

The Community Development Connection

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Town of Amherst
Community Development Department



Zoning Articles on 2013 Ballot

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Save the Dates:

March 12, 2013
VOTING DAY
6 am – 8 pm
Souhegan High School

March 20, 2013
Regulatory Review
Public Meeting

The Planning Board has put forth two warrant articles for the Voters on the 2013 Ballot: Articles 38: Open Space Plan Setback Updates and Article 39: Personal Wireless Service Facilities and FCC compliance.

ARTICLE 38: Open Space Plan setback updates

Are you in favor of adopting an amendment to Article IV: ZONING REGULATIONS, Section 4.16 Open Space Plan, to align front, side, and rear setback requirements with the underlying Zoning District as proposed by the Amherst Planning Board for the Town of Amherst Zoning Ordinance?

(The Planning Board supports this amendment 5-1)

The proposed amendment reduces the front, side, and rear setbacks designated under the Open Space Plan to be the same setbacks as those specified in the underlying zoning district and not more restrictive. For example, in the Residential Rural district you cannot build a primary structure within 50 feet of your front property line (the front setback is 50 feet) or within 25 feet of your side and rear property lines (side and rear setbacks 25 feet). Under the Open Space Plan as currently written, the front setback is 75 feet which is more restrictive than the underlying Residential Rural District. The proposed

changes would make all setbacks equal.

ARTICLE 39: Personal Wireless Service Facilities and FCC compliance

Are you in favor of deleting Article III: GENERAL ZONING PROVISIONS, Section 3.16 Personal Wireless Service Facilities and adding Section 3.16 Personal Wireless Service Facilities amended to comply with rulemakings by the Federal Communications Commission as proposed by the Amherst Planning Board?

(The Planning Board supports this amendment by a vote of 6-0)

(Continued on p. 2)

Did You Know?

The Town of Amherst requires the property owner to sign all building permit applications. This unique requirement comes directly from Section H: Building Ordinance of the Amherst Ordinances and Regulations. We accept signatures or authorizations by email, fax, or on the building permit application. A copy of a contract with the property owner's signature is also acceptable.

So don't be surprised if your plumber, electrician, or contractor asks you to sign the form or send us an email authorizing them to pull a permit on your behalf!

All permit application forms are available online at www.amherstnh.gov/forms-permits-fees/.



Zoning Articles on 2013 Ballot (Continued)

The proposed amendment deletes the current ordinance and replaces it with a revised Personal Wireless Facilities ordinance to comply with new federal rulemakings from the Federal Communications Commission (FCC).



The FCC created the new rulemakings in 2010 which require the Planning Board to approve applications within specified timeframes. If the Board fails to comply with the new FCC rulemakings, the applicant is automatically granted the permit; so it is imperative for the Town to adopt the revised ordinance to allow the Planning Board sufficient time to review all Personal Wireless Service Facilities prior to building permit issuance.

Welcome to Amherst!

Pet Life opened their newest retail store at **124 Route 101A** (in the Lowe's plaza, next to the Meat Shop) this week. This is their third New Hampshire store, with additional locations in Salem and Stratham.

Pet Life has been in business for 25 years, specializing in providing pet food and supplies. Please join us in welcoming them to Amherst - stop by and say hello!



Regulatory Review

The Town of Amherst was awarded a \$10,000 grant through New Hampshire Housing's Community Planning Grant Program, the purpose of which was to conduct a Regulatory Review:

- To analyze existing land use ordinances and regulations for consistency with the 2010 Master Plan goals and priority actions, and the NH Livability Principles; and
- To analyze the six water resource related ordinances to simplify, combine, and update with best management practices to protect Amherst and the regions high quality drinking water and watershed.

The Regulatory Review is intended as a first step to assist the community in its application for a Round 2 Community Planning Grant (submitted in February, 2013) to begin implementation of the recommended changes.

Mark Fougere, of Fougere Planning & Development, and Steve Keach, of Keach Nordstrom Associates, were selected as the Town's Consultants to partner with Sarah Marchant, Community Development Director, as the Project Team. They kicked off the review of the 2010 Master Plan and all the Town's Ordinances and Regulations in the fall of 2012 and went on the road to gather input from the community. The Project Team met with the following groups to listen to ideas and comments for the Regulatory Review: Heritage Commission, Conservation Commission, Planning Board, Historic District Commission, AP Human Geography high school students, Junior Women's club, and the Board of Selectmen. They also heard from individuals who responded to the flyers and announcements.

The draft of the [Regulatory Review](http://amherstnh.gov/special-projects/) is now available (<http://amherstnh.gov/special-projects/>) and we would love your feedback on the ideas and actions included in the report, as well as anything we might have not yet heard. The Planning Board will hold a public meeting on **March 20th at 7:30 pm** at Town Hall to discuss the document. If you have questions or concerns or would like more information, please contact Sarah Marchant at 603.673.6041 x204 or smarchant@amherstnh.gov.



Meeting Results:



Each month this column will bring you a quick update on the results of the Zoning Board, Planning Board, and Historic District Commission's deliberations:

Zoning Board (ZBA)

The ZBA heard two new cases in February and responded to three Requests for Rehearing:

New Business:

- 1a. **Case #PZ 3736: Variance:** The applicant, Cameron Thomas, owner of PIN #005-077-001, 74 Lyndeborough Road, requested a variance to Article IV, Section 4.3.3.1, Residential/Rural Zone Yard Requirements of the Amherst Zoning Code to allow for an attached garage/addition to encroach in the front setback.

The application was approved.

- 1b. **Case #PZ 3752: Variance:** The applicant, Cameron Thomas, owner of PIN #005-077-001, 74 Lyndeborough Road, requested a variance to Article IV, Section 4.3.3.2, Residential/Rural Zone Yard Requirements of the Amherst Zoning Code to allow for an attached garage/addition to encroach in the side setback.

The application was approved.

Old Business:

2. **Request for Rehearing:** Case# 12-1490; Auburn Acquisitions Development, LLC; 2 Limbo Lane; 006-059-000.

Request for Rehearing was denied as no appeals were filed on Case #12-1491 within 30 days of the decision.

3. **Request for Rehearing:** Case# 12-1493; Skillings & Sons, Inc (9 Columbia Drive Realty Holdings, LLC); 9 Columbia Drive; 002-028-015.

Request for Rehearing was approved for the March 19th Public Hearing.

4. **Request for Rehearing:** Case #'s 12-1494, 12-1495, 12-1496, 12-1497, and 12-1498; Brad and Karin Knight; 12 Stearns Road; 004-065-001.

Request for Rehearing was approved for the March 19th Public Hearing.

Planning Board (PB)

The PB held a Public Hearing the second week of February due to scheduling conflicts with the Deliberative Session. The PB heard two applications for a regular meeting, followed by a worksession to discuss the recently submitted Round 2 Community Planning Grant application. The Round 2 Grant is intended to implement some of the recommendations in the draft [Regulatory Review](#) available online:

1. **John Woods – Old Mail Rd, PIN# 008-051-002: (untable)** Re-submission of a conditional approved, expired Water Resource Management Plan (WRMP) to address prior wetlands impacts on a vacant lot..

The application was tabled to the April 3rd meeting to allow time for DES to respond in writing or an inspection to take place.

2. **Bedford Design Consultants, Inc. – Pulpit Road (Bedford), PIN# 011-016-000:** Request to modify phasing portion of approved eight (8) lot subdivision.

The application was approved, the phasing plan was removed from the plan requirements .

(continued on p. 4)

Meeting Results (continued)

Historic District Commission (HDC)

The HDC conducted site walks on Saturday, February 16th for the two cases on their February 21st agenda. The meeting opened with a presentation on the design for the Manchester Road Bridge and the reconstruction of Middle Street and Cross Street by Sean James and Matt Low of Hoyle, Tanner & Associates, Inc and Bruce Berry, Director of Public Works.

1. Case #3737 -- Richard and Susannah Humphrey – 44 Courthouse Road, PIN # 016-024-003: To add an 11' x 10' Sunroom on the south side of house and replace the front porch.

The application to add a sunroom was approved with windows being individual double hung, with muttoms to match the house and of equal separation. The front porch was tabled to the March 21st meeting to allow for drawings to be submitted.

2. Case #102 -- The Rookery – 104A Amherst Street, PIN # 005-047-000: To construct a new 1800 +/- sq. ft. single story home on a concrete slab along with a two-car garage and a 325 sq. ft. screened porch

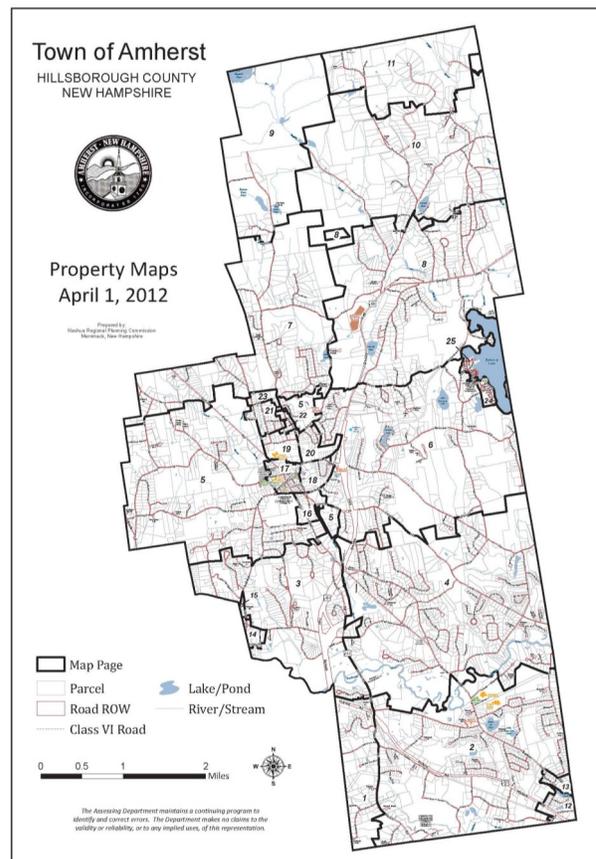
The application was approved as presented as the house is over 850 ft from Amherst St and has a vegetated buffer that cannot be disturbed as it is largely wetlands.

New Tax Maps have Arrived!

The 2012 tax maps have arrived in their new digital format.

The maps were created by the Nashua Regional Planning Commission (NRPC) utilizing a GIS (Geographic Information System) in partnership with the Assessing Department. GIS software is a powerful relational database management system centered on a spatial analysis platform. Ultimately, what that means for you is that all of the tax maps are readily available in pdf format on our website for viewing, zooming in and out, and downloading (<http://amherstnh.gov/town-maps/tax-maps/>). The maps include basic parcel lines, dimensions, parcel ID's, roadways, major water bodies and zoning districts on an 11"x17" page. In the future, the tax maps will be updated on an annual basis by NRPC at no cost to the Town beyond basic printing, yielding a savings of over \$1,000 per year.

The process to maintain and update the tax maps each year is time-consuming, but we can always use your help. If you see something that does not make sense or you know of a property deed or a plan which details information not reflected on the tax maps, please let us know so improvements can be made. Hopefully these maps will be a valuable resource for the community.



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WE ARE ON THE WEB!

WWW.AMHERSTNH.GOV

The Community Development Office strives to effectively manage community change in accordance with the Master plan and the Town's ordinances and regulations, by providing professional advice and technical expertise in a consistent and fair manner to citizens, boards and commissions, departments, and regional agencies on the implementation of land use ordinances, regulations, and policies for both the short and long term physical, natural, and economic development of the Town.

The Community Development Office is comprised of the Building, Zoning, Planning, Code Enforcement, and Economic Development Departments. The Office provides support to the Planning Board, Zoning Board, Amherst Conservation Commission, Historic District Commission, Heritage Commission, and the CIP Committee. The office provides a one-stop location for all land development processing in the Town.

NRPC REGIONAL PLAN UPDATE



What have we heard? After tallying close to 800 responses from various Old Home Days, Fall Festivals, and other community events over the fall of 2012, we have completed an outreach summary. [This report is available](#) on our Granite State Future website.

We gathered comment cards from these events asking "What do you like best about this area?" and "What could make this area even better?" The major themes discovered included rural character, economic vitality, and transportation choices. Using this input, Granite State Future is heading into the next phase of planning. Committees are being formed in four dif-

ferent topic areas (Transportation, Housing, Community & Economic Vitality, and Natural Resources). Also, a Regional Advisory Subcommittee will oversee the regional planning process and assist in outreach. Each topic committee will start with a 2-3 hour workshop that examines existing trends and conditions, existing resources, existing plans and policies, and public input gathered to date. Discussion will then begin on what this information means for our communities. The committee will continue to examine strengths and challenges in this topic and identify what additional information is needed and who else we should be talking to.

The first in a series of these workshops was held on Tuesday, Feb-

ruary 11, with the Transportation Committee. Sixteen people attended the workshop including Town Planners, NRPC (Nashua Regional Planning Commission) Commissioners, representatives from the NH Department of Transportation and NH Department of Environmental Services, and the members of the Regional Advisory Subcommittee. The major subthemes examined were mobility, quality of life, and system sustainability.

Stay tuned for more upcoming workshops and events! If you are interested in learning about the different committees and how to get involved or want more information on the Regional Plan, please contact Jen Czysz at JenC@nashuarpc.org.