

Planning Board
Wednesday January 7, 2015

ATTENDEES: A. Rosenblatt-Chairman, G. Leedy, J. D'Angelo-Ex Officio, M. Peterman, M. Dell Orfano, R. Hart-Conservation Commission, A. Merriman, E. Hahn, S. Wilkins, C. Harris and S. Keach- Community Development Consultant

A. Rosenblatt called meeting to order at 7:37pm.

1. Petition Warrant Article to amend the Amherst Zoning Ordinance by changing the zoning of the property identified as Tax Map 2, Lot 12-2 from the Residential/Rural Zoning District to the Industrial District.

Ken Clinton of Meridian Land Services handed out documents. He is representing Tana Properties, owners of the property at: 002-12-002.

K. Clinton explained that this is a citizen petition for a warrant article. He was asked by the owners to take a look at the property to see why it's zoned the way it is. This request is for the lot itself and for all 15 acres of the parcel. It's located on the residential/rural line about 1500 ft. from Rt. 122 on Bartlett drive. The property connects Rt. 122 to Old Nashua rd. near 101A. There is no access to the property from Route 122.

The property is detached from the residential area. From the 1980s through the 2000s, there was interest in getting the property rezoned, but it was never formally applied for.

If the property was to be used for residential use, it would require significant upgrades to the road, and permission rights and easements would be needed. It is unlikely that someone would get all of the needed approvals to make it happen. In addition, residents would have issues with the adjacent industries that are already there. Landscaped buffers would be needed if this was used for residential. This lot is not suitable for residential. The lot is actually better accessed by Hertzga Dr. The owners are hoping the board will vote to endorse this petition warrant article so the public will see that it has been discussed by the board.

S. Wilkins asked if the north portion of the property is wet. Not substantially.

G. Leedy asked if this property is separated by the Peacock brook. It's actually a tributary of the Peacock brook. Yes, water would need to be crossed to access it.

Susan Hersick (sp?)- lives off 122

What is the use going to be?

Any of the allowed uses for industrial would be an option.

She stated that she heard a pipeline compression station is going in there and that's a 24/7 noise issue for the residents in the area.

K. Clinton stated that he hadn't heard that.

Rick Bewersdorf 14 Patricia Ln

Patricia lane is a private rd. the idea of having to make that other road meet specifications is not necessarily true. Patricia is self-maintained and that road could be self-maintained as well.

Also, he bought his home because the area was zoned for residential. He doesn't want industry among the homes. There are plenty of acres back there that are already zoned for industry.

Ken Murray (sp?) Patricia lane

Any time you have a change in zone there will be a boundary. There is no advantage to put more industry in that area.

Audience member: No information has been given as to what type of industry would come in there. The town and residents have the right to know what it will be before the zoning is changed.

Tiani Pullman Amherst resident

If the property is zoned industrial, do they have to get permission of what they will put there?

A. Rosenblatt answered that if the zoning is changed to industrial, they have to apply, but any allowable industrial use would be allowed once approved. K. Clinton stated that the ordinance gives 18 approved industrial uses. S. Wilkins stated that there are nine prohibited uses listed too.

G. Leedy commented to the residents that the pipeline issue is separate. This request doesn't have to do with the pipeline. That is a separate committee and the state supersedes this board to make those determinations.

Doug Chabinsky Amherst resident

He asked K. Clinton about the buffers needed and what exists now for this property verses the parcel already zoned for industrial. K. Clinton said the sand pit is a common buffer and there's a thick wooded area. There would still be effort needed, but not as much.

There were no other comments or questions from the public.

G. Leedy moved to endorse the petition. M. Dell Orfano seconded.

Discussion

M. Dell Orfano commented to the public that the land has to be zoned before the application can come in for a specific industry. Therefore, you can't know exactly what industry will be there before you rezone.

Vote: 3 in favor (M. Dell Orfano, G. Leedy, J. D'Angelo) 2 opposed (C. Harris, S. Wilkins) 1 abstained (R. Hart).

OLD BUSINESS

2. Case# 5149-070814- Terry & Kelly Connor, 1 Smith Lane, PIN#: 003-027-000

A Subdivision and Non-Residential Site Plan Application to create a thirty-unit senior living condominium development.

Before the case was heard, A. Rosenblatt discussed a letter received from Boutin Altieri Attorneys stating that four specific members of the Planning Board should recuse themselves from this case since they are biased against the plan and cannot fairly hear the pending site plan review. A. Rosenblatt asked each individual Planning Board member listed to identify if they feel it is appropriate to recuse himself or herself from the case.

A. Rosenblatt: has taken this seriously, reviewed the letter very carefully and reviewed the statutory standard very carefully. He has consulted with town counsel regarding the letter and his opinion was that there wasn't reason for members to recuse themselves. He will not recuse himself. This letter is suggesting that any member who doesn't have a positive opinion about a project after going on site walks and reviewing project information is therefore biased and should recuse themselves. This is a dangerous precedent. A. Rosenblatt assured that he is not biased with respect to this project under the statutory standard. This letter is meant to intimidate members of this board. The letter is incomplete and inaccurate. First, the decision of the planning board to not support the project and not move

97 forward with it was based on the advice of town counsel- attorney Drescher who instructed the board
98 that it was not permitted to move forward under his interpretations. Second, in fact A. Rosenblatt voted
99 to move the project forward even though he expressed concerns with the project.

100 M. Dell Orfano: The letter is misguided and inaccurate. He will not recuse himself. He was accused of
101 orchestrating a change in the zoning to preclude this property from being allowed. This is grossly
102 inaccurate because we started zoning amendments before this project came before us. Zoning
103 amendments take a long time and we have been working on them throughout the hearing of this case.
104 It has been a long felt need by this board to remove the decision making from the ZBA back to the
105 Planning Board with regard to elderly housing. He agreed that the letter was meant to intimidate the
106 board and is misguided and inappropriate.

107 S. Wilkins: The process by which a member should recuse themselves is that the member would ask the
108 board whether or not the member ought to recuse. If this board asked her to recuse, she would recuse.
109 She will not recuse on the basis of this letter. Along with what M. Dell Orfano stated, the first time this
110 board proposed the change to bring this under the CUP process was 2003.

111 J. D'Angelo: He read from the letter the paragraph that discussed him specifically. He is the selectman's
112 Ex Officio. It's his job to take information back and forth between the Planning Board and the Selectman.
113 He will not recuse himself. If he's being asked to recuse himself for doing his job, then somebody
114 doesn't understand his job.

115 A. Rosenblatt asked if there was anyone else on the board that believes they cannot move forward and
116 be part of this process unbiased. No one came forward. The board moved on to hear the case.

117

118 Kyle Burchard- project manager-Meridian Land Services
119 The plan has not changed since the last time it was presented to the board. There is a staff memo that
120 lists conditions for approval and those conditions make sense. He is happy to go back through elements
121 of the plan if the board would like him to, but he doesn't want to waste more time.

122 A. Merriman stated that the staff recommendations cover the past issues of the board so he had no
123 further questions at this time.

124 J. D'Angelo has already expressed his concerns at this property particularly that it is elderly housing and
125 there are no sidewalks.

126 G. Leedy asked S. Keach if his technical concerns have been addressed. S. Keach said yes, in the staff
127 recommendations number 7- his concerns are part of that. He then referred him to C. Mailloux's report:
128 page 3 second paragraph: pedestrian accommodations. S. Keach asked K. Burchard if any pedestrian
129 accommodations been added. K. Burchard stated that there are other subdivisions elderly and
130 otherwise with similar density and pedestrian accommodations to this one that have been approved
131 and built in Amherst.

132 G. Leedy asked about guest parking. There are two- car garages at each residence and two spaces in
133 each driveway. Additionally, there is on street parking available. The Board had suggested to not restrict
134 street parking other than overnight parking and that has been added to the condo docs.

135 Landscaping was discussed. G. Leedy mentioned the recommendation that additional street trees be
136 added to the interior of the development. K. Burchard answered yes, they've added as many as they
137 could and showed them on the plan. Mostly they've been added along the streets. G. Leedy asked about
138 the design of the road grade as it goes down to Merrimack Rd. Yes, that was revised so it's a much less
139 steep slope. They've also added a landing on the bottom. G. Leedy wants a specific prohibition of open
140 storage of salt because it is in the aquifer protection zone. The applicant agreed to that.

141 M. Peterman again addressed guest parking for overnight. K. Burchard stated that if the two car garage
142 is full and two spaces in the driveway are full, there are six spaces available at the clubhouse.

143 M. Peterman clarified that walking would be in the street and asked if there is any other place for the
144 residents to walk in terms of walkways or paths. K. Burchard stated that all of the space is common and

145 open space. People will typically develop walking trails or paths where it's most convenient. There are
 146 no hard-scaped paths in the plan.

147 S. Wilkins asked S. Keach if certain documentation had been submitted regarding the well. He believed it
 148 had been received to the office, but he has not yet been asked to review it. S. Wilkins stated that an
 149 abutter has addressed some hydrogeological issues and so she wants to make sure more eyes get on
 150 that report. S. Wilkins understands that it has been approved by the state, but the purposes are
 151 different. The state is looking to make sure you have enough water supply for the project and the
 152 hydrogeological impact looks at the impact on surrounding properties. S. Keach said we will learn a lot
 153 more about the impact after the tests have been done. K. Burchard said the tests have been done and
 154 the documentation can be supplied.

155 A. Merriman asked S. Wilkins if a condition is needed for this. Yes, if we get to approval. Her preference
 156 is to wait for the consultant results.

157 S. Wilkins addressed the access for maintenance to the septic systems. She asked if S. Keach still has a
 158 concern about that. S. Keach said there are a robust series of plantings in that area— more than what
 159 was originally planned for. When the routine pumping needs to be done, you may want it a bit more
 160 accessible. He's sure it will be resolved- it shouldn't be unresolvable issue.

161 S. Wilkins asked about density verses effective density. The limited common area (the house lots) is
 162 approximately 5300-5700 sq. ft. That is about 1/8 of an acre each. The affordable housing subcommittee
 163 looked at how they would calculate density moving forward with the innovative housing ordinance. She
 164 asked if K. Burchard found anything close to 1/8 of an acre when he looked at effective density in any of
 165 the other similar density subdivisions. K. Burchard didn't have any comments on effective density as it's
 166 not a requirement of the plan. S. Wilkins stated that the affordable housing subcommittee found that
 167 for the most part the effective density of other similar areas in town work out to approximately one
 168 acre.

169 S. Wilkins mentioned that on the site walk a noise level issue was raised as a result of Merrimack rd. /
 170 Rt.101/Rt.122. She asked K. Burchard if he thinks he will be able to build these houses to meet HUD
 171 standards for noise in case any of the owners are looking for a HUD loan. Discussion.

172 M. Dell Orfano asked K. Burchard if he had read the town's master plan.

173 A. Rosenblatt asked again about walkability. If there are no trails, what do you mean people can walk
 174 where they like? K. Burchard clarified in and around the buildings and in the open space. Regarding
 175 sidewalks, A. Rosenblatt asked, is your answer that the lack of sidewalks is ok and this is walkable, and
 176 safe? Yes, there are spaces that pedestrians can safely walk.

177 R. Hart asked, is that an oversight on the plans on LS2 regarding managing the property to minimize
 178 invasive plants? K. Burchard said he thinks so and that the intent is to let grass grow again and minimize
 179 invasive species in accordance to state regulations. A maintenance plan for invasive plants was
 180 discussed. K. Burchard stated that all of the spaces will be under the care of a maintenance landscaper.

181 R. Hart stated that there should be some way to clarify the issue- either the drawings changed or
 182 something added to the plans if it's not included.

183 A. Rosenblatt stated that a letter was received yesterday from Sair Khayyal of Limestone Hills
 184 Corporation that expresses concerns about the project.

185 A. Rosenblatt then asked for comments and questions from the public.

186

187 Tom Grella

188 He stated there are two other condo areas in town.

189 The first one started 30 years ago and it has no walkability. In 30 years he doesn't believe there has been
 190 any pedestrian accident there. Also at that location there are four guest spaces for 45 units. The second
 191 project is the Everdeen St. /Sycamore area and it is the same way in terms of no walkways. So this is not

something new they are trying to do with this project. If the board has issue with it, the developer should come up with some ideas of ways to put in sidewalks.

There were no other comments from the public.

G. Leedy moved to approve the plans for a 30-unit senior housing development and condominium subdivision with associated site improvements, for Map 3, Lot 27 as shown on the plans prepared by Meridian Land Services, last revised September 24, 2014, the following precedent conditions of approval to be fulfilled prior to plan signature and the remaining conditions of approval to be fulfilled as noted:

1. The NHDES alteration of Terrain permit approval number shall be noted on the plan. 2. The NHDES Well Siting approval number shall be noted on the plan. 3. LS-1, LS-2 and LS-3 should be renumbered as Sheets 19, 20 and 21 respectively (currently identified as Sheets 12, 14 and 15). 4. A note be added to the plan that there will be no outdoor storage of solid waste. 5. Approval numbers for all applicable state permits, with expiration dates, be added to the notes section of the plan set. 6. The proposed cistern shall meet the construction and connection specifications of the Amherst Fire Department. 7. The Community Development Director shall determine that the Applicant has addressed all remaining technical review comments to the Town's satisfaction. 8. Draft condominium documents be reviewed and approved by Town Counsel and recorded. 10. All recording fees associated with the easements be submitted to the office of community development prior to recording. 11. A note that a compliance hearing is required prior to receiving a certificate of occupancy, unless waived by Planning Board, be added to the plan set. 12. Prior to commencement of work, placards identifying the boundaries of the WWCD on the subject premises be installed pursuant to requirements of Article IV-Section 4.11, F.6 of the Zoning Ordinance. 13. Prior to commencement of work, a performance guarantee in an amount approved by the Town for onsite maintenance of erosion and sedimentation controls shall be placed on file. 13. Prior to a building permit, the applicant shall obtain NHDES construction approval for the planned on-site subsurface sewage disposal (septic) system.

Approval also subject to review of the well permit materials and flow tests in lieu of hydrogeological reports.

A. Rosenblatt, G. Leedy and S. Wilkins discussed clarifications to the conditions regarding the peer review and staff approval with regard to the permit materials and tests.

A. Rosenblatt asked K. Burchard if he accepts all of the staff recommendations. Yes.

S. Keach pointed out that C. Mailloux's recommendation #2 speaks to this. It can be expanded to state approval rather than just well site. K. Burchard stated that he already has approval of the well site and final system approval.

Tom Quinn- attorney for applicant

Was going to speak to the conditions, but we've moved in that direction already.

G. Leedy restated his motion as follows:

The motion is **to approve plans as presented subject to staff recommendations outlined on the staff memorandum of January 7th (see above) with the following amendment: that condition 2 read: The NHDES final well and water system approval number shall be noted on the plan and the materials that substantiated that be submitted to the town for review precedent to signing the plans.**

We also discussed prohibiting uncovered open storage of salt/de-icing agent.

R. Hart asked to include to identify and remove invasive species of entire property to the extent they can be identified. Initial removal and ongoing maintenance/monitoring/removal was discussed.

G. Leedy stated that an additional condition would be to add language to the plan set and the maintenance plan to address initial removal and ongoing maintenance/monitoring/removal of invasive species.

A. Rosenblatt asked S. Keach if there are any other conditions he would recommend with respect to the property being over the aquifer and its protection. No additional conditions needed.

G. Leedy- is there chlorination involved with the water system/are there chemicals that are going to be stored in that building? K. Burchard wasn't positive. S. Keach suggested probably not.

G. Leedy suggested adding a positive barrier/membrane to be installed under the slab if needed for storage.

S. Wilkins seconded the motion

Discussion

M. Dell Orfano asked what the board thinks their obligation is to the master plan of the town and read from the ordinance and has a copy of the master plan. He has a hard time correlating this project with the purpose and intent of the master plan. The mandate of the plan is that Amherst will keep its rural character. He doesn't believe this project does that. The statement continues to preserve the open space, natural resources and small town character including developments. This project does not do any of these. There is a tremendous gap between the master plan and this project/lot.

M. Peterman stated that the guidelines for this project were put in place by the zoning board. The planning board's hands are tied. Sidewalks would be nice but would also encroach on green space. More parking would be nice, and trails too. If the applicant felt he was doing the town a service, they would come up with some accommodations for these. They have chosen not to. It's unfortunate, but our hands are tied.

S. Wilkins is concerned for the implications of this application.

C. Harris understands what M. Dell Orfano is saying. Density is too tight. However, for what the Planning Board can discuss, review and correct, we've done the best we can. The Zoning board pushed it to us. Our obligation is to follow the master plan when we have the ability to effect change. When it is taken out of our control, we are not going to have the ability to have an effect.

G. Leedy stated the Master Plan is a policy guide, it is not a statute. Our obligation is to enforce our ordinance. If the application is in conflict with the zoning ordinance, it could be reasonable to deny the plans. I don't feel that way. Our ordinance is not in agreement with the master plan and that's what we're trying to fix this year at town meeting. The process that this particular project went through was a fractured one and that is something we're trying to fix with changes to the ordinance. With modest changes and reduction in density, this could be a very attractive property. It is in compliance with the zoning ordinance.

J. D'Angelo doesn't think this project is in alignment with the Master Plan but it's not law, it's an aspirational document. The Zoning board has left them with very little wiggle room and we've done what we could to make the most of it for the residents.

A. Merriman agrees with what everyone said.

R. Hart stated our town has always protected water supplies. The ZBA has said that we can't apply the rules we have to protect the wetlands. Do I vote for what the citizens have told us through votes to protect our waters, or do we have to vote to approve this based on what the ZBA has said?

A. Rosenblatt stated the Master Plan is a nice, theoretical document. Neither the process nor the result is something the applicant or his advisors should take any pride in. They should be dismayed by the process and the result. This project is really bad, but I don't see a basis under the ordinance to vote against it.

Vote in favor: C. Harris, G. Leedy, J. D'Angelo, and R. Hart. None opposed. 2 abstained: S. Wilkins, M. Dell Orfano

NEW BUSINESS

3. Case# PZ5668-120114 - Howling Hills, LLC (Owner), 336 Route 101, PIN#: 008-051-004

Request for Planning Board approval of a site plan amendment to add a 2,384 square foot two-story addition, add 4,800 square foot second floor over existing partitioned area, and convert 250 square feet to retail use.

R. Shea spoke to the board as the representative for Howling Hills, LLC. The property is located near Camp rd. and is a kennel/ training facility. The current proposal is similar to what came before the board a year ago. Due to financing, the expansion never happened. The variance has been received. They are proposing a second floor of about 4800 sq. ft. over an existing space. Also a two-story addition of 2300 sq. ft. and requesting 250 sq. ft. of existing area be converted to retail for existing customers only. No advertising or external signage with regards to the retail. The addition is slightly bigger than the previous plan with a small training area and offices upstairs. There will be no additional parking and they don't anticipate extra traffic.

Questions;

M. Dell Orfano asked R. Shea to discuss the ZBA discussion regarding the retail. R. Shea explained that the discussion was in relation to internet advertising. The final approval allows for only listing the retail service online with no other advertising.

G. Leedy asked about square footage. R. Shea summarized the total square footage will go from 23,000 to 29,000. G. Leedy asked if the addition is to support housing more dogs. R. Shea stated, no, just more services- they will add aqua training.

S. Keach stated that there is a waiver request to rely upon earlier submittals for checklist items that aren't subject to change. C. Mailloux recommends the board approve the waiver as requested.

G. Leedy moved to accept the waiver. M. Dell Orfano seconded. All in favor

M. Dell Orfano moved to accept the plan for review. G. Leedy seconded. All in favor

G. Leedy moved to approve the plan subject to the precedent conditions of approval to be fulfilled prior to plan signatures and subsequent conditions to be fulfilled as described: 1. Revise Note 11 to reflect the December 16, 2014 ZBA approval of the variance. 2. Submit 3 full size, one PDF and one 11"x17" plan set to the Community Development office for final approval signature by the Planning Board Chair. Subsequent Condition: 1. Apply for and obtain a building permit(s) for the two additions to the existing facility.

C. Harris seconded. All in Favor

4. Case # PZ5693-120814 - Amherst AMA Realty Ventures, LLC (Applicant), 131 Route 101A, PIN #: 012-014-000- Request for Planning Board approval of a site plan amendment to allow a 4,500 square foot retail building where a 2,400 square foot bank was previously approved.

Jeff Kevan of TF Moran presented. The original project was approved in 2011 for three buildings on the site. Goodwill is finished. In 2012 Aspen Dental came in. The third building was to be a 2400 sq. ft. bank with a drive through around it. We are proposing a 4500 sq. ft. retail building called Mattress Firm. There will not be a warehouse- just mattress sales. There was parking between the front of the bank and 101A. That will be removed and building will be pushed forward toward the road. Parking will be to the back and side. The entire site has been constructed in terms of drainage, infiltration systems, and pavement. We have gotten re-approval of the septic system. Parking is in compliance with regulations. 134 spaces are required and there are 137 spaces. Landscape and lighting have been adjusted for compliance.

They are requesting three waivers. They are consistent with the original site plan. The first is to waive the soil mapping as the majority of the site is covered by landscaping or impervious surfaces. The second is to waive natural massing of trees to keep consistency with the rest of the site. The third is to waive

the 10' required buffer around the building. This was approved in the original site plan as well as the dental building. There will remain landscaping around the building, but not 10'.

The free sign is up and they've provided building elevations. The building will be somewhat consistent with the Aspen Dental building in terms of materials, color, and flat roof. Aspen Dental has blue awnings- this will have red awnings in line with store colors.

G. Leedy stated that it's a positive move to remove parking in front and move the building forward. It is more attractive.

M. Peterman asked why the awnings will be red- it's not consistent with other buildings. J. Kevan replied that companies have their brand colors and they push to keep those.

C. Harris dislikes flat roofs. He asked if they could do a different type of roof. Can you go back to the client with that request? The representative could do that and if the board is requesting that, he would ask for approval with the condition to come back to discuss the architecture.

M. Dell Orfano asked about the added green space provided by moving the building forward. He replied that it's probably not more green space, it's probably a wash. There's an additional green island within the parking in the back.

M. Dell Orfano asked if emergency vehicles can turn around. Yes. He asked for more explanation about the 3rd waiver: to waive the 10' buffer. J. Kevan explained it will still be landscaped, but it will be a narrower strip. S. Wilkins asked if there will be a loading dock. No, the materials will be loaded in at off peak hours through the area where there is no parking.

The board asked if the applicant is ok with all of the staff suggestions. Yes.

G. Leedy moved to approve the waiver request. C. Harris seconded. All in favor

G. Leedy moved to accept the plan for review. C. Harris seconded. All in favor

G. Leedy moved to approve the site plan amendment for Amherst Plaza, PIN 012-014-000, as presented on plan by TF Moran, last revised December 8, 2014 with the following precedent conditions of approval to be fulfilled prior to plan signature and subsequent conditions to be fulfilled as described: Precedent: 1. It be demonstrated to the satisfaction of the Fire Chief that the site is accessible by emergency apparatus. 2. If the waivers are granted, they be noted as such on the plan. 3. A letter from a licensed septic designer confirming that the existing septic system has adequate capacity to accommodate the increased size of the proposed retail building be submitted, or a revised septic system design be approved by the Town and State. Subsequent: 1. Apply for, and receive, a building permit for the proposed work. 2. Prior to a CO, the Planning Board shall hold a hearing to determine compliance with the approved plan.

Approval subject to the additional condition that the applicant consider modifications to the architecture and return to the board to discuss it. C. Harris seconded. Vote: All in favor

5. Case # PZ5694-120814 - The Stabile Companies (Applicant), Stacy J. Clark (Owner), 131 Hollis Road, PIN #s 001-013-000, 001-013-004 & 001-013-005 - Request for Planning Board approval of a site plan and condominium subdivision for a 16-unit workforce housing development.

A. Rosenblatt stated that the Planning Board has already addressed the issue of suitability with this case. It was approved several months ago. There is a staff report by Colleen Mailloux where she recommends that the board not approve at this time, but that it be deferred pending outside review of storm water and traffic. There is also a memo dated 12/31 stating the application is not complete because certain items had not been submitted. He asked S. Keach if those documents had since been submitted. S. Keach said as of yesterday, those items were received by the planning office. A. Rosenblatt stated a

382 waiver has been requested to waive the fiscal impact study. He asked S. Keach if the application is
383 complete.

384 S. Keach stated yes, subject to the waiver request. If granted, then you have a complete application.
385 S. Wilkins clarified that this is the first hearing on the non-residential site plan.

386

387 M. Peterman stated that she was at one time employed by the Stabile companies. She is no longer
388 employed there and is not voting, but will not recuse herself.

389

390 Mark Fougere of Fougere Planning and Development Inc. was present and described the project.
391 We were here last year for a suitability report which was approved by the board. We are now here for a
392 formal application. This is a workforce housing project under state statute and under the town's
393 ordinance. This condominium project is for a 16- unit affordable housing development made up of eight
394 duplexes. We've looked into a number of issues that the board brought up and the engineer will address
395 them- water availability, traffic and impact to the aquifer. These studies have also been submitted.

396

397 Chad Brannon of Fieldstone Land Consultants presented.

398 The property is located at Rt. 122/ Hollis rd. across from Patricia Ln. It has 8.516 acres. In 2013 it was
399 subdivided into 3 lots: 1-13, 1-13- 4 and 1-13- 5. The parcel is zoned as residential/ rural and is made up
400 of open fields, woodlands and wetlands in the middle. There are two existing driveways that serviced
401 buildings that have been removed. In 2013 they went through the suitability process. It was approved in
402 October of 2013 for 16 units.

403 The plan being presented tonight is a similar plan to that plan- a 640 ft. rd., 8 duplex buildings,
404 underground electricity, municipal water and three leach fields. Pennichuck water will service the units.
405 Access is NH DOT controlled and meets the standards. Storm water meets local and NHDES standards.
406 There will be extensive landscaping. They will maintain the existing vegetation to the extent it's possible
407 along Hollis Rd.

408 C. Brannon handed documents out to the board members.

409 The units have changed from one style of unit to having two styles of units available. There is a single
410 story and a two-story option. There will also be an option for a three-season sunroom.

411 They have addressed the traffic concerns and performed a traffic study. The results show that the
412 proposed project will generate 12 trips during peak hours. The site distances from the intersections are
413 well within standards. Each of the two driveways will have to share a left and right turn lane. There were
414 no negative results from the traffic study.

415 They addressed environmental concerns with regards to the aquifer by having a ground water analysis
416 study performed. C. Brannon read from the results of the study. Community septs, as designed, will
417 still meet and exceed local and state criteria. Regarding water: Pennichuck can provide sufficient and
418 healthful water supply. And there will be no pressure issues to surrounding residences.

419 The development will be within the middle of the open areas to reduce cutting of trees. A woodland
420 buffer along Rt.122 will be maintained. They will reduce impervious cover at the site. The road will be
421 20ft. wide and has been approved by the Amherst fire department. There are still some required state
422 permits that are in process.

423

424 A. Rosenblatt wanted to get a sense of the board- if they are inclined to agree with staff that the project
425 needs review. If so, it may impact the board's questions.

426

427 Mr. Fougere mentioned that he is thinking of requesting a waiver of the restriction to the size of the
428 buildings. They're considering offering some three bedroom homes, but that would push the square

429 footage issue. The waiver is not an official request tonight; he would just like to get a sense of the
 430 board's thoughts on the issue.
 431 The board asked questions of the applicant.
 432 E. Hahn asked if the fire hydrant was approved. C. Brannon stated it is 750 ft. away on Patricia Ln. and
 433 the plan is to sprinkle the homes. Fire suppression is not required if sprinklers are there.
 434 M. Dell Orfano asked for more explanation regarding the 1300sq. ft. waiver. Mr. Fougere replied that
 435 the larger buildings are approaching the maximum. There are state and town statutes that restrict how
 436 much the units can sell for. They are looking to increase the square footage by 200 more sq. ft.
 437 The board discussed the resale of the units. The applicant stated he would agree to a 25 year restriction
 438 in the deed.
 439 M. Dell Orfano asked about front elevation drainage- is that elevated from the street? It's depressed. He
 440 further asked if Rt. 122 looks at the backs of these houses and how visible are they? There's an elevated
 441 area that would have landscaping put in for privacy to the back of the homes.
 442 S. Wilkins encouraged the board to be in favor of the waiver. Having some three bedroom units would
 443 be a positive thing. She asked for an explanation of how to screen and maintain the qualified buyers.
 444 Initially the Stabile Company will do it. For subsequent sales, there will be deed restrictions. The board
 445 discussed who is responsible for enforcing it. M. Dell Orfano asked Mr. Fougere to think about a
 446 solution. The town doesn't have the capacity to enforce it in the resales.
 447 C. Harris agreed with S. Wilkins that having mixed sizes would be good.
 448 G. Leedy thinks it's an attractive plan. There's appropriate set back from the road and space between
 449 units. He mentioned there is no landscape architect stamp on the plan. C. Brannon replied that
 450 Blackwater Design did the landscape plan.
 451 G. Leedy asked how the condo fees work with affordable housing. It's all taken into consideration along
 452 with taxes and sale price because the math is the math and it can't be over the maximum.
 453 G. Leedy cautioned against too-low condo fees because they may not be sustainable. Also, will there be
 454 enough money in the reserves when they are needed (to fix roads etc.) He also pointed out that the
 455 effective sale price on a resale goes down if the condo fees go up.
 456 J. D'Angelo asked how Pennichuck will handle getting the water from Patricia Ln. C. Brannon explained
 457 they have to change the water line from a 4" pipe to an 8" pipe from Patricia Ln. to the development.
 458 Irrigation on site will have to be done in the overnight hours. There will be a 700ft. run from Patricia Ln.
 459 to Tech Circle. There will be no impacts to existing residents at Patricia Ln.
 460 A. Merriman agreed with S. Wilkins and C. Harris to approve the 1300 sq. ft. waiver. For parking, there
 461 are all single car garages and single width driveways. Will there be guest parking? Two parking spaces
 462 per unit is the requirement.
 463 C. Brannon stated the road is 20' wide with 4' shoulders which can accommodate guest parking.
 464 R. Hart asked about maintenance of the road, continual landscaping and removal invasive species.
 465 It is a private rd. which will be the responsibility of the condo association to maintain. Currently there
 466 are blocks of limited common area around each unit. The plan is to connect these lots so the
 467 maintenance would be up to the owner with no strips of common area between to be left
 468 unmaintained. This also adds land to each unit. There are three communal septic systems. The burden
 469 to the association is minor- just the road, drainage (open) and landscape of entrance areas.
 470 R. Hart stressed how to control invasive species. S. Wilkins suggested a mowing schedule.
 471 A. Rosenblatt stated that the board will likely table the decision based on needing an outside review. He
 472 informed the public that if this occurs, there will be another chance to address the topic.
 473
 474 At this time the public asked their questions.
 475 Rick Bewersdorf 14 Patricia Ln

476 He asked if there will be any rules about people having to cut their grass/ maintain and if there's any
477 way to enforce it. This affects the surrounding property values. Also, if three bedroom units are allowed,
478 how does that affect the septic systems? Does there need to be another study done? He would also like
479 to see the Pennichuck letter. S. Keach stated the Pennichuck letter will be available at the Community
480 Development Office.
481 C. Brannon answered that the septic and environmental calculations were done based on three-
482 bedroom units.
483
484 Alice Bury Patricia Ln
485 Will there be parking for guests? Concerned about parking on Rt. 122.
486 No parking will be allowed on Rt.122. Permitted along proposed road, driveways and garages.
487
488 Tom Grella
489 Asked about an abandoned well issue that was addressed.
490
491 Lynn Briggs Golden Pond
492 Asked questions regarding how far her house is from various points. C. Brannon answered her
493 questions.
494
495 Pat Raduazzo 4 Patricia Ln and Home owner's association president
496 Asked about the water main. Who is going to pay for replacing the road after the work is done? It is a
497 private rd. maintained by the association. C. Brannon replied the developer would pay for that. The
498 work will be done in the right of way- not in the roadway.
499 Mr. Raduazzo also stated that the residents of Patricia Ln. were not notified of the meeting.
500
501 Ed Griffin 2 Patricia Ln
502 He was the only one notified since he is the first house on the lane and is an abutter.
503
504 Rick Bewersdorf 14 Patricia Ln
505 Stated some concerns for the road. The developer again stated the work will be done in the grass to the
506 side of the road.
507
508 Alice Bury
509 Will the construction block the exit? She wanted an estimate of time to do the job. The developer again
510 stated the work will be done in the grass to the side of the road.
511
512 There were no other questions from the public.
513 A. Rosenblatt asked the board if they wanted to table the decision until February 4th.
514 **S. Wilkins moved to accept the waiver. C. Harris seconded. All in favor**
515 **S. Wilkins moved to accept the plan for review. C. Harris seconded. All in favor**
516 **S. Wilkins moved to table the case to February 4th for peer review. C. Harris seconded. All in favor**
517
518 **OTHER BUSINESS**
519 **1. Minutes**
520 November 19, 2014
521 Line 19 change Sally to John
522 **C. Harris moved to accept the minutes as amended.**
523 **G. Leedy seconded. All in favor**

524
525 December 3, 2014
526 Line 136 change they to the
527 Line 161 change Sally to Arnie. After the sentence, add: Arnie asked Sally to go as Planning Board
528 representative.
529 **C. Harris moved to accept the minutes as amended.**
530 **G. Leedy seconded. All in favor**
531
532 December 17, 2014
533 Line 11 change 7:05 to 7:35
534 Strike lines 13 and 14.
535 Line 78 change Del' to Dell
536 **C. Harris moved to accept the minutes as amended. J. D'Angelo seconded.**
537 **Motion carried. G. Leedy abstained.**
538
539 **2. Other**
540 **REGIONAL IMPACT**
541 S. Keach stated there was no regional impact.

542 **C. Harris moved to adjourn at 11:26pm. S. Wilkins seconded. All in favor**
543
544
545 Respectfully submitted,
546 Jessica Marchant