

Amherst Planning Board
Wednesday May 6, 2015

Attendees: A. Rosenblatt-Chairman, J. D'Angelo-Selectman, G. Leedy, R. Hart-Conservation Commission, M. Peterman, A. Merriman, C. Harris, S. Wilkins and C. Mailloux- Community Development Director

A. Rosenblatt called the meeting to order at 7:30pm.

Case #: PZ6019-040615–Peterborough Building Consulting, LLC, Town Farm Road, PIN #: 001-018-000 & 001-018-001 –Request for approval of a Conditional Use Permit for work within the Wetland and Watershed Conservation District and Aquifer & Wellhead Protection District associated with improvements within the Right of Way of a Class VI road in order to provide access to two existing lots of record.

A. Rosenblatt confirmed with C. Mailloux that there is also a request for a waiver from stormwater requirements. The engineer provided additional information today in response to the staff report- an amended plan with a gravel driveway instead of a paved one. M. Peterman asked if the changes made by the applicant change the staff recommendation. C. Mailloux stated she is more comfortable with the information that was provided today regarding the rationale with stormwater.

C. Guida of Fieldstone Land Consultants presented for the applicant.

He is a wetlands and soil scientist and is representing the owner of the two lots; 1-18 and 1-18-1 located on Town Farm Rd- a class VI road.

The proposal is to allow access to those existing lots. No subdivision is proposed. The existing Town Farm Rd is about 800 feet, is paved with existing homes, then it turns into gravel. In the first part there is no proposed disturbance to the wetlands. Further down there is a small wetland area to the north and a small amount of flow comes across the road. Yesterday it was about 2" deep and a foot wide and this is spring- the highest time of year.

The first proposal is to let the flow continue by installing an 18" culvert in that area. That is oversized for the amount of flow there. The water shed to that is about four acres. There is no major watershed that feeds that. The other crossing is an intermittent stream. There is an existing 15" culvert there. It appears to be undersized and backs up in the wetlands there. It handles 90% of the events that come through there. Mr. Guida handed updated photos to the board. Occasionally it flows over the road and there is some minor erosion. He looked at the culverts at Golden Ln. Those are 30" culverts that handle 150 acres. The stream at Town Farm is about 80 acres of water shed, so they are oversizing the proposed culvert.

You have to cross the stream again to get to the lot because of the way the lots are configured. They are trying to minimize the impact and are crossing at the narrowest point in an area that has been disturbed in the past by logging activities.

The proposed road will be raised a foot or two then gravel suitable for emergency vehicles will be added.

There won't be any shedding off of the road besides what's already there because the ground is higher on either side of the road for most of the road.

R. Hart asked if the plan is to build houses on those lots. Yes eventually. What percent of the lots are wetland and high ground? Both lots are about 10 acres each. One lot is about half wet and the other is about ¾ wet with the dry area on the far side. They looked at coming into the lots from the Milford side, but it's extremely steep and the right of way is much narrower. It's also very wet and the dry portion is

47 closer to the Amherst side. In order to minimize cost and environmental impact, the Amherst side is
48 more level with a wider right of way so it seems a more suitable entrance.

49 A. Merriman stated it looks like it's planned well to minimize impact.

50 G. Leedy clarified that the plan is to not pave the road. Correct. The intent is to have a vegetative swale
51 in the ditch. It's very gentle. Keep it as natural as possible. Maintain rural character. G. Leedy asked if
52 they need BOS authority to use this road for access. Yes. C. Mailloux stated the BOS is aware of the
53 project. They need various BOS approvals for permits and waiver of municipal liability. The fire chief has
54 stated he wants a 12' wide roadway that is suitably maintained and plowed.

55 G. Leedy asked if they need to pull utilities. Yes. They will be underground as part of the waiver.

56 Yes, they will be filing with DES. The impact is 4500 sq. ft. so it's a little beyond the minimum. There's no
57 other way to access the lot.

58 G. Leedy confirmed they will use a 36" culvert and fill the bottom 6" with natural fill. Yes. Given the
59 gentle slopes and minimal water shed, and no steep slopes or substantial flow, it will support the 80
60 acres. G. Leedy wants someone do a calculation and certify that it's sized to accommodate the
61 minimum.

62 Once they file for the wetlands permit, they will run the numbers, but they are comfortable that they
63 are overestimating with the 36" culvert.

64
65 M. Peterman asked C. Mailloux if the staff recommendation has changed based on the follow up letter.

66 C. Mailloux is more comfortable. The big change is going from paved to gravel. They've done some
67 calculations. If storm water is waived, she recommends there be a condition of approval that the
68 calculation of the culvert size be provided.

69
70 S. Wilkins was also going to suggest that they waive the management plan but request the drainage
71 calculations. If they have Steve look at the drainage calculation, that is sufficient. She asked if
72 Pennichuck was notified as an abutter. C. Mailloux confirmed they were and she clarified there are no
73 improvements in the aquifer protection district.

74
75 M. Dell Orfano asked how long Town Farm Rd. is. There is currently 800ft of paved road. They will add
76 1400 ft. of gravel. It will be 2200 ft. He asked what the plan is for public safety and fire vehicle access.
77 There will be 12' of road with 2' shoulders on either side.

78 C. Mailloux clarified that the culverts are a part of the road and will need to be maintained by the
79 property owner.

80
81 Public comment:

82 J. Tranquilli 6 Town Farm Rd

83 He is the second lot on the road. The first couple of hundred feet of this proposal will go along the side
84 of his property. The right of way is part of his property. He has three issues to mention.

85 1. Town ordinance 4.11h.2 construction or improvement to roadways in wetlands: "such construction
86 may be permitted when there is no viable alternative."

87 On the Milford side, there is less than 300 feet of road that would need to happen and it doesn't cross
88 any wetlands. It is steeper than the long approach down Town Farm rd.

89 Mr. Guida stated the grade is close to 30%. M. Dell Orfano clarified for the abutter that 8% is the
90 maximum allowed.

91 2. The width of the road is proposed as 12' road with 2' on each side. Currently there is 9' of road and
92 massive boulders and trees on either side that would need to be cleared the whole length of the road.
93 What is the plan for that? Also, there are rock walls. It seems to need a massive amount of clearing and
94 a lot of disturbances to the wetlands there. Per 4.11.I.B, No significant impact to the abutting properties.

The clearing of all of those trees in the right of way along his property will have an impact on his property.

3. Per 4.11.I.G, did the conservation commission review this? Yes. C. Mailloux listed their notes.

Mr. Florence 1 Town Farm Rd.

His concern is snow removal. It is a very narrow rd. He is in the first house. Currently, they snow blow the road. At the bottom there are stone walls on each side so there's nowhere for the snow to go. When it's plowed, the snow packs in and creates a narrower road.

S. Wilkins asked how wide the current paved portion is. It's 12' wide to the first house, then 10' wide.

R. Hart asked how many houses are expected to be built. Mr. Guida replied one house per lot. (2) The lots are not conducive to a subdivision with the wetlands and topographical issues. They did a lot of surveying in the right of way to determine the width and work needed. There will have to be some tree cutting to meet the width for the town requirements. The clearing will all be in the right of way.

C. Harris asked about the stone walls on each side. They are boundaries and won't be touched. The southerly wall is almost nonexistent. The wall on the northern side is intact and will remain undisturbed. Discussion ensued and it was clarified that the current pavement is 12' wide and there are currently shoulders in addition to the paved roadway. Photos were shown and road width described.

The first 500' of the road is 12' wide and the next 400' of road is 10' wide plus shoulders.

M. Peterman asked if the town would reconsider its condition for 12' of road width and allow them to maintain a 10' road with 2' shoulders for the additional 1400 ft.

C. Mailloux stated she could ask the fire chief if that's acceptable to him. 12' seems to be the minimum requirement especially because of the distance they are adding to the road.

A. Merriman asked who maintains the road now. It is privately maintained.

How many houses are on Town Farm Rd? Currently two houses on that road.

S. Wilkins moved to approve the waiver with the condition that the drainage calculations be submitted.

R. Hart wondered what the total storm water impact is going to be once the houses and driveways are in. G. Leedy said if you look at the watershed for these culverts, whatever is going to be disturbed by a single house on each of those ten acre lots is going to be insignificant.

C. Mailloux pointed out that normally a single family house on a residential lot would not fall under this board. When they choose their house site, if they are in the wetland buffer when they build the house, they would come back to the board.

G. Leedy seconded the motion.

M. Dell Orfano asked if the board should limit salt use on the road due to the wetlands. The motion was not altered. The board voted on the motion. **The motion carried.**

G. Leedy asked what the plan is to address the 300 feet of road in the middle that isn't sufficient in width. The applicant hasn't had any discussion with the fire chief about it. C. Mailloux said in this case, since this application is for conditional use permit for work in the wetland area, we can highlight that issue for the fire chief to consider.

S. Wilkins stated the applicant has made the impact as small as possible. Some of the trees look like they will remain. Mr. Guida stated that is true, there's a large section that won't need cutting.

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145 **G. Leedy moved to accept the plan as complete. M. Dell Orfano seconded. The motion carried.**

146 **G. Leedy moved to approve the conditional use permit with the following conditions:**

- 147 • Drainage calculations be submitted demonstrating that there shall be no increase
- 148 in stormwater discharge on abutting properties, or else drainage easements shall be obtained
- 149 from property owners abutting the proposed improvements.
- 150 • The turf grass mix be changed to native field grasses and instead of 10-10-10
- 151 fertilizer, only fertilizer without phosphorus be used.
- 152 • Approval numbers and expiration dates for all applicable state permits shall be
- 153 added to the plan.
- 154 • The waiver of municipal liability shall be amended to include reference to
- 155 maintenance of the culverts.
- 156 • Submit 3 full size, one PDF and one 11"x17" plan set to the Community
- 157 Development Office for final approval signature by the Planning Board Chair.
- 158 • Prior to construction, approval must be obtained from the BOS for building
- 159 permits on Lots 1-18 and 1-18-1, the waiver of municipal liability must be approved and
- 160 recorded, and the Director of Public Works shall approve the commencement of work within the
- 161 ROW.
- 162 • Clearing within the right of way will be minimal, but the cleared area will be completely clear –
- 163 no stumps etc.
- 164

165 **C. Harris seconded. The motion carried.**

166
167 S. Wilkins pointed out that lot 1-17 is vacant. There is no provision for that lot to be included in the road
168 maintenance. If developed, they should be included in the maintenance.

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170 **Case #: PZ5935-030215 –Camp Young Judaea, 9 Camp Road, PIN #: 008-059-000 –Request for approval**
171 **of a Non-Residential Site Plan (NRSP) for reconfiguration of the girls' cabin area and construction of**
172 **tennis courts.**

173 **Case #: PZ5936-030215–Camp Young Judaea, 9 Camp Road, PIN #: 008-059-000 –Request for approval**
174 **of a Conditional Use Permit (CUP) for impacts within the Wetland and Watershed Conservation**
175 **District associated with the NRSP Application Case #PZ5935-030215**

176
177 C. Mailloux stated the applicant would like to table the cases to June 3rd.

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179 **S. Wilkins moved to table the cases to the June 3rd meeting. C. Harris seconded. The motion carried.**

180 181 **Regional Impact**

182 C. Mailloux stated there is no regional impact cases scheduled for next month.

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192 **Sign Ordinance Amendments**
193 C. Mailloux asked the board if they want to review the sign ordinance. This topic was mentioned at the
194 last meeting. The board discussed the topic.
195 The businesses have sign issues. Should we have people come in and find out what their concerns are?
196 This was reviewed about five years ago.
197 A. Rosenblatt asked two questions of each board member: do you want to consider reviewing the sign
198 ordinance and will you serve on a subcommittee for it.
199 R. Hart yes, no
200 A. Merriman yes, and possibly willing
201 G. Leedy yes
202 J. D'Angelo yes, no
203 A. Rosenblatt no, no. We did it relatively recently and there are competing concerns
204 M. Peterman no, no
205 S. Wilkins yes, no
206 M. Dell Orfano yes, no
207 C. Harris yes, no
208
209 G. Leedy asked C. Mailloux what, if anything, do you think is going to come out of the strategic plan for
210 the village? There's discussion of a business overlay district in the village. It would be highly
211 controversial. There might not be anything major that comes out of it at this point.
212 G. Leedy stated there's talk of hiring a consultant for design guidelines for businesses and what if
213 signage was part of that. He is not a big fan of our sign ordinance. There have been technological
214 advances in signage- some of which are good and some of which are bad. We don't really address any of
215 that in our ordinance.
216 What is the timeline for the village? Public sessions are in two weeks and the presentation to the board
217 of selectman is in June.
218
219 A. Rosenblatt feels that when someone thinks a cause is really important, they volunteer to work on it.
220 He gave examples. He suggested deferring discussion on this for several months and seeing where we
221 are.
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223 **Approval of Minutes: April 1, 2015**
224 **S. Wilkins moved to approve the minutes of April 1, 2015 as submitted. G. Leedy seconded. The**
225 **motion passed with M. Dell Orfano and M. Peterman abstaining.**
226
227 **C. Harris moved to adjourn at 8:39pm. S. Wilkins seconded. The motion carried.**
228
229 Respectfully submitted,
230 Jessica Marchant