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4 **AMHERST PLANNING BOARD**

5
6 DRAFT - Minutes of October 5, 2011

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8 **PRESENT:** Arnie Rosenblatt, Chairman, Marilyn Peterman, Gordon Leedy,
9 Mike Dell Orfano, Richard Hart, Sally Wilkins, Cliff Harris, and Charlie
10 Tiedemann, Planning Director

11
12 Chairman Rosenblatt opened the meeting at 7:35 pm and asked Marilyn to vote
13 for Cliff Harris who had not yet arrived.

14
15 **Untable lots 6-68-32 and 20-37 Limbo Lane and NH Route 101:** Affordable
16 Housing Suitability – One PGB – 03031 Investments, LLC, and Green Island –
17 Amherst NH Partners, LLC

18
19 Arnie noted that there was an e-mail from Attorney Michael's office asking that
20 the application be tabled.

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22 *Gordon moved to untable, Marilyn seconded. All in favor.*

23
24 Charlie explained why he felt that the meeting should be tabled to January.

25
26 *Sally moved to table to January 4, 2012, Gordon Leedy seconded. All in favor.*

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28 Marilyn explained there would be no new notices sent out.

29
30 Marilyn asked about hiring someone to review the sound study and Charlie
31 responded that he has been referred to someone by George Bower.

32
33
34 **Founders Village:** *Abandoning North Street*

35
36 Ken Clinton, LLS, from Meridian Land Services, and Mike Foisie, the owner.

37
38 Ken Clinton stated Mr. Foisie is asking to discontinue North St. from Founders
39 Way north to Lyndeborough Road. Ken explained to the Board about why they
40 wanted to abandon North St. Ken went back in time and explained about why the
41 road needs to be abandoned to allow two lots to become buildable.

42 We would like the Board to sponsor the Warrant Article to abandon the road.

43
44 We hope that the Board would support this and gave the Board a few choices of
45 what can be done. Arnie clarified with Ken what the Board was being asked to

46 do. Sally said they have never done anything like this before. Ken referred that
47 the approved subdivision plan does state that the road was to be abandoned.

48
49 Marilyn wanted to know if they have discussed this with the Enrights? Ken said
50 he has tried to contact them but no luck. He then went into detail about the
51 reasons relative to the two unbuildable lots. There is no public necessity for
52 keeping that road.

53
54 Marilyn – Is there anything preventing us to sponsor this? Charlie answered no.
55 Richard Hart asked about connecting it to a trail on the Town Conservation land
56 that abuts the road. Ken explained about the setback arc of 100 feet that would
57 be there and a discussion of the Town right of way continued.

58
59 Sally was concerned about keeping the land available to access conservation
60 trails. Ken explained the reason why it would be an impact on the lots. Sally
61 wanted to make sure the Warrant Article was written so that it expressed to
62 people voting that it would enhance the conservation trail.

63
64 Marilyn feels that this should be kept simple. Ken asked if they could look at it
65 during a work session. Cliff Harris would hate to give up an access road. He
66 states that this should remain what it is. Cliff wants the access to go from a point
67 A to point B.

68
69 Gordon, isn't this the Selectmen's thing? A discussion of who is responsible for
70 abandoning roads, the Board of Selectmen or the Planning. Charlie stated that
71 the Planning Board starts with a recommendation to the Board of Selectmen who
72 set into the Warrant.

73
74 Arnie is skittish to give blessing unless it enhances the public interest. I want to
75 be mighty comfortable giving my blessing so that it benefits the public.

76
77 Mike pointed out that this was approved by the Planning Board when the
78 subdivision plan was approved. Marilyn, if we abandon the road can we protect
79 the conservation land? Charlie explained to Marilyn the difference between public
80 and private rights. Charlie explained how the Board can support this.

81
82 Ken believes a portion of the right of way goes thru the Enright's land and
83 perhaps the dwelling. The road is a burden to land owner. There is no useful
84 purpose for it.

85
86 Ken said that he could go to ZBA for relief but wants to do this with support from
87 the Board for the Warrant Article.

88
89 Gordon gave his opinion of how he thinks it should be done. I don't have any
90 problem in concept in pursuing this and we should maintain what we think is the
91 public interest in this road.

92
93 Charlie explained about how this could be dealt with. Let Ken draw up the Article
94 and an a right of way easement to the Conservation land and pass it on to
95 Attorney Drescher. Arnie would like it to be presented to Planning Board first.
96 Charlie said simultaneously it should go to Bill and the Planning Board.
97
98 Sally asked about people parking on the road to go in to walk the land. Ken
99 explained there would be a place to park.
100
101 Mike Foisie thinks it would be a good idea to make this accessible to the public.
102 Mike feels that the best way to make things accessible for the public is to
103 abandon the road. He is very sympathetic to the public access and it was the
104 intent of the plan to address this at some future time. Sally feels that would be a
105 great value to the town.
106
107 Cliff feels that this would be inline with the Master Plan.
108
109 Ken will draft an article and present it to the Planning Board and Bill Drescher.
110
111 Ken asked questions on setbacks on open space. Sally explained to him why
112 they are what they are. Sally said the Open Space Ordinance is quite old. A
113 discussion with the Board concurred. They discussed Ordinances and Marilyn
114 told Ken if he would like to propose something to them they would be willing to
115 look at it. Sally wants a list of issues that should be looked at.
116
117 Other Business:
118
119 Charlie asked if the Board wanted him to send Helen Holden's letter to Bill
120 Drescher. The Board discussed it and the Board agreed that Bill should look at it.
121
122 Erik Hahn, Shadow Lane asked to address the Board. This pertains to Scenic
123 Roads and about the road re-construction in Town.
124
125 He read a letter to the Board and said he was present during the hearings for
126 Mack Hill Road and noted that this should have been a collaborative effort
127 between the Planning Board and the Board of Selectmen. He said the Planning
128 Board is overly focused on trees on Scenic Roads. See letter written by Mr.
129 Hahn.
130
131 Minutes of September 14, 2011:
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133 *Mike moved approval and Gordon seconded. All in favor.*