



December 9, 2025

JACOBSON FARM QUICK REFERENCE SHEET

TO: Amherst Planning Board

RE: Jacobson Farm Subdivision
Christian Hill Road
Tax Map 5 Lot(s) 100 & 148
Amherst, NH 03031

SUBJECT: Planning Board Meeting- December 11, 2025

1. Legal Opinion and Subject Regulations

While everything is factual as stated it is an unfair opinion to place on the overturn of past denial, that the board was somewhat correct because a lower court affirmed its ruling. The highest NH court THE SUPREME COURT OF NEW HAMPSHIRE, ruled that the lower court erred in It's finding the board was correct in denying of this application.

Accordingly, because we agree with TransFarmations that the trial court erred in affirming the Board's decision that the second CUP application did not materially differ from the first, we need not address its remaining arguments.

The remand order that follow the SUPREME COURT's ruling was specific in what was required of the board.

TransFarmations shall have the right to pursue its Conditional Use Permit application that was subject the Board's December 23, 2019 public hearing notice, along with any related site plan application, and, it may thereafter revise its proposed residential land development application in any manner that is consistent with the Town's Zoning Ordinance and the Planning Board's Site Plan and Subdivision Regulations that were in existence on December 23, 2019. Similarly, the Planning Board shall review TransFarmations' Residential development plan applications that are based upon the Zoning Ordinance and Planning Board Regulations that were in existence on December 23, 2019, consistent with the Town Zoning Ordinance and Planning Board Regulations that were in existence on December 23, 2019.

The Court has instructed the Amherst Planning board to act on the application applying the regulation in effect December, 2019; not today's regulations.

2. CONDITIONS SUBSEQUENT: #2 Non-Residential Site Plan Review application

The CUP CS #2 referenced "Non-Residential Site Plan Review Regulations" (NRSP) should be applied for "if needed" applying the applicability of the NRSP application, Section 1.2 Applicability of the NRSP regulations provides that one and two-family residential are exempt from the regulations. Therefore, the regulations and associated NRSP application are not applicable and not needed. Hence no NRSP application has not been applied for review.

CONDITIONS SUBSEQUENT: #2



The applicant shall file a Non-Residential Site Plan Review application in accordance with the "Non-Residential Site Plan Review Regulations" with the Amherst Planning Board, if needed, along with a Subdivision Application, and any other applications as necessary.

Section 1.2 Applicability.

A. These regulations shall apply to all site plans for the development of tracts of land for all uses other than one- and two-family residential, expansion or change of use.

Further review of the IIHO ordinance for reference of the NRSP, section 4.16.B references that IIHO are subject to *Subdivision and Non- Residential Site Plan Regulations and the Amherst Stormwater Ordinance*. This is similar to referencing all applicable ordinance apply to IIHO project. As determined above the NRSP regulation are not applicable.

Section 4.16.B

4. All IIHO projects are subject to the IIHO Regulations, Subdivision and Non- Residential Site Plan Regulations and the Amherst Stormwater Ordinance.

The PRD regulations provide guidance that the applicant shall make an application to the planning board in the same fashion as outlined in the subdivision regulations. As such a subdivision application has been applied for.

Section 4.17.B. CONDITIONS.

An applicant for approval of a proposed PRD shall make application to the Planning Board in the same fashion as specified in the Subdivision Regulations and Section 4.16 - IIHO. In the course of review of the proposal by the Planning Board, the Board shall hear evidence presented by the applicant and determine whether, in its judgment, the proposal meets the objectives and purpose set forth above, in which event the Board may grant approval to the proposal subject to such reasonable conditions and limitations as it shall deem appropriate. (3-14-17)

3. Compliance and Comparison with the CUP approval

The current proposed PRD subdivision is not materially different from the approved CUP III, the proposed plan has reduced in intensity, furthering its compliance with the CUP approval.

CUP III compared to the Proposed PRD

CUP III Approval	Current Proposed RPD
33 single family homes, a 4-unit barn, and up to 2 ADUs	31 single family homes, a 2-unit barn, and up to 6 ADUs
91.42 acres of open space	91.64 acres of open space
Unit restrictions 24	Unit Restrictions 28
No pedestrian roadway improvements	8' wide multi-use path along the developed frontage
Houses out of the wetlands buffer	Houses out of the wetlands buffer



The current proposed PRD subdivision is not materially different from the approved CUP III, the proposed plan has reduced in intensity, furthering its compliance with the CUP approval. These changes have been present to the board twice with no comments related to layout or density.

Reference: IIHO Incentives CUP approval (adjust without the gathering barn), IIHO Incentives 6-12-2025, 12/4/24 presentation and 6/18/25 presentation, Exhibit 3 - CUP III & PRD Comparison, Submitted 12/5/25

4. Scenic setback determination, in response to questions of the Planning Board

- Parcels of land meeting the exemption criteria outlined in section 3.11.C remains with the parcel, independent of subdivisions since 3/2/1976 or future subdivisions. In the case of the subject property, Lot 5-148, the parcel has remained in its current configuration since XX/XX/XXXX. The provided Setback Exemption Exhibit demonstrates the parcel is 84.7% encumbered and precluded from use by the 100' scenic setback in combination with all other setbacks. Therefore lot 5-148 and future lots created from the parcel are exempt from the 100' scenic setback.

Section 3.11.C. EXCEPTIONS TO SCENIC SETBACK REQUIREMENTS.

“... 2. In the event that a lot of record at time of passage of this section is of such size and dimension that the application of the foregoing setback in combination with all other setbacks as may be required for such lot precludes the use of more than sixty percent (60%) of the area of such lot, then the foregoing one hundred (100) foot setback shall not apply to such lot; however, if a lot qualifies for this exception and is also subject to Non-Residential Site Plan Review by the Planning Board, the Planning Board shall determine that appropriate provision has been provided so as to reasonably achieve the purpose of this section as set forth in Paragraph 1 above. (3-2-76)...”

- The applied exemption has been shown on CUP plans since 2019. The exemption of the scenic setback was utilized and shown on the plan associated with the CUP approval (Case # PZI 7124-032323) connected with the current PRD subdivision application.

*Reference Exhibit 3.a – Setback Exhibits, Exhibit 3.b – Zoning Section 3.11.C.2, Exhibit 3.c – Email from Attorney Jim Callaham, and Exhibit 3.b – Zoning Section 4.16.D *

5. PRD Standards and Compliance

Point of Clarification:

Section 4.17 Planned Residential Development (PRD). (11-2-82) does not have the “questions” or “test” referenced in abutter’s letters, these references are referring to the incorrect zoning, not the PRD in effect as of December 2019.

The proposed PRD is in substantially the same as the approved CUP in accordance with the IIHO. It substantially meets the purpose of the PRD.



Section 4.17.A. PURPOSE

“...It is intended to encourage the preservation of open space and, at the same time, provide for a greater variety of housing types and affordability in the Town of Amherst at somewhat greater densities than permitted elsewhere in the Zoning Ordinance, without causing a significant increase in the town-wide population density...”

The proposed PRD provides nearly double the required 40% open space by proposing 91.64 acres or **76.36%** of open space. This open space meets intent of the open space requirement because the intended use is for recreation, conservation, and/or agricultural.

Section 4.17.F. OPEN SPACE

“All land in the PRD which is not covered by buildings, septic systems, wells, paved areas, service areas, or which is not set aside as private yards, patios, or gardens for the residents shall be treated as open space. The area of the open space shall be at least forty percent (40%) of the total area of the PRD tract. Such land shall have a shape dimension, character, and location suitable to assure its use for park, recreation, conservation, or agricultural purposes by at least all the residents of the PRD...”

Reference attached Section 4.17 Planned Residential Development (PRD). (11-2-82)

6. Compliance with Master Plan

- a. Master Plan Compliance with Development Criteria Narrative, submitted November 4th, 2024. This narrative demonstrates compliance with, Theme 1 - Our Shared Resources, Theme 2 - A Connected and Resilient Community, and Theme 3 - Looking Forward

Reference Master Plan Compliance with Development Criteria Narrative, Submitted 11/4/2024

7. Risk to The Public Upon Hypothetical Project Failure

- Sureties are required for landscaping, roadway, reclamation ect... These sureties are provided as Maintenance Bond or Irrevocable Letter of Credit. The board has the authority to require these sureties per section Town of Amherst Development Regulations Subdivision Regulations Section 211.8 Bonding. For an example if a project starts and the developer fails to complete and leaves a mess, the town has the funds to put the site back to stable condition. It is expected that the board will make this a conditions of approval.

8. Density determination, Number of approved units and proposed units

Baseline density has been calculated during the CUP process using Net Tract Area.

Section 9.1 Meaning of Certain Words.

Net Tract Area. The total area of a parcel of land less wetlands, floodplain and steep slopes over twenty (20) percent. (3-10-15)



Overall Density, including bonuses has already been determined with the CUP. CUP III approved with 33 Single Family Lots and 4 Unit Barn and two ADUs. Currently proposed with 31 single family lots with 1 duplex lot (two units) and 6 ADU's

9. **Studies provided during CUP process and/or Subdivision application:** Studies were done during the 60 unit proposal, meaning the scaled down to 32 single family units and 1 duplex unit, reserving the right of 5 ADU's All Provided 11/4/25 and with earlier CUP III application, except wildlife study provided 12/16/24

10. Traffic and Safety

A traffic study has been prepared by *Stephen G. Pernaw & Company, Inc.* with two addendum. The original traffic study included "TransFarmations" (60 residential dwellings) and "Clearview" (35 dwelling units). Addendum One has been prepared to identify the traffic impacts of the TransFarmations project at the Boston Post Road/Foundry Street/Church Street intersection. For simplicity, this Addendum includes new January 2023 traffic count data at the subject intersection, and it presents a straightforward "before-after" comparison in terms of traffic demand and traffic operations during the morning, school, and evening peak hour periods.

Addendum One

Conclusions:

1. *The Boston Post Road/Foundry Street/Church Street intersection accommodated 718 (AM), 516 (School) and 614 (PM) vehicles on an average weekday basis in January 2023.*
2. *The TransFarmations development project is expected to result in an additional +51 (AM), +42 (School) and +57 (PM) vehicles at the subject intersection. This translates into approximately one additional vehicle per minute during the worst-case peak hour periods; not a perceptible change to a driver traversing this intersection, or to the busy control officer, when present.*
3. *The current use of police officer control at the subject intersection during the AM and School peak hour periods is most effective, and should be maintained as it reduces vehicle-pedestrian conflicts when the crosswalks are utilized, and it reduces vehicle delays and queuing on the Foundry Street approach to Boston Post Road for all vehicles (school buses and private vehicles). The additional traffic attributable to the 2243A 11 TransFarmations development at this intersection will not be perceptible to the control officer, modifications to the current officer schedule will not be needed.*
4. *Site traffic is not of sufficient magnitude to alter the prevailing Levels of Service on the Foundry Street eastbound approach to Boston Post Road. The "before-after" analysis contained herein demonstrates that the eastbound approach will continue to operate below capacity with the TransFarmations project fully occupied.*
5. *There is a myriad of travel routes through the village area for both site traffic and the general public. These enable drivers to avoid the subject intersection via alternative routes if desired. This will continue to occur to varying degrees depending upon the time of day,*



and the drivers' ultimate origin and destination.

Addendum Two updates all analyses in Addendum One to reflect a reduced development size. In addition, this addendum includes a cursory review of the report entitled: "Amherst Village Traffic Circulation Study" that was prepared by the Nashua Regional Planning Commission in April 2022.

Addendum Two Conclusions:

1. *The Boston Post Road/Foundry Street/Church Street intersection accommodated 718 (AM), 516 (School) and 614 (PM) vehicles on an average weekday basis in January 2023.*
2. *The reduced TransFarmations development proposal is expected to result in an additional +42 (AM), +35 (School) and +47 (PM) vehicles at the subject intersection. This translates into fewer than one additional vehicle per minute during the worst-case peak hour periods; not a perceptible change to a driver traversing this intersection, or to the busy control officer, when present.*
3. *The current use of police officer control at the subject intersection during the AM and School peak hour periods is most effective, and should be maintained as it reduces vehicle-pedestrian conflicts when the crosswalks are utilized, and it reduces vehicle delays and queuing on the Foundry Street approach to Boston Post Road for all vehicles (school buses and private vehicles). The additional traffic attributable to the TransFarmations development at this intersection will not be perceptible to the control officer, modifications to the current officer schedule will not be needed.*
4. *Site traffic is not of sufficient magnitude to alter the prevailing Levels of Service on the Foundry Street eastbound approach to Boston Post Road. The "before-after" analysis contained herein demonstrates that the eastbound approach will continue to operate below capacity with the reduced TransFarmations project fully occupied.*
5. *There is a myriad of travel routes through the village area for both site traffic and the general public. These enable drivers to avoid the subject intersection via alternative routes if desired. This will continue to occur to varying degrees depending upon the time of day, and the drivers' ultimate origin and destination.*

Given that the original Pernaw Study identified a delay increase no greater than 1 second between no-build and build scenarios, and the reduction in units from 60 to 39 it is reasonable to conclude that the developments will not add any significant delays to this intersection. This is backed up by HTA offsite review letter, Page 7 Paragraph 1.

HTA offsite review letter, Page 7 Paragraph 1

Given that the original Pernaw Study identified a delay increase no greater than 0.1 seconds between no-build and build scenarios, and the reduction in units in the TransFarmations Developments since that study, we conclude that the developments will not have add any significant delays to this intersection.

**Reference: Traffic Impact And Site Access Study - Proposed Residential Developments - Amherst, New Hampshire, Dated May 1, 2020; Traffic Impact and Site Access Study -



ADDENDUM ONE - Amherst, New Hampshire, Dated February 21, 2023; Traffic Impact and Site Access Study – ADDENDUM TWO - Amherst, New Hampshire, Dated May 10, 2023; All resubmitted 11/4/2024, Hoyle Tanner Task Order # 6 – Christian Hill Road - Jacobson Farm Subdivision – Impacts Review, dated 8/15/25**

11. Groundwater and Surfacewater

A Hampshire-Groundwater Resource Assessment was prepared by *Weston & Sampson Engineers, Inc.*;

The results of this assessment indicate that the local groundwater resources can support the use of wells to develop groundwater supplies for the proposed 60 residences to be constructed at the Johnson Farm property in the Town without adversely impacting the on-site and surrounding off-site groundwater resources.

A Hydrogeologic Study was prepared by *Sanborn Head*.

AQUIFER CONSERVATIONS DISTRICTS AND POTENTIAL IMPACTS

...The Site is located within a source water protection area for the Pennichuck Water Works, similar to most of the Town of Amherst.

EXCAVATION RESTRICTIONS FROM FLOODING OR FLASH FLOODING

...It is our opinion that potential excavation restrictions are outside the typical scope of a Hydrogeologic Study.

WASTEWATER DISCHARGE IMPACTS ON GROUND & SURFACE WATER

... we do not anticipate foreseeable, unallowable wastewater discharge impacts.

STORMWATER DISCHARGE IMPACTS ON GROUND & SURFACE WATER

...Based on our review of current application materials provided by TransFarmations, we note there are several current and proposed Site features that we believe will have a positive effect on stormwater impacts on groundwater and surface water, including:

- *A large portion of Map 5 Lot 148 will remain as open space/wetlands, and the wetland is positioned between the proposed buildings/development and Ceasar's Brook/Beaver Brook. Because wetlands have a role in flood control, water quality, water storage and recharge(e.g.,12), maintaining this wetland is anticipated to retain these positive features related to stormwater discharge.*
- *The underlying stratified drift aquifers and sand and gravel identified during test pitting in portions of the Site are anticipated to be more favorable for groundwater recharge and infiltration (higher permeability that allows for more infiltration or precipitation and discharge septic wastewater) compared to other types of overburden materials such as less permeable silt and clay.*
- *Based on the CUP III application materials dated March 6, 2023, only 18% of the total land area is proposed for development, which will limit the amount of*



impervious surfaces and therefore not impede stormwater infiltration compared to a development with relatively more impermeable surfaces.

- *The CUP II application dated March 2, 2023 indicates the TransFarmations commits to a deed restriction on the entire development to prohibit chemical fertilizers and pesticides. Restricting the use of fertilizers and pesticides is anticipated to have a beneficial effect on water quality in terms of potential nutrient loading to surface water through stormwater impacts.*

EVALUATION OF BMPS IN MITIGATING EFFECTS OF DEVELOPMENT

...In relation to groundwater resources, we believe that enhancing the amount of green space relative to impermeable surfaces may help reduce potential negative impacts from stormwater runoff and preserve land available for infiltration of precipitation to the groundwater table.

BLASTING IMPACT STUDIES

... If TransFarmations' plans for development were to include blasting, we suggest blasting impact studies be addressed elsewhere in the application by others.

GROUNDWATER MONITORING PROGRAM

...we do not recommend implementing a groundwater monitoring program at this time.

The results of the Hydrogeologic Study indicate that the project has no adverse impact on groundwaters or surface waters.

****Reference:** Jacobson Farm Agrihood, Amherst, New Hampshire-Groundwater Resource Assessment, Dated February 12th, 2020 prepared by *Weston & Sampson Engineers, Inc.*; and Hydrogeologic Study, Dated July, 24, 2023, Prepared by *Sanborn Head*; All resubmitted 11/4/2024, See stormwater number for stormwater review**

12. Wildlife and Habitat

An ENVIRONMENTAL IMPACT ASSESSMENT REPORT was prepared by GZA. The report indicated the project is unlikely to appreciably jeopardize the continued existent of rare species and other notable natural resource features if the following conservation measures are incorporated in the project design. These recommendations are included in the plans.

****Reference:** ENVIRONMENTAL IMPACT ASSESSMENT REPORT, Jacobson Farm Sustainable Community, Christian Hill Road, Tax Map 5, Lots 100 & 148, Amherst, New Hampshire, Dated December 2024, Submitted 12/16/25**

13. Fiscal and School Impacts

A Fiscal Impact Analysis was prepared by Fougere Planning + Development. The study indicated that the proposed development is expected to have an increase of 15 students and net gain of \$225,000 per year in revenue. The former Superintendent, Steve Chamberlin, believes the school



district can accommodate the new students.

Fiscal Impact Analysis, Page 15, 2nd paragraph

Given the anticipated spread of new students throughout grade levels, the Superintendent believed they could accommodate the new students from the proposed project. Additional bus service will not be necessary to serve the development.

The former Superintendent's statement regarding school capacity to handle the potential new students is reiterated by Michael Berry, the current Superintendent of Schools.

School Administrative Unit Thirty-Nine letter to Amherst Town Planning Board, Paragraph 1

...I would like to take this opportunity to reiterate a position I have consistently shared: residential development on Christian Hill in Amherst will likely have an impact on the schools within the Amherst School District...

Reference: Fiscal Impact Analysis, Dated May 30th, 2023, prepared by Fougere Planning + Development; Resubmitted 11/4/2024, School Administrative Unit Thirty-Nine Letter To The Amherst Planning Board, Dated 11/12/25

14. Archeological Concerns

An Archeological Phase IA Study prepared by *Monadnock Archaeological Consulting, LLC*, which indicates no further action related to archaeological resources.

Archeological Phase IA Study, page 1 paragraph 3

As you will note, we did not identify any archaeological resources in the project area and are recommending that no further study be conducted. Please let me know if you have any questions about our findings. This should complete the archaeological review process for this project.

Reference: Archeological Phase IA Study prepared by *Monadnock Archaeological Consulting, LLC*; Resubmitted 11/4/2024

15. Pedestrian Safety and Bike Ped Committee Letters

Per the directive of the Planning Board and comments from the Amherst Bicycle & Pedestrian Advisory Committee, the project is providing an 8' multi-use path and access easement for future connection to potential sidewalk improvements. The path is offset from the roadway is 3' with exception of the crossings wetlands or where there are wetland impacts. Similar to the Town of Amherst multiuse path project along Amherst St.

Reference: Sidewalk Plan within Construction Plan, submitted within plan set 10/31/25

16. Visual Enhancement [Landscaping]



Landscape plans have been added and revised per directive of the Planning Board. Updated with Karen Fitzgerald; License #00145

- Buffer area replanting's
- Lawn
 - native trees and shrubs or naturalized meadow mix
 - Seeds
 - Conservation Wildlife Seed mix
 - Moist-Sites for detention basin
 - Roadside-Upland
 - Shade Mix
 - Warm-Season Mix
 - Wildflower Mix
- Street trees per Town of Amherst Development Regulations Roadway & Utility Standards Section

Section 305.1

Street Tree Installation Requirements: At locations where subdivision streets are to pass through an open field, or at locations where existing vegetation must be removed in order to complete construction, salt tolerant deciduous street trees, having a minimum caliper diameter of 2 1/2- inches at the time of planting, shall be installed along both sides of streets at intervals of not more than 100-feet. All street trees shall be planted at the outer limit of the street right-of-way.

1,200' of road requires 24 trees, 24 trees are provided

- Bio Retention (Rain Gardens) planted with appropriate species selection

Reference: Landscape Plans submitted 12/5/25

17. Stormwater Mitigation

The project is required to meet NHDES AoT regulations and to obtain a NHDES AoT permit. Based on the court ruling and the date of adoption of the Amherst Stormwater Regulations, the Amherst Stormwater Regulations do not apply to this project. However, on our own initiative the project has incorporate the Amherst Stormwater Regulations which require nutrient removals. The project provides the following nutrient removals per NHDES Stormwater Manual Volume 2.

Nutrient Loading

- Infiltration Basin (≥ 75 ft from surface water)
 1. TSS 90% TN 60% TP 65%
- Gravel Wetland
 1. TSS 95% TN 85% TP 64%
- Bio Retention
 1. TSS 95% TN 65% TP 65%



This has been reviewed by KNA and will continue to be reviewed by KNA till they are satisfied and will be reviewed by NHDES through the AoT Process.

18. Granting of waiver requests

Waiver Request #1 - Cul-De-Sac – dated 11/5/25 and Revised Waiver Request #2 - Slope Design Requirements for Intersections of Streets – Dated 8/1/25

These waivers have the support of the Fire Chief per Fire Chief Memo, Dated 8/27/2025, DPW per DPW Waiver Request Memo 7.30.25 and the third-party review engineer (KNA) via the Third-Party Review Letter Dated 11/11/25, Concurs with both waivers see comment 18, bullet 7&8

Reference: Fire Chief Memo, Dated 8/27/2025, DPW per DPW Waiver Request Memo 7.30.25 and Third-Party Review Letter Dated 11/11/25

19. Conservation Easement

Have presented it to the Amherst Conservation Commission and Amherst Land Trust. The Amherst Land Trust is not interested in holding the easement; however the ACC is interested in it.

ii. Working on the legal components of this to allow the ACC to hold the easement.

20. Off-site road improvements

HTA Offsite improvement letter has identified the following improvement to be performed either by the town (DPW) or the applicant.

1. Pre-construction the condition of Christian Hill Road be documented through video or photo sand that post-construction, Christian Hill Road be reviewed and any cracked/damaged pavement be repaired through patching, crack sealing or other appropriate means to prevent further damage by water infiltration.
2. Clear vegetation on the north side of Christian Hill Road, just east of the proposed Hillside Road to obtain the Intersection Sight Distance and that the town obtain an easement for sight distance from the developer at this location, allowing future clearing of vegetation.
3. Stop sign be installed on Hillside Road.
4. Clear vegetation and one large tree (see Photos 4) on the north side of Christian Hill Road, just east of the proposed Farmside Road to obtain the minimum Stopping Sight Distance and that the town obtain an easement for sight distance from the developer at this location, allowing future clearing of vegetation.
5. Stop sign be installed on Farmside Road.
6. The developer perform a sight distance analysis, utilizing CADD files with accurate vertical and horizontal layout, for the eastern driveway of Lot 5-148-3, similar as was done on sheets SD-1 and SD-2 for Hillside and Farmside Roads.
7. Vegetation, just south of Davis Lane, on the west side of Main Street, be cleared to improve the sight distance from the Davis Lane stop sign to facilitate the left-hand turn on to Main Street.



The applicant accepts all the summary items, including providing preconstruction video and photos, with the understanding that

Reference: Hoyle Tanner Task Order # 6 – Christian Hill Road - Jacobson Farm Subdivision – Impacts Review, dated 8/15/25

21. Chemical Restrictions.

See page 4 of the DECLARATION OF COVENANTS AND RESTRICTIONS, Dated 6-10-2025, submitted 6/13/25

Pesticides and Fertilizers. Chemical pesticides and chemical fertilizers are prohibited from use on the Home Lots and Farm Lot with the limited exception of those sanctioned by the Conservation Commission to minimize invasive species.

Reference: HOA DECLARATION OF COVENANTS AND RESTRICTIONS, Dated 6-10-2025

22. Farm Management Practices:

See page 3: The NH Dept of Ag BMPs have been referenced in the farm management plan

Reference: Farm Management Plan

23. Keach Nordstrom review/verification that plans are adequate

Condition of Approval - Verification from the town engineer that the plans and stormwater management plan are acceptable.

24. Elder Friends Home

There are no known regulation disallowing joint use of a structure.

25. Phasing plan

- Exhibit 10.c – Previous Phasing Plan, Submitted 11/4/25
- Exhibit 10.b – Current Phasing plan, submitted 11/4/25

26. HOA documents

DECLARATION OF COVENANTS AND RESTRICTIONS, Dated 6-10-2025, submitted 6/13/25Submitted 6/13/25

Condition of Approval - Town Attorney Review of Conservation Easement Documents and HOA documents.

*Reference: HOA DECLARATION OF COVENANTS AND RESTRICTIONS, Dated 6-10-



2025*

27. Clarification on whether the Applicant wishes for the Town to take over the private road

The road is intended to be accepted by the town.

28. Third-party review of the sidewalk plan

This was discussed in the context of if a sidewalk is needed or not and prior to providing the sidewalk. Now that it is provided there is no need for a third-party study. Furthermore, KNA is reviewing the plans that have the proposed sidewalk. KNA is a third party reviewer for multiple communities, including this one. They have also designed the Amherst Street sidewalk, meaning KNA is more than qualified to review the proposed sidewalk/multimodal path.

Condition of Approval - Verification from the town engineer that the sidewalk plan is acceptable.

29. Pedestrian access within the development

The public will be able to access the open space via the end of the cul-de-sac. The conservation easement give the ACC the right to create the walking trails.

30. Stone wall treatment and/or restoration

The project is preserving stone wall wherever possible; Including excess stones from demolished internal stonewall being used to delineate the Jakes Hill Road entrance where visual from Christian Hill Rd.