



Town of Amherst, NH
BOARD OF SELECTMEN AGENDA
MONDAY, APRIL 19, 2021 6:30 PM

You are invited to a Zoom webinar.

When: Apr 19, 2021 06:30 PM Eastern Time (US and Canada)

Topic: Board of Selectmen Special 04/19/2021

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86061944552>

Or Telephone: (312) 626-6799

Webinar ID: 860 6194 4552

If you have trouble accessing this meeting, please call (603) 440-8248.

1. Call to Order

2. Citizens' Forum

3. Public Hearing, Bond Authority over \$100,000

- 3.1. **Pursuant to New Hampshire RSA 33:8-a, the Amherst Board of Selectmen hereby announces to the citizens of Amherst the convening of a Public Hearing to take input on the proposed Open Space Acquisition Bond.**

All citizens are invited to attend.

Amherst Conservation Commission Article 22: Open Space Presentation

4. Scheduled Appointments

- 4.1. John Harvey and Bill Stoughton on Discretionary Easements
4.2. Janelle Morreale, Opportunity Networks, request to host "The Ability 5K"

5. Administration

- 5.1. Acceptance of Waiver of Municipal Liability for a private road.

6. Staff Reports

- 6.1. Amherst Congregational Church clocktower/steeple painting
- 6.2. Acceptance of Bean Foundation Grant
- 6.3. Hawker and Vendor Permit - Amherst Soccer Tournament

7. Approvals

8. Action Items

9. Old/New Business

Adjournment

Next Meeting: Town Deliberative, Wednesday May 5, 2021



Town of Amherst, NH BOARD OF SELECTMEN

NOTICE OF PUBLIC HEARING

Zoom Meeting

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Monday, April 19, 2021 6:30 PM

Pursuant to New Hampshire RSA 33:8-a, the Amherst Board of Selectmen hereby announces to the citizens of Amherst the convening of a Public Hearing to take input on the proposed Open Space Acquisition Bond.

All citizens are invited to attend.

A scenic landscape featuring a wooden boardwalk with two benches on either side, leading towards a wetland area. The background is filled with tall pine trees under a cloudy sky. The text is overlaid in the center of the image.

Article 22: Open Space

Amherst Public Hearing

April 19, 2021

Development Trend in Amherst, NH



In the past two years, 5 residential developments with over 300 new homes have been proposed to be built on over 650 acres of undeveloped land in Amherst.

Remaining undeveloped areas, perceived today as open space, are vulnerable to development.

Amherst vs. Other Towns



Land Conserved

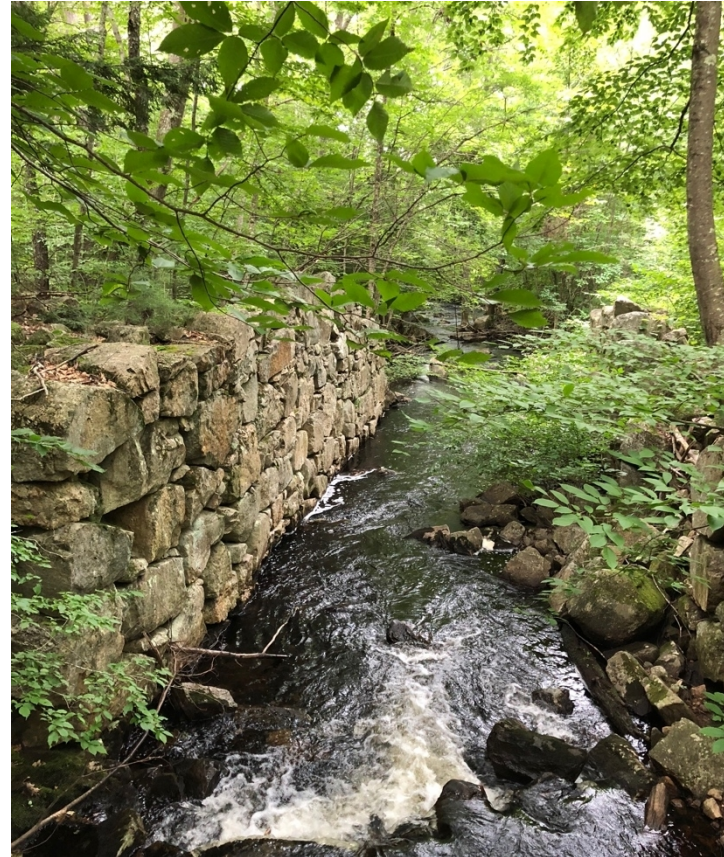
Bedford = 8%

Merrimack = 9%

Amherst = 14%

Hollis = 32%

Our Resident's Priorities



Responses to town's *Master Plan* survey show that residents overwhelmingly support:

- Protection of water resources*
 - #1 Priority: 85% ranked as "highest" or "high" priority
- Preservation of rural aesthetic
 - #2 Priority: 82% ranked as "highest" or "high" priority

91% of residents say Amherst should protect open space and natural resources

* Land conservation is essential to protect water resources

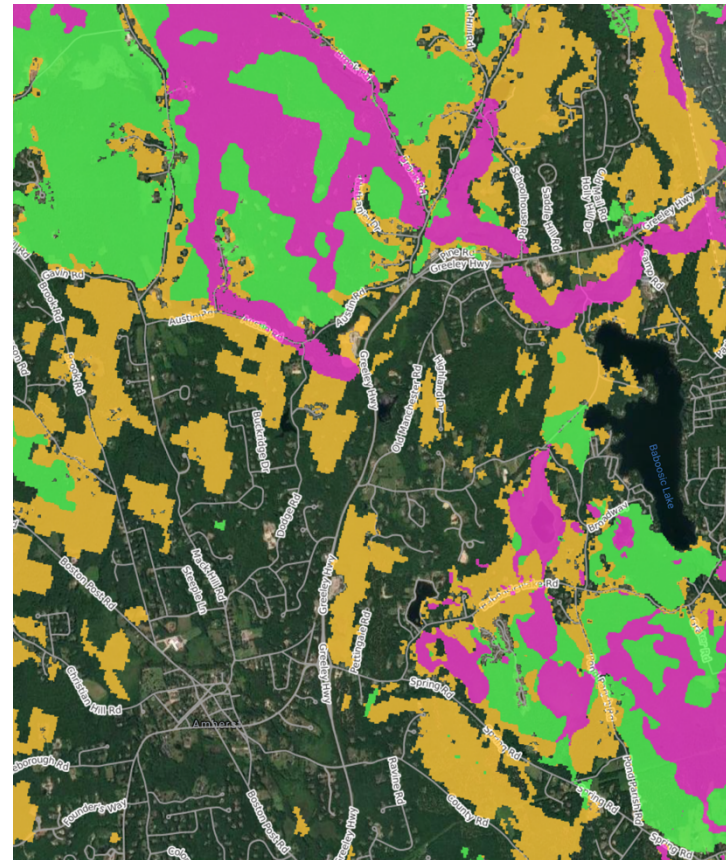
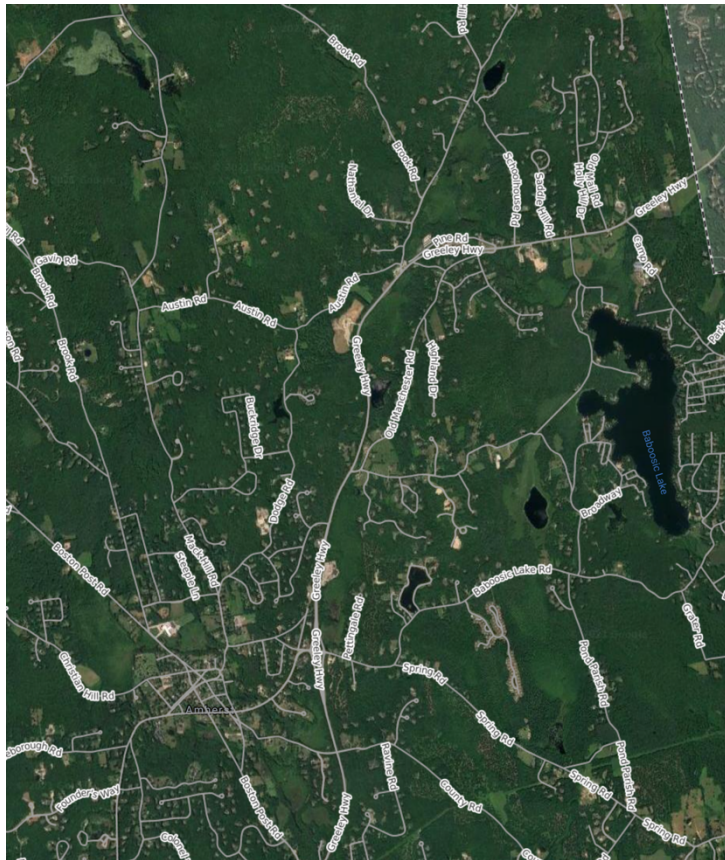
Article 22



Amherst Conservation Commission developed Article 22 to provide the Town the means to acquire open space to meet resident priorities and limit future development pressure on Town resources

- \$6 million for the acquisition of developable land to be conserved
- Acquisitions to occur over time, not to exceed \$2 million in a given fiscal year
- Less than \$40/year tax impact for the average home (\$350K home value)

Acquisition Criteria



Amherst Conservation Commission has developed detailed acquisition criteria that target:

- Protection of irreplaceable natural resources
- Contribution to Amherst's rural aesthetic
- Vulnerability to development



Selection Criteria and Checklist for Conservation Acquisitions

Land Owner(s)	
Map and Lot numbers	
Acreage	
Adjacent road(s)	

Additional discussion of these criteria is contained in the Conservation Plan for Amherst, New Hampshire (January 2019).

I. Protection of Irreplaceable Natural Resources

To qualify for selection a property must meet one of the following criteria:

- Wildlife Habitat**
The property contains or supports significant wildlife habitat¹, or protects Threatened, Endangered, or species of Special Concern², or exemplary natural plant communities.
- Water Resources**
The property overlies highly transmissive aquifers or contains important aquifer recharge areas, significant natural surface waters (lakes, ponds, major streams and rivers), or other lands important to the protection of our water resources (including both water quantity and quality).

¹ Defined as areas categorized in the NH Wildlife Action Plan as Highest Ranked Habitat in New Hampshire, Highest Ranked Habitat in the Biological Region, or Supporting Landscapes. Map available at: <https://www.wildlife.state.nh.us/maps/wap/amherst8x11scoring.pdf>
² For more information, see <https://www.wildlife.state.nh.us/nongame/endorsement-list.html> and https://www2.des.state.nh.us/nhb_datacheck/signin.aspx.

- Land Connectivity**
The property expands or adds to other conserved land (public or private) or serves as a "beachhead" for obtaining larger conservation parcels in the future.

II. Contribution to Amherst's Rural Aesthetic

The following additional desirable features support the potential purchase of an identified property.

- Recreational and Educational Value**
The property is suitable for non-motorized recreational trails or contains significant natural or historical features with educational value.
- Working Lands**
The property is in active agricultural or forest management use or protects large un-fragmented blocks of forest which could be managed.
- Geographic Diversity**
The property is located in an area of town that lacks current conservation areas reasonably available to residents.
- Other**
The property protects the town's rural character and natural resources in other ways (describe).

III. Vulnerability

To be considered for purchase the property must not be currently conserved and must be under threat of development, as indicated by one or more of the following qualities:

- The property has a significant percentage of developable land (areas that are not steep slopes, wetlands, or within a floodplain).
- The property has convenient access to existing roads.
- The property has in the past been proposed for development or is in an area where significant development has occurred or is proposed.
- The property is the subject of current interest for potential sale for development.

IV. Disqualification

The property will not be acquired if any of the following is true.

- The property is too small or isolated from other current or potential conservation properties to provide meaningful conservation value.
- The property is likely to be contaminated with hazardous materials and cleanup is not feasible.
- There is reason to believe that the land/easement would be unusually difficult to manage or to have proper stewardship of the land.
- The landowner insists on provisions that limit reasonable public access to the land.
- The landowner insists on other provisions that unacceptably diminish the property's primary conservation or public values or the town's ability to enforce an easement and or manage the land.
- Other disqualifying issues exist (identify) _____.

Completed by _____ Date _____



▲
ACC Recommendations
on Discretionary
Easements

April 2021



Approach

- Understand Discretionary Easements in comparison to other forms of conservation protection
- Understand scope of potential use in Amherst
- Assess the desirability and financial impact of using Discretionary Easements as a conservation tool
- Formulate recommendations to Board of Selectmen

Conservation Protection Alternatives

- Outright land purchase and conservation easements have been used to protect open space in Amherst
- Discretionary Easements are allowed by RSA 79-C for several specified purposes, including
 - The preservation of open space land, where:
 - There is scenic enjoyment by the general public from a public way or from public waters; or
 - The open space protection is pursuant to a **clearly delineated** federal, state, **or local conservation policy**.

Comparison of Conservation Protection Alternatives

	Purchase	Permanent Conservation Easement	Discretionary Easement (generally <10 acres)	Current Use (>10 acres)
Duration	Permanent	Permanent	Minimum of 10 years	Until no longer qualifying
Owner Cancellation Rights	N/A	N/A	May apply to Selectmen based on severe personal hardship	Land comes out of current use automatically when its size or use no longer qualifies
Degree of Conservation Protection	Excellent	Excellent	Good, but only during term of easement	Limited
Degree of Public Access and Use	Excellent	Usually Good	Very good	None to Moderate

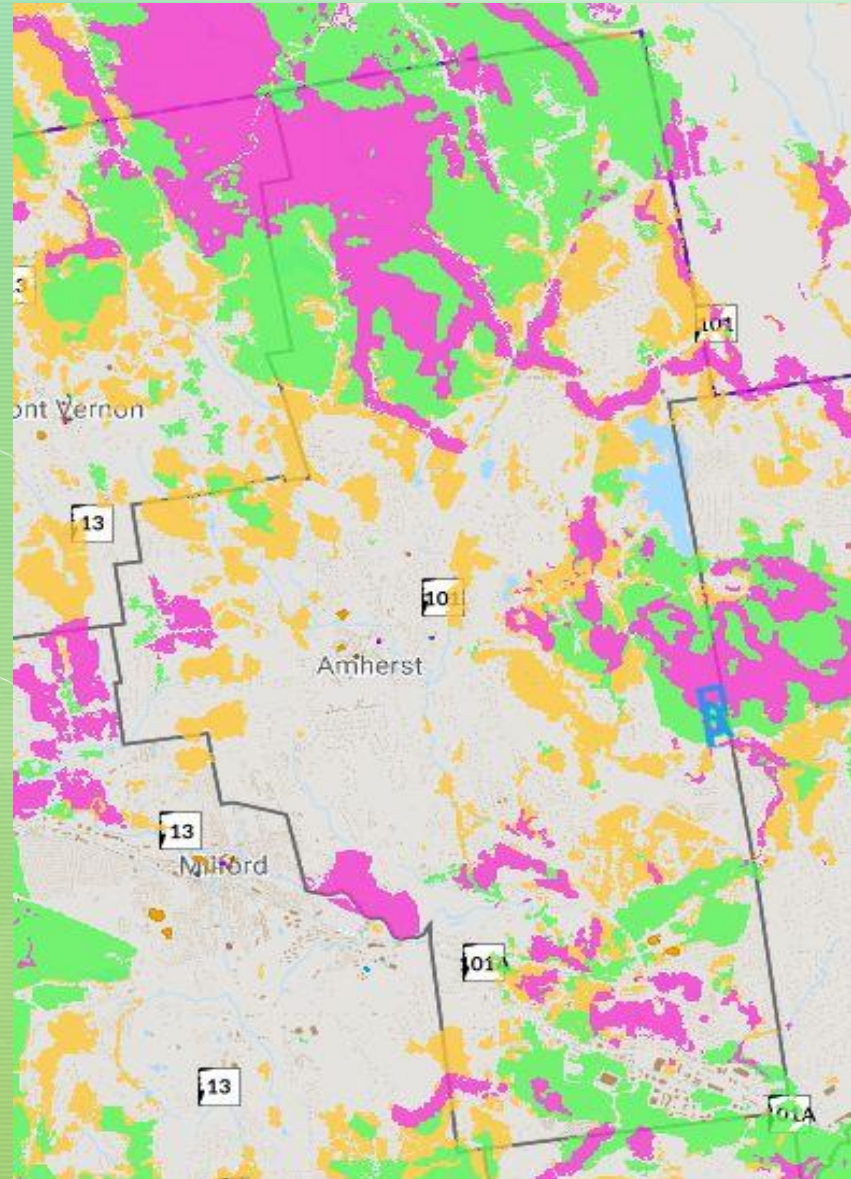
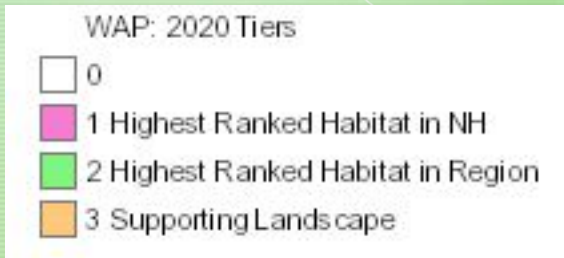
Comparative Costs of Alternatives

	Purchase	Permanent Conservation Easement	Discretionary Easement (<10 acres)	Current Use (>10 acres)	Notes
Initial Cost to Town	Agreed Price (often FMV)	Agreed Price	\$0	\$0	
Amherst Assessment	N/A	\$115/acre average	Between Current Use and 75% of value at discretion of Selectmen	Average \$122/acre in Amherst. \$23 to \$455/acre depending on use. Twenty percent reduction if public access granted	Values from 2019 Town Report and 2020 NH Current Use Assessment Table
Number of Acres in Amherst		137	0	6117	Values from 2019 Town Report
Annual Cost/Acre to Town (Property Tax Reduction)	Estimated at approximately \$390/acre/year (All tax revenue lost)	Estimated at approximately \$387/acre/year	Estimated at between \$98 and \$387/acre/year	Estimated at approximately \$387/acre/year	All estimates assume land otherwise would be assessed at approximately \$13,700/acre, tax rate \$28.50/1000
One-time Tax Recovery at end of Easement/Current Use	N/A	N/A	Up to 10% of Full value of land (Selectmen specify a value between 0-10% in easement)	10% of Full value of land (LUCT)	

What is the Potential for Use of Discretionary Easements in Amherst?

- Assume owners of 10+ acre properties would elect Current Use and not consider Discretionary Easement
 - Current Use provides large property tax benefit with fewer restrictions
- Identify properties <10 acres that meet existing ACC Conservation Plan criteria for protection
 - Use subset of same criteria briefed for Open Space Bond Warrant Article

Highest Ranked Wildlife Protection Regions (WAP2020)



- Data based on:
- USDA Forest Service samples each 6,000 acre block every 3 yrs
 - NH Fish & Game assesses 70,000 Natural Heritage inventory points
 - Resulting determination available on NRPC maps for Amherst

Range of Annual Costs if Discretionary Easements Granted

	Number of Properties	Total Acres	Assessed Value	Average Assessment/Acre	Annual Tax Currently Collected	Potential Annual Cost in Property Tax Revenue Lost
Vacant Properties less than 10 acres	332	876	\$12,000,000	\$13,699	\$342,000	Between \$85,500 and \$338,954
Vacant Properties less than 10 acres Designated as Wildlife Habitat	167	588	\$7,705,000	\$13,104	\$219,593	Between \$54,893 and \$217,548

- Far fewer than 167 properties would be candidates if easements are restricted to buildable lots (considering wetlands, steep slopes, floodplain, road access) that are not already in current use or part of an approved development

Financial Analysis of Discretionary Easement

Initial Value	Annual Property Tax Rate	Annual Land Appreciation	DE Term	DE Assessment Percentage	DE Surrender Percentage	Present Value Discount Rate
\$100,000	0.0285	3.00%	15	70.0%	10.0%	1.50%
Land Value at end of DE		\$155,797				
	Town	Town Present Value	Owner	Owner Present Value		
DE tax cost	(\$12,825)	(\$11,408)	(\$29,925)	(\$26,620)	(Town - reduction granted; Owner - Tax)	
DE Termination payment	\$15,580	\$12,461	(\$15,580)	(\$12,461)		
Appreciation			\$55,797	\$44,629		
Net	\$2,755		\$10,292			
Net Present Value		\$1,053		\$5,548		

Financial Analysis of Discretionary Easement

- Conclusions
 - Generally net positive to the Town with 10-15 year term, 10% surrender, and with 60+% assessment
 - Generally net positive to Owner with 10-15 year term, 10% surrender, and with 70% assessment if appreciation is slightly more than 3% annually
 - Assessments and other characteristics of individual properties will vary and, therefore, the financial terms of each proposed Discretionary Easement should be analyzed

Discretionary Easements as a Conservation Tool

- Conclusion: Discretionary Easements are not ideal as a standalone conservation tool because of the relatively short-term protection provided
- But for some properties, and with carefully analyzed terms, they could be useful as a bridge to potential permanent conservation protection, at little net cost to the Town
 - Waive termination fee if owner sells to town or agrees to permanent conservation protection
 - Use DE period to discuss sale or permanent conservation easement with owner
 - In appropriate cases, incorporate Town/ACC purchase right (but not obligation) at termination of Discretionary Easement
 - Would need to confirm purchase right is permissible in the DE
- Level of landowner interest unknown

ACC Recommendations

Recommendations	Reason
Consider Discretionary Easements only for entire lots that are currently vacant	No easements on partial or occupied lots – limited conservation protection at potentially high total cost to Town
Consider only for properties that meet established conservation criteria	Use established criteria to ensure compliance with RSA requirements
Consider only for properties that could be buildable lots and which are at reasonable risk of development	Do not use for lots that will not be developed anyway; included in ACC criteria
Require ACC review of application and report as advice to Board of Selectmen	Provides conservation assessment of particular property
In general, use 65-75% Assessment Value (i.e., minimum or near minimum tax reduction)	Should provide adequate incentive at lowest cost to Town
In general, use 10% Termination Fee (i.e., maximum termination fee); waive if land sold to town or permanently protected	Encourage conversion to permanent protection, least cost to town
In general, use 10 to 15 year term	Shorter term usually improves economics for Town, provides best incentive for conversion to permanent protection
Prepare option for ACC to buy outright at termination (at 80-90% of then-appraised value); use in appropriate circumstances	Easement is bridge to permanent protection

Initial Value	Annual Property Tax Rate	Annual Land Appreciation	DE Term	DE Assessment Percentage	DE Surrender Percentage	Present Value Discount Rate
\$100,000	0.0285	3.00%	15	70.0%	10.0%	1.50%
Land Value at end of DE		\$155,797				
	Town	Town Present Value	Owner	Owner Present Value		
					(Town - reduction granted; Owner - Tax Actually Paid)	
DE tax cost	(\$12,825)	(\$11,408)	(\$29,925)	(\$26,620)		
DE Termination payment	\$15,580	\$12,461	(\$15,580)	(\$12,461)		
Appreciation			\$55,797	\$44,629		
Net	\$2,755		\$10,292			
Net Present Value		\$1,053		\$5,548		



Enriching Our Communities by Connecting Employers & Individuals with Opportunities to Succeed

March 19, 2021

Dear Amherst Selectmen,

I am contacting you on behalf of Opportunity Networks. Opportunity Networks is a 501(c)3 non-profit in Amherst that serves adults with disabilities. We would like to host a 5K race/walk in Amherst on Saturday, October 2, 2021. The route would be the same one we used last year and used by the Amherst Junior Women's Club for their 5K Turkey Trot and we would like the race to start at 10 am.

This will be our Third road race and with the success of our previous years we'd like to have this race as an annual fundraising event and we will be working with North Star timing company again. We host 2 other fundraising events during the year for our agency, a golf tournament at the Amherst Country Club and a \$10,000 Raffle at the River Casino in Nashua. Having a road race will allow our clients the opportunity to be participants and volunteers. It will also give our clients the opportunity to train for this race during their day program.

Thank you for your consideration on our request. If you need additional information, please contact me at 608-883-4402 or at jmorreale@opportunitynetworks.org.

Sincerely,

Janelle Morreale
Administrative Assistant
Opportunity Networks Inc.
(603) 883-4402 X15
Fax: 603-883-4468

*Rec'd
3/23/21*

Main Office: 11 Caldwell Drive, Amherst, NH 03031 603 883-4402 fax: 603 883-4468
116 Perimeter Road, Nashua, NH 03063 603 889-0796 fax: 603 546-0128
www.opportunitynetworks.org

**TOWN OF AMHERST, NH
USE OF TOWN COMMON REQUEST**

Organization Name: Opportunity Networks

Contact Name: Janelle Morreale

Contact Phone Number: 603-883-4402 ext 15

Contact e-mail: jmorreale@opportunitynetworks.org

Date of Event: 10/02/2021

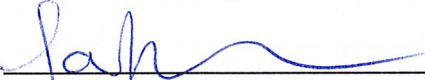
Hours (from/ to): 7am-12pm Number of participants (estimate): 100

Brief Description of event:
At Opportunity Networks, a major focus of our day program is to assist our participants with their overall general health and well-being. This race was created to offer our clients an opportunity to train, participant, and complete a race within their local community. Those not running/walking that day, but who want to be part of this event will be on the course handing out water and cheering on the runners.

Requirements:

1. NO ALCOHOL SALES OR CONSUMPTION are allowed.
2. Common must be left in the same or better condition than prior to event.
3. If damage occurs to any town property, please notify DPW -603-673-2317.
4. Groups who are granted permission must abide by all Town of Amherst ordinances pertaining to public property and all related NH RSAs as well as all state fire and safety rules and regulations at all times during use of the property.
5. The Town of Amherst or any of its designees are not responsible for any injuries occurring to participants during the course of activities during use of the property.

By signing this document, I agree to abide by all applicable requirements.

Signature: 

Chief of Police/Approval: Signature _____ Date: _____

Fire/ Rescue Chief Approval: Signature _____ Date: _____

Public Works Director Approval: Signature _____ Date: _____

Completed form must be submitted to the Amherst Administration Department four (4) weeks before the event in order to obtain Board of Selectmen approval.

BOS Approval: Chair's Signature _____ Date: _____

****Please note if road closures within the village will be necessary during event. Special permission will be required for road closures.***



Enriching Our Communities by Connecting Employers & Individuals with Opportunities to Succeed

March 26, 2021

Dear Amherst Selectmen,

We are working with a local Timing Business, North Star, located in Amherst to assist us with this race. Mike Merra, the business owner informed us that a road closure permit was needed from the town to close Church Street from the intersection of Manchester Road and Middle Street. This road closure would be from 7:30 to 12:00 on the day of the event. The course is the same course that is used by the AWJC for their annual Turkey Trout. The start/finish line will be in front of the Amherst Congregation Church. We have been in touch with the church and are waiting an answer, in previous years they were in full support.

We are renting 3 porta johns through Dave's Septic for the event and wondering if there is a specific spot you would like us to put them. In 2019 we had them on the Amherst Congregation Church property and I will have a delivery and pickup date closer to the event. We would also be requesting a police detail and EMT for the day of the event as well. We specifically would want a Police detail at the intersection on Boston Post Rd and New Boston Rd.

We are very excited to be hosting this community event. This race will also allow our clients; adults who are living with disabilities have the opportunity to be active participants in this event. In fact, our clients will be training for this race during their day program.

Thank you for your consideration on our request. If you need additional information, please contact me at 608-883-4402 or at jmorreale@opportunitynetworks.org.

Sincerely,

Janelle Morreale
Fundraising & Event Coordinator
Opportunity Networks Inc.
(603) 883-4402 X15
Fax: 603-883-4468

Main Office: 11 Caldwell Drive, Amherst, NH 03031 603 883-4402 fax: 603 883-4468
116 Perimeter Road, Nashua, NH 03063 603 889-0796 fax: 603 546-0128
www.opportunitynetworks.org



Town of Amherst, NH BOARD OF SELECTMEN STAFF REPORT

Title: Acceptance of Waiver of Municipal Liability for a private road. **Department:** Administration

Meeting Date: April 19, 2021 **Staff Contact:** Dean Shankle

BACKGROUND INFORMATION:

This is a request for the BOS to authorize the issuance of a building permit on a property that has frontage on a class VI road, in accordance with NH RSA 674:41. A detailed explanation can be found in the letter from Attorney Tom Quinn, attached below.

In accordance with the statute, the Planning Board has reviewed this and had no objection.

In addition, the BOS needs to accept the Waiver of Municipal Liability.

BUDGET IMPACT:

(Include general ledger account numbers)

POLICY IMPLICATIONS:

This is something the BOS has done in the past, after a careful review of each situation, and so sets no precedence.

DEPARTMENT HEAD RECOMMENDATION:

Suggest approving motion.

SUGGESTED MOTION:

I move that we authorize the issuance of building permit for a single family residence on Map 11 Lot 16, which is located on a class VI road, in accordance with NH RSA 674:41 and further that we accept the attached Waiver of Municipal Liability from Joshua M Roberts and Mikaela K Dwyer, owners of said property.

TOWN ADMINISTRATOR RECOMMENDATION:

Concur with myself.

ATTACHMENTS:

1. Letter to Dean Shankle April 15 2021
2. 21-0053 ROBERTS Waiver of Municipal Liability

3. Plan 37635
4. Driveway Plan Roberts

LAW OFFICE OF
THOMAS F. QUINN
PROF. CORP.

62 Elm Street
Milford, NH 03055

PH: 603-554-1662
FAX: 603-554-1495

E-MAIL: tquinn@tfqttitle.com

April 15, 2021

Dr. Dean E. Shankle, Jr., Town Administrator
Town of Amherst
2 Main Street
Amherst, NH 03031

RE: RSA 674:41 Waiver / Lot 11-16 / Joshua M. Roberts and Mikaela K. Dwyer

Dear Dean,

Please be advised that I represent Joshua M. Roberts and Mikaela K. Dwyer. I have been requested to petition the Board of Selectmen for a waiver of the provisions of RSA 674:41. As you know, the statute generally prohibits the Town's issuance of building permits for construction on property lacking frontage on roads classified as Class V or better. Of course, the statute contains many exceptions, one of which is in cases in which the Board of Selectmen has, after satisfying some conditions, voted to authorize the building permit to be issued. The present situation satisfies more than one of the exceptions listed in the statute. Accordingly, on behalf of my clients, I am requesting that the Board authorize the building permit.

My clients own two adjacent properties in Bedford and Amherst. The Bedford property is known as Map 17, Lot 2-8 and consists of .0646 acres. This lot has frontage on Pulpit Road, a Class V road and also on High Street, previously a Class VI road and now discontinued. The Amherst property is known as Map 11, Lot 16, and consists of 12.047 acres. The lot has frontage on Pulpit Road (Amherst), a Class VI Road. Together the properties total 12.864 acres. The lots are shown on a subdivision plan approved by the Planning Board of each Town in 2012 and recorded in the Hillsborough County Registry of Deeds as Plan #37635, a copy of which is enclosed.

The subdivision plan requires that the buildings to be constructed on the property be constructed in Amherst. The plan also requires that the Board of Selectmen authorize the residential construction on Lot 11-16. Obviously, the Planning Board cannot require the Board of Selectmen to authorize the issuance of the building permit; rather the note clarifies that for a

landowner to build upon the lot, the Board must authorize the issuance of building permits in accord with RSA 674:41.

My clients intend that the driveway serving their Amherst property will commence at Pulpit Road in Bedford, travel along what was High Street, cross over Pulpit Road in Amherst and enter onto Map 11, Lot 16 in Amherst. The driveway is shown generally on a plan entitled, "Bedford Tax Map 17 Lot 2 & Map 16 Lot 27, Amherst Tax Map 11 Lot 16, Overview Plan", prepared by Bedford Design Consultants, dated June 16, 2011, a copy of which is enclosed herewith. I have highlighted the driveway in yellow.

In accord with RSA 674:41, the Board of Selectmen is empowered to authorize the issuance of a building permit after review and comment by the Planning Board, provided that the municipality neither assumes responsibility for maintenance of the road nor liability for any changes resulting from the use thereof and provided that prior to the issuance of the building permit, the Applicant produces evidence that notice of the limits of municipal responsibility for maintenance and liability has been recorded in the Registry of Deeds.

As Nic informed you earlier this week, the Planning Board considered my clients' request at its April 7th meeting and voted that the Board has no objection to the Board of Selectmen authorizing the issuance of a building permit on my clients' lot (M-11, L-16).


Enclosed herewith is a proposed form of the Waiver. I have previously submitted a draft of this to you. The only change to that version and the current is that I have deleted ", I(d)" in the 3rd line of the heading. That is because in this case, there is more than one applicable provision allowing the waiver.

If hope that the submission is timely in that we can be heard at the Board of Selectmen meeting on April 19th.

If you have any questions at this point, please don't hesitate to contact me.

Thank you, Dean.

Sincerely,



Thomas F. Quinn

TFQ:djl
Enclosures
#21-0053

Return to:

TOWN OF AMHERST

**WAIVER OF MUNICIPAL LIABILITY FOR
BUILDING PERMIT PURSUANT TO RSA 674:41**

AGREEMENT AND RELEASE

NOW COMES, **JOSHUA M. ROBERTS and MIKAELA K. DWYER**, whose mailing address is 7 Independence Way, Apt. #310, Franklin, MA 02038 (hereinafter referred to as APPLICANT), and, in consideration of the **TOWN OF AMHERST**, having an address of 2 Main Street, Amherst, New Hampshire 03031 (hereinafter referred to as the TOWN), by its governing body, the Board of Selectmen, authorizing the issuance of a permit to construct a single family residence on a lot lacking frontage on a Class V road and serviced by a right of way from Pulpit Road in Bedford, New Hampshire, do hereby agree as follows:

Recitals:

WHEREAS, APPLICANT is the owner of certain real property off of Pulpit Road and High Street in the Towns of Amherst and Bedford, Hillsborough County, New Hampshire, which property consists of the property depicted as Map 17, Lot 2-8 on the Town of Bedford Tax Maps, and Map 11, Lot 16 on the Town of Amherst Tax Maps, and also on a plan of land entitled, "Overview Plan, Prepared For & Land Of: Mary K. Goldman, 569 Sparrow Court, Lindenhurst, IL 60046, Land Located At: Pulpit Road, Bedford & Amherst, NH", dated June 6, 2011, with revisions through April 12, 2012, recorded with the Hillsborough County Registry of Deeds as Plan #37635, the same having been acquired by the APPLICANT by deed dated December 22, 2020, which deed is recorded in the Hillsborough County Registry of Deeds at Book 9400, Page 986; and

WHEREAS, the APPLICANT is desirous of constructing a single family residence on said property but would be precluded from doing so by virtue of NH law as set forth at NHRSA 674:41 and/or applicable Town ordinances; and,

WHEREAS, NHRSA 674:41 provides a mechanism to permit the Selectmen to allow such construction provided the APPLICANT executes, in recordable form, a waiver and certification relative to the maintenance and use of said right of way.

NOW THEREFORE, the APPLICANT on behalf of themselves, their heirs, legal representatives, successors and assigns, covenants and agrees as follows:

1. The APPLICANT or its assigns, plans to apply for a building permit to construct a single-family residence relating to the property located off Pulpit Road and High Street, namely, Map 17, Lot 2-8 on the Town of Bedford Tax Maps, and Map 11, Lot 16 on the Town of Amherst Tax Maps, referenced above.
2. The single-family residence and related improvements will be constructed upon Map 11, Lot 16 in Amherst. Access will be over a driveway leading from Pulpit Road in Bedford, over property formerly known as High Street in Bedford (now discontinued), across Pulpit Road in Amherst (Class VI) to the property.
3. The TOWN neither assumes responsibility for the maintenance, including snow plowing, nor liability for any damages resulting from the use of the right of way which serves as access to Map 17, Lot 2-8 on the Town of Bedford Tax Maps, and Map 11, Lot 16 on the Town of Amherst Tax Maps.
4. The APPLICANT shall be responsible for maintaining access to the subject property and does/do hereby forever release and discharge the TOWN, its officers, agents and employees from the obligation of maintaining the easement/right of way referenced in Paragraph 3., above, and from any claim of any nature, whether in tort or otherwise, which APPLICANT, its legal representative, successors and/or assigns might have against the TOWN for any loss or damage, including those incurred through failure to provide municipal services, including police, fire and ambulance services, arising out of the condition of the right of way from the point where the right of way intersects Pulpit Road in Bedford, which is a Class V road.
5. The APPLICANT assumes responsibility for transporting any school-age children residing in the residence to be constructed upon the subject property to the nearest regular school bus stop.
6. The APPLICANT assumes responsibility for the maintenance and repair of the right of way referred to in Paragraph 3., above, together with others entitled to the use thereof, if any, and agrees that it will maintain and, if necessary, construct said right of way at no expense to the Town.
7. The APPLICANT understands and acknowledges that the within does not in any way relieve the APPLICANT from complying with any and all laws, regulations and codes that may be applicable to said construction other than the frontage requirement referenced herein.

8. The APPLICANT agrees and acknowledges that this condition shall run with the land and shall remain in effect and this document, once executed, shall be binding on the APPLICANT and its legal representatives, successors and/or assigns. This document shall, when executed, be provided to the Town for recordation so that the within requirements shall become a matter of public record.

IN WITNESS WHEREOF, the undersigned, having taken the prescribed oath, have set its hand this _____ day of _____, 2021.

APPLICANT

Witness

JOSHUA M. ROBERTS

Witness

MIKAELA K. DWYER

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me on _____, 2021 by
JOSHUA M. ROBERTS.

Notary Public/Justice of the Peace

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me on _____, 2021 by
MIKAELA K. DWYER.

Notary Public/Justice of the Peace

#21-0053 ROBERTS Waiver of Municipal Liability

PLAN REFERENCES:

1. "THE PRESERVE AT WEST BEDFORD, LOCATED AT PULPIT ROAD, BEDFORD AND AMHERST, NH" LAST REVISED OCTOBER 12, 2009, PREPARED BY BEDFORD DESIGN CONSULTANTS, H.C.R.D. PLAN NO. 3866B.
2. "LOT LINE ADJUSTMENT PLAN, MAP 16/ LOTS 25 & 29-14, MIM DENTON BRAVAR REVOCABLE TRUST OF 1993 AND BRUCE A. OLSEN & PAULA A. DONAVAN, 252 JOPPA HILL ROAD & 32 FOX RUN ROAD, TOWN OF BEDFORD, HILLSBOROUGH COUNTY, NEW HAMPSHIRE" LAST REVISED OCTOBER 8, 2009, PREPARED BY SANDFORD SURVEYING AND ENGINEERING, H.C.R.D. PLAN NO. 3820S.
3. "SUBDIVISION PLAN OF LAND FOX RUN FARMS, BEDFORD, N.H." DATED JULY 12, 1976, PREPARED BY THOMAS F. MORAN, INC. H.C.R.D. PLAN NO. 8356.
4. "SUBDIVISION PLAN OF LAND CHARLES M. & JOYCE R. EKISS, BEDFORD, NH" DATED OCTOBER 29, 1979, PREPARED BY THOMAS F. MORAN, INC. H.C.R.D. PLAN NO. 1270S.
5. "SUBDIVISION PLAN OF LAND NORTH AMHERST FARMS, AMHERST, NEW HAMPSHIRE" DATED JULY 31, 1969, PREPARED BY THOMAS F. MORAN, INC. H.C.R.D. PLAN NO. 24253.

TABLE OF CONTENTS:

OVERVIEW	OV1
SUBDIVISION SHEETS	S1-S5
TOPOGRAPHIC SHEETS	T1-T5
WATER RESOURCE PLAN	C1
DRIVEWAY DESIGN PLANS	C2-C3
DETAIL SHEETS	C4-C5

NOTES

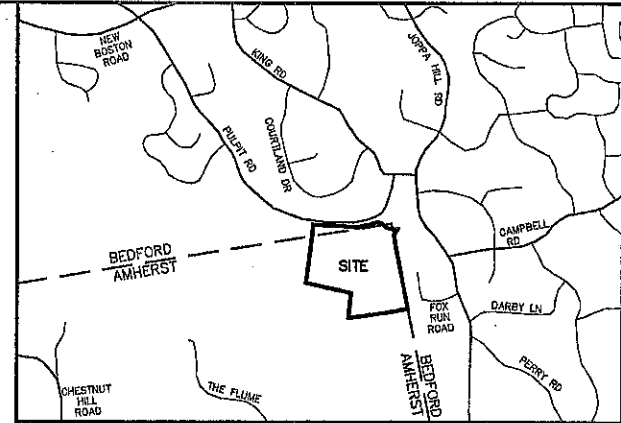
1. OWNER OF RECORD:
BEDFORD TAX MAP 17 LOT 2
BEDFORD TAX MAP 16 LOT 27
AMHERST TAX MAP 11 LOT 16
MARY K. GOLDMAN
569 SPARROW COURT
LINDENHURST IL 60046
BOOK 8532, PAGE 1747
2. THE INTENT OF THIS PLAN IS TO SUBDIVIDE TAX MAP 11 LOT 16 IN THE TOWN OF AMHERST AND TAX MAP 17 LOT 2 AND TAX MAP 16 LOT 27 IN THE TOWN OF BEDFORD INTO 8 RESIDENTIAL LOTS TO BE SERVICED BY INDIVIDUAL WELLS AND SEPTICS.
3. TOTAL PARCEL AREA PRIOR TO SUBDIVISION:
3,196,096 SQ. FT.
(73.372 ACRES)
4. SUBJECT AND ADJUTING LOTS ZONED:
BEDFORD: RA (RESIDENTIAL AND AGRICULTURAL)
AMHERST: NR (NORTHERN RURAL)

	BEDFORD:	AMHERST:
FRONT SETBACK:	35'	50'
SIDE/REAR SETBACK:	25'	40'
WETLAND SETBACK:	50'	50'
FRONTAGE:	150'	300'

5. THIS PLAN REPRESENTS EXISTING FIELD CONDITIONS, BOUNDARY EVIDENCE, AND MONUMENTATION AS OBSERVED DURING A SURVEY BY BEDFORD DESIGN CONSULTANTS IN THE SPRING OF 2011.
6. THE SUBJECT PARCEL IS OUTSIDE THE 100 YEAR FLOOD ZONE PER FLOOD INSURANCE RATE MAP HILLSBOROUGH COUNTY NEW HAMPSHIRE PANEL 385 OF 701, MAP NUMBER 33011003550, EFFECTIVE DATE SEPTEMBER 25, 2009.
7. TOPOGRAPHIC SURVEY WAS PERFORMED BY BURD ENGINEERING.
8. PULPIT ROAD IS UNDER CONSTRUCTION.
9. SUBJECT TO SLOPE AND DRAINAGE EASEMENT TO THE TOWN OF BEDFORD SEE BOOK 8255, PAGE 1709.
10. SOILS SHOWN WERE TAKEN FROM THE SOIL SURVEY OF HILLSBOROUGH COUNTY NEW HAMPSHIRE, SCS SOILS MANUAL.
11. THE SUBDIVISION REGULATIONS OF THE TOWN OF AMHERST ARE PART OF THIS PLAN, AND APPROVAL OF THIS PLAN IS CONTINGENT ON COMPLETION OF ALL REQUIREMENTS OF SAID SUBDIVISION REGULATIONS, EXCEPTING ONLY ANY WAIVERS OR MODIFICATIONS MADE IN WRITING BY THE BOARD AND ATTACHED HERETO.

LEGEND

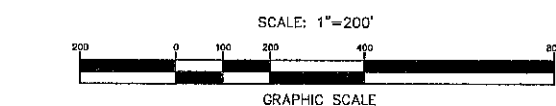
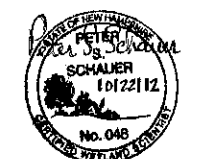
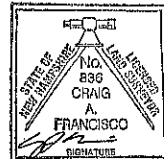
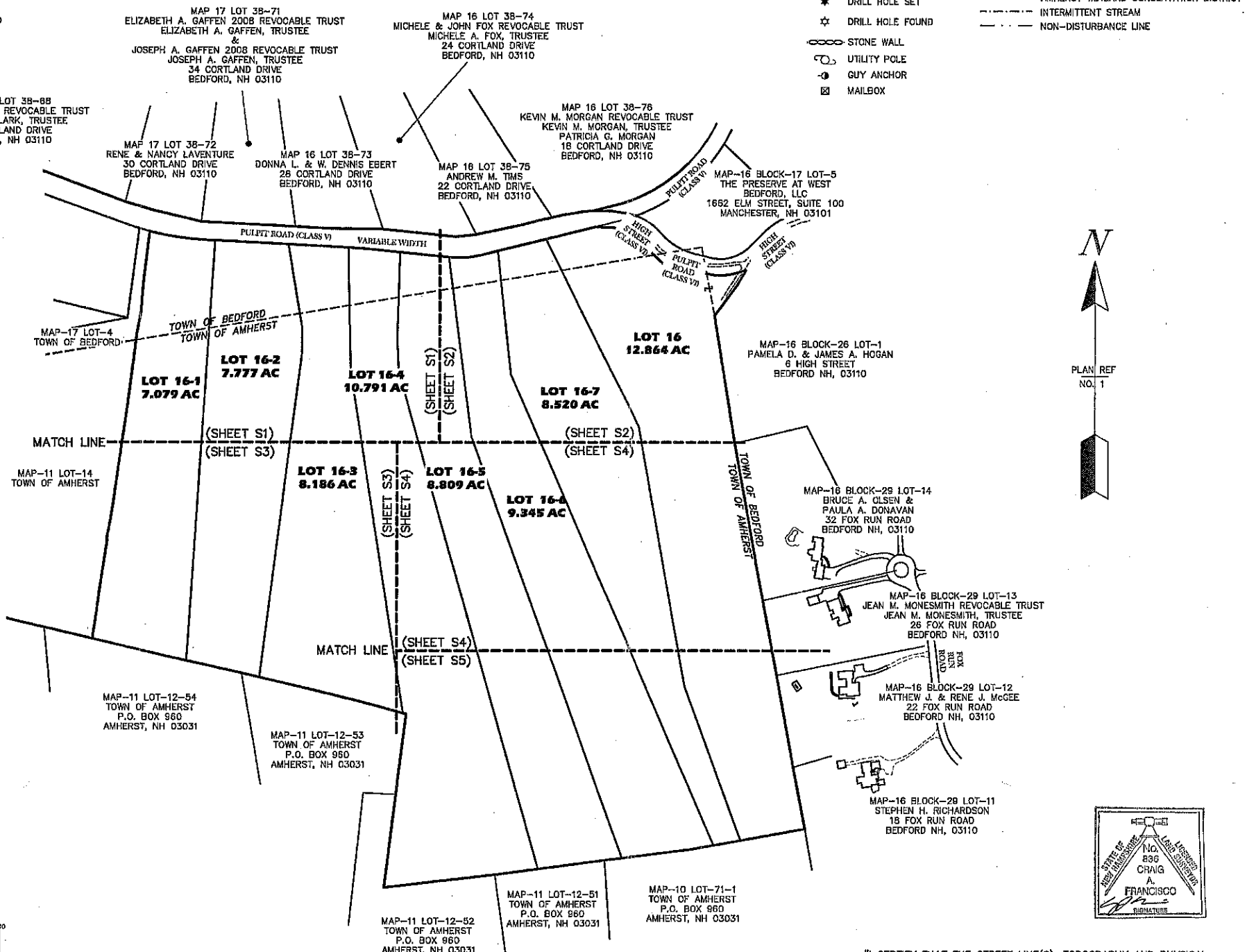
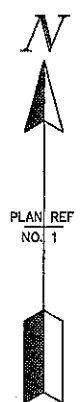
- GRANITE BOUND FOUND
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- INTERMITTENT STREAM
- NON-DISTURBANCE LINE



LOCUS MAP
1"=±2000'

NOTES (CONTINUED)

12. TEST PITS SHOWN ON THE PLAN CONFORM TO CRITERIA ESTABLISHED BY STATE AND LOCAL AUTHORITIES. THEREFORE, IT CAN BE CONCLUDED THAT THE SUBJECT PROPERTY IS SUITABLE FOR THE PROPOSED DEVELOPMENT.
13. THERE ARE NO KNOWN DEED RESTRICTIONS ON THIS PROPERTY, ALL KNOWN EXISTING EASEMENTS ARE SHOWN.
14. NHDES DREDGE AND FILL PERMIT NO. 2011-01802
15. ALL PROPOSED BUILDING CONSTRUCTION SHALL BE LOCATED ENTIRELY WITHIN AMHERST AND NOTED ON THE DEEDS OF EACH LOT.
16. APPLICANTS FOR BUILDING PERMITS IN AMHERST SHALL OBTAIN A VALID DRIVEWAY PERMIT FROM THE BEDFORD PUBLIC WORKS DEPARTMENT PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR BUILDING CONSTRUCTION IN AMHERST.
17. DRIVEWAY ACCESS TO LOT 11-18 IS SUBJECT APPROVAL BY THE AMHERST BOARD OF SELECTION FOR ACCESS OVER A PORTION OF THE OLD PULPIT ROAD, A CLASS VI ROAD, AND APPROVAL BY THE BEDFORD TOWN COUNCIL FOR ACCESS BY THE WESTERLY PORTION OF HIGH STREET, A CLASS W ROAD. NEITHER TOWN SHALL BE RESPONSIBLE FOR MAINTENANCE OF OR LIABILITY FOR DAMAGES RESULTING FROM THE USE OF THESE ROADS.
18. A VOTE BY THE AMHERST BOARD OF SELECTION TO PERMIT THE ISSUANCE OF A BUILDING PERMIT FOR RESIDENTIAL CONSTRUCTION ON LOT 11-18 WILL BE NEEDED.
19. THE PROPOSED COMMON DRIVEWAYS CAN NEVER BECOME TOWN ROADS.
20. THE INSTALLATION OF WETLAND BUFFER MARKERS WILL ONLY BE REQUIRED WITHIN 75 FT. OF DWELLINGS AND DRIVEWAYS WITHIN AMHERST ALONG THE NON-DISTURBANCE LINE. MARKERS SHALL BE INSTALLED PRIOR TO ISSUANCE OF BUILDING PERMITS.
21. THE PHASING FOR THIS SUBDIVISION PURSUANT TO SECTION 3.19 OF THE AMHERST ZONING ORDINANCE SHALL BE AS FOLLOWS: YEAR ONE 3 LOTS BUILT, YEAR TWO 3 LOTS BUILT, YEAR THREE 2 LOTS BUILT.
22. ALL LOTS ARE SUBJECT TO A 15' UTILITY EASEMENT MEASURED FROM THE SOUTHERLY RIGHT OF WAY OF THE "CLASS V" PULPIT ROAD.
23. ALL FUTURE DEEDS SHALL CONTAIN A PROHIBITION ON THE USE OF LAWN CHEMICALS OR IMPLEMENTATION OF AN INTEGRATED PEST MANAGEMENT PLAN TO GOVERN THE USE OF LAWN CHEMICALS.
24. ALL STREET ADDRESSES WILL BE CONTIGUOUS WITH THE CURRENT ROAD NUMBERING SYSTEM IN BEDFORD.
25. THE FOLLOWING WAIVERS WERE GRANTED AS PART OF THIS APPROVAL:
TOWN OF BEDFORD:
SECTION 231.1.4 OF THE BEDFORD LAND DEVELOPMENT CONTROL REGULATIONS TO ALLOW SHARED DRIVEWAY IN THREE INSTANCES FOR LOTS 17-2-2 AND 17-2-4 WHERE THE DRIVEWAY IS LOCATED ON AN ADJOINING LOT, WAIVING THE REQUIREMENT TO HAVE ACCESS THROUGH ITS OWN FRONTAGE, AND FOR LOTS 17-16-6 AND 17-16-7 WHERE THE PROPERTY LINE RUNS DOWN THE MIDDLE OF THE SHARED DRIVEWAY BEFORE SPLITTING OFF.
TOWN OF AMHERST:
THE AMHERST PLANNING BOARD APPROVED THREE WAIVERS FOR TRAFFIC, ENVIRONMENTAL, AND HYDRO-GEOLOGIC IMPACT STUDIES.



LOT	TOTAL LOT AREA (ACRES)	WETLAND AREA (ACRES)	20%+ SLOPE AREA (ACRES)	NET AREA (ACRES)
11-16-1	7.08	1.58	0.49	5.01
11-16-2	7.78	1.73	0.86	5.19
11-16-3	8.19	1.36	1.82	5.01
11-16-4	10.79	1.25	4.40	5.14
11-16-5	8.81	1.25	2.52	5.04
11-16-6	9.35	0.65	3.54	5.15
11-16-7	8.52	0.79	2.62	5.10
11-16-8	12.87	1.16	1.85	9.86

APPROVED BY THE BEDFORD PLANNING BOARD
ON 3-12-12 CERTIFIED BY
CHAIRMAN [Signature] AND
SECRETARY [Signature]

APPROVED BY THE AMHERST PLANNING BOARD
ON 3/21/12 SD 2012-4 CERTIFIED BY
CHAIRMAN [Signature] AND
SECRETARY [Signature]

"I CERTIFY THAT THE STREET LINE(S), TOPOGRAPHY AND PHYSICAL FEATURES SHOWN ARE ACCURATE AND TRUE"

"I HEREBY CERTIFY THAT THIS SURVEY AND PLAT WERE PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS AN ERROR OF CLOSURE OF GREATER ACCURACY THAN ONE PART IN TEN THOUSAND (1:10,000)."

Francis A. Francisco
LICENSED LAND SURVEYOR
DATE 10.17.12

DATE	DESCRIPTION	BY	REV.
4-12-12	REVISED PER AMHERST & BEDFORD CONDITIONS OF APPROVAL	KAW	5
1-12-12	ADJUST LOT LINES AND BUILDING ENVELOPES, LOTS 2-5	MDM	4
10-5-11	REVISED PER KNA COMMENTS DATED 8/31/11	MAV	3
7-29-11	REVISED LOT NUMBERS	TMG	2

**BEDFORD TAX MAP 17 LOT 2 & MAP 16 LOT 27
AMHERST TAX MAP 11 LOT 16**

OVERVIEW PLAN
PREPARED FOR & LAND OF:
MARY K. GOLDMAN
569 SPARROW COURT
LINDENHURST IL 60046
LAND LOCATED AT:
PULPIT ROAD, BEDFORD & AMHERST NH

SCALE: 1" = 200' JUNE 6, 2011 SHEET OV1 OF OV1

DESIGN:	DRAWN:	CHECKED:	FB:	PG:
M.D.M.	M.D.M.	C.A.F.	584	3

Bedford Design Consultants Inc.
ENGINEERS AND SURVEYORS
177 East Industrial Park Drive, Manchester, NH 03109
Telephone: (603) 622-8533 Fax: (603) 622-4740
www.bedforddesign.com

Doc # 3012288 Mar 4, 2013 9:37 AM
Plan 37635 1 of 6 OVR 175
Register of Deeds, Hillsborough County
Concord, NH

WETLAND NOTES

1. PETER S. SCHAUER, CERTIFIED WETLAND SCIENTIST #48, OF SCHAUER ENVIRONMENTAL CONSULTANTS, L.L.C. OF LOUDON, NH, PERFORMED THE WETLAND MAPPING DURING APRIL OF 2011, ACCORDING TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, AND THE INTERIM REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, NORTH-CENTRAL AND NORTHEAST REGION, OCTOBER 2009, US ARMY CORPS OF ENGINEERS.

2. HYDROPHYTIC VEGETATION WAS IDENTIFIED USING THE NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS: NEW HAMPSHIRE, PUBLISHED BY THE UNITED STATES FISH AND WILDLIFE SERVICE, MAY 1998.

LINE	LENGTH	BEARING
L1	80.00	S03°41'29"W
L2	38.19	N86°59'16"W
L3	80.48	N06°53'37"E
L4	51.14	S09°07'37"E
L5	217.04	S01°11'14"E
L6	25.09	N86°59'16"W
L7	25.00	S03°00'44"W
L8	157.71	N86°59'16"W
L9	25.28	S02°31'22"E
L10	73.66	N84°13'33"W
L11	159.53	S84°13'33"E
L12	25.63	N07°02'40"W
L13	25.21	S02°31'22"E
L14	30.28	S02°31'22"E
L15	101.03	S84°20'22"E
L16	30.32	N02°31'22"W
L17	249.22	N84°13'33"W
L18	26.65	N83°02'43"E
L19	117.24	N05°02'43"W
L20	53.08	N18°43'30"W
L21	82.30	N08°02'43"W
L22	15.15	S75°58'01"W
L23	15.15	S75°58'01"W
L24	78.09	S09°02'43"E
L25	54.84	S13°27'50"W
L26	117.24	S05°02'43"E
L27	33.35	N83°57'17"E

LINE	LENGTH	BEARING
U1	80.00	S03°00'44"W
U2	79.72	S22°43'00"W
U3	110.12	S80°15'38"W
U4	58.28	N02°07'37"E
U5	148.82	N40°06'22"E
U6	26.17	N03°00'44"E
U7	30.00	S86°59'16"E
U8	46.37	N84°13'33"W
U9	54.30	S05°38'00"W
U10	100.81	S04°41'28"E
U11	35.03	S23°30'04"W
U12	100.93	S49°31'27"W
U13	75.81	N01°47'21"W
U14	98.70	N03°16'04"E
U15	95.51	N05°38'00"E
U16	30.00	S84°13'33"E
U17	249.22	N83°02'43"E
U18	26.65	N83°02'43"E
U19	117.24	N05°02'43"W
U20	53.08	N18°43'30"W
U21	82.30	N08°02'43"W
U22	15.15	S75°58'01"W
U23	15.15	S75°58'01"W
U24	78.09	S09°02'43"E
U25	54.84	S13°27'50"W
U26	117.24	S05°02'43"E
U27	33.35	N83°57'17"E

LEGEND

□ GRANITE BOUND FOUND	TP # TEST PIT
■ BOUND SET OR TO BE SET	— BARB WIRE FENCE
● REBAR FOUND	— BUILDING SETBACK LINE (MIN.)
○ REBAR SET	— EXISTING TREE LINE
● IRON PIPE FOUND	— WETLAND SETBACK LINE
* DRILL HOLE SET	— EDGE OF JURISDICTIONAL WETLANDS AND AMHERST WETLAND CONSERVATION DISTRICT
☆ DRILL HOLE FOUND	— INTERMITTENT STREAM
— STONE WALL	— NON-DISTURBANCE LINE
○ UTILITY POLE	— SLOPE AND DRAINAGE EASEMENT
○ GUY ANCHOR	— FIRE CISTERN EASEMENT
□ MAILBOX	— 15' UTILITY EASEMENT
	— DRIVEWAY ACCESS AND UTILITY EASEMENT



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Peter S. Schauer
LICENSED LAND SURVEYOR
DATE: 10-17-12

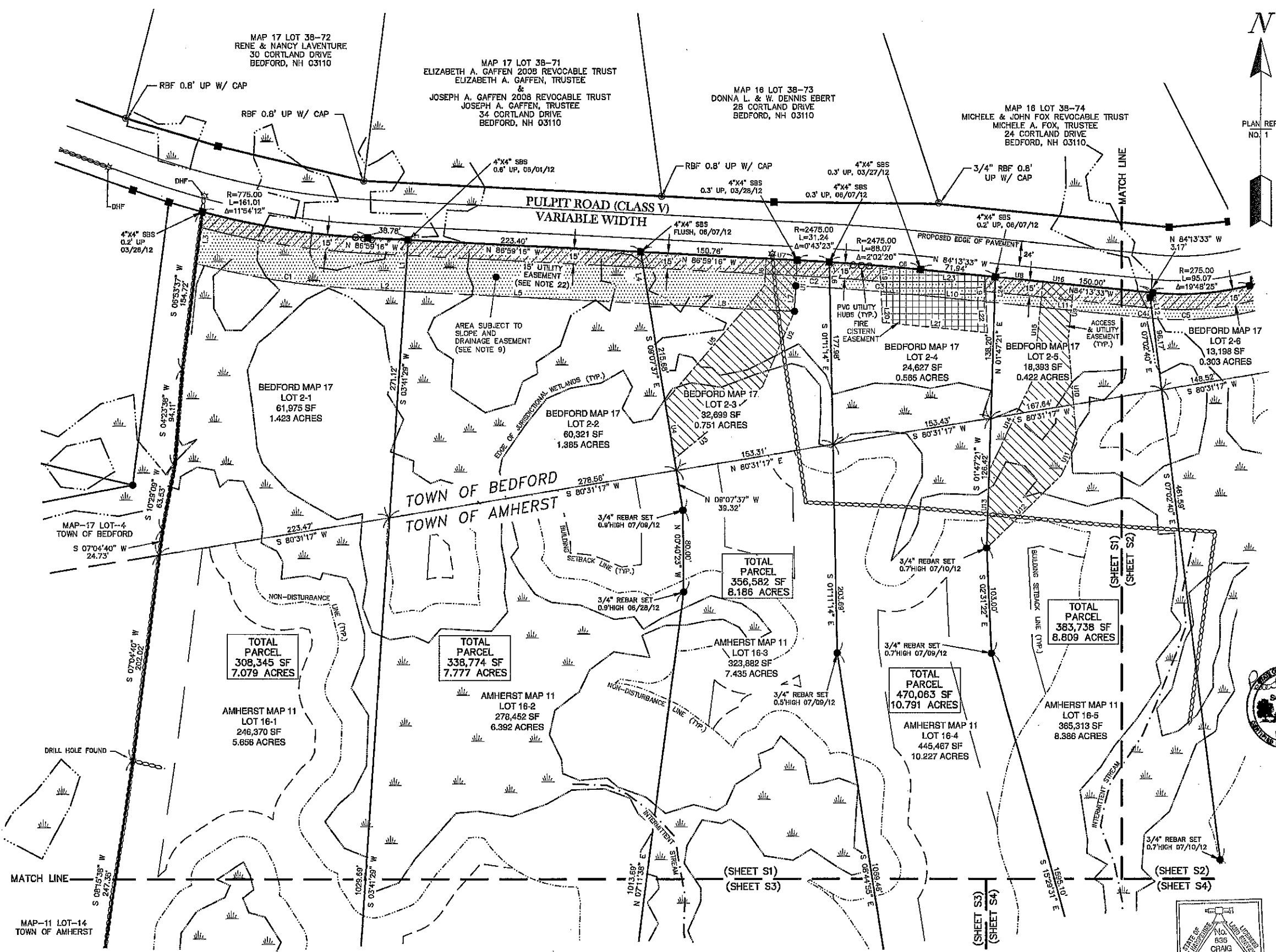
**BEDFORD TAX MAP 17 LOT 2 & MAP 16 LOT 27
AMHERST TAX MAP 11 LOT 16**

SUBDIVISION PLAN
PREPARED FOR & LAND OF:
MARY K. GOLDMAN
569 SPARROW COURT
LINDENHURST IL 60046
LAND LOCATED AT:
PULPIT ROAD, BEDFORD & AMHERST NH

SCALE: 1" = 50' JUNE 6, 2011 SHEET S1 OF S5

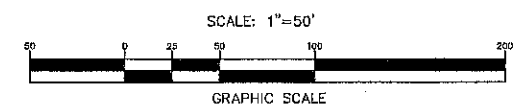
DESIGN: M.D.M.	DRAWN: M.D.M.	CHECKED: C.A.F.	FB: 564	PG: 3	1245-01
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CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA
C1	164.35	825.00	11°24'51"
C2	33.07	2450.00	0°46'26"
C3	85.03	2450.00	1°59'18"
C4	2.51	300.00	0°28'47"
C5	101.20	300.00	18°19'39"
C6	39.07	2475.00	0°54'16"

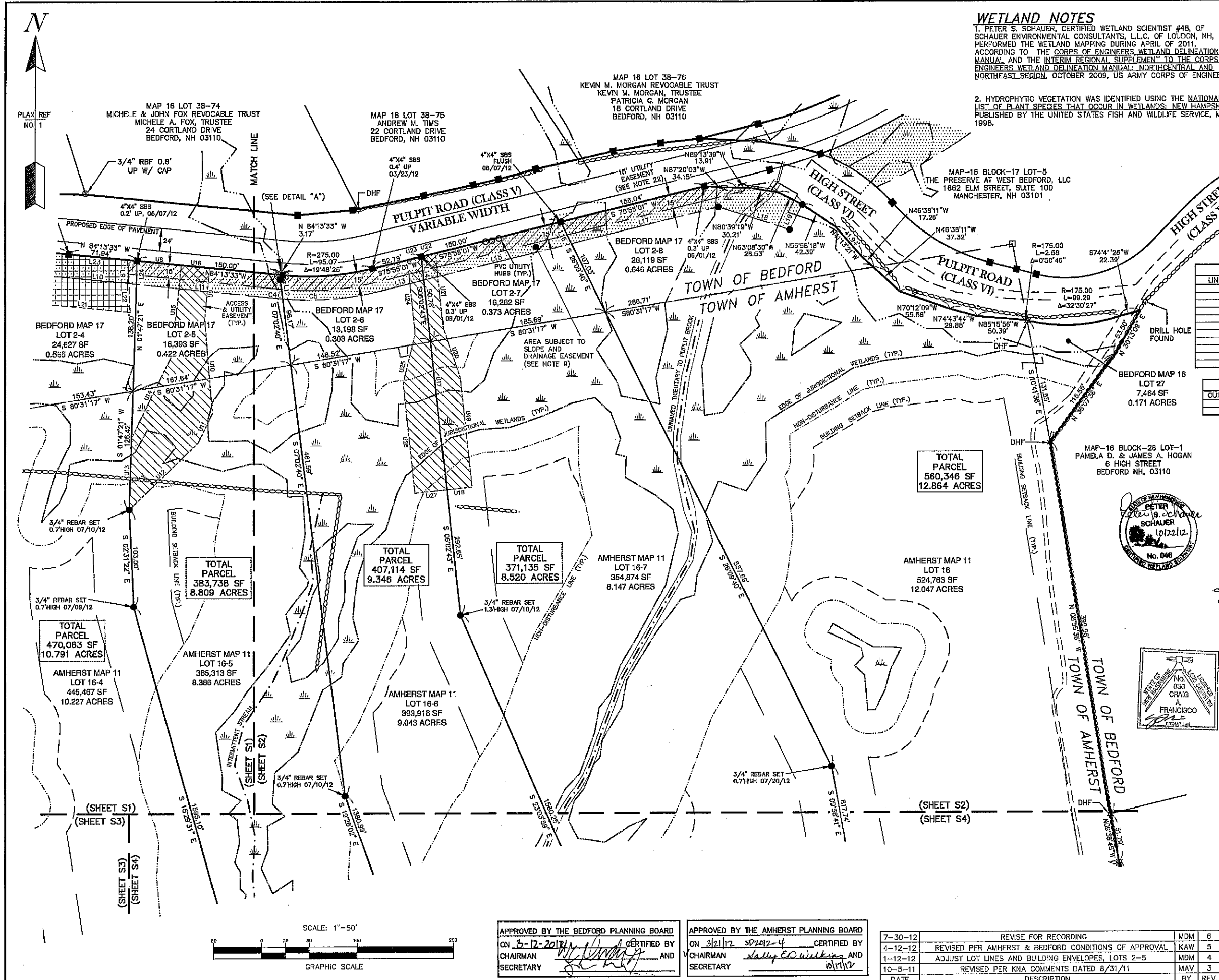


APPROVED BY THE BEDFORD PLANNING BOARD
ON 2-12-2012
CHAIRMAN [Signature] AND SECRETARY [Signature]

APPROVED BY THE AMHERST PLANNING BOARD
ON 2/21/12
CHAIRMAN [Signature] AND SECRETARY [Signature]

DATE	REVISION	BY	REV.
4-12-12	REVISED PER AMHERST & BEDFORD CONDITIONS OF APPROVAL	KAW	5
1-12-12	ADJUST LOT LINES AND BUILDING ENVELOPES, LOTS 2-5	MDM	4
10-5-11	REVISED PER KNA COMMENTS DATED 8/31/11	MAY	3
7-29-11	REVISED LOT NUMBERS	TMG	2

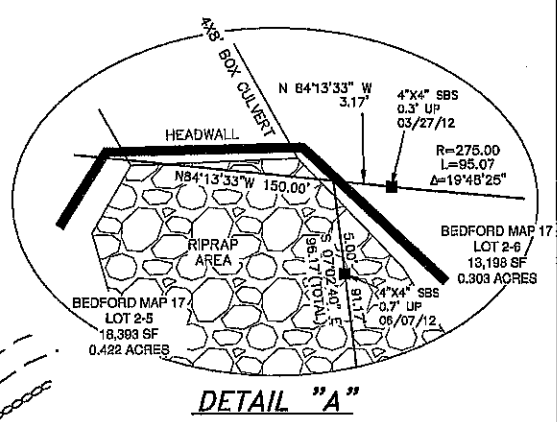
Plan # 37635 Drawer # 175 Sheet # 2 of 6



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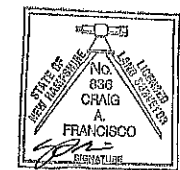
LINE	LENGTH	BEARING
L8	20.28	S02°31'22"E
L10	65.59	N84°13'33"W
L11	159.53	S84°13'33"W
L12	25.53	N07°02'40"W
L13	49.29	N75°58'01"E
L14	25.24	N06°02'43"W
L15	158.88	N75°58'01"E
L16	25.87	N26°09'40"W
L17	159.89	N75°58'01"E
L18	78.58	S71°58'16"E
L19	30.00	N28°51'30"E

CURVE	LENGTH	RADIUS	DELTA
C4	2.51	300.00	0°28'47"
C5	101.20	300.00	19°19'39"

LINE	LENGTH	BEARING
U6	43.37	N84°13'33"W
U9	54.30	S02°38'00"W
U10	100.81	S04°12'28"E
U11	35.03	S26°38'04"W
U12	100.93	S45°31'27"W
U13	75.81	N01°42'21"E
U14	98.70	N29°36'04"E
U15	95.51	N02°38'00"E
U16	30.00	S84°13'33"W
U17	249.22	S05°02'43"E
U18	26.65	N83°57'7"E
U19	117.24	N05°02'43"W
U20	53.06	N18°43'30"W
U21	62.30	N06°02'43"W
U22	15.15	S75°58'01"W
U23	15.15	S75°58'01"W
U24	78.09	S08°02'43"E
U25	54.84	S13°27'50"W
U26	117.24	S08°02'43"E
U27	33.35	N83°57'12"E

LEGEND

- GRANITE BOUND FOUND
- BOUND SET OR TO BE SET
- ⊙ REBAR FOUND
- REBAR SET
- IRON PIPE FOUND
- ★ DRILL HOLE SET
- ☆ DRILL HOLE FOUND
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- ⊕ UTILITY POLE
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[Signature]
LICENSED LAND SURVEYOR

10-17-12
DATE

**BEDFORD TAX MAP 17 LOT 2 & MAP 16 LOT 27
AMHERST TAX MAP 11 LOT 16**

SUBDIVISION PLAN
PREPARED FOR & LAND OF:
MARY K. GOLDMAN
569 SPARROW COURT
LINDENHURST IL 60046
LAND LOCATED AT:
PULPIT ROAD, BEDFORD & AMHERST NH

SCALE: 1" = 50' JUNE 6, 2011 SHEET S2 OF S5

DESIGN:	DRAWN:	CHECKED:	FB:	PG:
M.D.M.	M.D.M.	C.A.F.	584	3

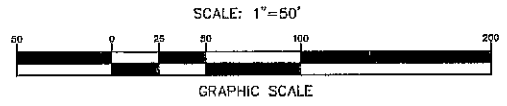
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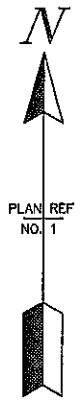
Bedford Design Consultants
ENGINEERS AND SURVEYORS
177 East Industrial Park Drive, Manchester, NH 03109
Telephone: (603) 622-5533 Fax: (603) 622-4740
www.bedforddesign.com

APPROVED BY THE BEDFORD PLANNING BOARD
ON 5-12-2012
CHAIRMAN *[Signature]* AND SECRETARY *[Signature]*

APPROVED BY THE AMHERST PLANNING BOARD
ON 5/21/12
CHAIRMAN *[Signature]* AND SECRETARY *[Signature]*

DATE	DESCRIPTION	BY	REV.
7-30-12	REVISE FOR RECORDING	MDM	6
4-12-12	REVISED PER AMHERST & BEDFORD CONDITIONS OF APPROVAL	KAW	5
1-12-12	ADJUST LOT LINES AND BUILDING ENVELOPES, LOTS 2-5	MDM	4
10-5-11	REVISED PER KNA COMMENTS DATED 8/31/11	MAV	3





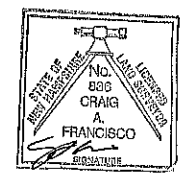
WETLAND NOTES

1. PETER S. SCHAUER, CERTIFIED WETLAND SCIENTIST #48, OF SCHAUER ENVIRONMENTAL CONSULTANTS, L.L.C. OF LOUDON, NH, PERFORMED THE WETLAND MAPPING DURING APRIL OF 2011, ACCORDING TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL AND THE INTERIM REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, OCTOBER 2009, US ARMY CORPS OF ENGINEERS.

2. HYDROPHYTIC VEGETATION WAS IDENTIFIED USING THE NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS: NEW HAMPSHIRE, PUBLISHED BY THE UNITED STATES FISH AND WILDLIFE SERVICE, MAY 1996.

LEGEND

- GRANITE BOUND FOUND
- BOUND SET OR TO BE SET
- REBAR FOUND
- REBAR SET
- IRON PIPE FOUND
- * DRILL HOLE SET
- ☆ DRILL HOLE FOUND
- STONE WALL
- UTILITY POLE
- GUY ANCHOR
- MAILBOX
- ⊙ TEST PIT
- BARGWIRE FENCE
- BUILDING SETBACK LINE (MIN.)
- EXISTING TREE LINE
- WETLAND SETBACK LINE
- EDGE OF JURISDICTIONAL WETLANDS AND AMHERST WETLAND CONSERVATION DISTRICT
- INTERMITTENT STREAM
- NON-DISTURBANCE LINE
- ▨ SLOPE AND DRAINAGE EASEMENT
- ▨ FIRE CISTERN EASEMENT
- ▨ 15' UTILITY EASEMENT
- ▨ DRIVEWAY ACCESS AND UTILITY EASEMENT



"I CERTIFY THAT THE STREET LINE(S), TOPOGRAPHY AND PHYSICAL FEATURES SHOWN ARE ACCURATE AND TRUE"

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Peter S. Schauer
LICENSED LAND SURVEYOR
10-12-12
DATE



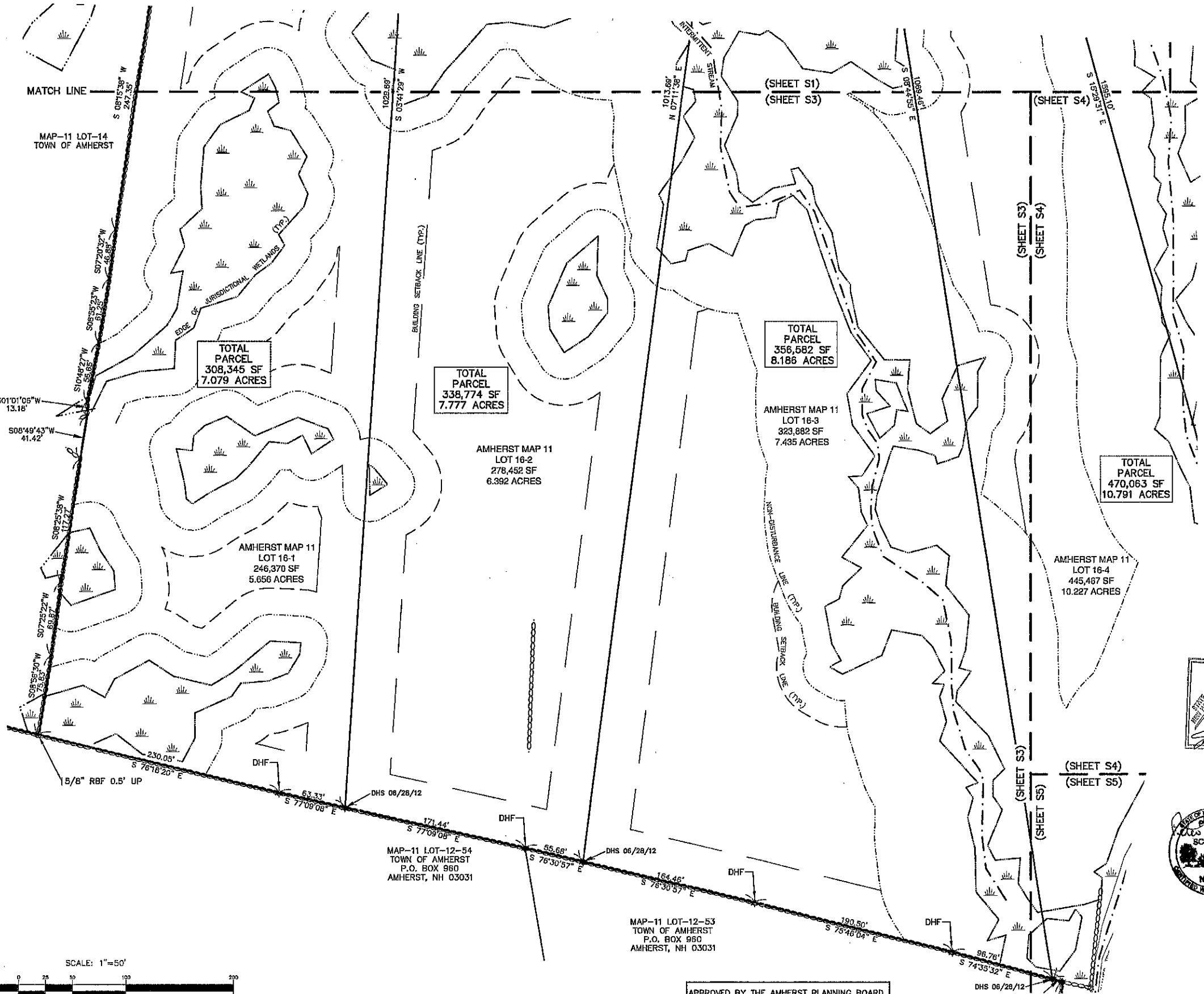
BEDFORD TAX MAP 17 LOT 2 & MAP 16 LOT 27
AMHERST TAX MAP 11 LOT 16

SUBDIVISION PLAN
PREPARED FOR & LAND OF:
MARY K. GOLDMAN
569 SPARROW COURT
LINDENHURST IL 60046
LAND LOCATED AT:
PULPIT ROAD, BEDFORD & AMHERST NH

SCALE: 1" = 50' JUNE 6, 2011 SHEET S3 OF S5

DESIGN:	DRAWN:	CHECKED:	FB:	PG:
M.D.M.	M.D.M.	C.A.F.	564	3

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TOTAL PARCEL
308,345 SF
7.079 ACRES

TOTAL PARCEL
338,774 SF
7.777 ACRES

TOTAL PARCEL
356,582 SF
8.186 ACRES

TOTAL PARCEL
470,063 SF
10.791 ACRES

AMHERST MAP 11
LOT 16-2
278,452 SF
6.392 ACRES

AMHERST MAP 11
LOT 16-3
323,882 SF
7.435 ACRES

AMHERST MAP 11
LOT 16-4
445,467 SF
10.227 ACRES

AMHERST MAP 11
LOT 16-1
246,370 SF
5.656 ACRES

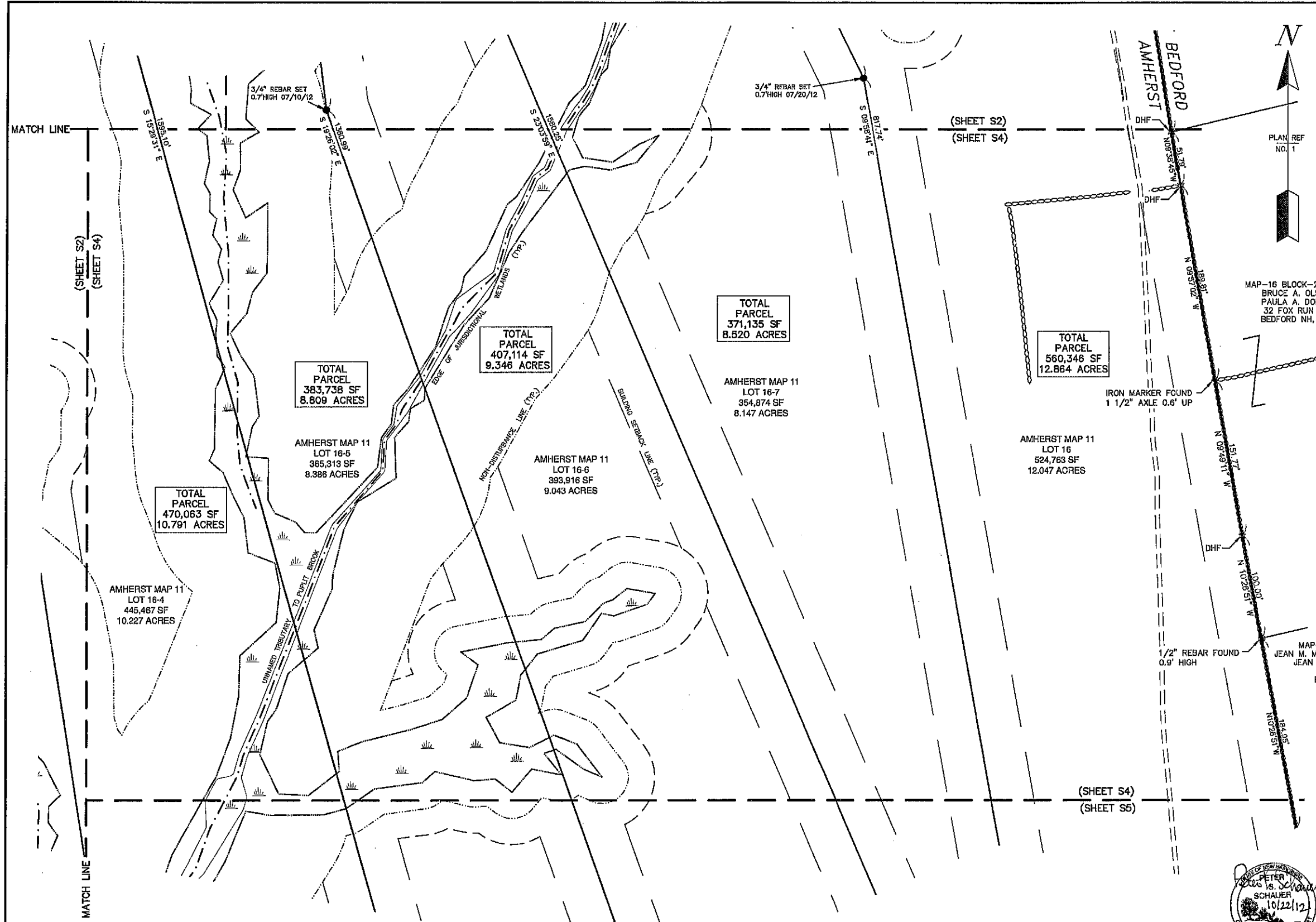
MAP-11 LOT-12-53
TOWN OF AMHERST
P.O. BOX 960
AMHERST, NH 03031

MAP-11 LOT-12-54
TOWN OF AMHERST
P.O. BOX 960
AMHERST, NH 03031

APPROVED BY THE AMHERST PLANNING BOARD
ON 5/21/12 5P2012-4 CERTIFIED BY
CHAIRMAN *Sally Edulian* AND
SECRETARY *10/17/12*

DATE	DESCRIPTION	BY	REV.
4-12-12	REVISED PER AMHERST & BEDFORD CONDITIONS OF APPROVAL	KAW	5
1-12-12	ADJUST LOT LINES AND BUILDING ENVELOPES, LOTS 2-5	MDM	4
10-5-11	REVISED PER KNA COMMENTS DATED 8/31/11	MAV	3
7-29-11	REVISED LOT NUMBERS	TMG	2

Plan #37635 Drawer #175 sheet # 4 of 6



WETLAND NOTES

1. PETER S. SCHAUER, CERTIFIED WETLAND SCIENTIST #48, OF SCHAUER ENVIRONMENTAL CONSULTANTS, L.L.C. OF LOUDON, NH, PERFORMED THE WETLAND MAPPING DURING APRIL OF 2011, ACCORDING TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL AND THE INTERIM REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, NORTH-CENTRAL AND NORTHEAST REGION, OCTOBER 2009, US ARMY CORPS OF ENGINEERS.

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LEGEND

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- REBAR SET
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- * DRILL HOLE SET
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- BUILDING SETBACK LINE (MIN.)
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- EDGE OF JURISDICTIONAL WETLANDS AND AMHERST WETLAND CONSERVATION DISTRICT
- INTERMITTENT STREAM
- NON-DISTURBANCE LINE
- ▨ SLOPE AND DRAINAGE EASEMENT
- ▨ FIRE CISTERN EASEMENT
- ▨ 15' UTILITY EASEMENT
- ▨ DRIVEWAY ACCESS AND UTILITY EASEMENT

MAP-16 BLOCK-29 LOT-14
BRUCE A. OLSEN &
PAULA A. DONAVAN
32 FOX RUN ROAD
BEDFORD NH, 03110

MAP-16 BLOCK-29 LOT-13
JEAN M. MONESMITH REVOCABLE TRUST
JEAN M. MONESMITH, TRUSTEE
26 FOX RUN ROAD
BEDFORD NH, 03110



"I CERTIFY THAT THE STREET LINE(S), TOPOGRAPHY AND PHYSICAL FEATURES SHOWN ARE ACCURATE AND TRUE"

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S.P.S.
LICENSED LAND SURVEYOR
10-17-12
DATE

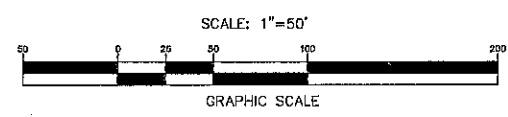
**BEDFORD TAX MAP 17 LOT 2 & MAP 16 LOT 27
AMHERST TAX MAP 11 LOT 16**

SUBDIVISION PLAN
PREPARED FOR & LAND OF:
MARY K. GOLDMAN
569 SPARROW COURT
LINDENHURST IL 60046
LAND LOCATED AT:
PULPIT ROAD, BEDFORD & AMHERST NH

SCALE: 1" = 50' JUNE 6, 2011 SHEET S4 OF S5

DESIGN:	DRAWN:	CHECKED:	FB:	PG:
M.D.M.	M.D.M.	C.A.F.	564	3

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Telephone: (603) 622-5533 Fax: (603) 622-4740
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APPROVED BY THE AMHERST PLANNING BOARD
ON 3/21/12 SP2012-4 CERTIFIED BY
CHAIRMAN *Nancy E. Ouellette* AND
SECRETARY *10/17/12*

DATE	DESCRIPTION	BY	REV.
4-12-12	REVISED PER AMHERST & BEDFORD CONDITIONS OF APPROVAL	KAW	5
1-12-12	ADJUST LOT LINES AND BUILDING ENVELOPES, LOTS 2-5	MDM	4
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7-29-11	REVISED LOT NUMBERS	TMG	2

Plan # 37635 Drawer # 175 Sheet # 5 of 6

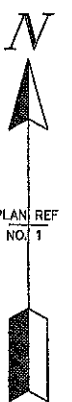
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MAP-16 BLOCK-29 LOT-12
MATTHEW J. & RENE J. MCGEE
22 FOX RUN ROAD
BEDFORD NH, 03110

MAP-16 BLOCK-29 LOT-11
STEPHEN H. RICHARDSON
18 FOX RUN ROAD
BEDFORD NH, 03110



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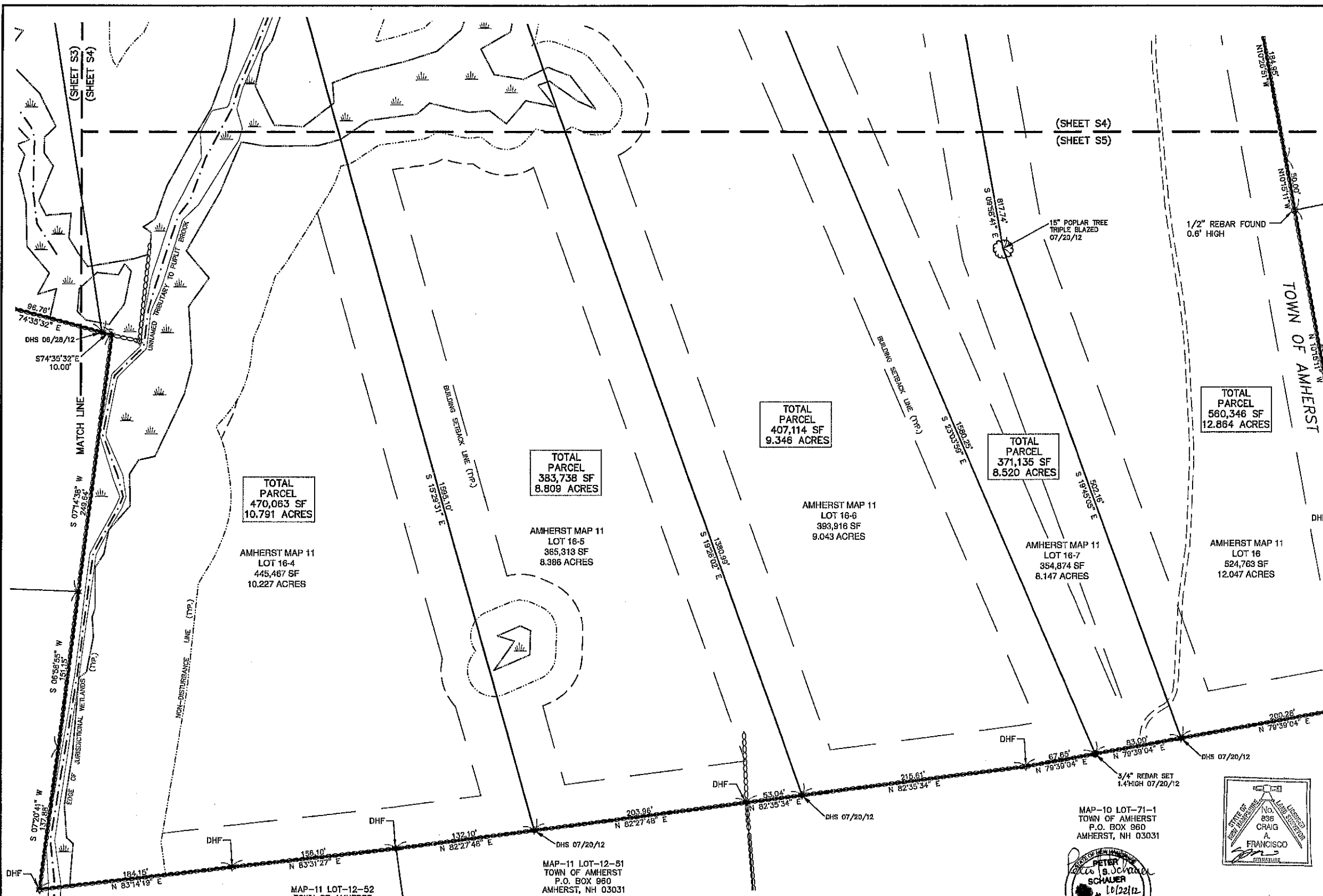
SON
LICENSED LAND SURVEYOR
DATE 10.17.12

BEDFORD TAX MAP 17 LOT 2 & MAP 16 LOT 27
AMHERST TAX MAP 11 LOT 16

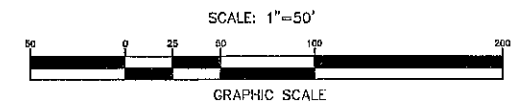
SUBDIVISION PLAN
PREPARED FOR & LAND OF:
MARY K. GOLDMAN
569 SPARROW COURT
LINDENHURST IL 60046
LAND LOCATED AT:
PULPIT ROAD, BEDFORD & AMHERST NH

SCALE: 1" = 50'	JUNE 6, 2011	SHEET S5 OF S5
DESIGN: M.D.M.	DRAWN: M.D.M.	CHECKED: C.A.F.
FB: 564	PG: 3	1245-01

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- LEGEND**
- GRANITE BOUND FOUND
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 - IRON PIPE FOUND
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APPROVED BY THE AMHERST PLANNING BOARD
ON 3/21/12
CHAIRMAN *Sam Edwikis* AND SECRETARY *10/11/12*

DATE	DESCRIPTION	BY	REV.
4-12-12	REVISED PER AMHERST & BEDFORD CONDITIONS OF APPROVAL	KAW	5
1-12-12	ADJUST LOT LINES AND BUILDING ENVELOPES, LOTS 2-5	MDM	4
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Plan # 37635 Drawer #175 sheet # 6 of 6



Town of Amherst, NH BOARD OF SELECTMEN STAFF REPORT

Title: Amherst Congregational Church
clocktower/steeple painting

Department: Public Works

Meeting Date: April 19, 2021

Staff Contact: Eric Hahn

BACKGROUND INFORMATION:

The Amherst Congregational Church clocktower and steeple was last painted in 2009, DPW utilized the RFP process, that was not connected to any work commissioned by the Church. Recently, Charlie Vars, representing the Congregational Church approached DPW with an offer to undertake a joint venture for painting the Church and Steeple. For the purpose of this meeting, DPW only wants to discuss with the BOS whether or not to join with the Church for a joint painting project.

The Steeple should be painted relatively soon. DPW is already in the process of making other repairs to the steeple columns.

The work done in 2009 by P.M. MacKay Painting Group cost \$15,385.00. The website and phone number for P.M. MacKay group are no longer active; it appears the company is no longer in business.

The Church has reached out to several vendors and presented to DPW some pricing totals, the low bid contained a detailed estimate for \$25,160. This estimate contains an itemized list of proposed work that satisfies all of the work required in the 2009 RFP, plus some work categories that would also have to be included in any RFP the DPW may formulate today. These include carpentry repairs, a spot prime coat followed by a full primer coat and two coats of finish paint.

While there are advantages to joining forces with the Congregational Church, DPW is unwilling to commit town resources to this project before the BOS discusses this and expresses a desire for the DPW to pursue working with the Church.

BUDGET IMPACT:

(Include general ledger account numbers)

Gov't buildings, 01-4194-40-2430. Possibly partial amount from FY21, partial from FY22.

POLICY IMPLICATIONS:

Town policy requires an RFP for projects over \$10,000. An exception would have to be discussed as part of the concept of joining forces and letting the Church take the lead.

DEPARTMENT HEAD RECOMMENDATION:

No recommendation at this time. Presenting information only.

SUGGESTED MOTION:

No suggested motion at this time.

TOWN ADMINISTRATOR RECOMMENDATION:

I agree that working in conjunction with the church is appealing. However, I think the process would have been more transparent from the town's perspective if the collaboration would have begun before the bidding process so that we could have made sure that it conformed with town standards. If there is no downside to the town bidding its portion separately, it is certainly something the BOS should consider.

ATTACHMENTS:

1. Steeple Painting Estimate

Congregational Church of Amherst Steeple Painting Cost Estimates

	IM Painting	Spurring Painting	CertaPro, Nashua	Waterman Painting
Clock Tower and Steeple				
Wash		\$1,000		
Trim/siding repair	\$2,000	\$2,000	\$2,000	
Prepare Surface (scrape, sand)		\$13,200		
Prime	\$18,720		\$9,296	
Paint all (excluding window sashes)		\$15,000		
Crane Rental	\$6,000 - 7,000, -	\$5,000	\$1,450	
Subtotal	\$26,720	\$36,200	\$12,746	
Discount	-\$1,560			
Total	\$25,160	\$36,200	\$12,746	\$21,800

Painting Summary

Touch up prime, followed by full prime followed by 2 top coats. Oil primer

Touch up prime, followed by 2 top coats. Oil primer

Touch up prime, followed 1 top coats. Oil primer

Full prime followed by 2 top coats. Oil primer

Quote Early Jan '21

Comments

steeply lift range \$5-\$7K

Prep include lead mitigation subcontractor

Very Low estimate, did not appreciate effort or underbid to win job

For Comparison ONLY. Company shut down due to owners death late winter

Note Red values are CCA estimates

Copy for Eric Hahn 1 of 4

80% Hold date 20/9 Start day 60/10 Day of completion

Note: Congregational Church will be using IM Painting



Name: Doug Topliffe

Date: Tuesday, March 16, 2021.

Address: 11 Church Street, Amherst NH 03031

Project Title: Church Steeple

E-mail: dtopliff@rcn.com

Phone: (603) 533 5177

Invoice Number: 4180

Terms: 20% deposit to hold schedule. 20% on the first day and Remaining 60% due on the day of completion of the job.

QUOTE

(603)338-7525

info@impainters.com

71 Spit Brook Rd #401
Nashua NH 03060

Phases	Description	Cost
Church Steeple	IM GROUP will scrape the church Steeple. once scrapped, IM GROUP will apply a layer of spot primer and a full coat of primer on the original Church Steeple. imPainters will use an oil base primer. imPainters will apply caulking where it needs caulking. IM GROUP will push in all the nails around the church Steeple. IM GROUP will remove all fallen lead from this location as the project is being done. We will use 3M plastic to cover the other areas. IM GROUP will apply 2 coats of acrylic latex paint to the entire Steeple.	\$15,600.00
Lift Rental	In case we need a lift to reach some areas around the church an additional amount of \$500.00 to \$1,000.00 dollars will be added to the quote (The invoice by the lift company will be given to Doug Topliffe).	\$5,000 - \$7,000 6,000
Carpentry	IM GROUP will replace or repair any bad wood on this project but before doing so, imPainters will check and confirm that Doug Topliffe in agreement with the extra cost.	2,000
Note	IM GROUP will dedicate 100% of it's resources to this project, using our best painters, to make sure that Doug Topliffe is happy with the results of his newly painted home.	
	Labor	\$15,600.00
	If accept this quote within 48 hours. 10% OFF	10% OFF (\$1,560.00)
	TOTAL	\$14,040.00
	Material	\$ 3,120.00
	Total	\$17,160.00

Time Frame: Please allow IM GROUP between 10 working days to complete this job, weather permitting.

8,000
25,160,-

Start date: Early June, 2021.

This quote includes: All of the descriptions above, plus clean up once the job is completed.

Warranty: IM GROUP LLC offers a 3 year warranty on any interior job and a 2 year warranty on any exterior job, the exterior jobs exclude any horizontal surfaces. This warranty is only valid for paint or painters failure.

Thank you for your business. We look forward to making your home more beautiful.

Igor Monteiro

impainters.com

(603) 338-7525

Client's Name: _____ Estimator's Name: _____

Signature: _____ Signature: _____

Date: _____ Date: _____



References

Maurice Guernon and Paula Obuchon - Hudson NH
(603)508-0139
moesasus@gmail.com

Claire and Mike Bois - Hollis, NH
(603)465-7115
purpledoor104@aol.com

Gina and Jason LeMay - Nashua, NH
(978)435-1218
gina_a_lemay@yahoo.com

Daniel Distel - Windham, NH
(603) 560-1189
disteld@gmail.com

Mark Gilbertson and Nancy Huxley - Nashua, NH
(603) 897-9678
mwg24@gmail.com

Patrick and Christina Kohlman - Windham, NH
(978) 835-5574
pkohlmanacs@gmail.com



Town of Amherst, NH BOARD OF SELECTMEN STAFF REPORT

Title: Acceptance of Bean Foundation Grant

Department: Parks & Recreation Department

Meeting Date: April 19, 2021

Staff Contact: Craig Fraley

BACKGROUND INFORMATION:

The Parks and Recreation Department was awarded a \$40,000 grant from the Bean Foundation for the purpose of updating the clubhouse at Buck Meadow Conservation and Recreation Area. A public hearing was held at the BOS meeting on 4/12/2021. All public input was in favor of accepting the grant. The money will be used to replace windows, carpeting, update bathrooms and paint the interior of the building.

Terms of the Grant

- The terms of the grant are that we must expend the entire grant within 12 months and only spend grant money on specific goals from the narrative.
- We must write a report at the end of the project to the Bean Foundation stating what we did with the money.
- We must give the Bean Foundation some sort of recognition for the use of the grant (plaque on the wall).

BUDGET IMPACT:

(Include general ledger account numbers)

Decrease in need Maintenance costs for the Clubhouse at Buck Meadow

POLICY IMPLICATIONS:

N/A

DEPARTMENT HEAD RECOMMENDATION:

I recommend the money be accepted by the BOS

SUGGESTED MOTION:

I make a motion that we approve the awarded Bean Foundation Grant awarded to the Amherst Parks and Recreation Department in the sum of \$40,000.

TOWN ADMINISTRATOR RECOMMENDATION:

Concur.

ATTACHMENTS:

1. Bean Foundation Project Narrative

Amherst Parks & Recreation

Project Narrative

Norwin S. and Elizabeth N. Bean Foundation

Background

The mission of Amherst Parks and Recreation is to enhance the quality of life for all Amherst residents with high-quality programming in health, leisure, fitness, and outdoor education through a series of well-maintained park(s) and recreational facilities. This is completed through offering a series of programming that includes all facets of Recreation.

The Amherst Parks and Recreation has been very successful in offering classes that meet the needs of our youth and middle-aged adult population with about 7000 participants annually. This includes programming in youth sports, adult exercise classes, the Amherst makerspace, theater classes, outdoor education programs and free community events like our summer concert series, winter festival and much more. The department also manages the Baboosic Lake Town Beach located on Baboosic Lake. The beach annually has three to five thousand visitors as well, including patrons from not only Amherst but surrounding towns and cities as far out as Manchester, Nashua and Tyngsboro MA.

Amherst Parks and Recreation has always been known to offer great opportunities to the youth of Amherst. We also have programming for families and younger adults. One demographic that the department has often struggled to offer programming to is our older adult/senior population. The reason for this is we do not have the adequate indoor space to offer such programming in a year-round capacity. Until the purchase of Buck Meadow, the only public meeting space in town is the Amherst Town Library and the Amherst School District. Amherst Parks and Recreation has relied heavily on the Amherst School District for the use of indoor space. While we have a great working relationship with the local school districts, we are unable to offer programming during school hours. This has made it very challenging to offer any kind daytime programming to our older adult population. Until recently the department has very little accessible indoor space during daytime hours.

Buck Meadow Conservation and Recreation Area

In March of 2020 the Town of Amherst had the fortune of acquiring Buck Meadow Golf Course. The joint purchase of Buck Meadow was made in partnership between the Amherst Conservation Commission and Amherst Parks and Recreation. This forty-acre property is located on Route 101A in Amherst. The plan for the property is to build athletic fields and a playground on 10 acres and the other 30 acres will stay as conserved grass woodlands. There are established walking trails that will eventually connect to other walking paths in the area to give local residents access to the park by foot and bicycle.

The property came with a 1900 square foot clubhouse located adjacent to a fifty-car parking lot. The clubhouse building has two bathrooms, a kitchen and a large open room that can house up to forty seated people. The clubhouse has always been used in the golfing season as the pro-shop and clubhouse but was never open during the winter months. The Clubhouse does have a heating system but the doors and windows need to be replaced. Some of the updating will include new carpeting, new windows and upgraded bathrooms. We are also in the process of partnering with the Amherst Lions Club to update the kitchen area so they can use the space for their monthly meetings.

With the Support of The Bean Foundation's generous award of the grant, the clubhouse will take the role of a much-needed indoor meeting space Amherst Parks and Recreation has not had in the past. We will be able modernize the building with new windows, doors and updated bathrooms as well as fresh paint and indoor furnishings. This project will truly be built with the idea of bringing the community together.

Once completed, we will have an ADA accessible meeting space that residents of Amherst can utilize for civic group meetings, family gatherings, book clubs, scouting meetings as well an area to host a variety of Senior programming including gaming, lecture series, senior meals and coffee hours and much more.

2019 Senior Citizen Survey

In May of 2019 we surveyed 139 Senior Citizens from Amherst the survey asked questions regarding what services current seniors were taking advantage of, what services they would like to see Amherst provide as well as ideas for programs and topics. Here are some key indications that came out of the survey that we feel are necessary for us to offer and speak on behalf of seniors needing a meeting place like Buck Meadow.

47% of Seniors who took the survey felt seniors' recreational needs were not being met. Comments on this topic included:

- “Amherst needs a senior center where seniors meals and gatherings can take place.”
- “A senior center is needed.”
- “I wish there was a senior center that served lunches.”
- “Most current services are geared towards families with children.”

One Survey question was; What programs, opportunities or services could the Town of Amherst provide that you feel would improve your quality of life?

- “Opportunities to engage with other active seniors.”
- “Cognitive development/maintenance-oriented offerings, Discussion groups, reading groups, more lectures.”
- “A senior center where seniors can meet others and help one another. Chair yoga and tai chi, line dance lessons, computer and iPad help. Ways to help others for just 2 hours or less. Trips and lecture specialists for healthy senior living would be great too.”

Expected Outcome

Expected Outcomes	How will it be measured
Provide a much-needed space for seniors to meet and engage	Participation in the 65+ age range will increase.
A community Room that is ADA accessible and utilized by Amherst residents	Inclusive program offerings and easier access to programs will see an increase for this demographic. Increased facility rental income
Making our senior population more active	Creating active walking clubs and exercise clubs based out of the clubhouse at Buck Meadow
Amherst Recreation will continue to offer more to our senior population	After two years of the Club House being run, we will survey our Senior Citizens again to see if we get a higher satisfaction number.

Conclusion

The Clubhouse at Buck Meadow has the potential to fill a much-needed gap in our programming to Senior Citizens. The location of the property in conjunction to its proximity to Parkhurst place, walking

trails and athletic fields will make Buck Meadow Conservation and Recreation Area a well-rounded park for all of the citizens of Amherst. Whether you are a five-year-old soccer player, a cross country skier, a 55-year-old bird watcher or a 75-year-old crafter, we can truly say that we are offering something for everyone at Buck Meadow.



**Town of Amherst, NH
BOARD OF SELECTMEN
STAFF REPORT**

Title: Hawker and Vendor Permit - Amherst **Department:** Police Department
Soccer Tournament

Meeting Date: April 19, 2021

Staff Contact: Mark Reams

BACKGROUND INFORMATION:

Issuance of Hawker and Vendor permit to Amherst Soccer Club representative for food concessions at the May 29-31 tournament.

BUDGET IMPACT:

(Include general ledger account numbers)

None

POLICY IMPLICATIONS:

DEPARTMENT HEAD RECOMMENDATION:

SUGGESTED MOTION:

Move to approve Hawker and Vendor permit to Lisa Davidson of the Amherst Soccer Club for sale of food concessions at May 2021 soccer tournament.

TOWN ADMINISTRATOR RECOMMENDATION:

Concur

ATTACHMENTS:

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