

April 17, 2024

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In attendance at Town Hall: Arnie Rosenblatt - Chair, Tracie Adams, Tom Quinn, Bill Stoughton – Board of Selectmen Ex-Officio, Brian Cullen, Pam Coughlin.

Staff present: Nic Strong (Community Development Director), Kristan Patenaude (Recording Secretary, remote)

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

OTHER BUSINESS: - The Board took up this item at this time

1. REGIONAL IMPACT DETERMINATION:

- a. **CASE #: PZ18769-040924 – Prew Purchase PRD Condo - West Village: Amended Approval, Boston Post Road, PIN #: 005-159-001** – Subdivision Application. To depict the reduced infrastructure of the West Village due to the Town's purchase of Units 3-11 & 22-25. *Zoned Residential Rural.*

**Bill Stoughton moved no regional impact. Seconded by Pam Coughlin.
Vote: 5-0-0 motion carried unanimously.**

- b. **CASE#: PZ18768-040924 – Prew Purchase PRD Condo - West Village: Two Lot Subdivision –Boston Post Road, PIN #: 005-159-001** – Subdivision Application. To depict a two-lot subdivision of the area of Lot 5-159-1 designated as 'withdrawable land' of the Prew Purchase - West Village PRD Condominium. *Zoned Residential Rural.*

**Bill Stoughton moved no regional impact. Seconded by Pam Coughlin.
Vote: 5-0-0 motion carried unanimously.**

- c. **CASE #: PZ18771-040924 – KJA - Noble Subdivision of Lot 7-40 – Daniel Noble (Owner) & KJA Development, LLC (Applicant); 94 Mack Hill Road, PIN #: 007-040-000** – Subdivision Application. To subdivide the existing 5.179-acre Lot 7-40 into two residential lots. *Zoned Residential Rural.*

**Tracie Adams moved no regional impact. Seconded by Bill Stoughton.
Vote: 5-0-0 motion carried unanimously.**

- d. **CASE #: PZ18772-040924 – AZ Realty LLC (Owner & Applicant); 108 Ponemah Road, PIN #: 002-109-000** - Non-Residential Site Plan Application. Demolish the existing building/site and construct a new 1-story, 8,883 +/-SF dental office along with associated site improvements. *Zoned General Office.*

**Tom Quinn moved no regional impact. Seconded by Tracie Adams.
Vote: 5-0-0 motion carried unanimously.**

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- e. **CASE #:PZ18773-040924 – David F. Jasper Rev. Trust (Owner) & Amherst Crossing AMA Realty Ventures LLC (Applicant); 123 Route 101A; PIN #: 002-035-000** – Non-Residential Site Plan Application. Propose a change of use of Unit E from a retail tenant to a gym. *Zoned Commercial*.

**Bill Stoughton moved no regional impact. Seconded by Tracie Adams.
Vote: 5-0-0 motion carried unanimously.**

PUBLIC HEARING(S):

2. **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 April 3, 2024.*
3. **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 April 3, 2024.*
4. **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 April 3, 2024.*

Arnie Rosenblatt explained that there are three applications for this applicant. Each was recently previously continued due to the need for additional information and to hold a site walk. He requested that the applicant tell the Board what is new from the last hearing.

Israel Piedra, Esq., of Welts, White & Fontaine, P.C., explained that a conceptual analysis from Hoyle Tanner regarding required improvements to County Road has been submitted. The request this evening is that the Board vote on the proposed 5 lot subdivision (CASE #: PZ18271-120523). The two other applications are not yet ready for a vote, but based on the Staff review, the five-lot subdivision is ripe for decision. While there has been discussion by the Board regarding the interconnectedness of the plans, these are separate applications, and it would not be fair to hold up the five-lot approval based on questions regarding County Road. The applicant understands that approval of the five-lot subdivision would be conditional at this point, as there may be one or two things outstanding. Specifically, the Board has not yet heard back from the third-party reviewer on the stormwater management plan.

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Arnie Rosenblatt noted that this was sent to Keach Nordstrom for a third-party review on April 2, 2024, and has not yet been heard back on. Attorney Piedra agreed and noted that the Board should craft a conditional approval subject to that review coming back favorably.

Attorney Piedra stated that he would like to reset some of the discussion regarding the larger subdivision proposed on County Road and the conservation land that was part of the proposal. Some of the “conditions” that were in a letter previously submitted to the Board caused some consternation and were not explained very well by the applicant team. He asked to present more on this topic. Arnie Rosenblatt stated that, as the Board was not being asked to consider the other two subdivision applications this evening, he was disinclined to have extensive discussion on these topics and would like instead to focus on the five-lot application. However, he allowed the applicant to proceed at this time.

Attorney Piedra stated that this will help set the stage for how to proceed in future meetings. He clarified that the applicant does not have any conditions of approval for the two smaller subdivisions. The “conditions” in the cover letter were meant to apply only to the larger County Road subdivision that has the conservation land associated with it. Regarding that 44-lot subdivision, the applicant has been before this and other Boards many times, over the course of years now. The applicant has also talked with a lot of stakeholders in the community, and neighbors. The number one piece of feedback that his client received regarding submitting this application, was that this was a unique opportunity for the Town to preserve a large chunk of his client’s land for public benefit, including for environmental, recreational, wildlife, water resources, etc. This was feedback he tried to hear and accommodate by placing those public benefits in the proposal. Attorney Piedra noted that the 44-lot subdivision proposal was thought to accomplish these objectives. It contains significant conservation land with what is considered a very valuable aquifer and would give the Town control over that resource in perpetuity. It also contains significant benefits for wildlife conservation, allowing habitats to be protected and conserved. The land also has significant recreational value, allowing for pedestrian shared trails with connectivity to other recreational trails. There has been interest and potential for both an east-west bike/pedestrian corridor and a north-south bike/pedestrian corridor on this conservation land. This was a unique opportunity for the Town to get those benefits. The proposal is that the Town would receive this conservation land and all those benefits, in exchange for something from the Town. Without receiving some sort of consideration back from the Town in exchange for this land, the project would not be financially viable.

Attorney Piedra asked if the Town actually wants this conservation land. The proposal was based on the assumption the Town wanted this land. Secondly, if the Town wants this conservation land and all the benefits that go along with it, there is a question as to how this will be accomplished. The applicant has tried to be creative in the approach by proposing an in-lieu-of-cash payment. The Town could waive certain expenditures that his client would otherwise have to make, such as the Land Use Change Tax (LUCT). Every time one of these proposed lots gets sold, this LUCT gets assessed and goes to the Town. The proposal is that, in lieu of a cash payment, the Town could waive these LUCT payments as these lots are conveyed over the course of several years. The cost of the payment by the Town would be spread out over likely ten

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years or more as his client slowly develops these lots. The second piece of compensation had to do with County Road. During the design review meeting with this Board, there was discussion regarding improvements that would be required for County Road. His client would be responsible for a portion of those costs. The proposal in this application was that the Town would waive his client's share of the County Road improvement costs as part of the exchange for the conservation land. Again, this eliminates the need for a cash payment from the Town and provides a financial incentive to improve the road to the minimum level necessary to make it safe at a cost savings. Neighbors and residents have stated that they do not want County Road to be a superhighway that invites high speed traffic. Improving it to the minimum level possible seems to be what both the applicant and the Town wants.

Attorney Piedra stated that this Board likely does not have the authority to waive current use taxes or penalties, but this could be done through the Board of Selectmen. If this is something the Planning Board wants to entertain, the applicant would go back to the Conservation Commission, which receives the LUCT funds, to see if they would recommend waiving them. The applicant would then go to the Board of Selectmen to see if they would recommend waiving them as well.

Attorney Piedra explained that his client approached the Conservation Commission in an attempt to simplify the proposal, by asking the Conservation Commission if it would purchase the land at \$1M, partly through using cash and partly through waiver of LUCT penalties. The proposal included the Town shouldering his client's proportionate share of the road improvement costs, as the Conservation Commission would be paying cash for the land. His client would still need Board of Selectmen approval of the LUCT waiver. The message his client received from the Conservation Commission was that they were very interested in acquiring the land, but that the significant amount of money requested would require the applicant to go further down the Planning Board process. Thus, his client is now asking if the Planning Board is interested in the possibility of a combination of a cash payment from the Conservation Commission and the LUCT waivers. If so, the Board could consider the original proposal with the conservation land and the lots as presented and approve it in principle with a conditional approval subject to the Conservation Commission coming up with a plan for the funding and the waivers. This is an unusual proposal and a bit burdensome on the Town, but the question is if the Town really wants this land. The applicant is trying to give some options for the Town to acquire it. If the Town does not want this land, additional adjustments will need to be made to the plan.

Arnie Rosenblatt asked if the applicant is asking the Board to make a decision on either of the other two subdivision applications this evening. Attorney Piedra stated that he is not, but he believes there needs to be some dialogue in order to move the larger application forward.

Arnie Rosenblatt stated that he spoke with Town Counsel and confirmed that the Board does not have the authority to spend any of the money the applicant has asked it to spend. The Board cannot make a decision on County Road improvements and cannot make a decision with respect to LUCT waivers. Arnie Rosenblatt stated that his preference would be to have some land set aside for conservation as part of any development and he believes other Board members may feel

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similarly. The Planning Board does not have the authority to determine how the Town will fund this though. The original land acquisition Warrant Article for \$6M has been entirely spent. Another similar Warrant Article was not pursued this year, as the Board of Selectmen were understandably concerned with other expenditures. Arnie Rosenblatt stated that, while he personally is prepared to pay higher taxes for another land acquisition Warrant Article, this does not mean he is in the majority. It is possible that the Conservation Commission has money or private individuals could contribute money, but the Town as a whole does not have the money for this acquisition and the Planning Board has no authority to spend that money.

Attorney Piedra stated that he understands the Planning Board cannot expend money. However, the Board will decide how the road cost is apportioned and he would be surprised if legal counsel advised the Board that it does not have the discretion to tell the applicant that the road cost could be removed for land that the Town wants.

Arnie Rosenblatt disagreed. He stated that the Board is limited in terms of authority regarding the road costs. Bill Stoughton agreed that a financial decision of that magnitude would not be entrusted to this Board as opposed to the Board of Selectmen. The Town used up all of the \$6M of funding authority and then some, most recently with the assistance of the Amherst Land Trust in a public/private partnership. While the Town and certain developers have worked through that process, the Planning Board has not been the leader of that effort. That effort was led by a combination of the Conservation Commission and Board of Selectmen. The process involved public input at multiple stages, either through the bond Warrant Article, the 41:14-a process, and public hearings. In this case, public input would be essential in order to consider how to authorize that expenditure. He suggested that the applicant talk to the Board of Selectmen's representative to the Conservation Commission as to a potential structure of a deal and the timeline for it. It will be important for the applicant to have credible estimates for the baseline road costs in order to have these discussions. Bill Stoughton noted that, while applications are active and pending in front of this Board, he has not participated in any discussions, due to his role on the Board of Selectmen. Arnie Rosenblatt echoed that comment, as he is on the Open Space Committee. He agreed that the applicant should speak to the Conservation Commission.

Attorney Piedra stated that it appears the topic regarding acquiring conservation land would be a process independent of this Board's review.

Bill Stoughton stated that it would not be entirely independent. For example, in the most recent deal that the Town completed, there was land that became conservation land and land that ultimately was developed. When more of the land than was originally planned became conservation land, the Planning Board was involved at that stage. One of the regional impacts the Board heard tonight dealt with reconfiguring the previously approved development to conform with the land purchase agreement. This is not a totally independent process, as any subdivision will come through this Board.

Attorney Piedra stated that, if the conservation lots will not be "approved" as part of this subdivision, it seems there will need to be an amended plan that does not show these lots. Bill

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Stoughton explained that the other alternative would be for the applicant to get far enough in discussions with other entities in Town to get a conceptual agreement to move forward with. Attorney Piedra stated that his client is not far enough along with those discussions at this time because the Conservation Commission felt unsure about its authority regarding what is currently before this Board. He stated that the applicant would continue discussions regarding the potential conservation pieces with other Town entities at this time.

Arnie Rosenblatt stated that the Board is sympathetic to land being set aside and will work with anyone in order to try to accomplish that but does not have any money to make these purchases.

Brian Cullen asked if the Board has the ability to make nonbinding recommendations to the Board of Selectmen or other stakeholders on this idea. He appreciates that the applicant came in with an idea to conserve property. Arnie Rosenblatt stated that is possible, but he has personally had a long and bad history of recommending property to be purchased and conserved. He has no reason to believe the Board will be successful in this attempt. It is a matter of money and a determination that the value of the land is satisfactory. Arnie Rosenblatt stated that he agreed with Bill Stoughton that the applicant should work with other entities in Town before coming back to the Board with a proposal.

Bill Stoughton noted that if the applicant comes to the Board asking for approval of this application without knowing the status of the potential conservation land, the Board will have to complete a proportionate share determination on County Road and make an offsite exaction. This will cost the applicant quite a bit of money. Attorney Piedra stated that he understands this would lead to the applicant submitting a different plan without the conservation land and with no conditions attached.

Arnie Rosenblatt noted that he personally wants to see the land set aside and appreciates the applicant's effort to do so.

Tracie Adams stated that it appears everyone is on board, but no one knows yet what this concept will look like. Tom Quinn stated that he believes the concept for conserving the land should be shown to the public. If all of this land is wetlands, it is likely not worth \$1M.

Arnie Rosenblatt noted that the Board is only being asked to address the five-lot subdivision at this time. He asked if the applicant is willing to extend the statutory deadlines for the 44 lot and 9 lot subdivision applications. Attorney Piedra agreed.

Bill Stoughton stated that, regarding the five-lot subdivision, he is very interested in seeing the third-party stormwater report. The proposed lots are in a very low area of the site and close to extensive wetlands. He noted that he did not see the water table marked on the plans and asked about the seasonal high-water table.

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Ken Robinson, Fieldstone Land Consultants, stated that the seasonal high-water table is variable in that area. Test pits indicated seasonal high water was beyond 8' in the front and between 18"-24" in the rear.

Bill Stoughton noted that this is a depressed area. He is concerned that this proposal does not meet the Town and State requirements. There is a current stormwater feature along Cricket Corner Road which is not draining. The area is required to drain with 72 hours and there is water in there almost all the time. He would like to hear from Keach Nordstrom that the proposed stormwater features are okay and that there is enough distance to the seasonal high-water table. He is reluctant to approve this even with a condition, without first seeing the report.

Bill Stoughton stated that the Board previously discussed all three applications broadly regarding improving the intersection and a potential realignment. It is unclear if this five-lot subdivision has to do with that intersection. He asked if a condition of approval is needed to permit reconfiguration of that intersection. Ken Robinson stated that he does not believe so.

Brian Cullen and Pam Coughlin had no questions or comments at this time.

Tom Quinn stated that there is already one stormwater feature on the already approved lots that is not working, and he has concerns regarding future stormwater designs being sufficient. He agreed with Bill Stoughton that he would be cautious to approve this without first seeing the report from Keach Nordstrom. He asked about comments from the Fire Chief regarding a 30,000-gallon cistern being needed. Tracie Adams noted that this comment was part of the nine-lot subdivision application.

Tracie Adams agreed that the Board needs to review the stormwater report from Keach Nordstrom before making a decision. She noted that the Conservation Commission requested that a New Hampshire Certified Wetland Scientist provide an independent review of the submitted plans. Attorney Piedra stated that he believes that would be overkill for this application. All wetland setbacks on the lots are proposed at the maximum. Tracie Adams asked if this is also the case for Lots 4-145-4 and -5. Attorney Piedra stated that it is.

Tracie Adams noted that the Heritage Commission asked to walk all three properties to check for historic items to record. Will Ludt, Chair of the Heritage Commission, stated that this has not yet occurred. Attorney Piedra stated that this will be accommodated but he believes it is a bit late to hold up an approval based on that alone.

In response to a question from Arnie Rosenblatt, Nic Strong stated that she believes the third-party review generally takes 2-3 weeks to complete. It has been approximately two weeks since it was sent to Keach Nordstrom.

Will Ludt asked if there was an archaeological historic resource document prepared for this application. Attorney Piedra stated that there was. Bill Stoughton explained that this likely was not sent along because it was marked confidential. Attorney Piedra stated that it was marked

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confidential because portions of it are from the State database which is typically confidential information. It was noted that the applicant would work to get this report to the Heritage Commission for review.

Arnie Rosenblatt asked if any abutters or interested parties had questions or comments.

An abutter stated that County Road sits on top of ledge and he believes blasting will be needed. This could affect his property. His well is approximately 50' from County Road. The ledge along this road needs to be considered.

Beth Sullivan, Village Woods stated that she is not clear as to why the Board would offer waivers for a development that crosses wetlands. She counted 11 waivers requested in order to build on certain lots because this area is a swamp. A retention pond nearby on both sides of the road was flooded recently and it was not even raining. She believes this application needs to be reviewed by a wetlands scientist. There is a 38% grade in some of these lots, meaning that everything runs downhill to nearby wetlands. Two of the lots were recommended by two people on the Conversation Commission to be part of the conservation land as they are located in the wetland buffer. The plan proposes nine basins that people who buy these lots are going to have to clean out monthly and get inspected. She doubts that people buying these lots will be expecting to clean out basins. The plan proposes building on top of the buffers as there is not enough buildable space due to the area being a swamp. When people live in a wet area they plant things to dry up the wetlands and spray pesticides. Pesticide use on these lots will run down the hill and into the wetlands and aquifer. A wetland scientist may determine that some of these lots cannot be built on. She asked why driveways are being considered when it is unclear if some of the lots can be built on. She noted that some of the lots may have an issue with sight distance and it is unclear what will happen with improvements to County Road. She noted that the development on Cricket Corner Road shows a level of disrespect to this Town. It has been clear cut, which is not in keeping with the rural nature. It has long driveways and a retention pond. Residents are being taken advantage of by being swamped with developments all at once without the manpower to review them properly. She noted that there was no ownership names on these lots. She noted that Brett Vaughn knew what he was buying and knew that this property was basically swamp, but now he wants the Town to pay for it. He is offering conservation land, but no one can walk back there as it is a swamp.

In response to a question from Arnie Rosenblatt, Attorney Piedra stated that there are no waivers being requested for the five-lot application.

Bill Stoughton suggested a two-week continuance to get the stormwater report back from Keach Nordstrom. This will also allow the Heritage Commission time to get the historical information. He noted that he is okay with the fact that the proposed intersection realignment is not part of this five-lot application.

Brian Cullen stated that he would be inclined to move forward with the applicant this evening but is okay with the Board majority opinion to wait two weeks.

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Bill Stoughton moved to continue CASE #: PZ18271-120523 for the five (5) residential lot subdivision to May 1, 2024, at 7pm at Town Hall, with the applicant agreeing to extend all statutory deadlines . Seconded by Tom Quinn.

Discussion:

Attorney Piedra noted that the applicant could force a Board vote at this time. He stated that it is unfortunate that the applicant is being put in the position to have to waive the statutory deadline. The Town knew that there was a statutory deadline, the Town controls when the stormwater study comes back, and it is unfair to put the applicant in a position to have to delay.

Bill Stoughton stated that when the initial plans were submitted, there were no stormwater details at all. The Board told the applicant this was not acceptable. The applicant used the Board's time to prepare the stormwater details. Attorney Piedra agreed and asked to withdraw his previous comment, as it was unfair to say. He stated that his client will assent to the two-week deadline extension.

Vote: 4-1-0 motion carried [B. Cullen against.]

Attorney Piedra asked that all of the applications be continued to the next meeting. Arnie Rosenblatt stated that he would rather give the applicant the opportunity to determine how to deal with the conservation land issues, which will likely not happen within two weeks. Attorney Piedra stated that, regarding the nine-lot subdivision, the applicant has two possible common driveway layouts to share with the Board and would like to get input on those at the next meeting. Bill Stoughton asked if the stormwater information for the other applications will be complete at that time. Attorney Piedra stated that the applicant would like to discuss the driveways first. Ken Robinson stated that all nine driveways for that application will be designed to present at that time. Bill Stoughton noted that the Board has asked for the stormwater designs for these applications and that Keach Nordstrom will be asked to review those, which will require extensions beyond two weeks from now.

Arnie Rosenblatt stated that he is not as confident the applicant will be ready to address the five-lot subdivision application and the other two applications in two weeks. Attorney Piedra stated that the presentations on the other subdivision applications will be brief at that time. He would like the Board to have discussion but not make any decisions on the other applications at that time.

**Tracie Adams moved to continue CASE #: PZ18272-120523 for the nine (9) residential lot subdivision to May 1, 2024, at 7pm at Town Hall, with the applicant agreeing that the statutory requirements will be extended. Seconded by Tom Quinn.
Vote: 5-0-0 motion carried unanimously.**

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**Tracie Adams moved to continue CASE #: PZ18273-120523 for the seven (7) conservation lots and thirty-seven (37) residential lots subdivision to May 1, 2024, at 7pm at Town Hall, with the applicant agreeing that the statutory requirements will be extended. Seconded by Tom Quinn.
Vote: 5-0-0 motion carried unanimously.**

Arnie Rosenblatt asked if it is the applicant's view that County Road will remain the same based only on the five-lot subdivision application. Attorney Piedra stated that the approval of this subdivision would not be so significant that the Planning Board would reasonably be able to impose any conditions as far as County Road is concerned. Arnie Rosenblatt clarified his question asking if the current state of County Road would be okay for the five-lot subdivision. Attorney Piedra agreed that it would.

CONCEPTUAL DISCUSSION:

- 5. 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 read and opened the conceptual discussion. He explained that this is a conceptual discussion and not a public discussion. This is a presentation to the Board by the applicant. Any comments made by individual Board members or the Board as a whole are not binding. The application itself may be different and people on the Board may have different perspectives at that time.

Ron Decola, managing member of 24 BR Partners, LLC, noted that the address of the property is 24 Brook Road, not 25 Brook Road. He explained that this applicant has been before the Planning Board with two or three different concepts for this site, including the current concept. This is a 127 +/- acre site. The proposal is to move forward under the Planned Residential Development (PRD) Ordinance. The applicant previously applied for an 18-lot subdivision, but recently found out via surveys that instead the proposal will carve out a lot on the front of the property, making this into a 17-lot subdivision. The first subdivision would be to divide five acres on Brook Road and the second subdivision for 17 lots off Brook Road. A baseline density calculation for the site was completed and came up with approximately 15 lots. The request is for an additional three lots, for a 25% density bonus. The proposal includes a Town road off Brook Road. There is an existing driveway entrance off Brook Road and the plan has been rearranged to push the driveway over on the lot.

Arnie Rosenblatt asked about the existing approval the applicant mentioned. Ron Decola explained that there was a previous approval given for a wetlands crossing on the site. Arnie Rosenblatt confirmed with Nic Strong that the approval has lapsed.

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Ron Decola explained that he is proposing an onsite community water system. There are currently two wells on the property, one showing 50 gallon per minute and the other with more than 30 gallons per minute, which is adequate for a community water system. The plan shows water lines coming down the road to feed all the units. There are no septic systems that encroach on any of the lots, except one. A separate system is proposed for the house on Brook Road. A subsurface drainage system is proposed with catch basins which will drain into detention ponds. There is a proposed conservation lot of approximately 77 acres. An underground cistern is also proposed.

Tracie Adams asked how the conservation land area is proposed to be managed. Ron Decola stated that this is not proposed to be donated to the Town. It is being used as part of the calculation for the PRD. The applicant is open to discussion and has not given it much thought.

Tom Quinn expressed concern over the proposal for the town to take over responsibility for the road and the bridge. This is likely not an inexpensive bridge to build and maintain and will only serve a single subdivision.

Pam Coughlin had no questions or comments at this time.

Brian Cullen asked about the proposed lot off the cul de sac. Ron Decola stated that this is where the existing well is located which will feed the whole development. A pump house will also be located there, upgradient from the lots.

Brian Cullen asked if the proposed 77-acre conservation lot abuts existing conservation land. Ron Decola stated that it does. Brian Cullen asked how the Town currently accessed the landlocked piece of conservation land on this lot. Ron Decola stated that is unclear. The applicant is willing to have discussions about the land.

Bill Stoughton stated that the proposed conservation land would be a nice connectivity to an already large lot. He asked if the road, as proposed, is shown to Town road standards. Ron Decola stated that is unclear. Bill Stoughton stated that, if the applicant wants the Town to accept the road, normally the Town would require it to be built to the Town standards. If it were a private road, certain allowances, to the width, for example, could be made.

Bill Stoughton asked about the number of wetland crossings to use this land. Ron Decola stated that there is one across the bridge to the brook, and two more to access the southernmost house and to get to the well. Bill Stoughton stated that he believes there may be more. Ron Decola stated that the wetlands were recently reflagged. Bill Stoughton stated that the Town recently changed its wetlands ordinance to conform better with the State requirements. The applicant's wetland scientist should review the Town's current definitions. He noted that there have been other concerns regarding flooding on a lot that is adjacent to Brook Road. The applicant should confirm that the floodplain is marked on the plan for a formal application.

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In response to a question from Bill Stoughton, Ron Decola stated that the five-acre subdivision line does not encroach on any of the wetland buffer area.

Bill Stoughton stated that he believes a stormwater management plan will be necessary, along with the septic plans and suitability of this land for the proposed septic system. He would also like to see an assessment of traffic and an evaluation of any off-site improvements that may be necessary. This will involve review by DPW. He also suggested the applicant review the State's requirements for community well systems.

Arnie Rosenblatt reminded the applicant that the comments this evening were non-binding and thanked him for the presentation.

3. Minutes: April 3, 2024

Bill Stoughton moved to approve the minutes of April 3, 2024, as presented.

Seconded by Tracie Adams.

Vote: 4-0-1 motion carried [B. Cullen abstaining.]

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

Bill Stoughton moved to adjourn the meeting at 8:28pm. Seconded by Tracie Adams.

Vote: 5-0-0 motion carried unanimously.

Respectfully submitted,
Kristan Patenaude