

1 **PLANNING BOARD**

2 Minutes of June 4, 2014

3 **ATTENDEES:** Arnold Rosenblatt – Chairman, Sally Wilkins – Vice Chairman, Gordon Leedy, Michael Dell  
4 Orfano, Cliff Harris, Richard Hart – Conservation Commission, John D’Angelo – Ex Officio, Marilyn  
5 Peterman - Alternate, Eric Hahn – Alternate, Steve Keach – Interim Community Development Director  
6 Absent: Allen Merriman - Alternate  
7

8 **NEW BUSINESS:**

9 **Case #4982 - 051514 – 13 North Adams, LLC – 14 Manchester Road, PIN #020-030-001:** *Conditional*  
10 *Use Permit to ensure water resources are managed in the development of a single family lot in the*  
11 *Historic District of the Residential/Rural Zone.*

12 Tobin Farwell, Farwell Engineering Services, stated the application before the board was for a  
13 Conditional Use Permit to construct a single family residential unit. This permit is required as the  
14 property is in the Aquifer Conservation district and is for the control of stormwater. They are proposing  
15 two (2) methods of stormwater management practices. The first would be the installation of a drip  
16 edge along the roofline to collect any stormwater runoff. There would be a twenty one (21) inch thick  
17 gravel material along the foundation to allow any stormwater to percolate through. The second is the  
18 installation of two (2) infiltration basins along the driveway to collect any runoff from the driveway into  
19 the trench. He noted he had submitted two (2) plans and they are going with the second option; the  
20 garage is on the opposite side of the home on this plan as compared with the first plan.

21 Arnie asked Steve about the conditions noted in the staff comments.

22 Steve replied the proposal was before the ZBA prior to the adoption of the Conditional Use Permit  
23 section of the zoning ordinance in March 2014. The condition of the variance was to go before the  
24 planning board to get WRMP approval and the Conditional Use Permit supersedes the former WRMP.  
25 The former Community Development Director suggested the applicant come to the planning board to  
26 satisfy the condition of the ZBA approval. This proposal captures two (2) low impact stormwater  
27 techniques with the installation of infiltration trenches along the paved driveway and the capture of  
28 water from the roof at the building perimeter. The stormwater runoff will be attenuated and soak into  
29 the ground. The second condition is a requirement made by the staff.

30 Mike noted there was an eight (8) percent grade for the driveway and that was the maximum allowed  
31 by the ordinance. He asked how enclosed the driveway was by vegetation in the event of ice on the  
32 driveway.

33 Tobin replied they didn’t want water to run down the driveway and will have the infiltration basins  
34 cross slope to direct water off the driveway; it will not be icy. The home is located north/south with  
35 fairly good exposure.

36 Rich noted the land is hilly and part of the property is between eight (8) and ten (10) feet above the  
37 wetland area. He asked the applicant to define the wetland.

38 Tobin replied it is forested wetland with a bouldery terrain, as delineated by the surveyor, Gary  
39 Flaherty. There is a saddle area behind the house with a rolling terrain.

40 Rich asked if there was a stream on the property.

41 Tobin replied it is an intermittent stream that forms with the snow melt in the spring.

42 Cliff noted there was a high water mark on the property and asked about foundation drains.

43 Tobin replied he was sure they would be installed but the location will be up to the contractor. The  
44 water will discharge and go into the infiltration trench and be part of the existing system.

45 Sally indicated the applicant did not need to go before the ZBA for the wetlands encroachment as that  
46 is under the purview of the planning board. She asked why a variance was obtained.

47 Steve replied the land to the east is in the Aquifer Protection District and has a one hundred (100) foot  
48 buffer. The variance was to reduce the buffer to fifty (50) feet.

49 Sally noted the WRMP allows that and clarified there was no other variance. She noted the bearing  
50 and distance should be removed as it is no longer the property line. She also noted the conditions for  
51 approval should be on the deed as well as the plan to keep future homeowners informed.

52 Marilyn had no comment.

53 Gordon noted the driveway grade was actually ten (10) percent in one area, between the 84 and 86  
54 contours and should be corrected, if there isn't enough space. He also wondered what they should do  
55 with the stone wall along the road if it is removed. He felt it would be appropriate to fill in where the  
56 existing driveway is. It would be appropriate to maintain the wall since the property is in the historic  
57 district.

58 Eric and John had no comments.

59 Arnie asked the applicant if he had any objections to the staff recommendations.

60 Tobin replied this was the first he had seen them and needed to look them over.

61 Arnie then asked if any abutters or concerned citizens had any comments or questions.

62 Tom Grella, 15 Manchester Road, noted he lived across the street from the proposed home and stated  
63 there is a lot of runoff from the property onto his property. He asked if the construction would increase  
64 or decrease the amount of runoff onto his property.

65 Tobin replied there should be less water.

66 Scott O'Connell, Mack Hill Road, stated he lived downslope of the proposed septic system and asked if  
67 that would lead to runoff onto his property.

68 Tobin replied they are close to the fifty (50) foot wetland buffer but were not in it. The seasonal  
69 stream will continue to appear but they are using systems to control any additional runoff.

70 Scott asked if the water will run onto Manchester Road or to the rear of the property.

71 Tobin replied it would run where it runs today; this house should not contribute to extra water runoff.

72 Marie Grella, 15 Manchester Road, stated she was concerned with any blasting that may occur on the  
73 site as her home is over 225 years old and may not stand up to the shaking.

74 Tobin replied the blasting company will do a pre-blast survey of the area but the test pits have shown  
75 there is not as much ledge on the site as was previously thought so there may not be much, if any,  
76 blasting. The survey will identify any existing cracks in foundations and walls and take note of existing  
77 conditions. If there is any damage, the blasting company is then liable.

78 Marie asked how they would know if there was any damage and will they contact abutters before  
79 blasting.

80 Tobin replied he was not an expert in this and noted they do have to notify the abutters when they do  
81 the surveys.

82 Tom Grella asked the applicant to point out the location of the fire hydrant.

83 Tobin showed will be located between the pathway to the woods and the stone wall.

84 Tom also asked if the driveway will be directly across from his driveway; he didn't think that was  
85 allowed.

86 Tobin replied it was unknown if the driveways would be opposite of each other as it is not shown on  
87 the plan.

88 Sally noted she was finding this confusing as there are no abutters or driveways within one hundred  
89 (100) feet of the property noted on the plan; she thought they should be required and if they aren't  
90 the regulations should be updated.

91 Tobin noted, after looking through his notes, that a septic plan was proposed in 2006 but the abutting  
92 driveways were not shown on that plan either.

93 Sally replied the regulations don't prohibit this nor do they require it.  
94 Marie Grella asked about construction hours and if they would work on the weekends.  
95 Tobin replied they would conform to the town standards and also noted the contractor has not been  
96 selected yet.  
97 Arnie confirmed with Steve that the issue before the board tonight was narrow, to make sure the  
98 condition of the WRMP was satisfied.  
99 Steve agreed.  
100 Scott O'Connell asked about the contours of the leach field.  
101 Tobin replied they would be similar to the contours of the driveway and will be higher by a few feet.  
102 Arnie asked the applicant if he had a chance to review the conditions.  
103 Tobin responded he had no objections.  
104 Mike asked what happens if the retention of the runoff doesn't help the situation once the  
105 construction is complete.  
106 Steve noted the third condition gives assurances that it will work. What is designed is fairly ordinary  
107 and the test pit data indicates it should be adequate and it must be constructed properly.  
108 Rich noted the Conservation Commission placards are available in the Community Development Office.  
109 Tobin asked if the additional wetlands on the site needed to be marked as well.  
110 Sally replied only the area around the building envelope is typically where they would go; they are  
111 placed every fifty (50) feet. The information is located in the Subdivision Regulations.  
112 Cliff noted to the abutters, in the event of blasting, they should document the existing conditions now  
113 so they have their own record, in addition to those of the blasting company.  
114 Sally noted since they just adopted the new driveway regulations, if there is a change made to the  
115 driveway after the septic approval, they would need to get approval from the DPW director.  
116 Tobin noted although he did a septic design in 2006, it was never approved.  
117 Sally clarified the driveway shown on this plan then will be on the septic plan.  
118 Marilyn, Gordon, Eric and John had no comments.  
119 Arnie noted he had asked Steve for a copy of the Conditional Permit review criteria, since this was the  
120 first time they would be doing this process; their decision must satisfy the criteria.  
121 Gordon wondered if the Conservation Commission had provided any input for this application.  
122 Steve replied it was forwarded to the Commission, per the former Community Development Director.  
123 After the board read the review criteria, Arnie asked the board if they had any additional comments;  
124 they did not. He then asked for a motion.  
125 **Sally made the motion to approve the Conditional Use permit with the following conditions: a. Prior**  
126 **to the start of construction, the applicant shall cause durable discs or placards identifying the**  
127 **boundaries of the WWCD on the subject premises to be installed pursuant to requirements of Article**  
128 **IV – Section 4.11, F.6 of the Zoning Ordinance.**  
129 **b. The applicant shall install and effectively maintain all temporary erosion and sedimentation**  
130 **control measures and practices specified on the project plans throughout the duration of any work**  
131 **performed within or immediately adjacent to the WWCD boundary.**  
132 **c. The Building Inspector shall be satisfied installation of proposed drip edge and infiltration trenches**  
133 **specified on the final project plans were installed in accordance with the same prior to issuance of a**  
134 **certificate of occupancy for the proposed dwelling.**  
135 **d. The final project plans be revised to: (1) Amend Note 1 to identify the fact that portions of the**  
136 **subject property are situated within the Wetland and Watershed Protection District; (2) Revise Note**  
137 **4 to specify the extent all impervious area associated with planned building and driveway**  
138 **construction; and (3) Acknowledge receipt of the cited variance granted by the Zoning Board of**

Adjustment on October 15, 2013 and also stated notes 6 and 7 on page 1 of the submitted plan be incorporated into the deed.

Gordon seconded the motion; all were in favor with none opposed.

**OLD BUSINESS:**

**Case # 4906-040714 – Southern New Hampshire Medical Center, 2 Limbo Lane, PIN #020-037-000:**

*Continuation of final application for an 11,300SF medical facility with associated site improvements.*

Arnie noted the board had already heard a fair amount of information at the May 7, 2014 meeting. Brian Jones, Allen and Major Associates, stated he had made the previous presentation and had addressed the board recommendations. Meridian Land Services had done the peer review and the applicant had submitted the revised plan set as a result of that. There were some minor changes made to the site plan and the questions regarding the stormwater report were addressed, resulting in minor changes that didn't affect the drainage system. He did submit responses to the comments regarding drainage and landscape screening and they have been incorporated into this plan set. As requested, the screen trees along Horace Greeley Highway have been thickened up and a wildflower mix was substituted for the erosion control.

John, Eric and Gordon had no comments at this time.

Marilyn noted she was absent from the last meeting and asked the applicant if they agreed with the staff recommendations.

Brian replied they agreed with all except the requirement for the installation of a truck turnaround.

They felt the intersection of Limbo Lane and Manchester Road was so close the trucks could back out there. They would be adding more pavement and taking down more trees if this was required.

Gordon noted the turnaround was large enough to accommodate trucks that would normally be going to a medical center but it would not accommodate a tractor trailer; in that case, a hammerhead would be needed.

Sally asked Steve to justify the addition of this condition.

Steve replied when this plan first came to him, he asked if anyone had spoken with the DPW director as he should see this. Historically, DPW pushed snow off the end of the road after the last driveway. If this project is in place, they will need someplace to turn around. This condition was from DPW.

Sally noted she would prefer this road remain Limbo Lane and felt if the name was Manchester Road, it will cause confusion.

Scott Cote, Vice President of Facilities for Southern New Hampshire Medical Center stated they are not opposed to changing the name of the road; they haven't dealt with this issue since they have been preparing the plan for submission.

Cliff and Rich had no comments.

Mike asked if a ladder truck would be able to use the turn around.

Steve replied the fire department received a copy of the plan and did not comment negatively.

Arnie asked if there were any comments from abutters or concerned citizens.

Nick Calvetti, 27 Manchester Road, stated the road is ill suited for an increase in traffic. There is a lot of pedestrian traffic that is already negatively affected by the church located on the road and this project would make that situation worse. He would like to see the board make a recommendation to the BOS to make Manchester Road a dead end where it meets Limbo Lane. He also noted in the winter, parts of the road become a single lane.

Sally noted that issue was raised at the last meeting and noted neither the BOS or the Planning Board has any authority to close a road; a petition must be submitted to abandon a piece of road.

Marilyn noted the BOS has the authority to turn a portion of the road to a one-way street.

185 Tom Grella, 15 Manchester Road, stated Sunset and Nichols Roads have no outlets but do have a  
186 turnaround. A hammerhead should be required in this case.  
187 Marie Grella, 15 Manchester Road, suggested the name be changed to Jackson Lane.  
188 Sally suggested they go to the BOS with that suggestion.  
189 John noted someone has to make a case to the BOS to change the name of the road; they just can't do  
190 it without reason.  
191 Marie noted the road is very narrow and dangerous on that section.  
192 Rick Fritz, 30 Manchester Road, stated there is a lot of traffic on the road when people go to church  
193 and the road gets very narrow in the winter.  
194 Lynn Salarski, 32 Manchester Road, was concerned with parking lot lighting being on until late hours  
195 and was concerned with light pollution.  
196 Sally replied a light plan review was done at the last meeting.  
197 James Ramsey, Limbo Lane, noted it makes a lot of sense to change the name to avoid the confusion  
198 caused by the use of Manchester Road. He was in favor of naming it Jackson Lane as a tribute to Bob  
199 Jackson, who did a lot for the town.  
200 Collyer Garre, St. Luke's Church, noted the name change would be costly for them with regard to their  
201 advertising; they would also have to change the highway department directional signs. The church has  
202 a small parking lot and people do park on the road. He also noted the church did not receive any  
203 notification of tonight's meeting but they were not abutters so that may be why.  
204 Arnie asked if the board had any additional questions or comments.  
205 Mike asked why the applicant did not want to install a hammerhead.  
206 Brian replied that was their preference; they felt it was not necessary due to the closeness of the  
207 existing intersection. They expect town services to end at the entrance to the parking lot.  
208 Mike clarified that the DPW director was not okay with plow trucks backing up to the intersection.  
209 Gordon felt they should go with the DPW recommendation; he didn't realize plowing was the issue. He  
210 noted they were not asking for a cul de sac.  
211 Rich thought the medical center would not appreciate having high piles of snow at the end of their  
212 driveway.  
213 Cliff asked how many trees would have to be cut down to accommodate this.  
214 Brian replied at least twenty five (25) feet of space would be needed and noted it was possible the tree  
215 canopy noted on the plan is not accurate.  
216 Gordon felt this was not an issue since several trees had already been removed.  
217 Sally asked the applicant to address the hours of operation and lighting.  
218 Scott Cote stated the facility would be open from 6:30 or 7:00 am to 8:30 or 9:00 pm Monday through  
219 Friday and 9:00 am to 6:00 pm weekends. The immediate care portion of the facility would be open on  
220 the weekend and on a busy weekend day, would see between 20-24 patients. Employees would arrive  
221 half an hour before and stay half an hour after business hours and the lighting could follow that  
222 schedule but they do need security lighting.  
223 Sally noted there would be no bleeding off of light and lights would be dimmed after the close of  
224 business.  
225 Scott indicated when they first contemplated the project, he sent out thirty five (35) letters to local  
226 residents and businesses and held a public meeting at the library; one (1) person showed up.  
227 Marilyn asked Scott to talk about immediate care versus regular office hours.  
228 Scott replied primary care is a typical physicians' office with typical hours with walk-in services.  
229 Immediate care is different from urgent care in that rate is similar to the primary care rate versus  
230 emergency room rates. This service would be available for anyone. They don't anticipate emergency

231 vehicles coming to the facility but it does happen; ambulances come to the site to deal with  
232 emergencies that may come up.  
233 Gordon and Eric had no comments.  
234 John noted if they would like to change the road name, they do need to go to the BOS. He would like  
235 everyone to be comfortable with the name change.  
236 Mike noted Gordon had raised a landscaping issue at the last meeting.  
237 Gordon replied the screening had been increased along the Route 101 frontage and they have added  
238 planting and substituted a wildflower mix for the grass mix for erosion control.  
239 Arnie indicated he had also missed the last meeting and asked if the applicant had any issues with  
240 changing the name of the road.  
241 Brian replied they did not and noted the existing parcel has historically been named 34 Manchester  
242 Road.  
243 Steve noted Limbo Lane used to be part of Manchester Road and it was changed to Amherst Street  
244 when it became part of the urban compact. There was no reason to change the name since the  
245 property has always been vacant. E911 would change the name of the road prior to or after the  
246 issuance of the certificate of occupancy to avoid any confusion. He felt Amherst emergency responders  
247 would like that disconnect as well.  
248 Scott Cote replied they will call it whatever the board wants.  
249 Gordon noted there were two (2) issues to vote on: the Conditional Use Permit and the Non-  
250 Residential Site Plan and the applicant has demonstrated they have made the suggested changes.  
251 Arnie asked if there was any additional discussion; there was none so he asked for a motion.  
252 **Gordon made the motion to approve the application for a Conditional Use Permit with the following**  
253 **conditions: a. Prior to the start of construction, the applicant shall cause durable discs or placards**  
254 **identifying the boundaries of the WWCD on the subject premises to be installed pursuant to the**  
255 **requirements of Article IV – Section 4.11, F.6 of the Zoning Ordinance; and**  
256 **b. The applicant shall install and effectively maintain all temporary erosion and sedimentation**  
257 **control measures and practices specified on the project plans throughout the duration of any work**  
258 **performed within or immediately adjacent to the WWCD boundary.**  
259 **Cliff seconded the motion; all were in favor with none opposed.**  
260 **Gordon then made the motion to approve the Non-Residential Site Plan with the following**  
261 **conditions: a. The applicant shall obtain NHDES Construction Approval for the planned on-site**  
262 **subsurface sewage disposal (septic) system and note the resulting permit number, together with**  
263 **anticipated permit expiration date, on the final site plan.**  
264 **b. A note shall be added to the site plan acknowledging issuance of the Conditional Use Permit**  
265 **discussed above.**  
266 **c. A statement, signed by the applicant, shall be added to the final site plan acknowledging the intent**  
267 **to operate and maintain the site, including all components of the stormwater management system**  
268 **specified on the approved project plans, in a manner consistent with those recommendations and**  
269 **procedures specified in the Operation and Maintenance Plan contained in Section 2.5 of the**  
270 **applicant's Stormwater Management Plan, prepared by Allen & Major Associates, Inc. on April 04,**  
271 **2014 and last revised on May 23, 2014, including the filing of documentation as specified therein**  
272 **with the Town of Amherst Community Development Department on an annual basis.**  
273 **d. All final drawings shall be revised to properly label the boundary of the Wetland and Watershed**  
274 **Conservation District as applicable. 5**  
275 **e. The final project plans shall be revised to specify the applicant's intent to construct a hammerhead**  
276 **style vehicle turnaround, having a design and dimensions acceptable to the Public Works Director, at**

the northerly end of Limbo Lane; and, in the event such construction involves work on the subject premises, the applicant shall convey a permanent general highway easement to the Town of Amherst, in a form acceptable to the Town, over all land upon which the turnaround and related public improvements are to be constructed.

f. The applicant demonstrate an abutting parcel, identified as Map 6 - Lot 68-32, shall remain in common ownership with Map 20 - Lot 37; or in the alternative, a defined permanent right of access over Map 20 – Lot 37 has been reserved for the benefit of Map 6 – Lot 68-32.

g. Sheets 13 and 14 of the final site plan shall include a signed certification by a Licensed Landscape Architect pursuant to the requirements of Section 5.2 of the Non-Residential Site Plan Review Regulations.

h. A note shall be added to the final site plan acknowledging that, unless waived by the Planning Board, a Compliance Hearing is required. Also, the property shall be noted as 2 Limbo Lane until further notice.

**Cliff seconded the motion; all were in favor with none opposed and Arnie officially abstaining.**

John informed the applicant if they don't want to build the hammerhead and can come up with a viable solution with DPW, they will need to return to the planning board.

#### **OTHER BUSINESS:**

#### **MINUTES:**

May 21, 2014

**Cliff made the motion to approve the minutes of May 21, 2014 as submitted.**

**Gordon seconded the motion; all were in favor with none opposed.**

#### **REGIONAL IMPACT:**

Steve noted there was no regional impact.

Sally noted the June 18, 2014 meeting would be a work session. Steve indicated there was a site plan application that had lapsed that would be presented at the July 2, 2014 meeting.

Arnie asked if there was a motion to adjourn.

Gordon made the motion with Cliff seconding; all were in favor.

Meeting was adjourned at 9:00 pm.