



Town of Amherst, New Hampshire
Office of Community Development
Building · Code Enforcement · Planning · Zoning · Economic Development

CASE #: PZ19251-072324
MEETING DATE: August 7, 2024
CREATED BY: Nic Strong, Community Development Director
ZONING DISTRICT: Commercial (C) District with Aquifer Conservation & Wellhead Protection District (ACWPD) Overlay
APPLICATION DESIGNATION: Non-Residential Site Plan Review - Change of Use
PLAN TITLE and DATE: Country Village Montessori School Non-Residential Site Plan 2 Overlook Drive Tax Map 1 Lot 1-23-3 Amherst, New Hampshire 03031 July 8, 2024
Scale: 1" = 30'
PROPERTY OWNER: Country Village Montessori School, LLC c/o Jim Doody
APPLICANT/AGENT: Sam Foisie, PE, Meridian Land Services, Inc.
MAP/LOT: Map 1 Lot 23-3
LOT SIZE: 1.18 acres
ROAD FRONTAGE: NH Route 101A
LOCATION OF PROPERTY: 17 NH Route 101A

You are hereby notified that the Non-Residential Site Plan Review Change of Use as cited above has been conditionally approved by majority vote of the members of the Planning Board on August 7, 2024, on the motion:

I **MOVE** to approve Case #PZ19251-072324 for Country Village Montessori School, LLC, for the above cited Non-Residential Site Plan Review Change of Use of Map 1 Lot 23-3, 17 NH Route 101A, to change the use of the existing building from a retail use to a Montessori school, with the following conditions:

CONDITIONS PRECEDENT:

Conditions Precedent: The following conditions must be satisfied prior to the Planning Board Chair signing the plans.

1. Submission of revised plans in the number required by the Non-Residential Site Plan Review Regulations and that include all of the checklist corrections, any corrections as noted at this hearing and any waivers granted.
2. Submission of a Stormwater Management Plan, if needed.
3. Submission of a report from a licensed septic designer that the septic system has capacity for the change of use from a retail store to a private school.

4. Submission of a trip generation memo regarding traffic.
5. Payment of any outstanding fees related to the site plan application and/or the recording of documents with the HCRD.
6. The applicant will provide the Office of Community Development with an update on the septic system, including receipt of construction approval and permits for the new septic system.
7. Receipt of a DOT permit if it is determined to be a requirement.

SUBSEQUENT CONDITIONS:

Conditions Subsequent: The following conditions subsequent shall be met during construction and on an on-going basis:

1. The applicant shall comply with all of the Town of Amherst's Non-Residential Site Plan Review Regulations, Subdivision Regulations, Zoning Ordinance and Stormwater Regulations.
2. No occupancy permits shall be granted for any structure until all work shown on an approved site plan is complete to the satisfaction of the Building Inspector, Fire Department, Public Works Department and Office of Community Development, as applicable.

The applicant acknowledges that this approval is based on a student maximum of 30 without further approval by the Planning Board.

FINDINGS OF FACT:

Application Description

Case # PZ19251-072324. Application for Non-Residential Site Plan Review, Change of Use for 17 NH Route 101A, Tax Map 1 Lot 23-3, PIN#: 001-023-003. The applicant proposes a change of use from a retail shoe store to a Montessori School in the Commercial District.

The Staff Report's description and chronology is adopted by the Board as a portion of the Findings of Fact and can be referred to for further details.

Application Completeness

Per the Non-Residential Site Plan Review Regulations, Article 3, the Planning Board was provided with application documents which were reviewed. It was determined that the application was sufficiently complete to proceed with consideration by the Board per RSA 676:4 I. (b).

Land Usage Requirements

Per the Zoning Ordinance, Section 4.7, the Planning Board is satisfied that the proposed land use meets the existing land uses permitted in the Commercial Zoning District.

Compliance with Regulations

This is a developed site that meets General Standards 2.1.A.6 requirements for water supply, wastewater disposal, and solid waste disposal. Based on the proposed change of use, the applicant plans to install a new septic system.

Section 8.1 Parking Space Requirements were calculated based on the proposed change in use and deemed to comply with the regulations.

Waivers

Waivers were requested and granted for the following:


1. Lighting standards, Article I, Section 3.2.9
2. Groundwater monitoring, Article IV, Section 4.1.A
3. Landscaping standards, Article V
4. Minimum 4 feet wide area around each free-standing sign, Article VI, Section 6.3.A
5. Providing maintenance bond, Article VI, Section 6.5
6. Outdoor lighting guidelines, Article VII

Conditions


The applicant acknowledges the conditions precedent and conditions subsequent in the Staff Report as well as any additions from the Planning Board are required.

Summary

The Planning Board finds that with the conditions imposed in the approval, the application meets the spirit and intent of the Ordinances and Regulations.



Nic Strong
Community Development Director



Date

NS/

8/14/24

