

1 **AMHERST PLANNING BOARD**

2 **Wednesday August 1, 2018**

3 In attendance: P. Lyon-Selectman Ex-Officio, M. Peterman, M. Dell Orfano-Chair, C. Harris, E. Hahn,  
4 R. Hart and Community Development Director G. Leedy

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6 M. Dell Orfano called the meeting to order at 7:33pm.

7  
8 **NEW BUSINESS**

9 **1. CASE #: PZ10021-062018 – John W. & William R. Day & Virginia Barbera (Owners & Applicants) –**  
10 **Brookwood Drive, PIN #: 005-160-000 – Request for approval for a Planned Residential Development**  
11 **for 10 single family homes. Zoned Residential/Rural. Continued from July 18, 2018**

12  
13 T. Carr from Meridian Land Services presented the case.

14 First, he withdrew the waiver request for the landscaping plan. He has submitted the landscaping plans.  
15 The architectural drawings have been made available to the board now as well. He asked for the zoning  
16 administrator to have authority over the final architectural plans at the time of the building permits.

17  
18 The applicant has made almost all the revisions Keach noted. They are still waiting for condo docs,  
19 comments from AoT and NHDES subdivision approval. They will resubmit the final plans for formal  
20 review when all docs are ready.

21 He asked the board to consider accepting the application, the waiver requests and consider conditional  
22 approval subject to AoT, subdivision, condo docs and final comments from Keach.

23  
24 **M. Peterman moved to accept the plan. P. Lyon seconded. All in favor**

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26 E. Hahn asked about the drainage easement. Tom said it's in place so if maintenance needs to be done,  
27 it is accessible. C. Harris wants it written into the condo docs that if it's necessary to access lot 2 or 3 for  
28 maintenance, those properties need to be restored to current condition after any work is done.

29  
30 M. Peterman confirmed the number and types of plants designated are on the site plan.

31 Elevations: Tom said this is the intent of what the subdivision should look like- multiple ridge lines. They  
32 are smaller units. Probably three bedrooms.

33 G. Leedy is ok with the responsibility of possibly needing to make that architectural decision.

34  
35 R. Hart asked if the wells and septic are shared, how is maintenance going to be handled? Community  
36 agreement or individual? And C. Harris asked who owns the wells. The units or the association?  
37 Tom clarified which units share wells and which share septic systems. Units that share will share the  
38 responsibility of the well and/or septic system. It will be defined in the documents.

39 C. Harris suggested to write in the condo docs that monies need to come out regularly towards the  
40 shared areas so that when repairs or replacements come up the money is available.

41 M. Dell Orfano asked if the wells and septic systems are outside or inside the undivided interest of the  
42 association. The best interest for the community is to have this undivided interest.

43  
44 **Waivers:**

45 M. Dell Orfano read all of the waiver requests into the record. (fiscal, environmental, traffic,  
46 hydrogeologic and other)

47  
48 **M. Peterman moved to accept the waivers. C. Harris seconded. All in favor**

The conditions for the plan were enumerated as such:

1. Authority given to Planning Director over final architectural plans at the time of building permits
2. Resolution of comments from Keach -Nordstrom report
3. Condo docs subject to approval
4. Receipt of Alteration of Terrain permit
5. Approval of required State & Federal permits
6. Approval of septic plan

**M. Peterman moved to approve the plan upon completion of those 6 conditions. P. Lyon seconded.**

G. Leedy suggested placing a time limit of one year on the completion of the conditions for approval. The board agreed and added it to the motion.

Discussion:

M. Dell Orfano referenced bonding. G. Leedy will address that later in the meeting and said it's part of Keach's recommendation.

A. Rosenblatt expressed concern that there are a lot of conditions on the table and they aren't all checklist items. Some conditions may have some subjectivity.

G. Leedy said currently, the way bonding works is before the final CO is issued, all items in the site plan need to be completed. The new suggestion for non-residential site plan regulations is to clarify that requirement.

The board discussed the conditions and whether it's a good idea to leave that many variables to the future.

Options given by A. Rosenblatt:

-Approve

-Table

-Approve subject to future board approval on specific items.

G. Leedy clarified that the third option would actually be to table it until certain items are complete.

A. Rosenblatt proposed an option that G. Leedy come to the board if there is gray area on any of the condition items.

G. Leedy wanted to clarify what constitutes substantial construction. There are two timelines in place: the suggested one year to complete the conditions for approval, and then three years from approval to make substantial improvements toward implementing the site plan.

He recommended that 'substantial improvements' include completion of the road to base course and installation of the shared improvements for the first units to be sold.

**Vote: All in favor with A. Rosenblatt abstaining**

## **OTHER BUSINESS:**

### **3. CIP Discussion**

G. Leedy stated the CIP plan is at a point of completion. We need to have a public hearing for the Planning Board to adopt that plan. He asked the board if the public hearing could be September 5<sup>th</sup>.

**A. Rosenblatt moved, and R. Hart seconded to hold the public hearing on September 5<sup>th</sup>. All in favor**

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98 **4. Rules of Procedure Discussion**  
99 G. Leedy suggested one change:  
100 Add 6.1 I. regarding not hearing new cases after 10pm.  
101 **A. Rosenblatt moved to approve to amend the Rules of Procedure as suggested. Seconded by P. Lyon.**  
102 **All in favor**  
103  
104 G. Leedy wanted to mention a matter regarding surety requirements.... the Fells project has just been  
105 completed. The question is if they are in conformance with the site plan. G. Leedy did a site visit and  
106 determined there is less landscaping in the back of the development than on the plans. Revoking their  
107 site plan would hurt the homeowners more than the developer since the project is complete. He asked  
108 Keach about it and found that other towns get a restoration bond based on the amount of area that is  
109 disturbed. Other towns also get a bond for installation and maintenance for erosion control measures.  
110 G. Leedy suggested adding both of those requirements to the site plan regulations. There are similar  
111 provisions in the subdivision regulations.  
112  
113 G. Leedy made another suggestion regarding phased residential projects. The language is still to be  
114 determined but the intent is to make sure projects are completed per the site plans.  
115  
116 **2. Minutes**  
117 **Minutes: May 2, 2018**  
118 **Minutes: June 6, 2018**  
119 **Minutes: July 18, 2018**  
120 **E. Hahn moved to table all the minutes. A. Rosenblatt seconded. All in favor**  
121  
122 **M. Peterman moved to adjourn at 8:48pm. A. Rosenblatt seconded. All in favor**  
123  
124 Respectfully submitted,  
125 Jessica Marchant