

1 **AMHERST PLANNING BOARD**

2
3 DRAFT - Minutes of November 2, 2011

4
5 PRESENT: Arnie Rosenblatt, Chairman, George Infanti, Marilyn Peterman, Gordon
6 Leedy, Cliff Harris, Rich Hart, Sally Wilkins (arrived at 8:35 pm), Mike Dell Orfano
7 (arrived at 8:45 pm), and Charlie Tiedemann, Planning Director

8
9 Minutes of October 5, 2011:

10
11 *Gordon moved approval as presented, Cliff seconded. All in favor.*

12
13 **Lot 6-58 Limbo Lane and Narragansett Road:** *Compliance Hearing for Non-*
14 *Residential Site Plan NRSP – Limbo Lane LLC*

15
16 The owner of the site, Patrick Murphy, spoke about the Compliance Plan.
17 Arnie asked Charlie to elaborate on what we are looking at and Charlie said that this
18 was a new parking lot for this site for overflow parking. The plan shows it not quite in the
19 same location as designed but stated that he was okay with the location and parking lot.
20 Charlie showed the Board several pictures of the completed lot.

21
22 *Gordon moved approval and George seconded. All in favor.*

23
24
25 **Lot 12-14 NH Route 101A:** *Non-Residential Site Plan (NRSP) – Charles River*
26 *Realty*

27
28 Arnie read a letter from T F Moran asking for two waivers (Groundwater monitoring and
29 landscaping adjacent to some areas of the buildings). The Board decided to hold off on
30 the waivers until after the presentation.

31
32 Paul Carideo, project manager for T F Moran, and representing the owners described
33 the location and mentioned this was a redevelopment of the burned and closed
34 shopping center once located there. All the existing buildings will be removed along with
35 the pavement and concrete store pads.

36 The new configuration will be with 3 buildings of 17,000 sf, 2,400 sf, and 3,000 sf.
37 Parking spaces of 115 are required and we have provided 135 spaces. He then
38 described the open space ratios. The site will be served by Pennichuck Water Works
39 with a hydrant at the site. Each building will have its own septic system. Storm water is
40 handled with filter trenches with overflow to a catch basin. In addition, there will be 2
41 underground systems for storm water to handle a 50 year storm.

42 There are 2 access points on NH Route 101A and only one will be retained – right in
43 and right out. We will use the deeded access easement thru the northerly adjacent
44 shopping center for access to the traffic lights to turn westerly.

45 We have revised the lighting to conform to the Planning Board requests from the last
46 informal meeting so that we are not lighting the adjacent neighbors land only our
47 parking lot.
48 Rich questioned the location of the wall signs for the 2 smaller buildings.
49 Paul noted they will be installed over the doors.
50 Gordon questioned the location of the dumpster and service area for the retail building.
51 he suggested that they be moved to the opposite end of the building. He also asked
52 about the existing arborvitae near the pylon sign.
53 Paul said they will remove the arborvitae.
54 Marilyn asked about the area adjacent to NH Route 101A for additional plantings.
55 Gordon suggested a 3 rail fence with small shrubs.
56 Marilyn asked about the landscaping waiver and Paul replied that it was for the space
57 between the buildings and the sidewalk which were narrow areas.
58 Marilyn also questioned the energy efficiency of the buildings.
59 Mr. Sweeney from Charles River Realty told the Board that the building would all be
60 energy star designed with high efficiency windows.
61 Cliff said he agrees with Gordon on the location of the dumpster and service area for
62 the retail building.
63 Paul explained that we had tried to move the dumpster and service area away from the
64 Taco Bell drive thru.
65 Cliff commended them for being a nice neighbor.
66 Gordon suggested using a wall instead of a fence to screen it and make it look like part
67 of the building.
68 Rich wanted the Crimson King maples removed because they are invasive and Charlie
69 said that would be foolish because they are mature trees and looked great and are salt
70 resistant along 101A.
71
72 Attorney Jon Levenstein representing the owner, Tom Reilly of TRBK of the adjacent
73 shopping center, noted that he agrees the access easement is valid but the details are
74 unfinished – such as an agreement on costs of maintenance, liability, etc. He suggest
75 that the Board could approve this site plan with a condition that the two parties reach an
76 agreement on the outstanding items relative to the easement.
77 Paul noted he is not an attorney but notes there is no question we can use the
78 easement for access to the traffic lights.
79 Arnie interjected that in effect this condition approval means a veto by the abutter if an
80 agreement is not reached.
81 Paul noted that he has advised the owners of this potential problem.
82 Marilyn explained that the engineering study of 101A corridor done several years ago
83 recommended that adjacent parcels have cross easements for internal access without
84 using 101A.
85
86 The Board then had a long discussion on trying to draft an approval motion
87
88 Tom Reilly stated that he wanted what was discussed in 1998 about the easement –
89 what's to be covered and the safety aspects – we need an agreement on all this.

90 Gordon asked if the applicant needed the access easement or can it do with the right in
91 and right out access to 101A.

92 Paul answered that the existing 101A access would work for them without the access
93 easement.

94
95 *Cliff moved to approve the waivers and Gordon seconded. All in favor.*

96
97 *Gordon moved to accept the plan for review and George seconded. All in favor.*

98
99 The Board then discussed aspects of several motions without agreement.
100 Charlie suggested that the Board table the application to the December 7, 2011,
101 meeting to allow the parties to work out an agreement on the easement.

102
103 *Gordon moved to table to December 7, 2011, and Marilyn seconded it. All in favor.*

104
105
106 **Lot 1-21 Ponemah (NH Rte. 122) Road:** *Non-Residential Site Plan (NRSP) /*
107 *Change of Use – The Rugged Bear, Inc. (AHN Animal Hospital Services, Inc.)*

108
109 Jay Heavisides, PE, from Meridian Land Services, and representing the owners and
110 proposed users.

111 The existing building would not change at all except for a new septic system.
112 The signs would remain but would be relettered and the parking spaces would not be
113 altered.

114 The applicants have submitted a Work Protocol that will be part of the approval.

115
116
117 **Founders Village:** *Continuing Conceptual discussion - Abandoning North Street in the*
118 *Founders Village subdivision crossing Founders Way, Lots 5-59-20, 5-59-21, and 5-59-*
119 *23, and possible setback zoning changes – Michachunk Development , Inc.*

120
121 Ken Clinton, LLS, from Meridian Land Services and representing Michachunk
122 Development and Mike Foisie, the owner, wanted to continue to discuss the North St.
123 abandonment plans. Ken showed the Board the revised plans with a 3 car parking lot
124 and also a proposed warrant article for the Town Meeting to vote on.

125
126 Ken noted this is the first step along the road to the selectmen who actually set the
127 Warrant.

128 Sally was okay as long as we can get to the Town Conservation land.

129 Ken mentioned that he still is unable to make contact with the Enrights.

130 Gordon mentioned the trail to be from Founders Village to Lyndeborough Road.

131 Rich questioned the cost of maintenance.

132
133 The Planning Board agreed with the concept with the exception of Cliff.

134
135

136 Ken then brought up the Open Space setback requirements and asked if a zoning
137 change was possible.
138 Arnie noted that the change may be a great idea but questioned if this was for one
139 developer.
140 Ken submitted the wording for the changes and noted that there will be no additional
141 lots created with this.
142 Arnie asked if this would be a Planning Board sponsored change or by petition.
143 Sally said it should be the Planning Board.
144 Ken said he will forward it to Charlie.
145
146 *George moved to adjourn at 9:25 pm with Gordon seconded. All in favor.*
147
148