

AMHERST PLANNING BOARD
Wednesday March 2, 2016

In attendance: A. Rosenblatt- Chair, J. D'Angelo- Selectman Ex-Officio, E. Hahn, S. Wilkins, M. Peterman, C. Harris, R. Hart and C. Mailloux- Community Development Director.

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

NEW BUSINESS

Case #: PZ7113-020116 – Robert Brundage (Owner) & Norman Desrochers, Jr. (Owner) – Request for approval of a Residential Lot Line Adjustment 26 & 24 Corduroy Road, PIN #: 004-201-015 & 004-201-016, Zoned Rural Residential.

A. Rosenblatt stated Eric will vote for Cliff and Marilyn will vote for Gordon.

Robert and Kathy Brundage presented.

The above-referenced parcels are a part of the Jasper Valley Cluster Subdivision approved by the Planning Board in 1970. As part of that approval, the minimum lot size for that development is 1 acre.

The application is to adjust the common lot line between Lots 4-201-15 and 4-201-16 by transferring a 0.09 acre parcel (Parcel A) from Lot 15 to Lot 16.

The driveway for Lot 2-201-16 is over the property line and the proposed lot line adjustment will remedy that situation. The new boundary follows the natural line of the topography. The lots are developed with an existing single family residential home on each lot. After the lot line adjustment, both lots will continue to meet the minimum lot size required for the Jasper Valley development.

S. Wilkins moved to accept the plan for review. M. Peterman seconded. All in favor

S. Wilkins moved to approve the request for a lot line adjustment. M. Peterman seconded. All in favor

C. Harris was now present so A. Rosenblatt asked Eric to vote for Mike.

Case #: PZ7112-020116 - Salas Realty LLC. (Owner) – Request for approval of a Non-Residential Site Plan to construct a building addition and reconfigure the parking lot. 78 Route 101A, PIN #: 002-069-000, Zoned Commercial.

Kevin Anderson of Meridian presented the case. Jay Salas, owner of Champion Motors, was also present.

The site is a .85 acre parcel located on the north side of Route 101A. The site includes an approximately 90'x20' structure that was constructed some time prior to 1972, and a 36'x60' addition that was constructed in 1973. At that time, the property was approved for automobile restoration and sales. Those uses, along with vehicle maintenance still occur on the property. There is also an empty residence on the property.

More recently, in 2004, the ZBA approved an appeal of an administrative determination of the zoning administrator, affirming that parking of automobiles within the 50' front setback of the property was grandfathered.

In November 2015, the ZBA approved a variance to construct a 760 square foot building addition set back approximately 5.8' from the property line.

The Applicant proposes to demolish approximately 2,000 square feet of the original structure which is currently not in use (including the residence), and construct a 658 square foot building addition to the rear of the portion of the structure constructed in 1973 to be used as a vehicle wash bay and for storage. The existing structure to remain will continue to be used for an auto sales office, and for auto repair and maintenance. Currently, vehicle washing on the property occurs outdoors.

Because the applicant is removing the building, he decided to repave the site as well. The paving will remain in basically the same place with a small expansion to the back. They will level the gravel areas. They are in compliance with the regulations and are not seeking waivers for impervious areas or open space.

It is also a good time to provide storm water controls on site. Currently there are none- all of the storm water runs off site.

The best way to do this is with rain gardens. They add a landscaping element while mitigating the storm water. The site is graded to two rain gardens. The storm water will be treated and recharged to the aquifer. He is also proposing a monitoring well on site.

The staff recommends approving the waiver for the requirement to have a licensed landscape architect prepare and stamp the landscaping plan. The project has a total cost under \$500,000.

K. Anderson addressed staff recommendations:

- Adding a landscape strip between the building and the vehicle storage: it is not provided for in the plan, but that is a minor change and can be provided.
- Providing landscaping strips on either side and in front by the road: part of the grandfathered use is allowing parking within the 50' setback. The regulations contradict the grandfathered status. He is providing some- 5' on the side instead of 10' and none in the front. His client is selling cars and he purchased this lot because he can put cars along the front. The landscaping in the front would cut into his business.
- Providing green spaces within the parking area- 5%: His understanding is that the amount of parking spaces provided is 6. The entire paved area should not be considered as parking. Though the merchandise for sale is cars, most of that paved area is for merchandise, not public parking.
- Planting specifications: these are vague on the plans intentionally. These will be addressed.
- Parking rows marked and divider islands: he will paint lines. He identified the circulation areas.

The board asked their questions at this time.

C. Harris said he wants to have the address "78" prominently displayed on the building. He also asked how the water will be captured from the indoor carwash to contain the chemicals.

They are proposing a new septic field which hasn't been designed yet. The system hasn't been chosen yet, but there are car wash systems to choose from which will contain the chemicals. It will be dealt with during the building inspection process.

C. Mailloux commented she is ok with that and prefers that the washing will be indoors now rather than outdoors.

C. Harris asked for an outdoor system as well in case they need to wash multiple vehicles. K. Anderson stated due to costs, he recommends putting a condition in the plan stating there will be no outdoor washing on site.

E. Hahn inquired about the reasoning for the location of the monitoring well.

Because of the flow of groundwater underneath. That is the way it's flowing which is why he is putting it there.

96 S. Wilkins asked how many cars could be stored on site after this plan? 80-100 cars. As many as what are
97 there now. The owner stated there are 80-90 cars stored on site now. (some are unseen in the back)
98 S. Wilkins is worried about the visual. If they are going to have that many cars out front now, it's not too
99 much to ask to have 10' of landscaping in the front by the road.
100 C. Harris said there's a curb now against the road. He doesn't think it's reasonable to add landscaping
101 behind that. The board reviewed a photo.
102
103 M. Peterman asked about the grandfather situation. C. Mailloux clarified their current layout is
104 grandfathered. M. Peterman believes the applicant can mitigate what is seen on the site since they are
105 making commercial improvements to the site.
106
107 J. D'Angelo asked how big of a vehicle the wash bay can handle. Up to a pickup truck size.
108
109 R. Hart asked if there is a landscaper who will be hired to plant. Yes, one will be hired. He just left space
110 for landscape or trees, but has not specified what will be there. It may come down to cost.
111 R. Hart pointed out that some varieties of flowers in the packet may need ongoing attention.
112
113 A. Rosenblatt asked who will approve the washing bay and the containment system. He wants control
114 over approval of the containment system. S. Wilkins believes it's part of the system the applicant
115 purchases when he is building the washing bay. But who approves of the system that's purchased? Do
116 they come with engineering stamps? C. Mailloux said it will fall under the building permit process. A
117 note could be added to the plan if necessary that it comply with DES best practices and by approval of
118 the CDD.
119 A. Rosenblatt wondered if the inspector would have expertise in this. How will someone know that the
120 system installed is satisfactory?
121 K. Anderson stated they can put a note that says they can't discharge non-treated water outside, into
122 the ground or the aquifer. The building permit will take into account the treatment device. The plan is
123 to discharge the clean water into the septic field. That is regulated through the state and the town.
124
125 A. Rosenblatt said there is still a missing step. One way is to have Steve review it- which might not be
126 necessary. Or have some standard in place such as DES regulations.
127
128 The other question from A. Rosenblatt is to determine if the landscaping in the front is necessary by
129 driving by and looking at it. He would like to wait to look at it before deciding on it.
130
131 K. Anderson stated he originally struggled with why he had to come before the Planning Board to demo
132 a house and repave a parking lot. He decided it was because of the change of use. He took the
133 opportunity to improve the site by adding the rain garden and improving the building. He is willing to
134 take some of the landscaping away from the sides and add 5' to the front if that will help the process
135 move forward. They would rather not wait another month to begin construction.
136
137 The board reviewed some photos of the property which helped the board visualize where the
138 landscaping would be.
139
140 Public Comment
141 R. Jefferson- abutter on the Milford side.
142 Asked about the waste water and if it will be treated or removed. K. Anderson stated it will be treated
143 and the contaminants will be removed and the remainder will be leached.

144 He also asked about the damaged chain link fence between the properties and it was determined to be
 145 removed.
 146

147 David Peters-abutter- 26 Eastern Ave
 148 The previous owner also discussed the landscape issue along the road. At that time, the proposed 10' of
 149 landscape near the road was determined to be a detriment to the business. He suggested the board
 150 review that decision for more information.
 151 M. Peterman stated because the use of the property is changing, she would prefer to add the
 152 landscaping.
 153 S. Wilkins commented that the proposal is a huge environmental improvement from what is there now.
 154 Mr. Peters also commented that the residence on that site has been an eyesore for 20 years and the
 155 property is going to look so much better after it is removed.
 156

157 Tina Orr-abutter- 24 Eastern Ave
 158 She has no problem with the changes to the building. She is concerned about the lighting that comes
 159 into her house through the back of the lot. Will the trees there block the lighting? The fence is not tall
 160 enough. If it was 8' rather than 6' that would be preferable even to trees. She uses that fence to keep
 161 her dogs secure so she needs a warning before it comes down.
 162 Mr. Peterson also expressed an issue of lighting coming directly into his house.
 163 K. Anderson asked the board if he could remove the trees in the back from the plan and add an 8' fence.
 164 Everyone agreed to the change.
 165

166 K. Anderson also stated they will be coming back to the board with a lighting plan in the future. It is too
 167 expensive to do right now.
 168

169 M. Peterman asked the owner what the hours of operation are for the business.
 170 Mon-Thurs 9-7
 171 Fri 9-6
 172 Sat 9-5
 173 Sun 11-3
 174

175 C. Mailloux pointed out that DES has waste water regulations for waste water discharges from vehicle
 176 washing.
 177

178 **C. Harris moved to approve the waiver. S. Wilkins seconded. All in favor**
 179 **S. Wilkins moved to accept the plan for review. M. Peterman seconded. All in favor**
 180 **S. Wilkins moved to approve the plan with the following conditions:**
 181

- 182 1. It be demonstrated, to the satisfaction of the Fire Chief, that the site is accessible by emergency
- 183 apparatus.
- 184 2. The waiver be noted on the plan.
- 185 3. A building frontage landscape strip be added separating the building and the paved vehicle storage
- 186 area.
- 187 4. The 5' wide stone interceptor trench on the Route 101A frontage be replaced with a 5' wide rain
- 188 garden.
- 189 5. Specifications for proposed plantings be provided.
- 190 6. The circulation driveway and emergency access lanes be identified.

7. Prior to a certificate of occupancy, all proposed site improvements shall be completed to the satisfaction of the Community Development Director.
8. In lieu of trees along the rear property line, an 8' stockade fence be installed.
9. A note be added to the plan that there be no outdoor washing of vehicles.
10. Vehicle wash discharge shall comply with the best management practices of NHDES Fact Sheet WD DWGB-22-10.
11. The 4' chainlink fence on the westerly property line be removed.

M. Peterman seconded. All in favor

Scenic Road Hearing – Town of Amherst, Department of Public Works – Scenic Road Public Hearing for tree removal on Colonel Wilkins Road in accordance with NH RSA 231:158

Bruce Berry, Director of Amherst DPW, presented.

Colonel Wilkins Road is one of 10 roads they will work on this summer. The entire portion they will be working on is 3978 ft. long. 1750 ft. of it that are in the bond that was passed in 2010. The balance of it will come out of the DPW operating budget. The whole road will be done in its entirety. 26 trees have been identified to come down. The board reviewed photos of all of the trees. Many of the trees have been knicked and will eventually fall down. It is safer for them to take them down.

S. Wilkins moved to open the public hearing. M. Peterman seconded. All in favor

C. Harris asked if the roots will be taken out along with the trees? Yes.

S. Wilkins asked about grass areas. No curbing is planned.

No public comment

M. Peterman moved to close the public hearing. S. Wilkins seconded. All in favor

S. Wilkins moved to approve the removal of 26 marked trees on Col. Wilkins Road.

M. Peterman seconded. All in favor

OTHER BUSINESS

Case #: PZ5693-120814 – Amherst AMA Realty Ventures, LLC (Owner) – Compliance hearing prior to Certificate of Occupancy for a 4,500 square foot retail building. 131 Route 101A, PIN# 012-014-000, Zoned Commercial.

Justin Ferris represented the owner. No changes were made to the approved site work. Remaining work to be done includes removing debris and final striping. Landscaping and final paving are scheduled for the first week of April.

A. Rosenblatt asked about the \$20,000. Once the work is complete and signed off, that will be released.

S. Wilkins moved to find the property in compliance and recommended the \$20,000 be held in escrow until the final paving and landscaping is complete.

M. Peterman seconded. All in favor

Approval of Minutes:

January 20, 2016

Line 120 to read: *C. Mailloux, we have heard support from the business community. You have a letter...*

S. Wilkins moved and R. Hart seconded to approve the minutes of January 20th as amended.

239 **All in favor**
240
241 **February 10, 2016**
242 **M. Peterman moved and S. Wilkins seconded to approve the minutes of February 10th as presented.**
243 **All in favor**
244
245 **M. Peterman moved to adjourn at 8:52pm. S. Wilkins seconded. All in favor.**
246
247 Respectfully submitted,
248 Jessica Marchant