



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

STAFF MEMO

CASE #: PZ18773-040924
MEETING DATE: April 17, 2024
CREATED BY: Nic Strong, Community Development Director
ZONING DISTRICT: Commercial (C) with Aquifer Conservation & Wellhead Protection District (ACWPD) Overlay
APPLICATION DESIGNATION: Regional Impact
PLAN TITLE and DATE: Site Development Plans Tax Map 2 Lot 35 Planet Fitness 123 NH Route 101A, Amherst, NH Prepared For Charles River Realty P.O. Box 262 Norwood, MA 02062 Owned By David F. Jasper Revocable Trust c/o Amherst Crossing AMA Realty Ventures, LLC P.O. Box 262 norwood, MA 02062 (Ground Lessor)
PROPERTY OWNER: Scale: varies April 1, 2024
David F. Jasper Rev. Trust (Amherst Crossing AMA Realty Ventures, LLC - Ground Lessor)
APPLICANT/AGENT: Amherst Crossing AMA Realty Ventures, LLC (On behalf of Planet Fitness)
Tom Burns, PE, TFMoran, Inc.
MAP/LOT: Map 2 Lot 35
LOT SIZE: 5.04 acres
ROAD FRONTAGE: NH Route 101A
LOCATION OF PROPERTY: 123 NH Route 101A (Unit E)

PROJECT OVERVIEW:

- The applicant proposes to change the use of Unit E from retail to gym.

REGIONAL IMPACT:

- Pursuant to NH RSA 36:56, I. "A local land use board... upon receipt of an application for development, shall review it promptly and determine whether or not the development, if approved, reasonably could be construed as having the potential for regional impact. Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact."
- Pursuant to NH RSA 36:55, "... 'development of regional impact' means any proposal before a local land use board which in the determination of such local land use board could reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:
 - I. Relative size or number of dwelling units as compared with existing stock.
 - II. Proximity to the borders of a neighboring community.

- III. Transportation networks.
- IV. Anticipated emissions such as light, noise, smoke, odors, or particles.
- V. Proximity to aquifers or surface waters which transcend municipal boundaries.
- VI. Shared facilities such as schools and solid waste disposal facilities.”.
- Pursuant to NH RSA 36:57, I. “Upon determination that a proposed development has a potential regional impact, the local land use board having jurisdiction shall afford the regional planning commission and the affected municipalities the status of abutters as defined in RSA 672:3 for the limited purposes of providing notice and giving testimony.”.
- Pursuant to NH RSA 36:57, II. "Not more than 5 business days after reaching a decision regarding a development of regional impact, the local land use board having jurisdiction shall, by certified mail, furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the decision was made. The local land use board shall, at the same time, submit an initial set of plans to the regional planning commission, the cost of which shall be borne by the applicant."
- **Board to discuss if a regional impact is identified.**

PLANNING BOARD OPTION(S):

- The Board could consider whether this application meets regional impact and requires notification of additional entities in advance of the public hearing of this item at the Planning Board’s May 1, 2024, meeting.

NS/

4/12/24