mr. Dalfonso stated they would also like to be able to bring in materials from their job sites, including loam, and pavement to be recycled, as well as grinding stumps to be used for erosion control. He stated that the company does not own a crusher or a screener. Those would be rented and brought in to use only periodically, not daily.

Mr. Ponzetti stated that the new CUP application should include a more in-depth explanation of the following items: specify the nature and volume of the materials to be imported, exported, and processed; the specific activities that will occur on site, such as excavation, screening, crushing, and grinding; measures to be used for noise and dust control; measures to prevent dirt and gravel from being tracked into the road. Mr. Lovell requested that the CUP must state that the backhauls are non-contaminated product.

Mr. Ponzetti requested that elevations be identified on the plan, including stating the they will not be excavating below a specific elevation.

Mr. Lovell emphasized that the area to be excavated should be clearly marked with stakes or flags. He also stated that the pit operator should use best practices of erosion control at all times.

Hours of operation were discussed. The applicant would like to be able to begin earlier and work later. Perhaps there could be a specific arrival and departure time for personnel, and then a specific time for actual operations.

The applicant will submit a more detailed application to be reviewed at the next Planning Board meeting. After receiving a complete application, a site visit and a public hearing will then be scheduled.



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**New Business:** Proposed amendment to Planning Board Ordinance, presented by Mr. Seely. The Select Board has suggested the following item to be included on the warrant in November:

“Article #5      Shall the Town vote to add the following Article in the Hollis Zoning Ordinance?

Article 1 Section 1.3.6 – All Applications: ‘No application shall be received or processed for any applicant that has a known unresolved violation within the Town of Hollis’.”

Mr. Seely noted that the Planning Board will not have to schedule its own public hearing for the proposed amendment, as it will be included with the Select Board’s public hearing scheduled for September 6. Mr. Seely asked for the Board’s feedback on this proposal, and also suggested that this could become retroactive to January 1, 2017, if the Board so desires.

Ms. Sullivan made a motion that the Planning Board shall have the Select Board move forward to include the proposed amendment on the November warrant, including making it retroactive to January 1, 2017. The motion was seconded. After lengthy discussion, Ms. Sullivan amended her motion to include additional language, to read as follows:

“No application shall be received or processed for any applicant that has a known unresolved violation within the Town of Hollis, unless the application is to resolve an existing violation. This Article shall be retroactive to 1 January 2017.”

The motion carried unanimously.

**Public Comment:** Jessica Brackett, Sarah Vaughn Road, voiced her concern about late-night and early-morning noise from the nearby State Pit on Route 202. She was informed that this pit is owned and operated by the State, and therefore is beyond the town’s authority.

Chris Roy, Cape Road resident, expressed concern about the sometimes-vague language that is included in some applications and also some ordinances. He emphasized the need to be very specific, to avoid misinterpretation. He also suggested involving the landowner if there are violations involving leased property.

**Next Meeting:** Wednesday 13 September 2017.

**Adjourn:** The meeting was adjourned at 9:30 PM.

Minutes Submitted by Martha Turner, Secretary  
Approved by Planning Board 13 September 2017