

TOWN OF AMHERST
Planning Board

June 1, 2022

APPROVED

In attendance via Zoom: Arnie Rosenblatt, Bill Stoughton – Board of Selectmen Ex-Officio, Chris Yates, Tom Silvia, Cynthia Dokmo, Tracie Adams, Pam Coughlin (alternate), and Daniel LeClerc (alternate).

In attendance at Town Hall: Tom Quinn

Staff present: Nic Strong, Community Development Director (in attendance at Amherst Town Hall); Nicole Stevens, Town Planner, and Kristan Patenaude, Recording Secretary (via Zoom)

Arnie Rosenblatt, Chair, called the meeting to order at 7:00 pm via remote session. He read the following statement:

As Chair of the Amherst Planning Board, I find that:

- 1. the most recent information on the CDC website regarding the recent surges, including the increased transmissibility of the virus,*
- 2. the rising and dangerous rates of Covid infections evident in the CDC's statistics,*
- 3. the increased prevalence of infections even among vaccinated persons, and*
- 4. the current case and hospitalization rates in New Hampshire generally and in Hillsborough County in particular, constitute an emergency within the meaning of RSA 91-A:2 III (b).*

I also find that immediate action by the Planning Board is imperative in order to satisfy statutory deadlines for actions on applications. I also find that in light of the current state of the Covid pandemic, the physical presence of a quorum of the Planning Board is not reasonably practicable within the time period required to take action.

Accordingly, after consultation with members of the Board and Town Counsel, and pursuant to the authority granted by RSA 91-A:2 III (b), the Planning Board meeting on June 1, 2022, will be held via Zoom. Members of the public may, and are encouraged to, attend via Zoom using the information below. There will also be the opportunity for members of the public to attend at the Town Hall, with a connection to the Zoom meeting available there, if they wish.

*The Zoom link is as follows: <https://us02web.zoom.us/j/89191316914>
Dial +1 312 626 6799 Webinar ID: 891 9131 6914*

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Roll call attendance: Tom Quinn, Chris Yates, Dan LeClerc, Tom Silvia, Pam Coughlin, Bill Stoughton, Cynthia Dokmo, Tracie Adams, and Arnie Rosenblatt, all alone and present.

COMPLETENESS REVIEW OF APPLICATION AND PUBLIC HEARING IF APPLICATION IS ACCEPTED AS COMPLETE:

- 1. CASE #: PZ15747-050522 – Thomas R. & Polly J. Culver (Owners & Applicants); 10 Clark Island Road, PIN #: 008-107-001 – Wetland & Watershed Conservation District – Conditional Use Permit. To construct a 157 square foot addition with proposed drip edges within 100' wetland buffer from Baboosic Lake. Zoned Residential Rural.**

Tom Silvia recused himself. Arnie Rosenblatt asked Dan LeClerc to sit for Tom Silvia.

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In response to a question from Arnie Rosenblatt regarding completeness of the application, Nic Strong stated that all items for a complete application have been submitted.

Tracie Adams moved to accept the application as complete. Seconded Tom Quinn. Roll Call vote: Tom Quinn – aye; Chris Yates – aye; Dan LeClerc – aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Tracie Adams – aye. Motion carried unanimously 6-0-0.

Arnie Rosenblatt explained that the process is that the applicant will make a presentation, there will be discussion and questions from the Board, there will be public comment, and then the Board will discuss the item again. There is at least one waiver as part of this application.

Taylor Hennas, Meridian Land Services, addressed the Board. The parcel sits within the 250' Shoreland zone of Baboosic Lake and within the Wetland and Watershed Conservation District. Most of the existing structure sits within the 100' wetland buffer. This is a preexisting, nonconforming lot of record. In 2009, a CUP was granted for this property to allow for the installation of the existing single-family home, pretreatment system, and other parcel improvements. The existing impervious area is 16.5%. There are existing stormwater management techniques on the site, such as the pervious driveway, just over 1,500 s.f., installed in 2009 to minimize runoff and enhance stormwater storage and infiltration.

Taylor Hennas explained that the proposal is to construct a 157 s.f. addition onto the preexisting, nonconforming home. This proposal will not increase the bedroom count for the property. It will increase the amount of impervious area of the site to 16.9%. The existing pretreatment system installed in 2009 will remain in use. This was voluntarily installed by the homeowners outside of the wetland buffer to help with treatment of effluent. Per DES regulations, remaining under the 20% impervious threshold means that stormwater management techniques are not required for this site. However, the applicant is proposing to install two additional drip edges along the new addition. The footprint of the addition will be placed on existing areas of disturbance of the lot. No undisturbed areas of the lot will be permanently altered. At the May 11, 2022, presentation to the Conservation Commission (ACC), it was proposed that the applicant consider adding additional techniques to create an overall net improvement on the lot. Thus, a revised plan including lowbush blueberry plantings within a currently unvegetated area of the site within the 50' waterfront buffer was provided. This species was chosen based on the landscape and to provide habitat and a food source for wildlife. Also proposed are three 50-gallon dry wells to infiltrate stormwater from the 203 s.f. of existing impervious area. These dry wells will infiltrate from a large portion of the impervious areas.

Taylor Hennas stated that proposed permanent impact areas include 127 s.f., and temporary impact areas include 2,193 s.f. in order to access the construction areas. 1,945 s.f. of the approximately 2,300 s.f. of impacts are proposed to be located within the 100' wetland buffer. The closest encroaching corner of the addition structure to the Lake will remain at 85'.

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Taylor Hennas explained that, prior to construction, the area will be bounded with double erosion controls, using silt socks and silt fences. Using Fish & Game's BMPs, there will be no biodegradable plastic used in this control to allow for wildlife species movement. No vegetation will be removed throughout the project and all woodland areas will remain unaltered. There will be no work done with the 50' DES buffer to the lakefront. All of the work will follow the erosion control notes on the plan set. The erosion controls will be removed once the project is complete, and the area is stabilized. There were certain species of interest identified by NHB to be potentially located on this site, but based on the scope of this project, it was determined that there would be no negative impact. The DES Shoreland Permit was submitted and approved on April 14, 2022.

Tom Quinn noted that the ACC was looking for additional measures to minimize runoff into the Lake. Taylor Hennas stated that the updated proposal includes three 50-gallon dry wells to pull runoff from the existing roof gutters.

Pam Coughlin and Cynthia Dokmo had no questions at this time.

Tracie Adams thanked the applicant for adding certain mitigation measures. She noted that the ACC also suggested adding drip edges along the existing property. Taylor Hennas stated that this suggestion was reviewed, but the three dry wells were decided upon instead. The three dry wells are believed to be adequate for stormwater management on the site.

Tracie Adams noted that the Staff Report mentions that normally Zoning Ordinance waivers cannot be addressed by the Planning Board but would need specific action from the Zoning Board of Adjustment (ZBA). In particular, Zoning Ordinance Section 4.11, Wetland and Watershed Conservation District, Subsection H. 4. a. which reads as follows:

4. Non-conforming Uses and Structures: Expansion of a non-conforming use or structure situated within the Wetland and Watershed Conservation District may be permitted provided the Planning Board finds, in addition to the provisions outlined in Section I.1.a-g, that the proposed expansion conforms to the following additional standards:

a. The encroachment upon the surface water, wetland, or vernal pool is not increased."

Tracie Adams noted that this section mentions surface water, wetlands, and vernal pools, but not wetland buffers, as is being requested by the applicant. She stated that she would like to hear other Board members' thoughts on this item.

Bill Stoughton asked Nic Strong if the revised plans were available in the Drop Box. Nic Strong stated that they were received and added only today. Taylor Hennas stated that the final plan was sent to the Planning Office this morning with the amendments discussed. Bill Stoughton stated that the Board has not had a chance to review the updated plans prior to this meeting. He will want to review the plans in more detail.

In response to a question from Bill Stoughton regarding updating the stormwater calculations, Taylor Hennas stated that the updated plan overall improves the condition of the stormwater on site but did not change the need for a waiver on this item in regards to the CUP application.

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Bill Stoughton stated that the calculation previously shown in the plan was that the stormwater system proposed could handle a 2-hour storm event, but the Town's regulations require a number of calculations up to a 50-year storm event. He is unclear how much runoff will be handled by larger storms or released into the Lake. Taylor Hennas stated that she is unsure if the proposed drip edges would be able to handle a 24-hour, 50-year storm event. These drip edges were sized based on a 1" storm, which, in NH, covers approximately 90% of all storms. Bill Stoughton stated that most contaminants are within the first inch of rain, however, in deciding whether to grant a waiver, he would like to know how much the proposal will fail to meet the requirements.

Bill Stoughton stated that he is glad additional mitigation techniques are being proposed in the revised plan. These should help toward a net improvement to the water quality of the Lake.

In response to a question from Bill Stoughton regarding what the dry well calculations are in terms of sediment, nitrogen, and phosphorus clean up levels, Taylor Hennas stated that she did not have those calculations on hand. She noted that the stormwater holding capacity of these dry wells based on the native soil does allow for infiltration back into the ground.

Bill Stoughton stated that he will suggest a continuance to allow for submittal of some of this information, including the cleanup percentages attributed to dry wells by DES. He asked for information on if these dry wells will handle the cleanup percentages noted in the Town's regulations – 90% for sediment, and 60% for phosphorus and nitrogen.

Bill Stoughton stated that the proposal is not to encroach on the wetland itself, but the wetland buffer only. He does not believe this application needs a waiver from this item.

Chris Yates had no questions at this time.

In response to a question from Dan LeClerc, Taylor Hennas stated that the access way proposed on the site will be restored to its original state after work is complete.

In response to a question from Dan LeClerc, Taylor Hennas explained that the proposed 157 s.f. of new construction includes the building and roof area.

Arnie Rosenblatt asked for public comment. There were none at this time.

Tom Quinn stated that he would be in favor of a continuance at this time, to allow the Board to review additional information.

Tom Quinn moved to continue CASE #: PZ15747-050522 to July 6, 2022, at 7:00 p.m. at Town Hall. Seconded Chris Yates.

Roll Call vote: Tom Quinn – aye; Chris Yates – aye; Dan LeClerc – aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Tracie Adams – aye. Motion carried unanimously 6-0-0.

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**2. CASE #: PZ15748-050522 – Vonderosa Properties LLC (Owner & Applicant);
Cricket Corner & County Roads, PIN #: 004-122-000 – Subdivision Application.
Proposed 6-lot conventional subdivision. Zoned Residential Rural.**

Tom Silvia retook his seat.

Cynthia Dokmo recused herself. Pam Coughlin sat in her place.

With regard to completeness, Arnie Rosenblatt stated that first, the Board needs to discuss a number of broad waivers being discussed, and secondly there is an issue regarding a number of items missing from the application.

Nic Strong stated that the test pit data and legal information were received from the applicant today. There is now a waiver request from the applicant regarding the other items that have not been submitted, such as the drainage report and all required studies (fiscal impact, environmental impact, traffic, water supply, drainage, and hydrogeological).

Arnie Rosenblatt stated that, with respect to the studies, the Board has in the past accepted applications conditionally as complete, with the knowledge that it reserves the right to require the studies be completed at a future date.

Bill Stoughton stated that the email with new information came in at 5:30 with an updated plan and substantive changes. Chad Branon, PE, Fieldstone Land Consultants, stated that the substantive changes do not have to do with completeness of the application. His office received the Staff Report on Friday afternoon and attempted to complete a quick turnaround. Regarding completeness, no changes were made. Test pit data, previously on the plan, were included in writing, and draft legal documents were able to be obtained and submitted as well. At the very least, he would appreciate the right to speak to the requested waivers from the studies and receive input from the Board this evening.

Bill Stoughton stated that the Board tries to balance dealing with receiving information at the last minute and is usually very accommodating if that information is not substantive. He is not willing to do so for this application, as he has not yet had a chance to review the newly submitted information and believes the changes are substantive. This would alter his work in reviewing the application in full. He is prepared to grant a waiver to the fiscal impact study, but none of the others. He encouraged the applicant in preparing the studies to appreciate that it has several times proposed a large development on the adjacent lots as well. To properly analyze the impacts of this proposed subdivision, and the others proposed, they need to be considered as one. At a minimum it would alter the phasing the Board would consider, but it could alter additional considerations, such as traffic, as well. He requested that when completing the studies, such as the traffic study, the applicant give the Board all of the information it receives from all of the proposed subdivisions on these adjacent lots. He would vote that this application is currently not complete.

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Arnie Rosenblatt clarified that, regardless of the waivers requested, Bill Stoughton believes that this application should not be accepted as complete at this time. Bill Stoughton agreed.

Tom Quinn echoed Bill Stoughton's comments. He has not yet seen the new information submitted and is not comfortable voting on it. The Board previously voted that this application has regional impact, as it involves other nearby developments. He is not keen to waive any of the studies which have been required of other developments in Town that were of similar size, in terms of units at least.

Bill Stoughton stated that he has two motions. One that the Board waive the requirement for a fiscal impact study. Secondly, he would move to deny this application as incomplete. He stated that he would make the motions in this order, as a way for the Board to tell the applicant what it needs.

Bill Stoughton moved that the Board waive the requirement for a fiscal impact study. There was no second; motion died on the table.

Arnie Rosenblatt stated that he did not favor that motion. His view is that it is premature to waive fiscal impact, as he does not yet know this to be true. He also noted that, if the second motion is to deny the application as complete, it does not seem clear that the fiscal impact study will not be required by the Board.

Bill Stoughton moved to deny this application as incomplete, for the reasons stated in the Staff Report and recognizing that the applicant submitted additional materials today that may address some completeness issues but that these were untimely under the statute and rules, and thus they cannot be considered at this time. Seconded by Chris Yates.

Discussion:

In response to a question from Tom Quinn, Bill Stoughton stated that his understanding is that this denial does not preclude the applicant from correcting any issues with the application and resubmitting it at a later date. Arnie Rosenblatt agreed.

Arnie Rosenblatt asked if Bill Stoughton's motion deals with the proposed study waivers, or if this is a separate issue. Bill Stoughton stated that he has already stated his thoughts regarding fiscal impact, but he believes all other studies should be required.

Roll Call vote: Tom Quinn – aye; Chris Yates – aye; Tom Silvia – aye; Bill Stoughton – aye; Pam Coughlin – aye; Tracie Adams – aye. Motion carried unanimously 6-0-0.

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Arnie Rosenblatt stated that no decision has been made in respect to the study waivers. His instinct is that, based on his review of the application and knowledge of the project, he is not yet persuaded that there is a basis to grant these waivers.

CONCEPTUAL DISCUSSION:

3. CASE #: PZ15750-050522 – Vonderosa Properties LLC (Owner & Applicant); Upham, County & Spring Roads, PIN #: 004-118 & 119 & 121 and 006-102-000. Subdivision Application – Discussion for a proposed 40 lot conventional subdivision. Zoned Residential Rural.

Arnie Rosenblatt explained that this is a conceptual discussion only. This is not an actual application or a public hearing. This is an opportunity for the applicant to describe the current project and for the Board to ask questions and make comments. No questions or comments or input from the Board are binding. Comments from Board members may change, the Board makeup may change, and/or the application itself may have changed, by the time an actual application is heard. No comments should be relied on. This is an informational gathering opportunity. He is not generally inclined to go to the public for comment during a conceptual discussion, as there will be additional opportunities in the future.

Cynthia Dokmo recused herself. Arnie Rosenblatt noted that he will not be asking anyone to sit in her place, as there will be no votes taken during this discussion.

Chad Branon, PE, Fieldstone Land Consultants, and Brett Vaughan addressed the Board. Chad Branon explained that the updated concept plan across these four lots will be one application eventually. The existing plan shows the existing conditions in relation to the roadway systems. Parcel 004-118 is located on the west side of County Road and consists of 44.2 acres of land. Parcel 004-121 is located at the intersection of County Road and Upham Road and consists of 56.4 acres. Parcel 004-119 is a 197-acre property. Parcel 006-102 is 149.6 acres. These parcels together total approximately 270 acres. The submitted plan depicts a conventional subdivision over all four properties. A conventional subdivision means that all underlying zoning (Rural/Residential) requirements are met, including minimum lot sizes of 2-acres without wetlands, floodplains, or slopes over 20%. An additional requirement is 200' of frontage for each lot. Setback requirements are 50' to the front of the lots, with the exception of scenic roads at 100' setbacks, with setbacks of 25' to the sides and rear.

Chad Branon stated that the proposed lots are laid out along County Road, Spring Road, and Upham Road. The subdivision layout totals 41 lots, with lots ranging in size from 2 acres to 43 acres. This concept anticipates including open space easements, possibly with trails. No density bonuses are being sought. Lots were laid out to try to minimize any impacts to sensitive areas. Wetlands have been delineated on site. Conversations with some abutters have already been had. He hopes to have a dialogue with the Board and ACC to make sure all goals and objectives are met.

Chad Branon stated that County Road's existing conditions are poor and there have been past issues with maintenance on a DPW level and with access by bus traffic. This proposal will give a

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unique ability to work with the Town on enlarging the right of way for County Road and allow the Town to make some improvements if it sees fits. The intention will be to adhere to the Board's phasing requirements, and the owner realizes this may phase out over 10 years.

Tom Quinn asked if the applicant is expecting the Town to participate in improving County Road if this project moves forward. Chad Branon stated that in past communications with the bus company and DPW, the Town may have interest in improving a road that the Town sees as being in poor condition now, especially regarding right of way width. The applicant is willing to work with the Town to solve some of these problems. There would be an anticipation with an existing Class V road, that there will be some contribution from the Town to fix existing problems.

Tom Quinn stated that he saw the video placed on YouTube by the applicant regarding this project. He asked if there is any reason to consider the previous application by the same applicant discussed earlier this evening and this application as separate items. These projects are owned by one owner. Chad Branon stated that, legally, these are separate applications. These are separate lots of record and separate subdivisions that happen to be owned by one property owner. Mr. Vaughan is the first applicant to come before the Board with an application for these four properties presented as a conventional subdivision. A different conventional yield plan for these four lots yielded 80-90 lots in a prior application. Mr. Vaughan has evaluated those plans, spoken to neighbors, read previous sets of minutes, and believes that this 41-lot conventional subdivision will balance the goals and objectives of much of the feedback received. The previous application will be a separate subdivision to be moved forward with; they are legally separate subdivisions. In reviewing Staff Reports from prior proposals for this land, instruction from Staff was that these should be handled separately in order to meet open space requirements on a lot-by-lot basis. These four lots will be consolidated and resubdivided. The intention is to move forward with both applications separately.

Tom Quinn asked if there will be additional applications for the entire Hazen parcel, aside from the proposed 6-lot subdivision and the 41-lot subdivision. Chad Branon stated that this is the current proposal, but the applicant is also considering a subdivision on Lot 004-145. This is an isolated separate property, which would be pursued as a conventional subdivision project subject to all the same rules and regulations. The number of lots for that proposal has not yet been completed, but he believes this might be around 5 lots.

Tom Quinn asked what the applicant is looking for from the Town in regard to improving County Road. Brett Vaughan stated that this is a large, beautiful piece of land separated in individual parcels. Phasing and the name of the property are only for marketing purposes. White Tail Meadows is how he would like these road frontage lots to be marketed. The section of dirt road that touches the lots he owns will likely be part of a larger discussion. He is trying to complete a phase of this large project at this time. He is unclear as to what he'd like from the Town at this time and is open to discussion. He spoke with DPW Director Hahn who stated that he believes the road is not up to standard at this time. They spoke about a study of the road, improving the radius of the road near the farmhouse, and widening the road. He owns both sides of the road. Walking path area could be donated along the side of the road. The first project

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presented this evening includes a memo from the bus company stating that County Road is treacherous. He agrees that improvements to this road need to be made. He has been told that this is a Town-owned and maintained road and it is not currently up to good standards. He has spoken with several abutters and most would like to keep this as a rural dirt road. Some do not want to see it improved at all. However, he owns the land and would like to have more discussions regarding what can be done there. The zoning laws are set up to facilitate the Master Plan and this proposal fits those items.

Tom Quinn stated that it would be appropriate to keep the area looking similar to as it currently is for nearby neighbors. He has concerns with the upper end of County Road, where the applicant is proposing 4-5 lots in front of two existing homes, which would be out of character for the neighborhood.

Tracie Adams stated that she listened to the Homes by Vonderosa YouTube video, displaying this project as the White Tail Meadows Conceptual. She was glad to hear Mr. Vaughan state twice in the video that he is looking to maintain the “rural integrity and natural New England beauty” of the parcels. It will be important for the Board to take into consideration what other departments and commissions have mentioned.

Bill Stoughton stated that County Road is a major issue and the biggest concern is with safety. He noted that he had read a statement into the record during a previous conceptual hearing for these parcels from a school official regarding current safety issues along the road for buses.

In response to a question from Bill Stoughton, Brett Vaughan stated that his intention is for these to all be market-rate homes with no restrictions placed on them in terms of age, etc. Bill Stoughton stated that, thus, there will almost certainly be school-aged children in these homes and the road will need to be improved in some way. This will be a huge issue. The Town would likely expect the developer to shoulder a large portion of that.

Bill Stoughton stated that he is glad to hear there is some conservation being proposed on these lots and suggested that the applicant continue to work with the ACC on this.

Bill Stoughton stated that he has a concern with certain proposed lots, where access seems to cross wetlands, some more than once. He questioned if these are truly suitable lots for subdivision due to this.

Bill Stoughton stated that he was glad to hear that the applicant is working with abutters. The Board listens to their concerns and so it would be great for the applicant to do the same.

Tom Silvia stated that, in looking at the subdivision regulations of Section 201.2, there are eight sections that outline what the Board should focus on. The first being - *To maintain rural character, preserving farmland, forests, grasslands, wetlands, and maintaining rural views*. It will be important for the Board to focus on these eight items in reviewing this large application to make sure it meets these requirements. This is a great opportunity to bring in

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other groups for discussion, such as the Bicycle & Pedestrian Advisory Committee. This would be a great conversation regarding quality of life for those that surround this area.

Pam Coughlin stated that County Road borders Merrimack. Regarding water flow, she asked if the Board needs to speak with Merrimack about this item. Arnie Rosenblatt stated that, when there is an application, the Board will determine regional impact and if other towns should be notified.

In response to a question from Pam Coughlin, Chad Branon stated that the proposal includes on site wells. Each lot will satisfy individual private wells and septic. There are no shared septic proposed. The intent is to have a nice, rural setting, with driveways that meander through the property to the house. The regulations require that there are no impacts on abutting properties.

In response to a question from Chris Yates regarding the suggestion from the Bicycle & Pedestrian Advisory Committee about paths along the main road and across the property, Brett Vaughan stated that he would be willing to consider this as part of the proposal.

Chris Yates asked if there will be home design standards for the houses on these lots. Brett Vaughan stated that covenants will be proposed, and he will try to promote a “country-classic” home feel. Brett Vaughan stated that he will also pursue being the builder for these lots and create high-end homes. A look and feel will be used to join together the subdivision.

Chris Yates asked if the plan will be to leave as many trees on the lots as possible during clearing. Brett Vaughan stated that his intention is to promote this for each lot. Most lots will be large to handle long driveways and he will endeavor to keep the hardwoods.

Dan LeClerc stated that he appreciates the 41-lots proposed and the country-feel being described. He asked if the proposal is to build and sell during each phase of the project. Chad Branon stated that the concept is that there will be no road construction, but only potential road improvements. These will be custom builds to fit in with the neighborhood. If the frontage and lot size requirements are met, then by design the regulations contemplate maintaining rural character. The owner’s intention is to embrace that.

Chad Branon asked if this application can be continued to a later date, to allow for continued discussion with departments and other groups in Town. Arnie Rosenblatt stated that this is not an application and asked if the applicant would like to come back to the Board for an additional conceptual discussion in the future. Chad Branon stated that he filed an application so he believed he could ask for a continuance.

Arnie Rosenblatt asked Nic Strong for clarification. Nic Strong stated that the applicant filled out an application form for the conceptual discussion and there is a fee for that, but it is not technically an application. Chad Branon stated that he will continue with the process as outlined then.

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Brett Vaughan stated that he is hoping to have a lot more discussion regarding improvements to the road and what everyone wants to see happen. He will be back before the Board to discuss the other smaller subdivision and asked to just continue this open discussion at that time. Arnie Rosenblatt stated that the applicant can discuss with Nic Strong coming in for another nonbinding discussion on a nonapplication at a future meeting. This will not be squeezed in during an otherwise busy agenda. It will be placed on an agenda as staff sees fits. He is not thrilled with having an ongoing number of conceptual discussions because he is sensitive that this is a moving target while the Board is dealing with other actual applications. He will not schedule something tonight until the applicant has a better idea as to what he wants to present, and the Board better knows its upcoming schedule.

Brett Vaughan stated that there is a lot of interest in this road. The Board seems to have issues it wants to discuss further, along with the Town departments and the neighbors. He asked if these items could continue to be discussed. Arnie Rosenblatt stated yes.

**4. CASE #: PZ15749-050522 – Kevin & Claudine Curran (Owners & Applicants);
Pond Parish, Baboosic Lake & Grater Roads, PIN #s: 006-002 & 007 & 009–
Subdivision Application – Discussion. Zoned Residential Rural.**

Arnie Rosenblatt explained that this is a conceptual discussion only. This is not an actual application or a public hearing. This is an opportunity for the applicant to describe the current project and for the Board to ask questions and make comments. No questions or comments or input from the Board are binding. He is not generally inclined to go to the public for comment during a conceptual discussion, as there will be additional opportunities in the future.

Ken Clinton, Meridian Land Services, explained that this proposal involves three parcels on the east side of Town. Parcel 006-007 is approximately 63 acres, with frontage on the west side of Pond Parish. Parcel 006-009 is approximately 52 acres, with frontage on Baboosic Lake Road and Grater Road. Parcel 006-002 is approximately 63 acres and is otherwise landlocked with no frontage but connected via the other lots. There are large conservation areas and Town-owned parcels that surround the area. A subdivision concept shows 43 potential lots. Boundary work and wetland delineations were carried out a number of years ago and have been updated for the base plan. This is not a survey project though. All lots proposed are conventional lots, not Planned Residential Developments (PRD), or to be considered through other restrictions such as elderly, or workforce. Lots are grouped into three groups for this proposal. Lots A1-7 are proposed along Pond Parish, which has excellent sight distance, some with the full 200' frontage and some back lots, for a total of seven residential lots. The B lots are proposed off Baboosic Lake Road, with some full 200' frontage and two back lots. This road has some sight distance issues but there are items that can be modified to select driveway locations that meet subdivision requirements. The C lots have an access road proposed off Baboosic Lake Road which wraps around the high points, with a spur road off the end. 24 lots are proposed in the C group, with four located in the middle and two along Grater Road. Grater Road is a narrow, dirt road. There are no intentions to connect a through road to Grater Road but there are two high quality lots located along Grater Road which will be pursued. Each lot will be proposed to have its own

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septic system and well. There are not yet plans for conservation areas or trails, but conversations will be had on these items later this month.

Dan LeClerc stated that he does not like that these properties all look jammed onto the space. There are six less lots on 100 less acres, than the previously heard application. He does not believe this proposal will be able to offer as much green space and walking trails.

In response to a question from Chris Yates, Ken Clinton stated that all the proposed lots are 2 acres of net tract area minimum. Chris Yates stated that he agrees that the houses seem jammed into the space. He would like to see fewer homes proposed on this tract.

Pam Coughlin had no questions at this time.

Tracie Adams stated that she agrees with the comments on the proposed density. She would like to see the applicant work with the ACC and Bicycle & Pedestrian Advisory Committee, as it would be nice to have accessible trails and wildlife corridors.

Tom Quinn stated that he has concerns regarding comments from the ACC that this is a high-quality environmental area. As designed, it appears that most stormwater runoff heads into the high-quality wetlands nearby. A number of the proposed house locations may make the quality of the stormwater runoff not as good as it should be.

In response to a question from Tom Quinn regarding if some of the lots (B3, B4) are being considered reduced frontage lots, Ken Clinton stated that lots with 35' or similar frontage on Baboosic Lake Road would be considered back lots. Tom Quinn noted that he believes the regulations state that back lots need to be at least 10 acres. Ken Clinton stated that he believes this is inaccurate.

In response to a question from Tom Quinn regarding the net tract buildable area of the parcels, Ken Clinton stated that he believes this to be approximately 105-110 acres. This would yield approximately 50-53 lots. The applicant is proposing 43 lots. The best available data from older sources was used, but a full boundary survey and wetland mapping will be completed by his office in the future. He believes all the net tract area requirements are met by the parcels shown.

Bill Stoughton stated that he believes the reduced front acreage regulations do require back lots to be 10 acres, as previously stated by Tom Quinn. He is glad to hear that the applicant will meet with the ACC as there are conservations lands currently located to the east and west of this site. He asked if the applicant has considered a PRD for this development, as this area could be a great use of it, and it could allow for more units with less road construction while connecting and preserving conservation lands. He would be interested in hearing a PRD concept.

Tom Silvia stated that this property is only a mile away from the last conceptual project heard by the Board. The subdivision regulations clearly point out what the Board's objectives are in 201.2. He recommended that the applicant consider all of these seriously and closely. This is another

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great and sensitive piece of property that could benefit everyone if developed properly. He read item H. in Section 201.2 - *To minimize the impact of residential development on the municipality, neighboring properties, and the natural environment*, and noted that this proposal might actually go against that, as it maximizes the properties under the current zoning with no consideration for the impacts on the greater community.

Cynthia Dokmo retook her seat.

OTHER BUSINESS:

5. Minutes: May 18, 2022

Tom Quinn stepped out of the meeting for a moment. Dan LeClerc sat in his place.

Tom Silvia moved to approve the meeting minutes of May 18, 2022, as submitted.

Seconded Cynthia Dokmo.

Roll Call vote: Dan LeClerc - aye; Chris Yates – aye; Tom Silvia – aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Tracie Adams – aye. Motion carried unanimously 6-0-0.

6. Any other business to come before the Board

Tom Quinn retook his seat.

Tracie Adams moved to adjourn at 8:45pm. Seconded by Chris Yates.

Roll Call vote: Tom Quinn - aye; Chris Yates – aye; Tom Silvia – aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Tracie Adams – aye. Motion carried unanimously 6-0-0.

Respectfully submitted,
Kristan Patenaude

Minutes approved: June 15, 2022