



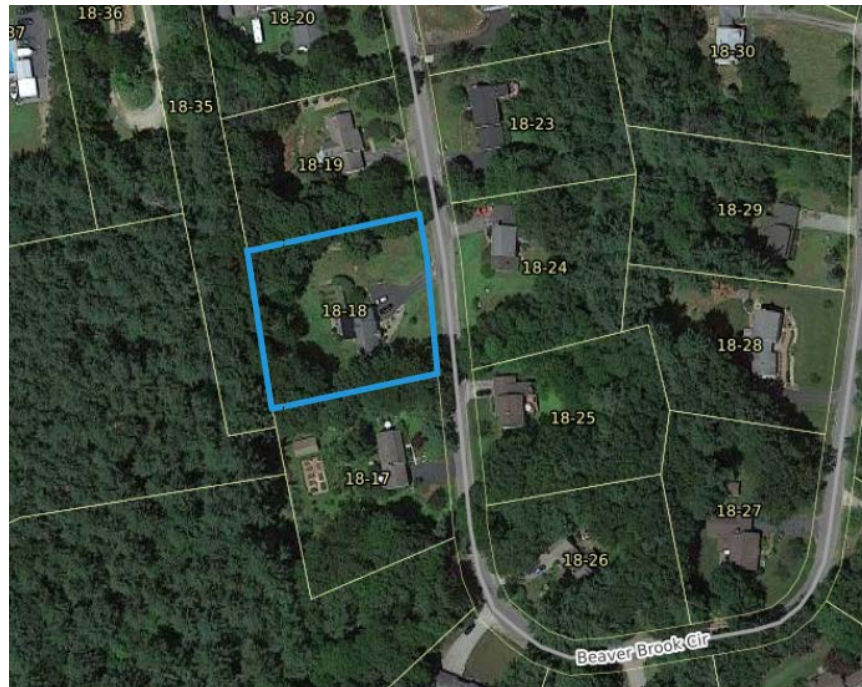
Town of Amherst, New Hampshire  
**Office of Community Development**  
Building · Code Enforcement · Planning · Zoning · Economic Development

## STAFF REPORT

**CASE #:** PZ18739-032724  
**MEETING DATE:** April 18, 2024  
**CREATED BY:** Nic Strong, Community Development Director  
**ZONING DISTRICT:** Residential Rural (RR) with Historic District Overlay  
**PROPERTY OWNER:** Jack Shepard  
**APPLICANT/AGENT:** N/A  
**MAP/LOT:** Map 18 Lot 18  
**LOT SIZE:** 0.74 acres  
**LOCATION OF PROPERTY:** 7 Beaver Brook Circle

### NOTE FOR COMMISSION MEMBERS:

- Until the application is accepted as complete, the applicant should not be asked to make a presentation. Procedurally, the HDC should consider completeness, consider regional impact, then ask for a presentation and then consider the merits of the application.



**PROJECT OVERVIEW:**

- Application was submitted on March 26, 2024.
- Description of proposed work:
  - Install cedar post-and-rail fence in backyard. Fence will have 3 boards for each section with a face board at each post. Black wire mesh will be used between the boards to fully enclose the yard. New fence will extend from existing fence. See attached pictures for design details and installation dimensions.
- Reason for proposed work:
  - To enclose the yard for the safety of our small children.
- Special conditions:
  - Our house is a non-contributing property.
- The house was built in 1962 and the building type is described as Cape Cod Form. It is a non-contributing property.

**SUBMISSION ITEMS:**

- An application form, completed and signed by Jack Shepard (owner), was submitted on March 26, 2024, along with:
  - Amherst Village Historic District Application Checklist;
  - Stormwater Procedure Sheet;
  - four (4) copies of application;
  - installation plan and dimensions;
  - photographs of fence;
  - application fees were submitted in the amount of \$109 on 3/29/24.
- There are no outstanding fees.

**ITEMS REQUIRED PER SECTION 14.2 A. APPLICATION 2. COMPLETION:** (received Y, N, N/A)

Completed and signed Application Form with copies of plats, site plans, drawings, photographs, renderings, reference materials, specifications – Y

Fees - Y

Abutters list - list of names and addresses of applicants & abutters – Y

Names and mailing addresses of all abutters + 2 sets mailing labels - Y

Variances - N/A

Waivers - N/A

*Upon determination by the Commission that a submitted application is incomplete, the Commission shall notify the applicant of the determination in accordance with Section 14.1, A. 2., and shall describe the information, procedure, or other requirement necessary for the application to be complete in accordance with Section 14.2, A. 2.*

*Whenever an application for the alteration, construction, repair, moving, demolition, or change of use of any structure or place located within the Amherst Village Historic District is received, the Historic District Commission shall consider said application; and shall act to approve, conditionally approve, or disapprove the application within 45 days, unless an extension is mutually agreed to by the applicant and the Commission. That deadline would be May 10, 2024.*

**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."
- **The Commission should discuss regional impact with regard to this application.**

**CHECKLIST ITEMS:**

- The Checklist for Historic District Applications includes submission requirements not listed in the Regulations:
  - all items needed for the HDC to make a decision appear to have been submitted.

**GENERAL CRITERIA:**

- See Historic District Commission Regulations, Article II.

**PRESERVATION GUIDELINES:**

- See Historic District Commission Regulations, Article III.

**FENCES:**

- See Historic District Commission Regulations, Article XII.

**COMMISSION OPTIONS:**

- The Commission could move to table the application should there be a need for further

- information to be submitted/research to be performed, etc.
- The Commission should discuss the completeness of the application.
  - The Commission should discuss the Regional Impact issue.
  - The Commission could consider moving to approve the application.

NS/

4/15/24

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