



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

STAFF MEMO

CASE #: PZ18768-040924
MEETING DATE: April 17, 2024
CREATED BY: Nic Strong, Community Development Director
ZONING DISTRICT: Residential Rural (RR) with Floodplain Conservation District (FPCD) and Wetland & Watershed Conservation District (WWCD) and Aquifer Conservation & Wellhead Protection District (ACWPD) Overlays
APPLICATION DESIGNATION: Regional Impact
PLAN TITLE and DATE: Subdivision Plan Prepared For: Clearview Development Group, LLC Tax Map 5 Lot 159-1 Boston Post Amherst, New Hampshire Scale: 1" = 50' April 1, 2024
PROPERTY OWNER: Clearview Development Group, LLC
APPLICANT/AGENT: Clearview Development Group, LLC
Meridian Land Services, Inc.
MAP/LOT: Map 5 Lot 159-1
LOT SIZE: 48.132 acres
ROAD FRONTAGE: Boston Post Road
LOCATION OF PROPERTY: Boston Post Road

PROJECT OVERVIEW:

- The applicant proposes to subdivide Map 5 Lot 159-1 into two lots. One lot of 44.083 acres which will be conveyed to the Town as part of the previously approved purchase of land, following the completion of the purchase process after July 1, 2024. The other lot of 4.049 acres will be retained by Clearview Development Group, LLC.

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