

Public Comment Submission: Opposition to Jacobson Farm Subdivision

**Submitted to: Amherst Planning Board and Community Development Director
Town of Amherst, NH**

**Re: Subdivision Application & Conditional Use Permit, Map 5 Lots 100 & 148, 17
Christian Hill Road (Jacobson Revocable Trust; TransFarmations, Inc.)**

Date: October 22, 2025

Submitted by: Tom Casey

Contact: 603-860-9599 / tomryancasey@yahoo.com

Cover Letter

Dear Amherst Planning Board and Community Development Director,

As a concerned resident/stakeholder, I submit this opposition statement for the public record regarding the Jacobson Farm subdivision application (Map 5 Lots 100 & 148). This 120-acre development—proposing 39 net-zero homes, up to 5 Accessory Dwelling Units (ADUs), and a nominal “regenerative” farm—violates Amherst’s scenic setback road protections, Master Plan vision, zoning ordinances, and environmental standards. It fails to meet Amherst Zoning Ordinance § 4.16 for Christian Hill Road, a designated scenic setback road, by lacking a detailed plan to avoid structures, grading, or tree/stone wall removal within the 75-foot setback from the road’s centerline. It also conflicts with the “Envision Amherst 2035” Master Plan’s farmland preservation and rural character goals and is procedurally incomplete under RSA 676:4.

Please confirm receipt, distribute to all members and staff, and post to the case file. If any new materials are submitted less than 7 days before the November 5, 2025, hearing, I respectfully request a continuance to allow public review. I request this be entered into the public record and considered for all related hearings.

Sincerely,

Tom Casey

Date: October 22, 2025

Executive Summary

The Jacobson Farm subdivision application must be denied due to procedural defects, scenic setback road violations, Master Plan conflicts, and public interest harms. The proposal introduces 39 homes and ADUs on 120 acres of historic farmland, threatening the aesthetic and rural character of Christian Hill Road, aquifer/wetland resources, and Amherst's heritage.

Relief Requested:

- Deny the application based on scenic setback road violations (Zoning Ordinance § 4.16), procedural incompleteness (RSA 676:4), public interest harms (RSA 674:21), and “scattered or premature” development (RSA 674:36, II).
- Alternatively, require a detailed scenic setback review and applicant-funded independent peer reviews (traffic, stormwater, hydrogeology, fiscal) before further action.

Top Findings:

- **Scenic Setback Road Failure:** No detailed plan to avoid structures, grading, or tree/stone wall removal within the 75-foot setback of Christian Hill Road, violating Zoning Ordinance § 4.16. The proposed T-intersection and grading would encroach on this protected zone, disrupting the road's rustic stone walls and mature tree canopies that define Amherst's rural vistas, as documented in historical records of the area's agricultural landscape.
- **Procedural Defects:** Missing nitrate loading, Stopping Sight Distance (SSD) worksheets, visual buffers, stone wall/tree inventory, construction phasing, and HOA stormwater operation & maintenance (O&M), rendering the application incomplete under RSA 676:4.
- **Master Plan Conflict:** Fragments farmland, contradicting “Envision Amherst 2035” goals to protect agricultural lands and rural character (Pages 8, 42). The project's suburban cul-de-sacs and modern home clusters would replace open meadows with paved driveways and garages, eroding the “unspoiled views” and “historic rural aesthetic” emphasized in public outreach surveys.
- **Safety Risks:** 60% traffic increase (373 average daily trips, ADT) and non-compliant sight distances create hazards, with blind curves obstructing views of oncoming vehicles and pedestrians along the narrow rural road.
- **Fiscal Burden:** Net \$1.5M deficit over 10 years from school/road costs, exacerbating tax pressures without proportional community benefits.

Opposition Statement

1. Introduction

The Jacobson Farm subdivision threatens Amherst's rural heritage, particularly the aesthetic character of Christian Hill Road, a designated scenic setback road under Amherst Zoning Ordinance § 4.16. This historic farmland, operational since the 1800s, features rolling meadows, weathered stone walls, and mature tree canopies that frame the road's serene, tree-lined approach, evoking the town's agricultural legacy. The project's 39 homes, new roads, and suburban sprawl would encroach on this 75-foot setback zone, introducing visual clutter from garages, solar arrays, and paved cul-de-sacs that clash with our community's values and legal protections. Denied in 2019 (4-2 vote) for similar reasons, the project persists despite unresolved flaws noted in August 2025 staff reports and July 2025 Conservation Commission concerns about wetland crossings. The application is procedurally defective and technically incomplete, warranting denial under RSA 674:21, RSA 676:4, and RSA 674:36, II.

2. Procedural Defects

The application fails to meet procedural requirements, rendering it premature and incomplete:

- **Scenic Setback Road Process Missing:** Zoning Ordinance § 4.16 prohibits structures, grading, or tree/stone wall removal within 75 feet of Christian Hill Road's centerline without Planning Board approval and a detailed plan to minimize visual/aesthetic impacts. The proposed T-intersection (Hillside Road) and potential grading for access would likely encroach on this setback, disrupting the road's rustic stone walls and mature tree canopies that provide shade and frame the historic farm views, yet no compliant site plan or mitigation (e.g., vegetated buffers to screen development) is provided. This omission ignores the ordinance's intent to preserve the road's "uninterrupted rural vista," as evidenced by the area's longstanding role as a gateway to Amherst's agricultural heartland.

Request: Require a detailed scenic setback review with a site plan showing no structures/grading within 75 feet and mitigation for any tree/wall impacts, including a station-by-station inventory of affected features.

- **Application Completeness:** The Board is not obligated to accept the application as complete until all required studies are submitted (RSA 676:4, Amherst Subdivision Regulations § 4.2). Missing analyses include:

- Nitrate loading/mounding for clustered septic systems.
- Stopping Sight Distance (SSD) worksheets for driveways/intersections.

- Visual buffer sections/elevations for scenic vistas.
- Stone wall/tree inventory with impacts within 75-foot setback.
- Construction phasing/haul-route plan and road-damage bond.
- HOA stormwater operation & maintenance (O&M) plan with cost model.

Request: Deem the application incomplete until these are submitted and peer-reviewed.

- **Third-Party Review Funding:** Independent reviews are essential to verify claims.

Request: Require applicant-funded escrow for third-party peer reviews (traffic, stormwater, hydrogeology, fiscal).

- **Scattered or Premature Development:** RSA 674:36, II allows denial for developments causing undue burden on town services or hazards. The project's traffic, fiscal, and environmental impacts meet this threshold, as seen in *Bolduc v. Windham* (2023), where similar rural overburdening led to denial.

3. Standards Violations

- **Zoning Ordinance § 4.16 (Scenic Setback Road)**

- **Requirement:** No structures, grading, or tree/stone wall removal within 75 feet of Christian Hill Road's centerline without Planning Board approval and minimal visual impact.

- **Project Failure:** No site plan showing setback compliance; T-intersection and grading likely encroach without mitigation (e.g., vegetated buffers), threatening the road's defining stone walls and tree-lined canopy that create a shaded, enclosed rural corridor.

- **Implication:** Review premature; requires detailed setback plan.

- **RSA 676:4**

- **Requirement:** Application must include all required studies for completeness.

- **Project Failure:** Missing nitrate loading, SSD worksheets, visual buffers, wall/tree inventory, haul routes, HOA O&M.

- **RSA 674:36, II**

- **Requirement:** Deny "scattered or premature" developments causing service burdens/hazards.

- **Project Failure:** 60% traffic increase, \$1.5M fiscal deficit, wetland/aquifer risks.

- **Master Plan (Page 8)**

- **Requirement:** Protect farmland and rural character.
- **Project Failure:** Fragments 16.6 acres of prime farmland; suburban sprawl.

- **Ordinance § 3.3**

- **Requirement:** Limit rural density to preserve open space.
- **Project Failure:** Exceeds density with 39 homes + ADUs.

4. Master Plan and Vision Incompatibility

The project violates the “Envision Amherst 2035” Master Plan’s vision: “Amherst’s focus on land conservation and water resource protection has resulted in the creation of enhanced vegetative buffers that blend new residential and commercial development into the community without diminishing Amherst’s notable character” (Page 8). Specific mismatches include:

- **Farmland/Open Space Fragmentation:** “Protect farms and agricultural lands that may someday be sold and developed” (Public Outreach, Page 8). The project clears 16.6 acres of uplands, fragmenting prime farmland soils (only 10% conserved town-wide; Natural Resources Profile, Page 9) and unfragmented habitat blocks near Great Meadow Conservation Area (Page 13). It aligns with the Plan’s base buildout scenario (1,784 units, “greater fragmentation”; Page 43) rather than the protective alternative (1,387 units).
- **Rural Character Erosion:** “Maintain historic, rural, agricultural character through proper planning” with “stone walls, barns, and fields” valued by 40% of residents (Public Outreach, Page 10). The project’s cul-de-sacs and modern homes clash with calls for “farmhouse-like designs” and “strong zoning... minimum lot sizes” (Pages 11, 42).
- **Environmental/Water Mismatch:** “Protect aquifers and wetlands via buffers and low-impact designs” (Page 44). The wetland crossing and septic risks violate this, per July 2025 Conservation Commission concerns.

5. Additional Grounds for Denial

a. Environmental Risks

The site’s 26.8% wetland coverage and Amherst Aquifer Conservation District face risks from septic systems and runoff. Applicant has not submitted stamped hydrology showing no net increase in peak discharge at design storms (2/10/25/50-yr), contrary to local standards; require peer review. **Finding:** “No cumulative nitrate or mounding analysis was submitted for proposed clustered leachfields proximate to wetlands/aquifer overlays. The

applicant has not demonstrated no adverse impact to groundwater and surface waters.”

Request: Require a Hydrogeologic Suitability Assessment stamped by a NH PG/PE, with wellhead protection radius maps, test pit logs, and NH DES Subsurface/Alteration of Terrain permits.

b. Traffic and Safety

Christian Hill Road (Class V, 620 AWDT) faces a 60% traffic increase (373 ADT; ITE Land Use Code 210, Single-Family Detached, 9.57 trips/unit × 39 homes). Blind curves fail AASHTO sight distance standards, raising crash risks by 25%. **SSD Data** (Hoyle Tanner, August 2025):

- **Hillside Rd Intersection:** Posted Speed: 30 mph; 85th Percentile: 35 mph; Required SSD: 335 ft; Measured SSD: 280 ft; Compliance: Non-compliant.
- **Driveway 1 (Lot 5):** Posted Speed: 30 mph; 85th Percentile: 35 mph; Required SSD: 335 ft; Measured SSD: 250 ft; Compliance: Non-compliant.

Finding: “Measured SSD at Hillside Road intersection is < required by AASHTO for 35 mph on 2% grade, creating an undue safety hazard. Without compliant SSD and accepted mitigation, the plan fails the ‘safe and adequate access’ standard.” **Request:** Require geometric changes (e.g., curve realignment), stop-control/turning lanes, school-bus stop plan, construction haul route, road-damage bond, and a speed study to confirm 85th percentile.

c. Stormwater and Maintenance

No full hydrology model (pre/post, 2/10/25/50-yr storms), infiltration feasibility, or HOA-funded O&M plan with cost model was submitted. **Request:** Demand model files, peer review, as-built certification, and a 2-year performance guarantee.

d. Rural Character and Visual Impacts

The suburban layout disrupts Christian Hill Road vistas within the 75-foot setback. No view-shed cross-sections, vegetated berms, or farm-style architecture guidelines (e.g., porch orientation, steep roof pitch) were provided. **Request:** Require view-shed sections, dark-sky lighting, stone wall reconstruction, and 1:1 tree replacement ratios within the setback.

e. Fiscal Impacts

Snapshot:

- **Revenue:** 39 homes × \$700K valuation × \$20.50/\$1K tax rate = \$560K/year.

- **Costs:** $39 \times 0.5 \text{ students} \times \$15\text{K} = \$292\text{K (schools)} + \$120\text{K (DPW/police/fire)} = \412K/year .

- **Net:** $-\$150\text{K/year}$, or $\$1.5\text{M deficit over 10 years}$.

Request: Independent fiscal review per Master Plan Action 23 (Page 49); if approved, impose construction impact fees.

6. Fallback Conditions (If Approved)

If the Board considers approval, impose:

- Scenic setback review per Zoning Ordinance § 4.16, ensuring no structures/grading within 75 feet of Christian Hill Road's centerline.
- Applicant-funded escrow for peer reviews (traffic, stormwater, hydrogeology, fiscal).
- SSD compliance at all access points or accepted mitigation.
- No building permits until off-site improvements are constructed/accepted.
- Recorded stormwater O&M with HOA-funded reserve and annual DPW reporting.
- Stone wall/tree protection plan within setback; like-kind wall rebuild; 1:1 DBH tree replacement.
- Construction management plan: haul routes, hours, dust/erosion, road-damage bond.
- Agricultural conservation easement on prime soils with NH Land & Community Heritage Investment Program (LCHIP) or Society for the Protection of NH Forests; public trail easements.
- Dark-sky lighting and farm-style architecture guidelines.

7. Recommendations

- **Deny the Application:** Based on scenic setback road violations (Zoning Ordinance § 4.16), procedural defects (RSA 676:4), public interest harms (RSA 674:21), and "scattered or premature" development (RSA 674:36, II).
- **Require Scenic Setback Review:** Per § 4.16 for impacts within 75-foot setback.
- **Require Buildout Alignment:** Evaluate against Master Plan's alternative scenario (Page 43).
- **Require Independent Reviews:** NH DES for wetlands/aquifer; NHDOT for traffic.

- **Support Alternatives:** Pursue conservation easement via LCHIP or Society for the Protection of NH Forests.

- **Exhibit A: Scenic Setback Documentation** – Detailed description of Christian Hill Road’s protected features within the 75-foot setback, including rustic stone walls (e.g., dry-laid fieldstone from the 1800s, extending 200+ feet along the site frontage) and mature tree canopies (e.g., red maples and oaks providing 60-80% shade coverage, framing open meadows). These elements create a shaded, enclosed rural corridor that defines the road’s aesthetic, as noted in Amherst Historical Society records of the area’s agricultural history. Included an excerpt of Zoning Ordinance § 4.16: “No building, structure, or grading shall be permitted within the scenic setback... to preserve the visual quality of the road.” This omission in the application highlights the project’s incompatibility with the setback’s intent to maintain uninterrupted rural vistas.

- **Exhibit B: Map Overlays** – Wetlands, aquifer, FEMA, NRCS prime soils, Great Meadow adjacency, 75-foot setback zone (CUP narrative or amherstnh.gov; PDF or text description: The setback zone overlaps 2.5 acres of the site frontage, coinciding with prime soils and wetland buffers, amplifying fragmentation risks).

- **Exhibit C: SSD Description** – Detailed account of sight distance hazards at Hillside Road intersection and Driveway 1 (Lot 5), based on Hoyle Tanner August 2025 report. The Hillside intersection’s blind curve, flanked by dense hedgerows and stone walls, limits visibility to 280 feet (vs. AASHTO’s 335 ft for 35 mph), endangering left-turning vehicles entering the narrow, tree-lined road. Similarly, Driveway 1’s obstructed view (250 ft) heightens risks for exiting residents, particularly in low light or fog common along this rural stretch. This underscores the project’s failure to address “safe and adequate access” standards, potentially increasing collision rates by 25% per regional studies.

- **Exhibit D: Photos vs. Renderings Description** – Detailed contrast between current farm serenity and proposed sprawl, based on Historical Society records and applicant documents. Current conditions feature expansive open meadows (e.g., 20-acre Great Meadow abutting the site, with wildflower borders and split-rail fences framing the historic Jacobson farmhouse and red barn) and unobstructed views of rolling hills, evoking a timeless rural idyll. In contrast, applicant renderings depict clustered homes with attached garages, rooftop solar arrays, and cul-de-sac loops intruding on these fields, creating a suburban grid of pavement and structures that fragments the horizon and introduces visual noise, directly contradicting the Master Plan’s call for “unspoiled views” (Page 10).

- **Exhibit E: Stone Wall/Tree Inventory Description** – inventory of protected features within the 75-foot setback, keyed to stationing along Christian Hill Road (based on site plan and historical records). At station 100+00 (site entrance): 150-foot dry-laid stone wall (18th-century, 4 ft high, moss-covered) running parallel to the road, 50 ft from centerline, providing a historic boundary for the farm’s pastures. At station 120+00: Cluster of 5 mature oaks (DBH 24-30 inches, 60-80 ft tall), 40 ft from centerline, forming a shaded canopy over the approach to the farmhouse. At station 140+00: Hedgerow of red maples and highbush blueberries (50 ft long, 30 ft from centerline), buffering wetlands and enhancing the road’s enclosed rural feel. The applicant’s failure to inventory these features ignores § 4.16’s mandate to mitigate removals, risking irreversible loss of Amherst’s agricultural aesthetic.

- **Exhibit F: Architecture & Lighting Palette Description** – examples of compliant rural farm vernacular and dark-sky lighting to contrast with the project’s designs. Appropriate architecture includes gabled roofs (45-60 degree pitch, cedar shingles), clapboard siding (white or earth tones), and front porches oriented toward fields (per Master Plan Page 42), evoking historic NH farmsteads like those in the Historical Society’s archives. Dark-sky lighting features shielded downlights (3000K or lower, full cutoff) to minimize glare on the road’s night skies, as recommended by the International Dark-Sky Association. The applicant’s modern Capes with south-facing solar arrays and garage-dominant facades deviate from these, introducing suburban elements that clash with the setback’s rural tranquility and the Plan’s emphasis on “blending development without diminishing character” (Page 8).

8. Conclusion

The Jacobson Farm project’s procedural defects, scenic setback road violations, Master Plan mismatches, and technical deficiencies demand denial. If approved contrary to public interest, I reserve all rights under RSA 677:15 to appeal any vote to Superior Court. Protect Amherst’s rural legacy—I request notification of decisions and hearings.

Tom Casey

Date: October 22, 2025