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LETTER OF TRANSMITTAL	
W FieldstoneLandConsultants.com	
To: Town of Amherst - Community Development Office 2 Main Street, PO Box 960 Amherst, NH 03031 Attn: Nic Strong, Community Development Director	
Date: January 1, 2024	
Re: Vonderosa Properties, LLC – Application #3 Tax Map 4 Lot 118, 119 & 121 and Tax Map 6 Lot 102 - County Road, Upham Road and Spring Road, Amherst, NH	
WE ARE SENDING YOU ■ Attached □ Under separate cover via the following items:	
☐ Shop drawings ■ Prints ■ Plans ☐ Samples ☐ Specifications	
COPIES         DATE         NO.         DESCRIPTION           1         Amherst Stormwater Management Checklist         Amherst Stormwater Management Checklist           1         Declaration of Common Driveway and Utility Easements and Maintenance Agreement           1         Updated Traffic Report (Trip Generation) – By VHB	
THESE ARE TRANSMITTED as checked below:	
<ul> <li>For approval</li> <li>Approved as submitted</li> <li>Resubmit copies for approval</li> <li>For review and comment</li> </ul>	
<b>REMARKS</b> Hi Nic, Please see the attached information which is intended to address the outstanding items mentioned in your staff memo for our Planning Board meeting on January 3, 2023. This includes a copy of the Town Stormwater Checklist and updated Traffic Report and some legal documents. As you can see from reviewing the checklist this subdivision will	

memo for our Planning Board meeting on January 3, 2023. This includes a copy of the Town Stormwater Checklist and updated Traffic Report and some legal documents. As you can see from reviewing the checklist this subdivision will require a stormwater management plan for each lot but we are requesting that this be handled as part of the building permit application when specific lot layout and design details are available. This project is not seeking any relief from stormwater or drainage design requirements we are simply asking that these details be provided during the building permit phase and as such we are seeking waivers for these requirements at this stage. We anticipate addressing any Conditional Use Permits as needed for each lot on an individual basis as well when details are known. We look forward to discussing our conservation proposal which includes conservation easements and lots. As you know, conservation easements are not a requirement so we look forward to working with the Planning Board on appropriate restrictions and we intend to provide formal legal documents pertaining to this once a good dialogue is completed before the Planning Board. We look forward to reviewing this application in more detail before the Board. Thank you as always for your assistance.

ng.h



Town of Amherst, New Hampshire Office of Community Development

Building · Code Enforcement · Planning · Zoning · Economic Development

## **Amherst Stormwater Management**

## Procedure Sheet to determine the need for a Stormwater Management Plan

Review the following criteria to determine whether or not a Stormwater Management Plan is required:

1.	Will your development or redevelopment project disturb more than 20,000 square feet?	□Yes □ No
2.	Will your development or redevelopment project disturb more than 10,000 square feet within 100 feet of a surface water body or wetland?	□Yes □ No
3.	Will your development or redevelopment project disturb less than 1. & 2. above but is part of a larger common plan of development that would cumulatively disturb 20,000 square feet or more?	□Yes □ No
4.	Will your development or redevelopment project disturb any amount of square footage directly adjacent to a wetlands buffer established under the Wetland and Watershed Conservation District Ordinance?	□Yes □ No
5.	Will your development or redevelopment project disturb any amount of square footage if the disturbed area is a Critical Area*?	□Yes □ No
6.	Does your project involve construction or reconstruction of a street or road?	$\Box$ Yes $\Box$ No
7.	Is your project a subdivision of more than three building lots?	□Yes □ No
8.	Is your project a subdivision that will create a private road or a road intended for adoption as a public road?	□Yes □ No
9.	Is your project a subdivision that fronts on an existing private or public road and the stormwater discharges to the Town's drainage system subject to the EPA MS4 permit?	□Yes □ No

\* Critical Area: Disturbed areas of any size within fifty (50) feet of any wetland; one hundred (100) feet of any Public Water Protection Wetland as defined in Zoning Ordinance Section 4.11 Part C); disturbed areas exceeding two thousand (2,000) square feet in highly erodible soils; or, disturbed areas containing slope lengths exceeding twenty-five (25) feet on slopes greater than ten (10) percent.

If the answer is "Yes" to any of questions 1 - 9, a Stormwater Management Plan shall be prepared and submitted as part of the building permit application OR as part of the application for subdivision or site plan review with the Planning Board.

See the Town of Amherst Stormwater Regulations, adopted December 16, 2020, by the Planning Board and January 4, 2021, by the Board of Health and Board of Selectmen.

10.	Will your project create disturbance adjacent to Town property or a	$\Box$ Yes $\Box$ No
	right-of-way that does not meet the criteria in questions 1 - 9 on the	
	previous page?	

If the answer is "Yes" to question 10, please submit the details of your project on the form provided prior to the commencement of the disturbance. Use of Stormwater Best Management Practices is strongly encouraged to minimize stormwater impacts on Town property.

No excavation or disturbance to shoulders, ditches, swales, or embankments may take place without written permit permission.

Road opening, temporary access and driveway permit applications may be required by the DPW in accordance with the Town's Roadway and Utility Standards.

NS/

3/25/21

Return to:

### Declaration of Common Driveway and Utility Easements and Maintenance Agreement At Land of Vonderosa Properties, LLC Amherst, Hillsborough County, New Hampshire

THIS DECLARATION is made this \_\_\_\_\_day of \_\_\_\_\_, 2022 by Vonderosa Properties, LLC with an address of 3 Huxley Lane, Amherst, New Hampshire, Hillsborough County, New Hampshire 03031 (the "Declarant").

WHEREAS, the Declarant is the owner of certain real property identified as Tax Map Parcel X-XX in Amherst, County of Hillsborough, State of New Hampshire, further described in the deed recorded at Book XXXX, Page XXXX, in the Hillsborough County Registry of Deeds, which parcel in the said Town of Amherst and Declarant has obtained subdivision approval from the Town of Amherst to subdivide such real estate into XXXX (X) lots as more particularly described and depicted on a plan entitled "Subdivision Plan, XXXXXXXXXXXXX, Prepared for XXXXX XXXXX, Tax Map Parcel X-XXX, Amherst, New Hampshire, Scale 1' =XXX', dated XXXXX XX, 2022" prepared by Fieldstone Land Consultants, PLLC, and recorded with the Hillsborough County Registry of Deeds as Plan No. (the "Plan") such lots being shown as Lots XX-XXX-X thru XX-XXX-X on said Plan; and

WHEREAS, the Plan depicts a Proposed Common Driveway Easement (the "Common Driveway") which services Lot X-XXX-X and Lot X-XXX-X as shown on the Plan; and

WHEREAS, Lot X-XXX-X and Lot X-XXX-X are collectively referred to herein as the "Lots" and individually as a "Lot"; and

WHEREAS, the Declarant desires to establish the various rights and easements concerning such common driveway arrangements regarding the Lots; and

WHEREAS, the Declarant desires to establish and impose upon the current owners of the Lots and the respective successors-in-title (collectively the "Owners" and individually an "Owner") particular obligations for the maintenance and repair of the Common Driveway and related improvements; and

WHEREAS, the Common Driveway and any related improvements are private improvements relative to which the Town of Amherst has no obligations to improve, repair, replace or maintain.

NOW, THEREFORE, for consideration paid, the Declarant hereby declares and establishes the following rights, easements, obligations and covenants regarding (i) the Common Driveway,(ii) related improvements (including drainage installations) and (iii) the maintenance obligations related to the Common Driveway and such related improvements.

1. <u>Establishment of Common Driveway</u>. The Declarant hereby establishes a common driveway and access easement for access by foot and by vehicles in favor of each Lot over that land shown as the Proposed Common Driveway Easement on the Plan, subject to and in accordance with the remaining terms and conditions of this Declaration.

2. <u>Particular Easement Rights and Obligations regarding the Common Driveway</u>. The Owners of each of the Lots (meaning Lot X-XXX-X and Lot X-XXX-X) shall have the right to use, in common with each other, the Common Driveway and shall the obligation, in conjunction with each other, to maintain, repair and improve the Common Driveway.

3. <u>Purpose of the Common Driveway</u>. The Common Driveway may be used by the Owners, their guests, invitees and licensees, for the purpose of ingress and egress, by vehicles and by foot, in a manner which is customary for residential driveway use.

4. <u>Utility Easements</u>. The Common Driveway may also be used by the Owners for the installation, maintenance, repair and replacement and use of underground utility lines, equipment and appurtenances which customarily service residential dwellings, including installations for electric, power, television and transmission of other intelligence, water, sewer and natural gas. All such utility, lines, equipment and appurtenances installed in the Common Driveway shall be installed in such a manner so as to accommodate tie-ins to each of the Lots. Any party who installs or ties into such utility lines, equipment and appurtenances shall be responsible for the cost of such installation(s) or tie-ins, as the case may be, including, without limitation, the cost to restore the Common Driveway upon completion of such installation or tie-in.

5. <u>Slope, Embankment and Drainage Easements</u>. The Declarant hereby establishes slope, embankment and drainage easements in favor of each of the Lots over the Common Driveway and over those respective portions of each of the Lots as may be necessary for the construction, maintenance and use of the Common Driveway. The Common Driveway and those portions of the Lots subject to the aforementioned slope, embankment and drainage easements may be used for the benefit of each Lot for necessary slopes and embankments to support the Common Driveway and for the drainage of storm water, the installation of drainage swales, culverts, piping and other drainage appurtenances; provided, that such slopes, embankments and drainage installations shall not materially and adversely affect the use of the Common Driveway for ingress and egress purposes and shall not materially and adversely affect the driveway surface and utility lines, equipment and appurtenances which provide or may provide services to the Lots.

6. <u>Maintenance Criteria regarding the Common Driveway</u>. The Common Driveway shall be paved. The Owners shall repair, replace and maintain the Common Driveway so as to keep it in good condition and repair. Without limitation to the foregoing, the Owners shall plow and

sand the Common Driveway, and keep the same passable in all seasons in a condition so as to allow for the passage of fire trucks, ambulances and other emergency vehicles.

7. <u>Criteria for Maintenance of Drainage Installations</u>. The Owners shall keep and maintain any slopes, embankments and drainage installations established pursuant to this Declaration in good condition, with any such drainage installations being kept in a functional and operable state.

8. <u>Allocation of Costs and Expenses</u>. The Owners shall bear equally the costs and expenses to install, maintain, replace and repair the Common Driveway, the slopes, embankments and drainage installations established pursuant to this Declaration and the common elements of all utility systems established in the Common Driveway, including the costs and expenses to repair and restore the Common Driveway and such slopes, embankments and drainage installations in the event of disturbance of the same in connection with work undertaken with respect hereto.

9. <u>Failure to Pay</u>. In the event that a particular Owner or particular Owner(s) fail(s) to pay his or their share of a financial obligation hereunder, then the other Owner(s) shall have the right to demand forthwith reimbursement of such share from the delinquent Owner(s) and bring any action at law or equity to compel the same.

10. <u>No Obstruction</u>. The Owners shall not block or obstruct the use of the Common Driveway, such slopes, embankments and drainage installations or the common utility systems, including, without limitation, park any vehicles or suffer or permit any other tangible personal property to remain on the Common Driveway.

11. <u>Mailboxes and Signs</u>. The Owners may keep and maintain separate mailboxes and permanent house address signs on that portion of the Common Driveway near or adjacent to Worcester Road, in a manner customary for the placement of such installations. In addition, the Owners may maintain temporary "For Sale" or "For Lease" signs in those same areas. Such mailboxes and signs (permanent and temporary) shall be maintained in an attractive, neat condition and reasonable and limited in size.

12. <u>Not a Public Road</u>. The Common Driveway shall not become a public road nor be dedicated as such, and the slopes, embankments and drainage installations shall not become public improvements.

13. <u>Enforcement</u>. Each Owner may enforce his rights under this Declaration by all remedies available at law and equity, including the remedies of specific performance and mandatory injunction.

14. <u>Law</u>. This Declaration shall be governed by and enforced in accordance with the laws of the State of New Hampshire.

15. <u>Binding Effect</u>. This Declaration shall be binding upon and inure to the benefit of, as the case may be, the Owners (of each of the Lots) whether or not this Declaration is referenced in any deed of Lot X-XX-X and Lot X-XXX-X. The rights, easements and obligations established under

This Declaration shall be perpetual and run with the land, and be appurtenant to, and binding upon, each of the Lots in accordance with the terms of this Declaration.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be duly executed the date first set forth above.

Vonderosa Properties, LLC

Witness

By:

XXXXXXXXX, Title

### STATE OF NEW HAMPSHIRE COUNTY OF HILLSBOROUGH

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2022\_by XXXXXXXXX, Title of Vonderosa Properties, LLC.

Notary Public My Commission Expires:



December 20, 2023

Ref: 52913.00

Chad Branon Fieldstone Land Consultants, PLLC 778 Elm Street, Suite C Milford, NH 03055

Re: Traffic Assessment Tax Map 4, Lots 118, 119, and 121 and Tax Map 6, Lot 102 Residential Development Amherst, New Hampshire

Dear Mr. Branon:

Vanasse Hangen Brustlin, Inc. (VHB) has prepared this Traffic Assessment to summarize the trip-generation estimates associated with the proposed residential development to be located on the properties identified as Tax Map 4, Lots 118, 119, and 121 and as Tax Map 6, Lot 102 in Amherst, New Hampshire. The Tax Map 4, Lots 118 and 119 parcels are located along both sides of County Road north of Upham Road, Tax Map 4, Lot 121 is located along Upham Road east of County Road, and Tax Map 6, Lot 102 is located along Spring Road north of Evergreen Lane. County Road, Upham Road, and Spring Road are legislatively categorized as Class V Local Roads under Town of Amherst jurisdiction. As proposed, the site would be developed in 44 lots with a total of 37 single-family homes along County Road and Upham Road and 7 conservation lots to remain undeveloped. This letter summarizes the trip-generation estimates and methodologies associated with the proposed residential development.

### **Trip Generation Methodology**

To determine the vehicular trips that would be generated by the proposed development, trip-generation rates published by the Institute of Transportation Engineers (ITE)<sup>1</sup> were researched. Table 1 summarizes the trip-generation estimates of the proposed residential development. The trip-generation calculations are attached to this letter.

<sup>&</sup>lt;sup>1</sup> Trip Generation Manual. 11th ed. Washington, DC: Institute of Transportation Engineers, 2021.

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#### Table 1 Trip-Generation Summary

Time Period/Direction	Estimated Site Trips <sup>a</sup>
Weekday Daily	
Enter	203
Exit	203
Total	406
Weekday AM Peak Hour	
Enter	8
Exit	22
Total	30
Weekday PM Peak Hour	
Enter	25
Exit	14
Total	39
Saturday Daily	
Enter	183
Exit	183
Total	366
Saturday Peak Hour	
Enter	22
Exit	20
Total	42

a ITE Land Use Code 210 (Single-Family Detached Housing) for 37 dwelling units.

As shown in Table 1, the proposed residential development is estimated to generate 30 total trips (8 entering and 22 exiting) during the weekday AM peak hour, 39 total trips (25 entering and 14 exiting) during the weekday PM peak hour, and 42 total trips (22 entering and 20 exiting) during the Saturday peak hour. Based on ITE methodologies<sup>2</sup> and NHDOT guidance,<sup>3</sup> a development may result in a change in vehicular operations (i.e., noticeably drop level of service or increase volume-to-capacity ratios) if the addition of site trips would increase peak hour traffic volumes at an intersection by 100 vehicles or more. In general, traffic increases less than this

<sup>&</sup>lt;sup>2</sup> ITE Recommended Practice: Multimodal Transportation Impact Analysis for Site Development. Washington, DC: Institute of Transportation Engineers. 2023.

<sup>&</sup>lt;sup>3</sup> Bollinger, Robert E. Inter-Department Communication. New Hampshire Department of Transportation, Bureau of Traffic. 17 Feb. 2010.

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threshold could be attributed to the fluctuation of vehicles due to driver patterns that occur during the day, on different days of the week, or different months of the year. As shown in Table 1, the site trips associated with the proposed residential development are not anticipated to exceed this threshold. Therefore, standard traffic engineering practice suggests that the proposed development would be expected to result in negligible impacts to the adjacent roadway system.

### Conclusion

In summary, ITE and NHDOT methodologies suggest that a development may have a noticeable impact if the addition of site trips increases traffic volumes at an intersection by 100 vehicles per hour or more. Based on the findings of this Traffic Assessment, the site trips for the proposed residential development are below this threshold (30 to 42 vehicles per hour). These minimal site trips added to the roadway network are considered to be representative of the typical fluctuation of traffic volumes within the area. Therefore, the proposed development on Tax Map 4, Lots 118, 119, and 121 and as Tax Map 6, Lot 102 is anticipated to result in negligible impacts to the adjacent roadway network.

Sincerely,

VHB

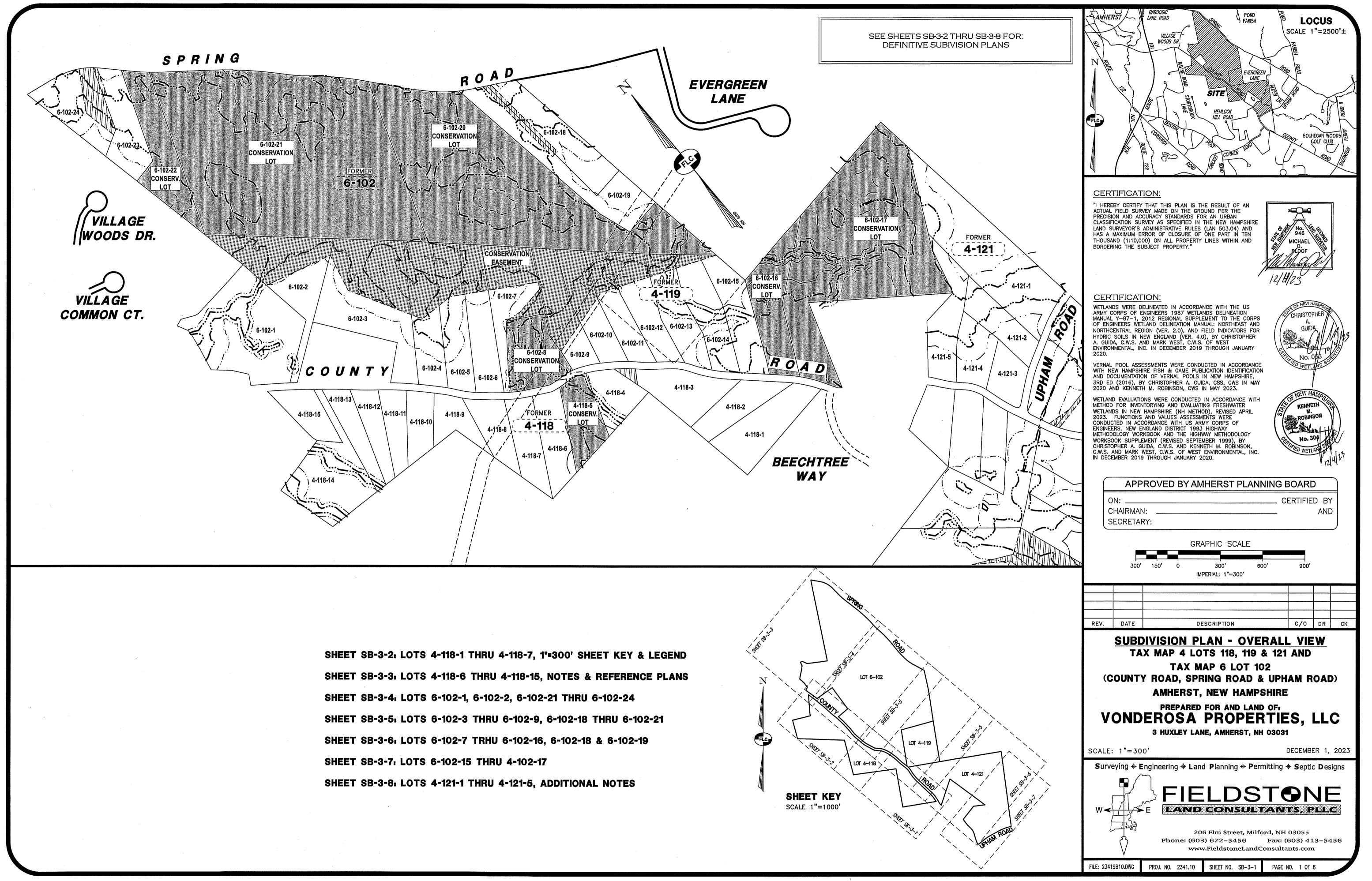
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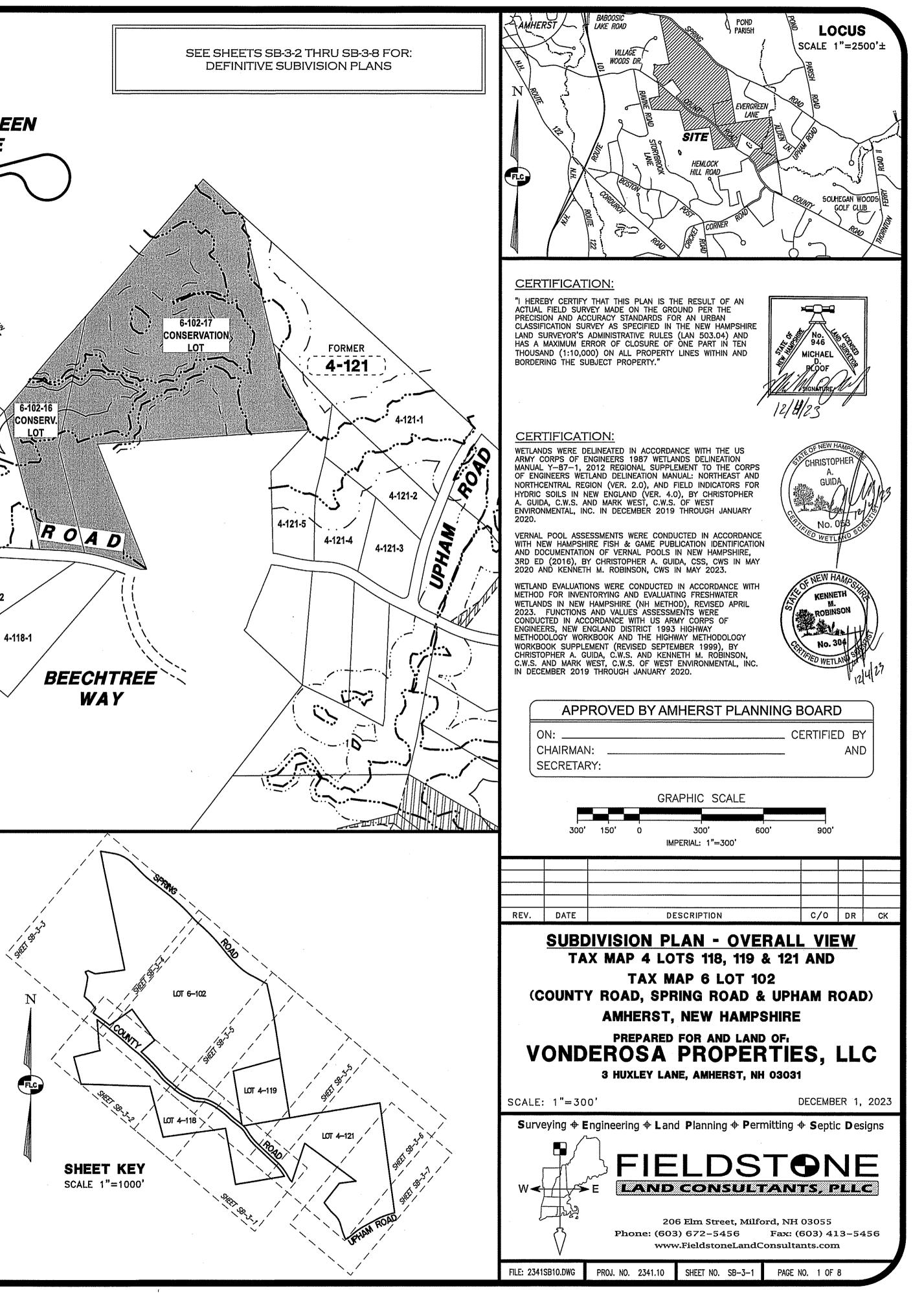
Jason R. Plourde, PE, PTP Transportation Systems Team Leader JPlourde@vhb.com

Attachments

## Attachments

Conceptual Site Plan Trip-Generation Calculations





# ITE TRIP GENERATION WORKSHEET (11th Edition, Updated 2021)

#### LANDUSE: Single-Family Detached Housing LANDUSE CODE: 210 SETTING/LOCATION: General Urban / Suburban JOB NAME: JOB NUMBER:

Independent Variable --- Number of Dwelling Units

37 dwelling units

RATES:			Т	otal Trip End	ls	Independ	dent Variable	e Range	Direc Distrit	
	# Studies	R^2	Average	Low	High	Average	Low	High	Enter	Exit
DAILY	174	0.95	9.43	4.45	22.61	246	10	2,945	50%	50%
AM PEAK OF GENERATOR	169	0.91	0.75	0.34	2.27	217	10	2,945	26%	74%
PM PEAK OF GENERATOR	178	0.92	0.99	0.49	2.98	203	10	2,945	64%	36%
AM PEAK (ADJACENT ST)	192	0.90	0.70	0.27	2.27	226	10	2,945	26%	74%
PM PEAK (ADJACENT ST)	208	0.92	0.94	0.35	2.98	248	10	2,945	63%	37%
TRIPS:			В	Y AVERAG	E	BY	REGRESSI	ON	ĺ	
			Total	Enter	Exit	Total	Enter	Exit		
		DAILY	350	175	175	406	203	203		
AM PE	AK OF GENE	ERATOR	28	7	21	34	9	25		
# Studies         R^2           DAILY         174         0.95           AM PEAK OF GENERATOR         169         0.91           PM PEAK OF GENERATOR         178         0.92           AM PEAK (ADJACENT ST)         192         0.90           PM PEAK (ADJACENT ST)         208         0.92           TRIPS:         TRIPS:         100         0.92		ERATOR	37	23	13	41	26	15		
AM PI	EAK (ADJAC	ENT ST)	26	7	19	30	8	22		
PM PI	EAK (ADJAC	ENT ST)	35	22	13	39	25	14		

### <u>SATURDAY</u>

RATES:			То	otal Trip End	ls	Independ	dent Variabl	e Range	Direct Distrib	
	# Studies	R^2	Average	Low	High	Average	Low	High	Enter	Exit
DAILY	63	0.91	9.48	3.36	16.52	179	15	1,000	50%	50%
PEAK OF GENERATOR	R 42	0.89	0.92	0.41	1.78	152	15	644	54%	46%

TRIPS:		BY AVERAGE		BY	' REGRESSIO	ON
	Total	Enter	Exit	Total	Enter	Exit
DAILY	352	176	176	366	183	183
PEAK OF GENERATOR	34	18	16	42	22	19

### <u>SUNDAY</u>

RATES:				To	otal Trip End	ls	Independ	Directional Distribution			
		# Studies	R^2	Average	Low	High	Average	Low	High	Enter	Exit
	DAILY	60	0.94	8.48	2.61	16.44	186	15	1,000	50%	50%
F	PEAK OF GENERATOR	40	0.92	0.83	0.36	1.67	163	15	644	53%	47%

TRIPS:		BY AVERAGE	E	B	REGRESSI	N
	Total	Enter	Exit	Total	Enter	Exit
DAILY	314	157	157	258	129	129
PEAK OF GENERATOR	31	16	14	34	18	16

## <u>WEEKDAY</u>