

September 30, 2021

**APPROVED**

1 In attendance: Arnie Rosenblatt, Dwight Brew, Bill Stoughton, Tracie Adams, Cynthia Dokmo  
2 (alternate), Chris Yates, Mike Akillian (alternate), Tom Silvia (alternate), and Tom Quinn  
3 (remote).

4 Staff present: Nic Strong, Community Development Director; Natasha Kypfer, Town Planner;  
5 and Kristan Patenaude, Recording Secretary (remote).

6  
7 Arnie Rosenblatt called the meeting to order at 7:02pm at the Souhegan High School and via  
8 Zoom concurrently. He explained the Board is requesting all present in-person to wear masks, as  
9 a courtesy. The Board is masked and there are extras available. He also noted that one of the  
10 agenda items, the extension request for Brook Road, was withdrawn earlier today. He apologized  
11 to any members of the public who were in attendance for this item.

12  
13 *Cynthia Dokmo sat for Christy Houpis.*

14  
15 **CONCEPTUAL DISCUSSIONS:**

- 16  
17 **1. CASE #: PZ14461-070721 –William, Charles & Richard P. Hazen (Owners) &**  
18 **NH Sustainable Communities LLC (Applicants) – 2 Upham Road, PIN #: 006-102-**  
19 **000, 004-116, 118,119, 121, 122, & 145 – Subdivision Application - Proposed 128 unit**  
20 **Planned Residential Development. Zoned Residential Rural.**

21 Arnie Rosenblatt stated that this is a conceptual design only. Any statements made by the  
22 Planning Board, or individual Board members, are not to be relied on. No decisions will be made  
23 on this item tonight. The Board will first hear a presentation from the applicant, then the  
24 Planning Board will ask questions or make comments. This is not a public hearing but, to the  
25 extent that people want to be heard, the public will be able to make brief comments. There is no  
26 formal application yet for this project.

27  
28 Chad Branon, Fieldstone Land Consultants, joined the Board. He noted that this conceptual  
29 design is substantially different from the last one seen by the Board. The Board previously had  
30 concerns regarding the frontage lots proposed. The design has been revised so that all frontage  
31 lots will be conventional lots. These will meet all zoning requirements for lot sizes on existing  
32 roads. The design has been reduced from 60 frontage lots, to 35 conventional lots. Chad Branon  
33 stated that this project was in the early stages and that road improvements would be considered  
34 as part of the process. He noted that a benefit was that his client was under contract to buy the  
35 land and the landowner owns both sides of the road which would allow for improvements where  
36 needed. The total density of the project has been reduced from 128 lots to 109 lots.

37  
38 Chad Branon explained that Lot 4-122 is proposed to be developed into a six-lot conventional  
39 subdivision and will meet all local standards. Across Cricket Corner Road, Lot 4-116 is proposed  
40 to be an 8-lot conventional subdivision. There could be 14 lots in this area, if a road was  
41 proposed. There is also conservation land proposed in this lot to provide connectivity to adjacent  
42 land, though it is not a Planned Residential Development (PRD) so there are no open space  
43 requirements. Lot 4-145 is proposed to have three conventional lots along Upham Rd and a

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44 cluster of units off a cul-de-sac, of an additional 11 lots. This lot is just shy of meeting the open  
45 space requirements and will need a modification to its layout to enlarge the open space area to  
46 the required 40%. Chad Branon stated that he thought the proposal would be considered as one  
47 big PRD and the open space could be cross-utilized throughout the project. He now thought it  
48 would simplify the review of the proposal if each parent parcel was looked at individually.  
49

50 Chad Branon stated that there are three lots located along the northeast side of County Road. The  
51 intent is to merge these three lots and redevelop this side of the site into hybrid PRDs, with eight  
52 frontage lots and three clusters of units along the road. This leads to a total of 68 units in the  
53 clusters. The open space provided for in this section will be just shy of 170 acres of land. Lot 4-  
54 118 is proposed to be a subdivision of 10 conventional lots and one cluster. In total, the entire  
55 project stands proposed at 109 lots. It will provide approximately 200 acres of conservation area.  
56

57 Chad Branon stated that the modifications made addressed the feedback from the Board and  
58 allow for improvements along existing Town roads. He stated there was a lot of work to be done  
59 and the applicant is currently looking at solutions for these improvements. The site still needs  
60 test pits and design studies will be required so that there are no negative impacts to the local  
61 environment. He explained that the overall parcel is approximately 354 acres total. The net tract  
62 area is approximately 224 acres of land, not steep, not wet, or in the flood plain. Dividing the net  
63 tract area by the underlying zoning requirements leads to a total of 112 lots. The proposed 109  
64 lots in this design are under that threshold. He noted that there are no real density calculations in  
65 the regulations for this type of project, but this gives some amount of baseline data. He explained  
66 that a fully conventional layout of the site would be significantly more impactful due to the  
67 number of through roads, wetland crossings, etc. A conventional layout design would also total  
68 approximately 100 lots, close in size to what is currently proposed.  
69

70 Cynthia Dokmo stated that she believes the reduced number of lots is a good thing. She noted a  
71 memo from the DPW regarding the condition of the road which she found troubling. She noted  
72 that something is needed to be done to determine road concepts to bring the existing roads in this  
73 area up to Town road standards.  
74

75 In response to a question from Cynthia Dokmo, Chad Branon stated that a few of the lots in this  
76 proposal are hybrid, with conventional lots and clustered PRDs. In order to determine the open  
77 space calculations needed for these lots, the conventional lot area would need to be subtracted  
78 from the total lot area and the remainder evaluated to get the correct calculation.  
79

80 Cynthia Dokmo asked if these PRDs will contain diversity of housing, as is required. Chad  
81 Branon stated that the cul-de-sac clusters will vary in different home styles such as 55+ or  
82 market rate. He noted that the conventional lots would be market rate and the details of this  
83 diversity are still being worked out.  
84

85 In response to a question from Cynthia Dokmo, Chad Branon stated that this project is not  
86 currently proposing workforce or affordable housing.  
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88 In response to a question from Bill Stoughton regarding the number of wetland crossings, Chad  
89 Branon stated that this proposal shows one wetland crossing in a shared driveway area, and  
90 buffer impacts for two lot lines in an upland area of a cul-de-sac. The project looks to minimize  
91 all wetland impacts with this layout, but there will be some impacts in order to access some of  
92 the buildable area.

93

94 Bill Stoughton mentioned the proposed single lot on Spring Rd. Chad Branon stated that his  
95 client has received the Amherst Conservation Commission's (ACCs) comments regarding the lot  
96 and is open to having discussions about relocating that lot.

97

98 Bill Stoughton stated that this project is clearly planned as one overall development and thus, he  
99 believes it might make more sense on a planning basis to look at it as one whole project instead  
100 of as individual lots. He stated that the ordinance permits the Planning Board to award somewhat  
101 greater density for PRDs, but this requires a determination of the density of the site without  
102 PRDs. This includes the density while complying with all ordinances and without needing any  
103 waivers to obtain a baseline determination. He stated that he would like to see this baseline  
104 determination before deciding on an appropriate somewhat greater density for the site. He  
105 explained that PRDs are allowed as an alternative to traditional zoning but are not intended to  
106 maximize the number of units in a lot or be used in addition to traditional zoning. Rather PRDs  
107 are a way to give a developer some amount of increased density in return for benefits to the  
108 Town, such as open space or reduced impact on the rural aesthetic. He believes traffic is still a  
109 huge issue for this project. He also echoed Cynthia Dokmo's comments regarding required  
110 diversity of housing as required by the ordinance.

111

112 Dwight Brew stated that this plan is an improvement over the previous plan. He still has  
113 significant concerns that this plan will be able to demonstrate it provides a benefit to the Town  
114 that would warrant being awarded a slightly greater density. Landowners/developers have the  
115 right to conventionally develop land in Amherst when complying with the Amherst Zoning  
116 ordinances. The zoning ordinances have minimum lot sizes, minimum road frontages, maximum  
117 slopes, phasing, and wetlands ordinances to protect those in the vicinity of the land development  
118 and protect the overall Town. A PRD is an alternative method that can be used if it provides a  
119 win for both the Town and the owner. The PRD ordinance allows a slightly greater density if  
120 there is a demonstrated benefit to the Town. Simply taking the net tract area and dividing it by  
121 the zoning lot size, he believes overstates the number of homes that could be developed when  
122 using conventional development requirements. There is a lot of data that is not available this  
123 evening because these are preliminary plans, however, as stated previously, he does have  
124 significant concerns that the plan will be able to demonstrate it provides a benefit to the Town  
125 that would warrant being awarded a slightly greater density.

126

127 Chris Yates stated that he appreciates the overall reduced unit number, but shares the concerns  
128 regarding PRDs, diversity of housing, the sensitive nature of the land with the proposed number  
129 of homes, and water in the area. He is concerned that this proposal will not keep the look and  
130 feel of the area.

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132 In response to a question from Tom Quinn, Chad Branon stated that the conventional lots will  
133 meet all zoning requirements for frontage, area, and each containing 2 acres that are not wet and  
134 not steep.

135  
136 Tom Quinn asked if Lots 93 and 94 were even buildable. Chad Branon stated that, while test pits  
137 are still needed, there appears to be adequate area on proposed lots # 93 and 94 to place a home,  
138 well, and septic system. While there are slopes on Lot 93, the slopes are favorable as long as the  
139 driveway can be designed to get to the buildable area. He stated that he had a lot of work to do to  
140 validate all of the lots but he was representing that the frontage lots would be conforming to the  
141 zoning ordinance.

142  
143 Tom Quinn echoed the statements regarding receiving a realistic baseline density number. He  
144 has a hard time believing that the baseline for this area is somewhere from 100-110 lots. He  
145 stated that 35 frontage lots will take up quite a bit of frontage along existing roads. He would like  
146 to know the realistic baseline using conventional zoning requirements. Tom Quinn went on to  
147 say that the site had features that would make it difficult to build on and he had concerns with the  
148 impact on the area ecologically. He noted that the open space area proposed of approximately  
149 200 acres is likely never to be able to be built on anyway.

150  
151 Tracie Adams stated that she has concerns regarding some of the area being buildable due to  
152 steep slopes and wet areas. She noted that the ACC has concerns regarding wetland buffers and  
153 impacts, and the stratified drift aquifer in this area. She also has concerns regarding combining  
154 PRDs and conventional frontage lots. She would like to see what the proposed diversity of  
155 housing is and if it will truly be a benefit to the town.

156  
157 In response to a question from Tracie Adams regarding how water would be supplied to the lots,  
158 Chad Branon stated that currently only wells and septic systems are anticipated for water sources  
159 on site.

160  
161 Tracie Adams stated that she is glad to hear that the applicant is willing to discuss moving the  
162 one individual lot proposed on Spring Rd. She asked if the applicant has received the memo from  
163 the Bicycle and Pedestrian Advisory Committee regarding proposed connectivity. Chad Branon  
164 stated that he has the memo and will share it with his client. He does not believe multimodal  
165 connectivity will be an issue. Tracie Adams also noted concerns regarding wildlife corridors on  
166 site. She suggested that the applicant look into more contiguous open space in the 11 lots  
167 proposed off County Road.

168  
169 Tom Silvia echoed the previously mentioned PRD purpose items and that he was concerned that  
170 all aspects of the PRD ordinance be achieved.

171  
172 Mike Akillian echoed all other concerns and asked if the currently proposed design will have 35  
173 driveways for the 35 conventional lots. Chad Branon stated that this is what is currently  
174 proposed. Chad Branon explained that there are a few shared driveways proposed but that most

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175 owners generally want their own driveway. Mike Akillian suggested looking into minimizing the  
176 number of access and egress points for the project.

177

178 Arnie Rosenblatt asked for public comment. He noted that, to the extent people are hoping to  
179 impact the Planning Board's decision on this item, it would be more effective to comment at the  
180 time of a formal decision.

181

182 Beth [unclear last name] of Village Woods Drive stated that she had concerns with the condition  
183 of County Road, that there was no way this amount of traffic could be added to the road without  
184 needing to pave it. She asked how big the lots were within the clusters and whether they could  
185 support a well and septic on each one of the tiny lots. She went on to say that she was concerned  
186 with the wetlands on the property and the drainage. Beth went on to say she was worried about  
187 the water in the aquifer, noting that in some years she had had to make decisions to not water the  
188 grass and the garden and whether to shower or do laundry. She stated that this number of houses  
189 all drawing from the same source was a major concern and cited a project in Hooksett that ended  
190 up with no water to an entire new subdivision.

191

192 Ryan Morris, 4-117 County Road, stated that he and his wife own approximately 370' along  
193 County Road. The second narrowest point of the road is approximately 16' wide close to his  
194 driveway. He asked what improvements the applicant plans to make to the sections of County  
195 Road that are not owned by the applicant. Chad Branon stated that on a narrow section of the  
196 road there could be a right of way dedication on the land owned by his client to accommodate  
197 greater road width.

198

199 Dave Williams, 56 County Road, stated that the plans showed 40 - 50 homes in clusters around  
200 his property and he has a well that is 325' deep. He stated that he has concerns regarding the  
201 impact of an additional 40-50 wells on the existing wells in the area because there was a finite  
202 amount of water in the ground and putting 40-50 more straws in the same bucket was  
203 concerning. Dave Williams went on to say that putting County Road in serviceable condition for  
204 a larger amount of traffic including buses, emergency vehicles, etc., would be a huge undertaking  
205 and would hopefully not fall on the Town to complete.

206

207 Lisa Jones, 35 Thornton Ferry Road I, stated that the applicant has not yet addressed the Board's  
208 concerns regarding baseline density data for the site. She has concerns about the traffic in this  
209 area and noted that improvements could make this a major highway through to Merrimack. She  
210 asked if the existing house and barn on County Road are proposed to be demolished. Chad  
211 Branon stated that they are. Lisa Jones stated that this does not maintain the rural character of the  
212 area. She noted that, of the total acreage of this site, approximately 103.5 acres are wetlands and  
213 approximately 26 acres are steep slopes. Lisa Jones stated that she had lived here for 30 years  
214 and walks this land daily. She stated that all of County Road slopes down to the wetlands. There  
215 is a very highly transmissive stratified drift aquifer in this area. It is vulnerable and no amount of  
216 buffers can definitively protect the well water in this area. She noted the subdivision objectives  
217 including maintaining rural character, forests, reducing impact on water resources, and stated  
218 that the proposal does not meet any of these requirements.

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219

220 Jane Williams, 56 County Road, stated that County Road does not need improvements. It is the  
221 last rural road, unpaved, leading into the village. She does not believe anyone wants to see it  
222 improved.

223

224 There were no additional public comments at this time.

225

226

- 2. CASE #: PZ14463-070721 – 24 BR Partners, LLC, c/o Ron DeCola (Owner & Applicant) – 24 Brook Road, PIN #: 010-026-000 – Subdivision Application – Two-lot Conventional Subdivision creating one new lot along Brook Road and a 38-unit Planned Residential Development over the remainder of Tax Map 010-026-000. Zoned Northern Rural.**

227

228

229

230

231 Arnie Rosenblatt reiterated that this is a conceptual design only. Any statements made by the  
232 Planning Board, or individual Board members, are not to be relied on. No decisions will be made  
233 on this item tonight. The Board will first hear a presentation from the applicant, then the  
234 Planning Board will ask questions or make comments. This is not a public hearing but, to the  
235 extent that people want to be heard, the public will be able to make brief comments. There is no  
236 formal application yet for this project.

237

238 Ron DeCola stated that this project was previously being pursued as a 38-unit development  
239 under the Integrated Innovative Housing Ordinance (IIHO). As that proposal expired, this is now  
240 being pursued as a PRD. The Board previously heard a conceptual design for this project with 38  
241 total units over a larger piece of the parcel, 127 acres. The current design consolidates the cluster  
242 development to 37 units, with one six-acre subdivision frontage lot. The 37 cluster units are  
243 proposed to be 55+ units. There is also a third lot in this area of approximately 100 acres being  
244 proposed as a conservation lot for possible sale to the Town. The present design meets the PRD  
245 criteria because it is clustered housing and offers an increased amount of open space area. This  
246 proposal looks to set aside approximately 83% of the total land as conservation land.

247

248 Ron DeCola stated that, in reviewing the Town's Master Plan, this proposal meets at least five of  
249 the key recommendations for new developments, including that the new development respects  
250 the natural resources and complements the existing Town character, that it preserves the rural  
251 landscape, that it protects water resources and water bodies, that it preserves open space, and that  
252 it continues the development of greenways and trails for a connected recreation system in Town.  
253 Section IV of the Master Plan encourages the creation of new village developments within  
254 Amherst, which is what this proposes to do for ages 55+. One of the most significant fiscal  
255 impacts to towns in New Hampshire is increase of school age population, which will be reduced  
256 through this development's 55+ housing. The Master Plan mentions encouraging smaller  
257 housing and units, which this proposal also looks to do. There is some restriction on diversity of  
258 housing, due to it being 55+, but there is a proposal to set aside two units as handicap accessible  
259 and under the Fair Housing laws 10% of the properties could also be market rate. Maximized  
260 preservation of existing landscape is part of this proposal. There is an existing traffic study  
261 completed in July 2020 for a market rate project of 38 units which found 0.5 - 0.9% increase in

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262 traffic during peak hours. Elderly housing should be less of a traffic impact. The project will  
263 comply with State and local permitting, as required.

264  
265 Chad Branon stated that there are three parts to this project. A conventional lot located along  
266 Brook Rd of approximately six acres, that will meet the zoning district requirements regarding  
267 five acres being not steep and not wet. A second lot containing a 37-unit PRD and open space  
268 area. Finally, a conservation property of approximately 104 acres that the applicant hopes to sell  
269 to the town.

270  
271 Chad Branon stated that the conventional house site is located where the existing cabin sits now  
272 off Brook Rd. There is an existing septic and well for that site that will support a single-family  
273 lot. There is buildable area outside of the 100-year floodplain and the site will meet all zoning  
274 and subdivision requirements. The PRD site is a proposed 55+ development. It is believed that  
275 this is the best type of housing for the site, in regard to the layout of the land, fiscal impact and  
276 traffic impact. The proposed footprint of the site has been significantly reduced, with residential  
277 lots located toward the front of the site and the back of the site preserved as open space. The  
278 design touches on a number of PRD objectives such as reducing the disturbance and impervious  
279 area on site, clustering the development towards the front of the site in order to share  
280 infrastructure such as a community well, and providing site amenities such as a clubhouse and  
281 open space for residents and the community. Proposing this site as 55+ housing will allow for  
282 less traffic, less impact to the school system, and a significant amount of land to be conserved  
283 and preserved. The proposal will maintain the rural character of the area by clustering  
284 development internally to the site with a 350' buffer to Brook Rd and the closest abutting  
285 property. The total development for the PRD will take place over 16 acres, leaving 10 acres of  
286 open space or 61% of the portion of the site proposed for the PRD. The proposed conservation  
287 lot is approximately 105 acres and has key connectivity to surrounding lands. The existing  
288 Bicentennial Trail runs through the property, and this conservation lot contains an isolated 18  
289 acres of land owned by the Town in the middle of it. In total this project looks to preserve  
290 approximately 150 acres or 90% of the property.

291  
292 Chad Branon stated that this project touches on many of the goals and objectives of the PRD and  
293 subdivision regulations including encouraging preservation of open space, a variety of housing, a  
294 variety of housing stock internally and in Town, not significantly increasing the Town's  
295 population, clustering of units, creating a buffer to the developed area, and a layout with  
296 associated buffers that is harmonious with the surrounding areas to not detract from neighboring  
297 properties. This proposal has two wetland crossings, which were previously approved in a prior  
298 application. The design looks to preserve the highest ranked ecological habitat and places  
299 development in spaces on site that minimize impacts and is most appropriate for development by  
300 avoiding wetland, steep slopes, poor soils, etc. The proposal looks to link open spaces within the  
301 development with existing trails and existing open spaces. The intent is to cluster the housing,  
302 provide buffers to the road and conservation areas, and generally align well with the regulations  
303 and the Master Plan.

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305 Ron DeCola noted that a fiscal impact study was previously done for this site for a proposal of  
306 42 market rate units. It found that the Town would have a positive yearly impact of  
307 approximately \$317,000 from that development. All of the previously done studies will be  
308 updated as part of this application.

309  
310 Arnie Rosenblatt noted that the previous application for this site was submitted under the IIHO,  
311 which is now defunct. This design would be submitted under a different ordinance and as a  
312 completely new application.

313  
314 Cynthia Dokmo asked what would happen to the proposed conservation lot if the Town does not  
315 agree to purchase it. Ron DeCola stated that the project is not predicated financially on the Town  
316 purchasing this parcel. Cynthia Dokmo noted that this project proposes 38 units on 32 acres,  
317 which is a lot. Chad Branon pointed out there were only 37 homes proposed. Ron DeCola stated  
318 that he will reconsider what to do with the conservation lot if the Town does not want to  
319 purchase it. He suggested potentially a covenant not to build on the land.

320  
321 In response to a question from Cynthia Dokmo about what the houses would look like, Ron  
322 DeCola stated that the units are proposed to be one-story.

323  
324 Bill Stoughton stated that the ordinance requires that all of the land not used for buildings, septic  
325 systems, wells, and paved areas is considered open space and, under a PRD, the developer has an  
326 obligation to protect it in perpetuity for conservation, agriculture, recreation, or park. Whether or  
327 the Town has an interest in purchasing this land, the developer has this obligation. Ron DeCola  
328 stated that his interpretation is that the open space is considered the 40% requirement in addition  
329 to where the land is developed. He noted that there is only one lot being proposed for the PRD.  
330 Bill Stoughton stated that this site is currently all one lot, with the applicant proposing to  
331 subdivide off one conventional lot. The PRD is the entire rest of the lot. Ron DeCola stated that  
332 the proposal is to also subdivide off the conservation lot.

333  
334 Bill Stoughton stated that clustering the impacts into a smaller area is good, as is the amount of  
335 land to be preserved. However, the area to be developed is closest to the Brook and wetlands and  
336 will have a high septic/stormwater impact. He will look to see if the wetlands and surface waters  
337 are well protected. He believes the 55+ housing meets the requirement for diversity of housing in  
338 the PRD. The Board will need to know the baseline density of this lot from a traditional  
339 subdivision development that complies with all other requirements before determining any  
340 additional density earned through the proposal. He is concerned with carving off the additional  
341 lot. That area is particularly sensitive to water rising. The Board is not necessarily concerned  
342 with traffic on Brook Road, but more so that there are few ways to get out of this area to other  
343 areas of Town, one of which includes an already terrible intersection.

344  
345 Dwight Brew stated that clustering, setbacks and two entrances to Brook Road are all positives.  
346 He asked if all of these units will be 55+. Ron DeCola stated they are designed that way, but up  
347 to 10% could be market rate units. Dwight Brew noted that there are two open space lots, 7.12  
348 acre and 2.67 acres, that he could not see clearly delineated on the plan. He asked the purpose of

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349 these two lots. Chad Branon stated there are conservation areas on the north and south sides of  
350 the proposed road. They are not shown as connected but could be. Dwight Brew asked about the  
351 acreages of the various lots proposed. Chad Branon explained that the conservation lot was  
352 proposed at 105 acres, the conventional lot on Brook Road was 6 acres and the remainder would  
353 be for the PRD. Dwight Brew asked if the public would have deeded access to the conservation  
354 lot. Chad Branon stated that the third party to take over the conservation lot is yet unknown, but  
355 the lot would be expected to be conserved in perpetuity. The clubhouse is proposed in a location  
356 to allow for trailhead parking for the residents of the site and the public.  
357

358 Dwight Brew stated that, ignoring roads, steep slopes, wetlands, and lot geometry, a 126-acre lot  
359 could support 25.4 lots in a district with a five-acre minimum lot size. These theoretical 25.4 lots  
360 will be decreased when a realistic baseline is developed. The PRD allows for a slightly greater  
361 density when there is a benefit to the Town; 38 units is over 50% greater than the 25.4 units,  
362 where the percentage will go up when a realistic baseline is developed. He in no way feels that  
363 anything remotely approaching a 50%+ bonus can be considered a slightly greater density.  
364

365 Chris Yates stated that he had no questions or comments at this time.  
366

367 Tom Quinn stated that a 25-unit development would be generous with all the slopes and  
368 wetlands in the area. He believes a realistic baseline density would be well under that number.  
369 The remaining PRD lot is only 16 acres. This proposal carves the property into three lots and the  
370 PRD lot must be considered on its own, which would lend approximately 3 lots instead of 38  
371 lots. He shares the concern regarding the proposed conservation lot being potentially developed  
372 in the future. He believes the design for this PRD, off the road and tightly clustered, is as it  
373 should be.  
374

375 Tracie Adams stated that elderly housing with one-floor units is proposed. She asked about how  
376 many bedrooms these units would have. Ron DeCola stated that these are proposed as 2-  
377 bedroom units, with an office, and a 2-car garage. Chad Branon stated that there is one  
378 community well proposed as a public water supply. Tracie Adams stated that she has concerns  
379 regarding traffic impact to nearby intersections. She stated that she likes the buffering to Brook  
380 Road and the clustering of development away from the road with a longer entrance road so that  
381 the buildings would be obscured. Tracie Adams asked if there was any historic significance to  
382 the existing cabin proposed to be removed. Chad Branon stated that the Heritage Commission  
383 reviewed the cabin as part of a previous application and found no historical significance. Tracie  
384 Adams asked about emergency access to the site. Chad Branon stated that this proposal shows a  
385 hammerhead-style turnaround off the proposed roadway. This is appropriate for emergency  
386 response vehicles. There is a second turnaround proposed as well. Reviews will be needed from  
387 the Fire Department.  
388

389 Tom Silvia had no questions or comments at this time.  
390

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391 Mike Akillian stated that the design for the proposed unit appears to be more than one-story. Ron  
392 DeCola stated that it is only proposed as a one-story design and what was shown was only a  
393 reasonable facsimile with cathedral ceilings.

394

395 In response to a question from Mike Akillian, Chad Branon confirmed that these units are  
396 designed to be connected in clusters, with shared walls for up to three of these units in an area.

397

398 Mike Akillian asked about the traffic on Brook Road itself. Chad Branon stated that the previous  
399 traffic study based on a market rate development, there would be no need for offsite  
400 improvements. This will need to be reviewed by a traffic engineer. Mike Akillian stated that  
401 there are times on the road that cars cannot pass each other currently. Chad Branon stated that the  
402 previous study found that, with the existing amount of traffic, the proposal would not cause a  
403 significant impact. This proposal will be different based on the change to elderly housing with  
404 less traffic in the peak hour.

405

406 There was no public comment at this time.

407

408 **COMPLIANCE HEARING:**

409 **3. CASE #: PZ14354-061021 –Christ Church of Amherst (Owner) & Christ**  
410 **Church/The Amherst Preschool (Applicant); 58 Merrimack Road, PIN #: 003-036-**  
411 **002 – Public Hearing/Compliance Hearing/Non-Residential Site Plan Review –**  
412 **Proposal to add two 30’ yurts to accommodate the Zoning Board of Adjustment’s**  
413 **approved increase in enrollment. *Zoned Residential/Rural.***

414

415 Arnie Rosenblatt opened the hearing and asked for a brief explanation of the process.

416

417 Natasha Kypfer explained that this is a requirement after the Board’s initial hearing on this  
418 matter from July 7, 2021, that an as-built plan be submitted and that the applicant come in to  
419 discuss what has been built in terms of what was proposed. She noted that a waiver request was  
420 received approximately a half hour before the meeting. She has provided digital copies to the  
421 Board and the applicant provided hard copies.

422

423 Arnie Rosenblatt noted that the waiver is for proposed impact fees that would total \$1,450. He  
424 asked that the Board first consider the waiver. There has been frustration from the Board  
425 regarding application items submitted late in the past.

426

427 Bill Stoughton stated that, under the Rules of Procedure, the Board would normally not consider  
428 a late request of this type. He would consider waiving that requirement and considering the  
429 request.

430

431 Dwight Brew stated that he has not yet had time to review the waiver request. He would need  
432 more time to review this item. He believes that the Board could continue this hearing to a later  
433 time to be able to review this request.

TOWN OF AMHERST  
Planning Board

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434  
435 Chris Yates asked if the matter was continued, would new notices need to be sent to abutters.  
436  
437 Ellen Grudzien, applicant, stated that the receipt of a Certificate of Occupancy is much more  
438 important to this project than the proposed waiver. Arnie Rosenblatt stated that he understands  
439 that but, as it was already submitted, the waiver request now needs to be considered.  
440  
441 Tom Quinn asked if impact fees were part of the original conditions of the approval for this  
442 project.  
443  
444 Tracie Adams asked if the applicant was willing to retract the waiver request. Ellen Grudzien  
445 stated that she is willing to withdraw the waiver request to have the compliance hearing  
446 completed.  
447  
448 Arnie Rosenblatt stated that he does not like receiving items late but that he would consider  
449 hearing this.  
450  
451 Bill Stoughton asked if the applicant wants to have this waiver item heard tonight. Ellen  
452 Grudzien stated that she withdraws the request, as receiving the Certificate of Occupancy is more  
453 important at this time.  
454  
455 The Board continued with the compliance hearing.  
456  
457 Ellen Grudzien stated that the as-built plan was submitted. All formal inspections have been  
458 made. The stormwater drainage has been placed. The Fire and Building Inspectors have  
459 reviewed the site.  
460  
461 Mike Akillian asked about the Staff Report comments regarding the French drains. Ellen  
462 Grudzien stated that this was likely incorrect wording regarding the type of stormwater in place.  
463 Natasha Kypfer read an email from the Building Inspector regarding the inspection that took  
464 place. There are two conditions, that a handrail be installed near the composting toilets and that  
465 emergency/injury information be posted in each yurt. It was noted that the drainage system has  
466 been installed correctly.  
467  
468 Tom Silvia had no questions or comments.  
469  
470 Tracie Adams stated that the hand-drawn as-built plan appears appropriate.  
471  
472 Tom Quinn asked about the memo from the Building Inspector. Natasha Kypfer stated that she  
473 did not submit this to the Board, as it was received only today, and she did not want to submit a  
474 late item. She noted that the Building Inspector would not sign off on the inspection without the  
475 Fire Inspector's approval. Tom Quinn asked if the applicant understands what else needs to be  
476 added to the as built, per the Staff Report. Natasha Kypfer read the items that need to be added.  
477

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478 Chris Yates stated that he would have liked to see photos submitted. Ellen Grudzien stated that  
479 she offered them to be submitted but was told that they were not necessary. She offered anyone  
480 to see the pictures or visit the site.

481  
482 Dwight Brew noted that there appear to be minor items that need to be in place. Nic Strong  
483 stated that the Certificate of Occupancy will not be issued without approval from the Fire  
484 Inspector first. Dwight Brew asked if the additional required conditions could be met and then  
485 reviewed by the Building Inspector after approval. Nic Strong stated that the Board's conditions  
486 are listed in the site plan and do not need to include the Building Inspector's conditions, as he  
487 will take care of those on his own.

488  
489 Bill Stoughton asked if the applicant has seen and is okay with the conditions in the Staff Report.  
490 Ellen Grudzien stated that she has and is. She is okay with revising the first condition to include  
491 wording about the drawings being submitted after the staff comments are included. Bill  
492 Stoughton noted that the last subsequent condition does state that, "no occupancy permits shall  
493 be granted for any structure until all work shown on an approved site plan is complete to the  
494 satisfaction of the Building Inspector, Fire Department, Public Works Department, and Office of  
495 Community Development, as applicable.

496  
497 Cynthia Dokmo had no questions or comments.

498  
499 There was no public comment.

500  
501 **Bill Stoughton moved to confirm compliance with the conditions to the approval of**  
502 **the Non-Residential Site Plan Review for Christ Church of Amherst (Owner) and**  
503 **The Amherst Preschool (Applicant) at 58 Merrimack Road, Map 3 Lot 36 Sublot 2**  
504 **for the operation of two 30' yurts to accommodate the Zoning Board of**  
505 **Adjustment's approved increase in enrollment subject to conditions in the Staff**  
506 **Report, with condition precedent #1 modified to indicate that the staff comments on**  
507 **the plan will be incorporated prior to submission. Dwight Brew seconded.**  
508 **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn -**  
509 **aye, Cynthia Dokmo - aye, and Chris Yates – aye; 6-0-0, motion carried**  
510 **unanimously.**

511  
512 **EXTENSION REQUEST:**

513 **4. CASE #: PZ11605-080519 – 24 Brook Road, LLC, c/o John Walsh (Owner &**  
514 **Applicant) – 24 Brook Road, PIN #: 010-026-000 – Integrated Innovative Housing**  
515 **Ordinance Conditional Use Permit (IIHO). Proposed residential subdivision of Tax**  
516 **Map 10 Lot 26 utilizing the IIHO. Zoned Northern Rural.**

517  
518 This item was previously withdrawn.

519  
520 **OTHER BUSINESS:**

521

September 30, 2021

**APPROVED**

522        **5. Minutes: September 8, 2021 & September 15, 2021**

523        **Tracie Adams moved to approve the minutes of September 8, 2021, as submitted.**

524        **Chris Yates seconded.**

525        **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn -**  
526        **aye, Cynthia Dokmo - aye, and Chris Yates – aye; 6-0-0, motion carried**  
527        **unanimously.**

528

529        **Tracie Adams moved to approve the minutes of September 15, 2021, as submitted.**

530        **Dwight Brew seconded.**

531        **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn -**  
532        **aye, Cynthia Dokmo - aye, and Chris Yates – aye; 6-0-0, motion carried**  
533        **unanimously.**

534

535        **Tracie Adams moved to approve the minutes of September 23, 2021, as amended**  
536        **[replace 75,000 s.f. at the bottom of page 7 with 75%]. Dwight Brew seconded.**

537        **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn -**  
538        **aye, Cynthia Dokmo - aye, and Chris Yates – aye; 6-0-0, motion carried**  
539        **unanimously.**

540

541        **Tracie Adams moved to adjourn the meeting at 9:19pm. Chris Yates seconded.**

542        **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn -**  
543        **aye, Cynthia Dokmo - aye, and Chris Yates – aye; 6-0-0, motion carried**  
544        **unanimously.**

545

546

547

548        **Respectfully submitted,**

549        **Kristan Patenaude**

550

551        **Minutes approved: October 6, 2021**