



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

STAFF MEMO

CASE #: PZ18769-040924
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: Amended Subdivision Plan Prew Purchase Site Layout Plan - West Village Prepared For: Clearview Development Group, LLC Tax Map 7 Lot 72 & Map 5 Lot 159-1 Boston Post Rd. & New Boston Rd. Amherst, New Hampshire Scale: 1" = 100' October 4, 2021, rev. April 1, 2024

PROPERTY OWNER: Clearview Development Group, LLC
APPLICANT/AGENT: Clearview Development Group, LLC
Meridian Land Services, Inc.

MAP/LOT: Map 7 Lot 72 & Map 5 Lot 159-1
LOT SIZE: Map 7 Lot 72 = 30.948 acres
Map 5 Lot 159-1 = 48.132 acres

ROAD FRONTAGE: New Boston Road & Boston Post Road
LOCATION OF PROPERTY: 38 New Boston Road & Boston Post Road

PROJECT OVERVIEW:

- The applicant proposes an amendment to the approved Planned Residential Development Condominium subdivision of Map 7 Lot 72 and Map 5 Lot 159-1. Map 7 Lot 72 has been purchased by a third party and the development is under construction. This plan is being submitted to show what infrastructure would be required for the condominium development of Units 1 & 2 and 12 to 22. The Town has purchased the land on which Units 3 to 11 and 23 to 25 are located. The transaction for the final purchase of land by the Town is scheduled to happen after July 1, 2024. This plan is intended as a contingency should anything happen to affect the completion of that process.

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