

Article #25 for the Hollis Annual Town Meeting on 6/13/2023

“Is the Town in favor of ceasing allowance of cluster housing subdivisions?”

Currently, the Town of Hollis Subdivision Regulations and Zoning Ordinance allow the following three types of subdivisions under the following definitions:

Subdivision: Subdivision means the division of a tract or parcel of land into 3 or more lots within any 5-year period, which period begins after September 23, 1971. This definition applies whether the division is accomplished by sale, lease, development, buildings or otherwise. The term “subdivision” also includes the division of a new structure or structures on a tract or parcel of land into 3 or more dwelling units within a 5-year period, the construction of 3 or more dwelling units on a single tract or parcel of land and the division of an existing structure or structures previously used for commercial or industrial use into 3 or more dwelling units within a 5-year period.

1. **Subdivision, Major:** any subdivision containing five (5) or more lots or dwelling units, or any subdivision containing a new public street extension.
2. **Subdivision, Minor:** any subdivision containing (4) four or less lots or dwelling units or less.
3. **Cluster Subdivision:** a subdivision in which the lot sizes are reduced below those normally required in the zoning district in which the development is located in, in return for provision of open space owned in common by lot/unit owners, The Town, or a land conservation organization.

Members of the Select Board have been asked by residents in our community to place the above article question on the warrant to see what the voters in Hollis think about continuing the three (3) types of subdivisions, or if having major and minor subdivisions would be enough options to consider at this time.

Outlined below are questions, comments and concerns that have been expressed to us by Hollis residents regarding the proposed legislative changes, commonly referred to as LD 2003, which goes into effect on July 1st 2023, and how it may effect subdivisions and economic growth:

1. How many dwellings will be allowed on a cluster subdivision? Will the change in requirements for housing and accessory units under LD 2003 mean an increase in housing allowed in cluster subdivisions? How will this impact the quality of dug wells and septic systems? Instead of having 5 houses in a cluster, could there be 10? How would this increase affect the underlying water and septic systems?
2. How many cluster subdivisions are permitted in Hollis? Can the land support additional units? What is the impact of a cluster on the surrounding “common area”?
3. Locations of cluster subdivisions throughout Hollis - How does this impact the rural appearance of the Town?

4. The Town already permits both major and minor subdivisions. Some surrounding Towns have put a moratorium on cluster subdivisions. Should we consider more research about why other towns are placing moratoriums and take those considerations under review?
5. Foresters in our area have expressed that common land is wasted land. Currently, under our ordinance for cluster subdivisions, common land is only for use by the individuals within the subdivision, so there is no benefit to the residents of the Town of Hollis or the Conservation Commission.
6. What will the impact on infrastructure needs be with larger cluster subdivisions? Again, can the wells and septic systems support these housing developments?
7. Most of the subdivision applications coming into the Planning Board seems to be for cluster subdivisions. This appears to be a major advantage to developers. What is the quality of the housing being produced?
8. What is the Hollis Select Board and the Planning Board doing to promote economic development in our town?
9. How has the Planning Board impacted businesses coming to apply for permits in the town? The way in which the Planning Board reviews permit applications gives the perception that Hollis doesn't promote businesses to move into our town to support tax revenue in the future. This seems to be an ongoing issue.
10. There are multiple complaints about the lack of a supportive process in applying for use permits and a lack of timeliness in the completion of applications under the Planning Board. Barriers to permits and projects appear to be a key reason people build in our surrounding towns and seem to avoid Hollis.

The posted Planning Board position on this article strongly implies that the Select Board had not talked to individuals before placing this article on the warrant. The Select Board has talked to many residents with concerns, met with the Fire Department regarding fire protection concerns, met with foresters who support Town projects, met with individual Planning Board members, and the Conservation Commission members met us in a Select Board meeting in March 2021. We have also discussed this issue with surrounding town officials. The Select Board has asked the Planning Board to discuss these issues and concerns about cluster subdivisions in the past on multiple occasions and requested they do research and work prior to and after the passing of LD 2003.

The purpose of Article 25 is to provide the residents of the Town the opportunity to voice their opinion on whether we should continue at this time cluster subdivisions or explore whether with the changes in state regulations, we need to just allow major and minor subdivisions and strongly consider updating our Zoning Ordinance and Subdivision Regulations.

Based on the mandated changes that have been passed by the State of Maine in LD 2003, the Select Board is in support of Article 25 and the subsequent re-evaluation of future town subdivisions within the law and in conjunction with our Planning Board and town planner, Southern Maine Planning and Development Commission.