



PLANNING BOARD

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

Minutes of Planning Board Meeting 28 March 2018

Members Present: Paul Mattor, Chair; Joe Ponzetti, Vice Chair; Heather Sullivan, Peter Lovell, Jessica Brackett, Bruce Wishart. **Absent:** Trevor Hustus.

Staff: Martha Turner, Secretary; Mike Seely, Select Board; Paul Goudreau, Deputy CEO.

Others: Martha Smith, Stephen & Maggie Murphy, Duane & Leslie Hanson, Patricia Guay, Chris Woods.

Call to Order: A quorum being present, the meeting was called to order at 7:00 PM by Chair Paul Mattor.

Minutes: Motion was made and seconded to approve the minutes of 14 March 2018. Motion carried.

Correspondence: The secretary reported that she has received a request from a resident concerning creation of a noise ordinance for the Town of Hollis. The secretary distributed copies of noise ordinances from other towns as examples.

Reports: Mr. Goudreau reported that the Code Enforcement office is monitoring the town's multi-family units to be sure they have all necessary permits and meet all codes.

Mr. Seely reported that five members have been appointed to the Hollis Finance Committee. The committee's first official meeting will be scheduled after the beginning of the new fiscal year 1 July 2018.

Old Business: Conditional Use Permit #2201-4123, Cape Road gravel pit. Mr. Woods was present tonight to reschedule the site visit which had to be canceled due to depth of snow pack. The decision was made to reschedule the site visit for Saturday 21 April 2018, at 10:00 AM. Abutters will be notified, and ads will be placed in the Smart Shopper. Mr. Woods will also be added to the agenda for the following Planning Board meeting, scheduled for Wednesday 25 April 2018.

Mr. Wishart asked Mr. Woods if it would be possible to have machinery operating at the time of the site visit. Mr. Woods stated that the crusher will not be present, because they don't own it. However, he can have the screener operating.

Mr. Wishart made a motion to ask the applicant to have in operation any equipment that is present during the site visit on 21 April 2018. The motion was seconded. Motion carried 6-0-1.

Duane Hanson, abutter, requested that the gravel pit be restricted to extraction only, without any screening, crushing, or other processing of materials. He noted that although the Board members will hear the screener in operation, the crusher is even louder.

Mr. Seely, addressing the Board as an abutting property owner (not as a Select Board member), requested that those attending the site visit could also visit his residence to hear how loud the noise is at his house. Mr. Mattor noted that the Planning Board has the authority to go anywhere they wish, with permission, during a site walk. Mr. Hanson stated that he would like the members to visit his property as well.



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Mr. Mattor noted that the board members have the authority to have this application and the site reviewed by an engineer if they so desire. An engineer could look at the plans and the site, and suggest possible locations for noise-reducing berms or alternate technology that might help with noise reduction.

Mr. Ponzetti made a motion to hire an engineer to consult with the Board regarding the Cape Road Gravel Pit. The motion was seconded and discussed. Motion carried 6-0-1. Mr. Mattor will contact Southern Maine Planning and Development for an engineer recommendation.

Mr. Mattor noted that the town cannot ask Mr. Woods for a performance bond because the gravel pit is on private property. However, the board can add a condition to the CUP stating that if the pit is not properly closed out according to DEP guidelines, the property owner would be unable to apply for any other permits until this is resolved.

Mr. Wishart asked if DOT approval is required regarding vehicles entering and exiting on Cape Road. Mr. Goudreau will investigate.

Old Business: Conditional Use Permit #2201-4125, "The Pizza Garage" 415 Hollis Road. Mr. & Mrs. Murphy presented an addendum to their lease regarding parking spaces. They also presented a sketch plan showing the location of all buildings, parking spaces, signs, landscaping, and dumpster. They will also be receiving a professionally prepared site plan.

The applicants noted that the parking spaces are adequate, including five for the maximum number of employees that will be present during any one shift, as well as 25 spaces for customers (one parking space for every three seats X 75 seats.) Mrs. Murphy stated that she could not find any US standards for size of a parking space. The existing spaces are striped to be 10' x 15'. Mr. Goudreau noted that Hollis requires a parking space to be 10' x 20', but no parking problems have been reported with the previous businesses.

Ms. Sullivan made a motion to determine the application to be complete. The motion was seconded and discussed. Motion carried 6-0-1.

Ms. Sullivan made a motion to waive a site visit. The motion was seconded and discussed. Motion carried 6-0-1. A public hearing will be scheduled for the next Planning Board meeting 11 April 2018.

New Business: #2202-4241 Revision of Highland Ridge Subdivision, presented by the applicant, Martha Smith. Mrs. Smith stated that her attorneys have told her she does not need Planning Board approval, as she is not creating a new subdivision. From the original parcel owned jointly by David and Martha Smith, one lot has been gifted to spouse (Martha Smith, 56 Highland Ridge), one additional lot has been sold (54 Highland Ridge, to Mr. Kevin Roy), and one portion is still owned jointly by Mr. & Mrs. Smith. The town's attorney has given the opinion that Mrs. Smith has added two additional lots to a previously approved subdivision, and thus requires Planning Board approval for revision of a subdivision. Hollis Subdivision Regulations, Article 9, Revisions to Approved Plans, Section 9.1.D. requires approval of the Planning Board "if the revision involves the creation of additional lots, dwelling units, or rights of way."



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Mr. Ponzetti and Mr. Mattor reviewed the requirements of Hollis Subdivision Regulations Article 4, "Administrative Process," and Article 5, "Sketch Plan." Discussion involved whether a complete application has been received.

Mr. Mattor also reviewed the Planning Board's fee schedule, noting that Mrs. Smith has already paid the initial \$250 application fee, and will now be due to pay a total of \$3500 to proceed with the subdivision review process (\$2000 + \$500 per lot for 3 lots). Mr. Mattor explained that this payment goes into an escrow account to cover all expenses related to Mrs. Smith's application, including professional consultation if required. If all funds are not expended, any remaining balance is refunded to the applicant.

Mr. Mattor noted that since one lot has been sold, the new owner must participate in the application process, or must provide permission for Mrs. Smith to represent him in these proceedings.

According to Hollis Subdivision Regulations, Article 5, Section 5.2.A: "The applicant shall demonstrate proof of ownership or interest in the property. If an agent or representative of the owner or subdivider is presenting the application, that representative shall present to the Board authorization signed by the applicant."

Regarding the completeness of the application, the Board requests the applicant to submit a revised subdivision application addressing the following three items:

7. What legal interest does the applicant have in the property to be developed (ownership, option, Purchase & Sales contract, etc.). This requires the agreement of Mr. Kevin Roy to participate in the application.

12. Is any portion of the property within the Resource Protection District? If yes, please submit a plan showing the location of this portion.

31. Does the applicant intend to request waivers of any of the subdivision submission requirements? Applicant is asked to remove the comment that the property is not subject to subdivision ordinance.

Mr. Mattor will consult with Southern Maine Planning and Development regarding this application for subdivision revision.

Public Comment: See previous remarks under discussion of the gravel pit CUP.

Plan for Next Meeting: A site walk at the Cape Road Gravel Pit is scheduled for **Saturday 21 April 2018** at 10:00 AM. The next regular meeting of the Planning Board is scheduled for **Wednesday 11 April 2018** at 7:00 PM, to begin with the public hearing for The Pizza Garage.

Adjourn: Meeting adjourned at 9:00 PM.

Minutes submitted by Martha Turner, Secretary
Approved by Planning Board 11 April 2018