



PLANNING BOARD

Paul Mattor, Chair
Joe Ponzetti, Vice Chair
Peter Lovell
Kevin Flinner
Heather Sullivan
Trevor Hustus
Jessica Brackett
Bruce Wishart, Alternate

Minutes of Planning Board Meeting 27 September 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; Kevin Flinner, Heather Sullivan, Peter Lovell, Trevor Hustus, Jessica Brackett, Bruce Wishart; Martha Turner, Secretary; Mike Seely, Select Board; Bob Cyr CEO.

Review of Minutes: Motion was made and seconded to approve the minutes of 13 September 2017. Motion carried.

Correspondence: Board members received copies of a letter from the town's attorney regarding an illegal subdivision in Hollis. Mr. Mattor distributed information regarding the role of an alternate board member.

Reports: Mr. Cyr and Mr. Seely reported that a structural problem within the Town Hall building will require removing a substantial amount of weight to avoid the risk of collapse. Records that must be retained but are not needed on a daily basis will be stored off-site at a location that has yet to be determined. Town Hall business will continue as usual as the problem is being resolved.

Mr. Flinner inquired about the possibility of creating a committee to review and update the town's Shoreland Zoning Ordinance. Mr. Mattor stated that Southern Maine Planning and Development Commission will be assisting with comparing the current town ordinance with the newest State ordinance, to create an ordinance that meets the specific needs of Hollis.

Old Business: Milo Farm Subdivision #2202-4238. The final plan Mylar copy is ready to be signed tonight. All members will sign at the end of this meeting. Mr. Mattor signed the Milo Farm Findings of Fact as previously accepted by the Planning Board.

Old Business: Ed Lenkiewicz #2200-0200 Shoreland Zone permit. Mr. Lenkiewicz has appeared before the Hollis Board of Appeals, and has received the setback variances required to begin construction of a single-family dwelling at 15 Moderation Street (Map 10 Lot 35). Construction within the Shoreland Zone requires a permit from the Planning Board.

Mr. Mattor noted that the building permit which was previously denied by the CEO was not dated. Mr. Mattor signed and dated the building permit as received by the Planning Board on 27 September 2017.

Ms. Sullivan made a motion to accept the permit application as complete. Mr. Lovell seconded. The motion carried 6-0-1.



PLANNING BOARD

Paul Mattor, Chair
Joe Ponzetti, Vice Chair
Peter Lovell
Kevin Flinner
Heather Sullivan
Trevor Hustus
Jessica Brackett
Bruce Wishart, Alternate

Members discussed at length the responsibilities of the Planning Board and the CEO within the Shoreland Zone. According to Sections 1.4 and 1.5 of the Hollis Shoreland Zoning Ordinance, the Planning Board does have the authority to approve a shoreland permit for a single-family residence as long as it meets all of the criteria listed in these sections.

Testimony was received from Sam Snellings, who owns Lots 10-33 and 10-34, including the only occupied building directly abutting Mr. Lenkiewicz's property. As he has previously stated to the Planning Board, he highly recommends Mr. Lenkiewicz's plans to rebuild the residence on this property, which is in keeping with the character of the area. Mr. Snellings emphasized that one of the things that attracted him to Moderation Street is its village setting. He also noted that every building in this historical village violates the town's zoning standards in one way or another.

Testimony was also received from Anthony Della Cioppa, an abutter directly across the street, who wholly agreed with Mr. Snellings' observations, and stated that he and his wife are looking forward to seeing the house rebuilt.

Mr. Mattor recommended that members review the Planning Board's responsibilities under the Shoreland Zoning Ordinance, and suggested seeking additional input from SMPDC. Mr. Lenkiewicz's Shoreland Zone Permit will be added to the agenda for the next PB meeting.

New Business: Review of the 1984 Hollis Planning Board Ordinance. Mr. Seely explained that there is no official signed copy of this document, and no evidence of any updates since it was originally passed. He suggested that the Board members review the document and recommend changes that would then go to the town for a vote. The secretary distributed examples of Planning Board Ordinances from other local towns for comparison. Mr. Mattor asked the members to come back to the next meeting with suggestions.

New Business: Planning Board issues regarding marijuana-related business. Ms. Sullivan recently attended a public hearing in Augusta. She stated that it will likely be at least March 2018 before the rules regarding adult recreational use of marijuana are complete. She noted that the MLI committee agrees that municipal control is of the highest priority. Don Marean, State Representative and a member of the committee, has also provided information for the town at previous Select Board meetings.

Mr. Seely stated that the Select Board's position is to take no action until State rules have been finalized. He reported that two residents have applied for permits to grow marijuana in Hollis for adult use. He stated that they can be issued **building** permits, but no action will be taken on uses related to marijuana at this time.

Ms. Sullivan explained the current application process. She stated that the individual must first go to the State for a conditional license which is good for one year. Then the applicant goes to the Town for approval, after which the State has 14 days to issue final approval. No business may be conducted until that final State approval is received.



PLANNING BOARD

Paul Mattor, Chair
Joe Ponzetti, Vice Chair
Peter Lovell
Kevin Flinner
Heather Sullivan
Trevor Hustus
Jessica Brackett
Bruce Wishart, Alternate

Ms. Sullivan reported that MMA is presenting a workshop in Augusta on November 15 regarding marijuana in Maine, legal and legislative updates, and she would like to attend as a representative of the Planning Board. Mr. Mattor suggested some issues that might be facing the Planning Board, such as controlling business activities so there is no negative impact on the surrounding community; what is it about this product that is different from other uses, and how is it classified according to the Use Table.

Regarding medical marijuana, Mr. Seely noted that this is grown only on the individual's own property, not a rented or leased space, and is entirely regulated by DHHS. He emphasized that the Town is not at all involved in this process. Ms. Sullivan explained that a caregiver who is licensed by the State can grow up to 5 plants each for up to 6 patients, for a total of 30 plants at any one time. She noted that some current caregivers are interested in expanding into adult use, or "recreational" use, of marijuana, which will come under a whole new set of State regulations. Mr. Mattor requested that Ms. Sullivan report back to the Board after the workshop regarding anything pertinent to the issues that may be faced by the Town of Hollis.

Public Comment: None.

Next Meeting: Wednesday 11 October 2017.

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

Minutes Submitted by Martha Turner, Secretary
Approved by Planning Board 11 October 2017