

TOWN OF AMHERST  
Planning Board

April 3, 2024

APPROVED

In attendance at Town Hall: Arnie Rosenblatt - Chair, Tracie Adams, Tom Quinn, Tom Silvia, Bill Stoughton – Board of Selectmen Ex-Officio, Pam Coughlin, and Rob Clemens (alternate).

Staff present: Nic Strong (Community Development Director)

Arnie Rosenblatt called the meeting to order at 7:00pm.

**PUBLIC HEARING(S): - *The Board addressed these items at this time.***

1. **CASE #: PZ18271-120523 – Vonderosa Properties, LLC (Owners & Applicants); County & Upham Road, PIN #: 004-145-000.** Subdivision Application. To subdivide Tax Map 4 Lot 145 into five (5) residential lots. *Zoned Residential Rural. Continued from February 21, 2024.*

Arnie Rosenblatt opened all of the Vonderosa Properties, LLC, hearings simultaneously. He noted that a request for continuance has been submitted for each hearing and that the applicant has agreed to extend all deadlines.

**Tracie Adams moved to continue CASE #: PZ18271-120523 for Vonderosa Properties for the five residential lots application to April 17, 2024, at 7pm, at Town Hall, at the applicant's request, noting that the applicant agreed to an extension of all statutory deadlines. Seconded by Tom Silvia.**  
**Vote: 5-0-0 motion carried unanimously.**

2. **CASE #: PZ18272-120523 – Vonderosa Properties, LLC (Owners & Applicants); Cricket Corner & Upham Road, PIN #: 004-116-000.** Subdivision Application. To subdivide Tax Map 4 Lot 116 into nine (9) residential lots. *Zoned Residential Rural. Continued from February 21, 2024.*

**Tracie Adams moved to continue CASE #: PZ18272-120523 for Vonderosa Properties for the nine residential lots application to April 17, 2024, at 7pm, at Town Hall, at the applicant's request, noting that the applicant agreed to an extension of all statutory deadlines. Seconded by Tom Quinn.**  
**Vote: 5-0-0 motion carried unanimously.**

3. **CASE #: PZ18273-120523 – Vonderosa Properties, LLC (Owners & Applicants); County, Upham & Spring Road, PIN #: 004-118-000, 004-119-000 & 004-121-000 & 006-102-000.** Subdivision Application. To subdivide Tax Map 4 Lots 118, 119 & 121, and Tax Map 6 Lot 102 into seven (7) conservation lots and thirty-seven (37) residential lots. *Zoned Residential Rural. Continued from February 21, 2024.*

**Tracie Adams moved to continue CASE #: PZ18273-120523 for Vonderosa Properties for the subdivision application for seven conservation lots and thirty-seven residential lots to April 17, 2024, at 7pm, at Town Hall, at the applicant's**

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request, noting that the applicant agreed to an extension of all statutory deadlines.  
Seconded by Tom Quinn.  
Vote: 5-0-0 motion carried unanimously.

**CONCEPTUAL DISCUSSION:**

1. **CASE #: PZ18678-031324 – 24 BR Partners, LLC, c/o Ron Decola (Owners & Applicants); The Woodlands of Amherst, 25 Brook Road, PIN #: 010-026-000 –** Subdivision Application - Conceptual Consultation. Proposal for an 18-lot subdivision for single family home development with a community water supply and community septic. *Zoned Northern Rural.*

Arnie Rosenblatt noted that the applicant has asked to defer this item to the April 17, 2024, meeting at 7pm at Town Hall. This item does not require a formal vote as it is a conceptual discussion but will be moved to the next agenda.

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

2. **CASE #: PZ18677-031324 - Tana Properties Limited Partnership, c/o Amherst Crossing AMA Realty Ventures, LLC (Owner) and American Red Cross (Applicant), PIN #: 002-041-000.** Non-Residential Site Plan Change of Use. To change the use of Building G from a retail use to a blood donation clinic/medical clinic (with dentist office unit design flow for septic). *Zoned Commercial.*

Jonathan Perry, LIVE Design Group, stated that the project is located at 123 Route 101A. The American Red Cross plans to lease the entire single story 5,300 s.f. facility. It was currently and most recently used as a retail store selling outdoor gear. A blood donation center is proposed for the facility. The request is for a change in use. There is existing handicap parking on site, and the number of existing parking spaces is sufficient. No site improvements are proposed to the exterior of the building. NH DOT has no issues with the proposed change in use. The existing private septic system has been determined to be sized appropriately.

**Bill Stoughton moved to accept the application as complete. Seconded by Tom Silvia.**  
**Vote: 5-0-0 motion carried unanimously.**

Rob Clemens stated that the septic letter confirms that the capacity is sufficient for the use. He asked how medical waste or similar items will be managed, as a change in use. Jonathan Perry stated that staff and visitors will only use the lavatory facilities for handwashing. This is not a medical office building or outpatient clinic. Blood will be collected, and sinks will be used for packing purposes. There could be an occasional spill of blood, but this is not regulated by the Health Department but instead by the FDA. There are no requirements for a biowaste interceptor.

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Bill Stoughton and Tom Silvia had no questions or comments at this time.

Tom Quinn asked about the owner of the property and if there are any requirements that the property owner consent to the proposed change in use. Jonathan Perry stated that a lease agreement has already been signed between the Red Cross and the landlord. Arnie Rosenblatt stated that signing of the lease is consent.

Tom Quinn asked if the change of use will impact the septic system in place if a grocery store entered the shopping facility, as previously proposed. Jonathan Perry stated that he is unclear how another development would affect this building's private septic system.

Pam Coughlin and Tracie Adams had no questions or comments at this time.

There was no public comment at this time.

**Tom Silvia moved to approve CASE #: PZ18677-031324 - Tana Properties Limited Partnership, c/o Amherst Crossing AMA Realty Ventures, LLC, and American Red Cross, for a Non-Residential Site Plan Change of Use, for Map 2, Lot 41 Building G, with the conditions precedent and subsequent outlined in the Staff Report.**

**Seconded by Bill Stoughton.**

**Vote: 5-0-0 motion carried unanimously.**

**Findings of Fact for 123 NH Route 101A**

**Application Description**

Case # PZ18677-031324. Application for Non-Residential Site Plan Change of Use for Tax Map 2 Lot 41, Building G, 123 NH Route 101A. The applicant proposes a change of use for Building G from a retail use to a blood donation clinic/medical clinic (with dentist office unit design flow for septic).

The Staff Report's description and chronology is adopted by the Board as a portion of the Findings of Fact and can be referred to for further details.

**Application Completeness**

Per the Non-Residential Site Plan Review Regulations, Article 3, the Planning Board was provided with application documents which were reviewed. It was determined that the application was sufficiently complete to proceed with consideration by the Board per RSA 676:4 I. (b).

**Land Usage Requirements**

Per the Zoning Ordinance, Section 4.7, the Planning Board is satisfied that the proposed land use meets the existing land uses permitted in the Commercial Zoning District.

**Compliance with Regulations**

This is a developed site that meets General Standards 2.1.A.6 requirements for water supply,

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wastewater disposal, and solid waste disposal. Based on the proposed change of use, the septic system capacity was analyzed and found to be compliant with the requirements of the regulations.

Section 8.1 Parking Space Requirements were calculated based on the proposed change in use and deemed to comply with the regulations.

**Waivers**

No waivers were requested.

**Conditions**

The applicant acknowledges the conditions precedent and conditions subsequent in the Staff Report as well as any additions from the Planning Board are required.

**Summary**

The Planning Board finds that with the conditions imposed in the approval, the application meets the spirit and intent of the Ordinances and Regulations.

**Tom Silvia moved to approve the Findings of Fact as presented. Seconded by Tom Quinn.**

**Vote: 5-0-0 motion carried unanimously.**

**ELECTION OF PLANNING BOARD OFFICERS**

**Bill Stoughton moved to nominate Arnie Rosenblatt as Chair of the Amherst Planning Board. Seconded by Tom Quinn.**

**Vote: 5-0-0 motion carried unanimously.**

**Bill Stoughton moved to nominate Tracie Adams as Vice Chair of the Amherst Planning Board. Seconded by Tom Quinn.**

**Vote: 5-0-0 motion carried unanimously.**

**Bill Stoughton moved to nominate Tom Silvia as Clerk/Secretary of the Amherst Planning Board. Seconded by Tom Quinn.**

**Vote: 5-0-0 motion carried unanimously.**

**OTHER BUSINESS:**

3. Minutes: March 6, 2023

**Tracie Adams moved to approve the minutes of March 6, 2023, as amended [to identify that Rob Clemens attended the meeting remotely, and that Arnie Rosenblatt sat as Chair.] Seconded by Tom Silvia.**

**Vote: 3-0-2 motion carried [B. Stoughton, and P. Coughlin abstaining.]**

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177 **OTHER BUSINESS:**

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179 4. Any other business that may come before the Board.

180 **Bill Stoughton moved to adjourn the meeting at 7:17pm. Seconded by Tracie**  
181 **Adams.**

182 **Vote: 5-0-0 motion carried unanimously.**

183

184 Respectfully submitted,

185 Kristan Patenaude