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Resident within 500' of Transformations Proposal
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Disclaimer

My name is Tom Quinn. I am the author of this white paper that compares the Transformations PRD proposal with other completed PRD projects in town. It is necessary to be clear that this white paper, and the comments/positions contained within, are my personal opinions as a citizen and neighbor of this project, not as a member of the Planning Board. I have recused myself from the Transformations case and will not participate in Board discussions or deliberations. As the comments made herein are my own, they in no way represent the views or opinions of other Planning Board members or the Board as a whole. No current Board members or alternates were consulted in the writing of this white paper. Lastly, any comments contained herein are specific to the Transformation proposal and are not intended to opine about any other current or future applications before the Board.

Introduction

Amherst has a long history of successful PRD developments. There are many of these types of developments in town. In fact, many would likely be surprised to know how many exist given how well they were designed and constructed. The purpose of this white paper is to compare and contrast the Transformations PRD proposal with six other PRDs that have been previously approved and constructed.

There are many provisions of the Amherst zoning ordinance that relate to all developments, including PRDs. Many of these provisions are applicable to all applications and are familiar to all. These ordinances and regulations can include issues including storm water management, traffic, infrastructure capacity constraints, road designs, etc. These are important considerations for all applications and each requires careful consideration.

There are some requirements as well that are related to specific alternative or “innovative” development proposals. Types of alternative developments can include PRDs, elderly and workforce housing.

What do the zoning laws and regulations say about PRD developments?

The Amherst zoning ordinance has a good deal to say about many aspects of a development proposal. While all items, such as those mentioned above, are important, this analysis will focus on two less commonly discussed sections. These sections are 4.16 (IIHO) and 4.17 (PRD). Section 4.16A states “The purpose of the IIHO is to provide for and facilitate alternative approaches to development within the Town of Amherst, as provided in RSA 674-21 **while protecting and preserving the rural aesthetic the Town has consistently valued**. A variety of development types will enable the town to better provide for the needs of a diverse population in times of changing demographics”.

Section 4.17A, specifically related to PRDs states in part that ***“It is envisioned that in a PRD, dwelling units will be constructed in clusters which are harmonious with neighborhood developments and housing, and with natural surroundings. These clusters shall detract neither from the ecological and visual qualities of the environment, nor from the value of the neighborhood, environment, or the Town..... The overall site design and amenities should enhance the quality of living for the residents of the development and, in general, the neighborhood and the Town. The Board shall determine whether the proposed PRD, namely the site plan or layout, and number, type, and design of the***

proposed housing is suitable to the neighborhood within which it is to be located and is consistent with the Master Plan and its reasonable growth objectives.

As far as final approvals are concerned there are two sections of the regulations that are relevant. Section 508.2 relating to “approval criteria” states “The Board may approve or approve with conditions an application only upon its written determination that the proposed IIHO development fully complies with the Zoning Ordinance, including the specific provisions and standards of Section 3.18 of the Ordinance regarding Conditional Use Permits and Section 4.16 regarding IIHO projects. Similarly, Section 508.6 states ***“The approval by the Planning Board of an IIHO Conditional Use Permit shall neither oblige the Planning Board to approve the related Final Subdivision Plat or Site Plan nor substitute the approval of the Application for the approval of the related Final Plat or Site Plan.*”**

The focus of this analysis will focus on the above mentioned sections. It is understood that 4.16A and 4.17A are only small pieces of the approval process but they are important. The requirements set forth in section 3.18CUP and others are also very important and relevant but are not a specific focus of this document.

Does a PRD Adhere to Amherst Zoning and Regulations?

In the opinion of the author, the clear reading of the ordinance and regulations specified here, specifically sections 4.16A and 4.17A, leaves some questions, may be ambiguous and is open to interpretation by each member of the Planning Board. With that said, it may be useful to look to past PRDs that have been approved to gain some insight into how previous boards may have defined ambiguous terms contained in 4.16A and 4.17A related to PRDs such as:

- “protect and preserve rural aesthetic”
- “constructed in clusters harmonious with neighborhood developments and natural surroundings”
- “clusters shall not detract from ecological and visual qualities of the environment”
- “site design should enhance the quality of living for the residents of the development, the neighborhood and the Town”.

How have these terms or characteristics been interpreted in the past by prior Planning Boards? The best way to look at this question, in the opinion of the author, is to look at what has been approved and built in the past.

Prior PRD approvals

For purposes of this section, six completed PRD developments will be investigated to see what if any common characteristics they may share. The following six developments were selected for investigation for the following reasons.

- Some older and some newer developments
- Variety of development sizes/types
- Varied locations in Amherst
- Some on roads with scenic road/scenic setback requirements and some not

The projects selected for review are Atherton Commons, The Fells, Gowing Woods, Mulberry, Pendleton Farms, and Laura Lyn Farms. While some may object to these six being selected for review, it is the opinion of the author that the characteristics of these developments are not dissimilar to other PRDs that were not selected for review. Any number of alternative selections could have been made without significant deviations from the results.

What are the common characteristics of these six PRDs?

These characteristics suggested below are intended to be general in nature and may not exactly apply to individual developments. Each development is a little different and these differences will be examined in more detail later.

General characteristics of existing PRDs:

- Generally one means of access (curb cut) for all PRD units
- PRD access road designed with curves so as to shield units from frontage view.
- Very limited view of any units from the frontage road.
- PRD units generally do not have individual access from the frontage road.
- Most units set back 500' or more from the principal frontage road.
- Other than tree cutting relating to the PRD access road, limited or no tree cutting along frontage road.
- Major storm water detention features generally do not abut frontage road and are not visible from it.
- Units in clusters among internal cul de sac private road(s)

The following table summarizes these characteristics:

Development Name	# Units	PRD Frontage	Scenic Road or Scenic Setback	Units Within 500' of Frontage	% of Units Within 500'	Building Related Tree Cutting Visible From Frontage
Atherton	45	Old Milford Rd	Y	6	13%	Minimal
The Fells	80	Baboosic Lake Rd	N	0	0%	Minimal
Gowing Woods	21	Dodge Rd	Y	4	19%	No
Mulberry	15	Boston Post Rd	N	0	0%	No
Pendleton	28	Rt 122	N	9	32%	Mostly Cleared Already
Laura Lyn Farms	24	Deerwood/TF2	N	2	8%	Minimal
Development Name	# Units	PRD Frontage	# Frontage Access Points	# of Buildings On Frontage	Buildings Visible From Frontage	Identifiable Clusters
Atherton	45	Old Milford Rd	1	0	0/1	Y
The Fells	80	Baboosic Lake Rd	1 active/1 emergency	0	1 (clubhouse)	Y
Gowing Woods	21	Dodge Rd	1	0	0	Y
Mulberry	15	Boston Post Rd	1	0	0	Y
Pendleton	28	Rt 122	2	1	1	Y
Laura Lyn Farms	24	Deerwood/TF2	1 Deerwood/1 TF2	2	2	Y

Generally speaking, it is difficult, if not impossible, to spot the above referenced PRDs from the frontage road. If there is unit visibility, it seems to be heavily dependent on the time of year and the associated foliage cover. The design of the access road is also a key driver of limited visibility. Access ways are rarely straight and often include curves and turns that serve to put tree cover between the frontage street and the PRD buildings. Lastly, a common characteristic of all of these subdivisions is that they are set back off the frontage road well in excess of any requirements. A vast majority of all units that were examined sit back off the frontage street by 500' or more.

It can therefore be posited that limited or no visibility of units as well as limited frontage disturbance were significant design factors required for prior Planning Board PRD approvals. It may also be inferred that prior Planning Boards were ok relaxing "traditional" zoning requirements and allowing slightly greater densities in exchange for a minimally visible development impact, maintenance of the "rural" feeling of the frontage road and preservation of as much green space and mature vegetation as practically possible. In this way, a development could have more units than a "traditional" subdivision and yet protect and preserve ***the rural aesthetic the Town has consistently valued***.

Please see Appendix "A" for photos of the PRDs from the respective access roads and the NRPC development maps for each of the PRD examples referenced above.

How does the Transformation Proposal Compare with Existing PRDs?

Comparing existing PRDs to the Transformation proposal results in interesting, and stark, differences. These differences can be seen below.

Development Name	# Units	PRD Frontage	Scenic Road or Scenic Setback	Units Within 500' of Frontage	% of Units Within 500'	Building Related Tree Cutting Visible From Frontage
Atherton	45	Old Milford Rd	Y	6	13%	Minimal
The Fells	80	Baboosic Lake Rd	N	0	0%	Minimal
Gowing Woods	21	Dodge Rd	Y	4	19%	No
Mulberry	15	Boston Post Rd	N	0	0%	No
Pendleton	28	Rt 122	N	9	32%	Mostly Cleared Already
Laura Lyn Farms	24	Deerwood/TF2	N	2	8%	Minimal
Transformations	37	Christian Hill	Y	32	86%	Extensive
Development Name	# Units	PRD Frontage	# Frontage Access Points	# of Buildings On Frontage	Buildings Visible From Frontage	Identifyable Clusters
Atherton	45	Old Milford Rd	1	0	0/1	Y
The Fells	80	Baboosic Lake Rd	1 active/1 emergency	0	1 (clubhouse)	Y
Gowing Woods	21	Dodge Rd	1	0	0	Y
Mulberry	15	Boston Post Rd	1	0	0	Y
Pendleton	28	Rt 122	2	1	1	Y
Laura Lyn Farms	24	Deerwood/TF2	1 Deerwood/1 TF2	2	2	Y
Transformations	37	Christian Hill	16	14	19	N

As clearly seen above, the Transformation proposal when compared to the representative sample of built PRDs has:

1. Far more development within 500' of the frontage than the sample developments.
2. Extensive tree clearing along the frontage unlike the sample developments. It is estimated that approximately 20 acres of land are included in the limits of clearing/grubbing.
3. Large water management features along the visible frontage unlike the sample developments.
4. Many more units directly located on and individually accessed from the frontage.
5. Approximately 16 new curb cuts on only 1500' of Christian Hill Rd. These new curb cuts increase the total number of curb cuts on the entirety of Christian Hill by approximately 30%.
6. Poorly defined "clusters". (opinion of author)
7. Nearly all of the proposed units clearly visible from the frontage road.

It is fair, and not unreasonable, to conclude that this development in no way resembles prior PRD developments already approved and built.

It should also be considered that the Transformation proposal is on frontage that is considered scenic. That being the case, additional care and consideration should be given to the extensive land clearing the applicant is proposing both along the frontage and deep into the property. In the opinion of the author, the tree clearing associated with this proposal is far in excess of other PRDs. This makes sense given the applicant's desire to incorporate solar to

each unit. For solar to be effective a clear line of sight to the south must be created and maintained. Trees are a nuisance to a development so heavily focused on solar. This fact is sadly ironic.

Please see Exhibit “B” for proposed land clearing and curb cut detail as presented by the applicant.

Conclusion

It is reasonable to conclude that the Transformation PRD proposal is unique and unlike approved PRDs in the past. Is this fact, in and of itself, a reason to deny the application? That is up to the voting members of the Planning Board to decide.

It is important however to ask whether or not this application follows the spirit and intent of the Amherst zoning ordinance in its entirety as is required. Since this white paper is singularly focused on sections 4.16A and 4.17A, the question will be attempted to be answered.

The Transformation proposal has extensive land clearing and construction along its frontage and its frontage is a scenic setback road. The units proposed along Christian Hill are reduced frontage lots, unlike existing homes, and many have their own direct frontage access. (16 new access points over 1500’ +/- of road). There will be large and unsightly storm water management features along the frontage or visible from it. The visibility of the farm, a selling point of the applicant, will be limited due its smaller size and housing units being constructed between it and the frontage. Homes are being proposed virtually everywhere that is buildable (all of this area directly abuts frontage) and there are some encroachments on wetland areas.

Given these facts, the Transformation proposal fails 4.16A since it does not protect and preserve the rural aesthetic the town has consistently valued. The proposal also fails 4.17A since it can be argued the “clusters” are not harmonious with the neighborhood and natural surroundings, the clusters will certainly detract from the ecological and visual qualities of the environment and it is possible that the value of the neighborhood and the environment will be degraded due to the extensive tree clearing and dense construction that will be very visible from the frontage. This section of Christian Hill Rd will most certainly never look the same with all of the tree cutting and frontage construction.

Lastly, the question must be asked, is this proposal looking to get the benefits of a PRD (increased density, relaxed lot dimensions, etc) while being built more like a “traditional” subdivision? (frontage construction, frontage tree clearing, etc) It certainly seems that way. An application can be one type or the other but not both.

Appendix “A” – Frontage View of PRDs

Mulberry



Laura Lyn Farms (aka Scottie Way)



The Fells



Pendleton Farms



Atherton Commons



Gowing Woods



Exhibit "A" continued – NRPC aerial view of PRDs

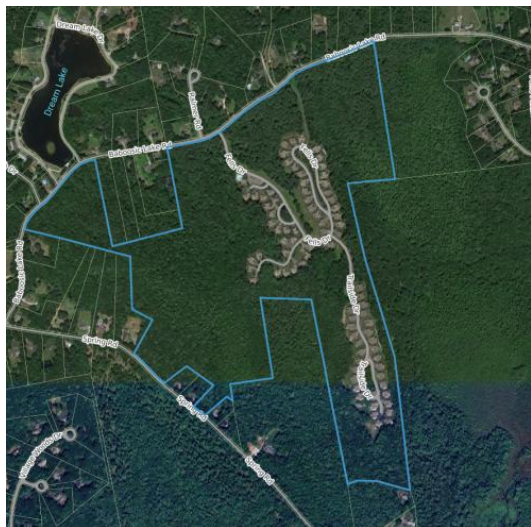
Mulberry



Laura Lyn Farms



The Fells



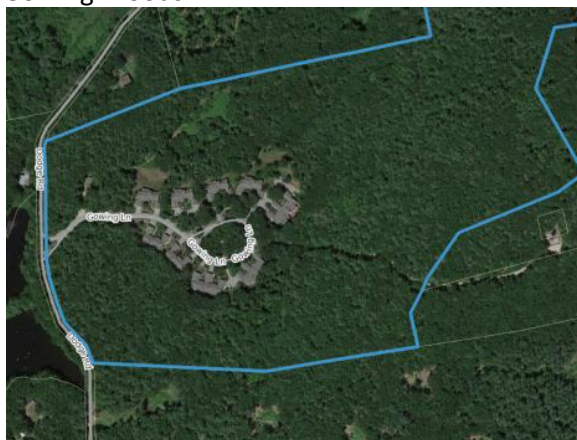
Pendleton Farms



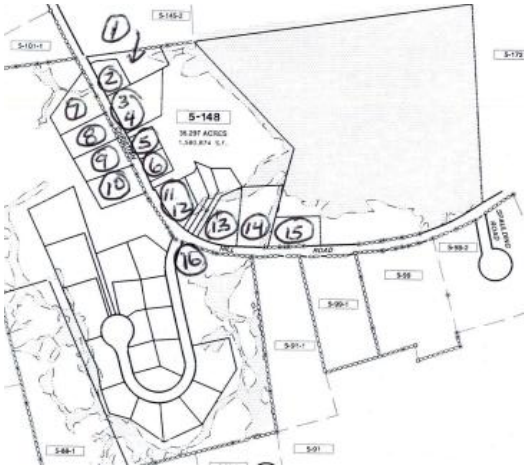
Atherton Commons



Gowing Woods



Driveway cuts on frontage road (16)



Proposed Land Clearing (15-20ac) Areas not in green are proposed to be cleared per Applicant.

