

**Amherst Planning Board**  
**Wednesday March 4, 2015**

Attendees: A. Rosenblatt-Chairman, J. D'Angelo-Ex Officio, M. Dell Orfano, R. Hart-Conservation Commission, E. Hahn, S. Wilkins, C. Harris and C. Mailloux- Community Development Director

A. Rosenblatt called the meeting to order at 7:28pm.

**Case # PZ5880-020315 – P. Scott & Susan Adams, 40 Courthouse Road, PIN #: 016-024-000**  
**Request for Planning Board approval of a residential subdivision of one lot into two.**

S. Wilkins recused herself from the case and sat at the presenters table with the applicant's representative. A. Rosenblatt stated that E. Hahn will vote for S. Wilkins.

Dawn Tuomala of Monadnock Survey Inc. presented the application for the Adamses. The property is located on both sides of Courthouse Rd. Ms. Tuomala directed attention to the projected aerial photo of the lots. The areas in yellow and orange are currently one lot. They are proposing to subdivide the lot into two separate lots. The lot between them (lot 16-7) is a separate lot and will remain so. There is a large wetland area within the proposed lot 16-24-5. The Adams' house is within the yellow portion and they will keep that piece.

There is currently an area that is used for a garden. The property is zoned residential rural. It's in the historic district overlay, the aquifer conservation and wellhead protection district and the wetland and watershed conservation district. It is not within the hundred year floodplain.

They will be obtaining state subdivision approval because these lots were voluntarily merged. Normally, you wouldn't need that approval if the lots are divided by a road- they consider it already subdivided.

They have done a test pit on the property and the way the state is looking at it is that the lot would be able to sustain an individual house. They have the proper area. There are two acres of upland and it's fairly flat through there.

They are asking for several waivers: fiscal impact, environmental impact, traffic impact, storm water drainage calculations report and plans, water supply impact and hydrogeological.

The Amherst Land Trust is considering purchasing the land. Ms. Tuomala presented a conceptual site plan. There is an existing garden that may currently go over the property line. They want to make an area into community gardens and double the size. There is a driveway coming off Courthouse Rd.

Ultimately they would like to come off Boston Post Rd., but until the snow goes down, she can't do the work necessary for a DOT permit. They are proposing a natural playground area for the section with 20,000 sq. ft. The equipment will be made of natural materials. They are also proposing six parking spaces.

C. Harris mentioned the long pieces of land in town that have no use- it would be good to get rid of those, but this one is already there.

Steven Berube of 35 Courthouse Rd- abutter

He is a direct abutter. When he applied to get a permit for his septic, the town gave him a hard time because of the closeness to the wetlands from his property. He had to put it way to one side of the lot to make it work because of the wetlands. Why is there a difference now? He understands they may not be building a house there. He is concerned because the parking will be right next to his house and the long term value of his property may decrease. He likes the idea of the natural use- that's great. He would prefer if the entrance is off Boston Post Rd instead of right next to his house. He confirmed it is very wet back there. There is a running stream.

48 Scott Adams- owner

49 The choice they have is to request a subdivision so the land can be preserved as open or request a  
50 subdivision so they can sell the land as a buildable lot. They are trying to preserve the open land as  
51 much as possible and not sell it as a buildable lot.

52  
53 R. Hart assumes the wetlands can't be evaluated with the snow as it is. Will there be a wetlands  
54 evaluation eventually? Ms. Tuomala stated there has been one. Years ago it was done when they  
55 created that lot with the house. They know where the wetlands are and they are marked on the plans.

56  
57 **M. Dell Orfano moved to accept the waivers for checklist items 3.X.1 through 7: Fiscal impact,**  
58 **environmental impact, traffic impact, storm water drainage calculations report and plans, water**  
59 **supply impact and hydrogeological. C. Harris seconded. The motion carried.**

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61 **M. Dell Orfano moved to accept the plan for review. C. Harris seconded. The motion carried.**

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63 **M. Dell Orfano moved to accept the plan for subdivision of Map 16, Lot 24 from one to two residential**  
64 **lots as proposed on plans prepared by Monadnock Survey, Inc., dated February 2, 2015 subject to the**  
65 **five conditions on the staff report.**

- 66 1. If granted, a note be added stating the Planning Board waived the requirement to submit fiscal  
67 impact, environmental impact, traffic, drainage plans, water supply, hydrogeological and other  
68 studies.
- 69 2. The NHDES subdivision approval number shall be noted on the plan.
- 70 3. A letter shall be submitted to the Office of Community Development by a licensed land surveyor  
71 certifying that all boundary monumentation has been set as noted on the approved plan, or in  
72 lieu of a letter, the final subdivision plan to be recorded may be submitted noting that the  
73 bounds have been set.
- 74 4. One mylar, 3 full size plan sets and one pdf of the revised plan set shall be delivered for  
75 signature by the Planning Board Chair.
- 76 5. All fees associated with the recording of the plan shall be submitted to the Office of Community  
77 Development prior to recording.

78 **C. Harris seconded. There was no discussion. The motion carried.**

79  
80 **Approval of Minutes: February 18, 2015**

81 Line 127 both *affect* should read *effect*

82 Line 168 to read *restrictive covenants satisfy the intent of the ordinance*

83  
84 **S. Wilkins moved to approve the minutes of February 18, 2015 as amended. C. Harris seconded.**  
85 **The motion carried.**

86  
87 C. Mailloux discussed the application for next month with regard to regional impact.

88 **S. Wilkins moved to notify Merrimack of the case. C. Harris seconded. The motion carried.**

89  
90 C. Mailloux mentioned there are two volunteers needed from late March to early April for the CIP  
91 process. S. Wilkins and R. Hart volunteered.

92 The storm water committee is going to reconvene and G. Leedy has volunteered his services for that.

93 **C. Harris moved to adjourn at 7:47pm. S. Wilkins seconded. The motion carried.**

94  
95 Respectfully submitted, Jessica Marchant