

TOWN OF AMHERST
Planning Board

February 19, 2020

APPROVED Amended

1 In attendance: Michael Dell Orfano- Chair, Arnold Rosenblatt, John D’Angelo-Selectman Ex-
2 Officio, Marilyn Peterman, Sally Wilkins, Brian Coogan (Alternate), and Lisa Eastland
3 (Alternate).

4 Staff present: Nic Strong, Community Development Director, and Kristan Patenaude, Minute
5 Taker.

6
7 Michael Dell Orfano called the meeting to order at 6:39 pm at the Souhegan High School
8 Auditorium. He explained that the Carlson Manor application requested to be postponed until
9 March.

10
11 **Sally Wilkins moved to postpone the application for Carlson Manor until March 18,**
12 **2020, at the Amherst Middle School Cafeteria at 7:30pm. Marilyn Peterman**
13 **seconded.**

14 **All in favor.**

15
16 *Brian Coogan sat for Cliff Harris (until he later arrived).*

17
18 **OTHER BUSINESS:**

19 **1. Minutes: January 15, 2020; January 22, 2020**

20
21 *Cliff Harris entered the meeting.*

22
23 **Marilyn Peterman moved to approve the meeting minutes of January 15, 2020, as**
24 **amended [Line 126: for it to read, “In response to a question from Chuck Siragua,**
25 **39 New Boston Road, about the previous discussion, Mike Dell Orfano...”]; Line**
26 **297: to replace the word “tabled” with the word “postponed;” Line 445: To replace**
27 **the word “one” with the word “once.”]. John D’Angelo seconded.**
28 **5-0-1 (A. Rosenblatt abstained); motion carried.**

29
30 **Sally Wilkins moved to approve the meeting minutes of January 22, 2020, as**
31 **amended [Line 14: for it to read, “Brian Coogan sat for Arnie Rosenblatt, with**
32 **respect to this application because Arnie Rosenblatt recused himself with respect to**
33 **this application;” Line 47: to replace “endorsing of” with the words “favorable to;”**
34 **Line 320: to replace the word “apathy” with the word “antipathy;” Line 332: to**
35 **replace the word “She” with the word “Sally.”] John D’Angelo seconded.**
36 **5-0-2 (A. Rosenblatt and C. Harris abstained); motion carried.**

37
38 **DESIGN REVIEW:**

39
40 **2. CASE #: PZ11884-101419 – JEP Realty Trust & Robert H. Prew Revocable Trust**
41 **(Owner) & Clearview Development Group (Applicant), 38 New Boston Road, PIN #**
42 **007-072-000 & Boston Post Road, PIN #: 005-159-001. Conditional Use Permit.**
43 **Design Review of the potential Planned Residential Development of the two lots**
44 **noted. Zoned Residential/Rural. Postponed from January 15, 2020.**

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45 *Sally Wilkins recused herself as an abutter to the property.*

46 *Brian Coogan sat for Sally Wilkins.*

47

48 Mike Dell Orfano stated that the Board would like to try to limit each application to 1.5 hours.

49 This needs to allow time for public comments, Board deliberation, and the applicant's
50 presentation.

51

52 Ken Clinton, of Meridian Land Services, stated that he is the representative for Clearview
53 Development on this design review. He explained that this process is non-binding for either
54 party. The Prew property is two lots of land in the northwest corner of downtown, off Boston
55 Post Road and New Boston Road. Map 5 Lot 159-1 is approximately 70 acres, and Map 7 Lot 72
56 is approximately 9.74 acres, totaling almost 80 acres. A proposal came before the Board in
57 August 2019 for a 65 unit concept. These numbers came from preliminary data and approximate
58 boundaries. At that time, this calculated to roughly 33 base units, and 32 bonus units were being
59 sought. This previous design involved three villages/sections, with the smallest units located off
60 New Boston Road. The project took a multi-generational approach. Over time this application
61 has changed, as other applications have been reacted to and the ordinance has been debated. The
62 applicant has considered layouts of 66 units, or 43 units, but has since settled on 49 units.

63

64 Ken Clinton stated that there are 79.58 gross acres on the property, with 63.2 net acres. This
65 gives a base density of 31.6 units, based on precise on-site surveys, wetland mapping, etc. The
66 land itself is separated into two lots, bisected by wetlands and two ridges that run north-to-south
67 on the property. These items preclude a through road across the property from New Boston Road
68 to Boston Post Road. The project works best developed in two sections.

69

70 He explained that the West Village, as its being called, is proposed to be 27 units now integrated
71 into one area. This will be in a smaller footprint than the original plan and will reduce the
72 amount of infrastructure. The proposed road off Boston Post Road will be private. The units will
73 have individual leach fields and individual wells.

74

75 The East Village, off New Boston Road, is proposed to be 22 units, on a smaller footprint than
76 originally proposed, with less infrastructure, and a private road. These will be condominium style
77 units, with two community wells for 18 of the units and four individual wells. The four single
78 units will each have a leach field, and each of the duplexes will share a leach field. The benefits
79 to this new design include smaller overall footprints, less infrastructure, fewer units grouped
80 more tightly on the land, and increased open space. There is approximately 38.6% of this
81 property that will remain open space; this is subject to change, more than likely to increase.

82

83 Ken Clinton explained that the property very closely connects to some already existing trails.
84 There are trails proposed across the property that would lead out to New Boston Road.

85

86 Errol Duymazlar, of Clearview Development Group, stated that the most successful
87 developments are neighborhoods created in response to the market. There is a shortage of
88 housing in the area, especially in the mid-range and low price ranges. The sales cycle has

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89 shortened and inventory is currently very low. There are a number of demographic trends that
90 drive demand. Millennials and baby boomers are both looking for smaller houses, footprints, and
91 neighborhoods. This project hopes to provide those things and resemble what happens in
92 Amherst's Village. The East Village will be smaller, with condo-type ownership. Some of these
93 units will be rentals. Some will be single-detached units, and some will be duplex style. The
94 West Village looks to integrate single-family homes into a neighborhood feel. The units will
95 create a pattern language that resembles the historic properties in town, and will pick up details
96 from these homes. The West Village will also plan for some units with ADU's (accessory
97 dwelling units) included, in order to allow for multi-generational housing.

98
99 Errol Duymazlar stated that the project was scaled back out of respect to the community's
100 comments and discussions with abutters. In response to the abutter's comments, the project now
101 has an increased amount of open space on the north side in order to create a conservation
102 corridor. There will be a variety of housing types in this development, such as attached housing,
103 single floor housing, ADA compliant housing, 1-2 bedroom and 3-4 bedroom. These areas will
104 be interconnected via footpaths through the open space. This project proposes that the open
105 space be protected under a restrictive covenant, probably a conservation easement.

106
107 Ken Clinton explained that this application is currently seeking about 17 or so bonus units. This
108 is a substantial, approximately 25%, reduction in the number of bonuses being sought. The
109 application is looking to balance the ordinance and how it's administered, the market needs, the
110 impact to the community, and the project viability. Originally, the project considered extending
111 Pennichuck water to the site, but this is not cost effective.

112
113 In response to a question from Mike Dell Orfano, Ken Clinton stated that this project will be
114 self-phased, due to the two Village approach.

115
116 Ken Clinton questioned the Board regarding how much the application should rely on the Master
117 Plan and what sources of data are generally seen as appropriate to reference. He requested that, if
118 the sources cited are determined to not be legitimate by the Board, that it be possible to table the
119 case to further supplement the data and level of direction.

120
121 *Rich Hart entered.*

122
123 Mike Dell Orfano stated that Town Counsel has indicated that the Board should rely on the
124 Master Plan, even though it's 10 years old. It will be updated soon.

125
126 Arnold Rosenblatt stated that the Master Plan is not invalid. The data and evidence presented
127 will be evaluated on a case-by-case basis, to determine if the applicant has sustained their
128 burden.

129
130 Ken Clinton asked for clarity on what is meant by the public health, safety, and general welfare,
131 as mentioned in the Conditional Use Permit.

132

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133 Brian Coogan suggested that traffic concerns could relate to safety. Mike Dell Orfano stated that
134 the depletion of the water table could be a health issue.

135
136 Arnold Rosenblatt stated that these determinations will be decided on an application-by-
137 application basis. He does not want to be limited by making a judgement on these items at this
138 time.

139
140 In response to a question from Ken Clinton, Brian Coogan stated that it would be inappropriate
141 for the Board to make a determination in aggregate going forward regarding these concerns.

142
143 Ken Clinton stated that there seems to be a charge to go down a list of items and describe why
144 each one meets the criteria in regards to the project at hand, but this is difficult if he is unsure as
145 to what the criteria mean.

146
147 Brian Coogan stated that it is not appropriate for the Board to give a laundry list of items for the
148 criteria. It is restrictive for the Board to box themselves into these criteria definitions. This is all
149 highly subjective based on the application itself.

150
151 Marilyn Peterman stated that the amenities considered in the IIHO contribute to the general
152 welfare of the town. While these items will be considered on a case-by-case basis, she believes
153 Ken Clinton is on the right track.

154
155 Rich Hart questioned if it is possible for the Board to specify the length of staging time, in order
156 to more appropriately react to any safety concerns that arise.

157
158 Cliff Harris requested a site walk of the area.

159
160 Public Comment:

161
162 Chuck Siragusa, 39 New Boston Road, asked for more information regarding the lighting on site
163 that may shine into his house. Ken Clinton stated that this will be evaluated much more closely
164 in the final steps of the application.

165
166 In response to a question from Chuck Siragusa, Ken Clinton explained that they have some data
167 from well-drillers, but that not all of the 49 units will have wells. If this property were to have a
168 conventional subdivision placed on it, there would be a higher number of wells on the lot.

169
170 In response to a question from Chuck Siragusa, John D'Angelo explained that the Board of
171 Selectmen has submitted a warrant article to make it easier to levy impact fees. A new study,
172 which will suggest rates to charge for different things regarding impact fees, will be complete in
173 about 4-6 weeks. If the Board then adopts those items, the Planning Board will have a way to
174 levy impact fees.

175

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176 In response to a question from Marcella Dube, 48 New Boston Road, Ken Clinton explained that
177 the project has not yet done a well study, but that there is well data available from nearby
178 properties. He also stated that any project would increase traffic in this area, but that this project
179 will probably not necessitate offsite improvements. The applicant has started a traffic study, and
180 the data from it will be in hand at the Conditional Use Permit hearing.

181
182 Mike Dell Orfano stated that this meeting is only to present the concept of this project to the
183 public. This is non-binding and no studies are required of the applicant at this time. In regards to
184 this, Town Counsel stated that it would be defensible for the Board to ask for certain studies
185 ahead of the CUP in order to best react to the process.

186
187 Stephen Bennett, of Wadleigh, Starr, & Peters, stated that one aspect of the design review is
188 binding; that is that the developer will be grandfathered from the zoning ordinance amendments
189 if the application for design review was submitted prior to the notice of the amendment. He
190 believes that this application has been a moving target on its plans. He believes the Board has the
191 ability to set the submission requirements at the design review stage. He also does not believe
192 this application should be grandfathered in.

193
194 Mike Dell Orfano suggested that Stephen Bennett put his recommendations in writing to Town
195 Counsel. Stephen Bennett stated that he voiced these concerns in a letter to the Community
196 Development Office a month ago. He stated that he also has concerns regarding the local wells,
197 and traffic impacts.

198
199 Mike Dell Orfano suggested that Stephen Bennett reach out to the Bicycle & Pedestrian
200 Advisory Committee to discuss safe travel down these roads. He also explained that water is a
201 civil matter. He suggested that abutters have their water tested prior to development in order to
202 get a baseline reading.

203
204 Kris Pierce, 40 Boston Post Road, expressed concerns regarding the aquifer and potential loss of
205 power along the road. She also has concerns regarding traffic, potential blasting on site, ledge,
206 and the loss of animal habitat. She is a direct abutter and was not contacted by the developer
207 about the project.

208
209 Tom Quinn, 30 Christian Hill Road, asked why the development is planning to separate the large
210 single-family houses from the duplex units. If all of these different types of housing units are
211 considered to be the same, why are they being separated on site?

212
213 Ken Clinton explained that the separation is due to the market and the wants of homebuyers. It is
214 no different to the developer if these units are together, but the market doesn't seem to want that.
215 The idea is to follow the intent of the ordinance with diversity, in a way that is ultimately
216 marketable and resalable.

217

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218 Martin Rowley, 8 Old Mont Vernon Road, stated that the housing assessment from NRPC does
219 not attempt to assess the needs or wants of the town's citizens. NRPC doesn't define this, the
220 citizens do.

221
222 Mike Dell Orfano stated that the town makes a lot of these decisions as part of the Master Plan
223 process. He hopes many citizens will join the process. The assessment completed by NRPC gives
224 a sense of the workforce housing required under state law and where Amherst sits regionally in
225 relation to this.

226
227 Martin Rowley stated that the housing assessment shows a deficiency in town for workforce
228 housing, but the IIHO allows for any developer to build under the workforce housing ordinance.
229 He thus believes the town will be in compliance if the IIHO was removed. Sally Wilkins pointed
230 out that this application did not propose any workforce housing.

231
232 In response to a question from Bryan Galante, 32 Boston Post Road, Errol Duymazlar stated that
233 he has spoken directly to abutters who have reached out to him and he is happy to meet with
234 anyone else who wishes to. Bryan Galanate stated his concerns regarding power to the area and
235 the local wells.

236
237 Barbara Williams, 9 Foundry Street, stated that there is a handbook from the state regarding best
238 practices that should instruct Planning Board meeting business. The handbook states that, if a
239 member recuses his/herself, that member should not be in the room while deliberations are
240 ongoing. She stated that Sally Wilkins recused herself but is still sitting in the room and talking
241 with one applicant. This is not best protocol and reflects badly on how the Board governs.

242
243 Mike Dell Orfano stated that the Board's policies do not require recused members to leave the
244 room.

245
246 Kelly Mullin, 48 Christian Hill Road, stated that the Board likes to discuss the town's workforce
247 housing needs but that, under the IIHO, not a single unit has come in under the workforce
248 housing section. It is much more lucrative to take density bonuses under the IIHO.

249
250 Mike Dell Orfano stated that some units, even after they are transferred, are deed-restricted, so
251 saying "not a single unit" is untrue.

252
253 Liz Boskee, 37 New Boston Road, expressed her concerns regarding traffic and noise from the
254 project.

255
256 In response to a question from Liz Boskee, Ken Clinton explained that the proposed trailhead on
257 New Boston Road will be a typical, small gravel turnout, capable of holding approximately three
258 cars. This will not be an additional generator of traffic.

259
260 Jack Child, 65 Christian Hill Road, stated that there is a crisis of confidence in the Board. He
261 asked that the Board members pay better attention during the meetings.

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263 Board Discussion:

264 Arnold Rosenblatt stated that he was concerned to hear the applicant state that the previous
265 iteration of this application was well-received by the Board. It was not well-received by him. It
266 was neither well nor poorly received; he gave no substantive comments, which is common at this
267 stage. Any application will be considered by him to see if the applicant has sustained his/her
268 burden. He also will not help to define any of the terms in the ordinance more specifically. Each
269 application will be looked at and considered on a case-by-case basis. He does not want to be
270 locked into any specific definitions going forward.

271

272 Cliff Harris stated that he will be impartial until all of the information can be heard. He also
273 would like to schedule a site walk.

274

275 Brian Coogan stated that he was happy to hear that a traffic study is in process. He has concerns
276 regarding the proximity of this project to the schools. He suggested the applicant look into water
277 studies, as there were many abutter concerns regarding wells.

278

279 In response to a question from Lisa Eastland, Ken Clinton stated that the potential number of
280 ADU's is hard to predict ahead of time; it is usually driven by the buyer.

281

282 Rich Hart stated that he has no opinion until the CUP phase.

283

284 John D'Angelo stated that he will also think on this and wait for the CUP. He thinks that traffic
285 and hydrology studies will be givens.

286

287 In response to a question from Marilyn Peterman, Ken Clinton stated that the layouts for each
288 unit (attached, single-floor, etc.) have not yet been determined. He also stated that the full
289 application will address the need in town for smaller housing units and the need for more cost
290 effective units.

291

292 Lisa Eastland suggested that the applicant also look into electrical/power studies, as that was also
293 mentioned by many abutters.

294

295 Mike Dell Orfano questioned how the rental units will be owned/managed, and what the
296 retention policy will be on those units. He stated that the Board would like to hear how housing
297 units can be affordable to the median range and be retained at that level over time.

298

299 Arnold Rosenblatt explained that the statement that the "Board would like" does not mean that
300 the Chair was speaking for every individual on the Board. He stated that the Chair was an
301 individual with individual views. Mike Dell Orfano clarified that **he** would like to see
302 affordability and retention and price range information.

303

304 **3. CASE #: PZ12161-121319 – Robert H. Jacobson Revocable Trust, Laurie Stevens**
305 **Trustee (Owner) & TransFormations, Inc. (Applicant), 17 Christian Hill Road, PIN**

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306 **#’s Tax Map 005-148-000 & 005-100-00. Conditional Use Permit. Design Review. To**
307 **depict a 60-unit Planned Residential Development per the Integrated Innovative**
308 **Housing Ordinance (IIHO). Zoned Residential/Rural. Postponed from January 15,**
309 **2020.**

310

311 Mike Dell Orfano stated that the motion for rehearing regarding the previous CUP application
312 for this property has been withdrawn. The Superior Court complaint against the town regarding
313 the previous application for this property is still active.

314

315 Carter Scott, President of TransFarmations, Inc., explained that this project is to develop
316 Jacobson Farm. This property is about 120 acres of land and the project looks to create a diverse
317 neighborhood of houses. “Agrihoods” incorporate homes and existing farmland, with a focus on
318 green spaces and community gardens. If the petition warrant article to limit density bonuses
319 passes, this project could have a base density of 41 units. He then showed a possible plan
320 involving 41 four-bedroom units. Using the NRPC Housing Needs Assessment, he explained that
321 the average home has 0.99 children per home (page 17), thus this possible 41 unit project would
322 include approximately 41 children. He entered the Housing Needs Assessment for the Nashua
323 Region by NRPC into the record.

324

325 Carter Scott explained that the project includes a farm that wraps around the neighborhood. In
326 this plan, there are 55+ units, 1-bedroom, 2-bedroom, single-floor, first-floor masters, all
327 included in the neighborhood. 43% of the units in this project are workforce housing. Using the
328 same Housing Needs Assessment, this plan projects approximately 19 children. This is a positive
329 income to expense ratio for the town, described as desired in the Master Plan.

330

331 Carter Scott explained that over 82% of the land in this project will be open space; only 40% is
332 required. The Master Plan states that the town is looking for open space, which this project
333 provides for in abundance. This new application looks to donate the land adjacent to the existing
334 farm to the town at no cost, and to create a 20’ vegetation buffer enhanced with plants that help
335 uptake nitrogen. The prior application included five road waivers; this one includes zero. The
336 proposed road will be 800 linear feet in length (reduced from 1200 linear feet), and will include a
337 2% negative grade at the entrance, and no more than an 8% grade going up. There will be seven
338 private drives and the water supply has been changed from public to private.

339

340 Carter Scott stated that the town’s housing assessment from NRPC showed that the town has a
341 need for more workforce housing. The town is currently deficient of 379 units of affordable
342 housing. He entered the NRPC housing assessment for the town into the record. He explained
343 that, even if the town were to build approximately 38 units per year and required each one to be
344 workforce housing, even after ten years the town could still be deficient. He stated that
345 workforce housing doesn’t need to look substandard and not fit into the neighborhood. The
346 workforce units on Christian Hill would be designed to look like single-family homes, in a New
347 England vernacular.

348

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349 Carter Scott explained that this new application has moved all of the homes on Map 5 Lot 100
350 out of the wetland buffers. The intention is to deed-restrict the entire development to prohibit the
351 use of chemical fertilizers and pesticides. The plan will also commit to an ecologically
352 sustainable approach to obtain the nitrogen needed to enrich the farmland.

353
354 Carter Scott stated that Meridian Land Services has contracted with Stephen Pernaw &
355 Company, Inc., to complete a traffic study for both Jacobson and Clearview. It has been
356 determined that the additional volume to this development will not be significant enough to
357 change the future/current level of service of adjacent road intersections. This report will be
358 presented once available. The Department of Public Works has been consulted, and the public
359 roadway on the property will have a 25mph speed limit. The grade and turning radius have also
360 been confirmed. The number of units accessed by this new road has been reduced from 37 to 29.

361
362 Carter Scott stated that Beth Bradshaw, an engineer for Eversource, has stated that there is an
363 electrical line at 17 Christian Hill Road that is high voltage (19.9 thousand volts); this will not
364 require additional phases for 60 homes. He explained that she said there will be very little current
365 for the number of proposed homes and solar.

366
367 Carter Scott stated that a paper water study has been conducted by Weston & Sampson. It found
368 that the plan will not adversely impact ground water resources.

369
370 In regards to comments made by the Heritage Commission, this application recognizes the
371 existing farmhouse as a meaningful landmark and will see it restored. This will allow for four
372 additional IHO units elsewhere in the development. The Heritage Commission will document
373 the existing foundation, if any of it is removed. The project will also continue to protect existing
374 stone walls on site.

375
376 Carter Scott stated that this project will phase the cutting of trees. The project will also choose
377 one of the less severe cuts and recut it in about 20-30 years, in order to sustain a harvest. Most of
378 the “wolf” trees on the property will be preserved and left to mature (large individual trees left
379 standing from prior tree harvesting).

380
381 Public Comment:
382 Tom Quinn, 30 Christian Hill Road, questioned why it’s appropriate for the Board to hear this
383 case when a similar application/case is currently still in litigation. He doesn’t believe it’s a
384 normal practice for a town to hear a similar application if still being challenged in court.

385
386 Mike Dell Orfano stated that the Board can hear it because this is an entirely different
387 application.

388
389 Jeanne Ludt, 3 School Street, expressed her concern regarding trucking through the Village in
390 order to work on the development if it took many years to phase the construction.

391
392 Mike Dell Orfano stated that trucks pay road taxes and are entitled to use public ways.

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393

394 In response to a question from Marc Vallincourt, 34 New Boston Road, Carter Scott explained
395 that an orchardist involved with the project has tens of thousands of permaculture plants that can
396 be used on site. They are currently also interviewing an animal farmer. There will be no cows on
397 the property, but probably some small specialty pigs, goats, and chickens. The vegetable farmer
398 will be the main organizer of the farm. The new barn will include 1/3 space for CSA (community
399 supported agriculture) pick-up, 1/3 for workshop space and possibly a café, and 1/3 space for
400 office areas. There will also be space for cold storage, and equipment. All of these items will be
401 further detailed in the CUP.

402

403 In response to a question from Marc Vallincourt, Carter Scott explained that a soil analysis of the
404 site showed a lot of past corn farming, with high levels of phosphorus.

405

406 In response to a question from Marc Vallincourt, Carter Scott stated that, while not currently
407 fully vetted, the plan would be to gather volunteers from the neighborhood and town as a source
408 of labor to pick the fruits and vegetables.

409

410 In response to a question from Marc Vallincourt, Carter Scott explained that there will be a 99
411 year lease to the farming entity to own the farmland. The open space has to be owned by the
412 people in the neighborhood. The farm lease is subject to change as the plans evolve.

413

414 Jim Hendrix, 44 Christian Hill Road, stated that the traffic currently at Foundry Street and
415 Boston Post Road at 10am and 3pm is untenable. He believes it is unacceptable to say that there
416 will be no traffic impact from this development.

417

418 Carter Scott stated that that intersection currently has a level D for service. It is slated to fail
419 within 10 years. The addition of homes from this proposed development will not change the level
420 of service of this intersection. He explained that a traffic engineer and Jay Minkarah, Director of
421 NRPC, both agree that these units will have no adverse traffic impact to this area.

422

423 Jason Osborn, 14 Bloody Brook Road, stated that he sees major improvements in this new
424 application. He believes that there are some plans here that really attempt to blend this
425 development into the fabric of the community. While he likes the farm concept, he believes it
426 may have limited practicality. The town is in need of recreation fields and some of the flat land
427 on this parcel would be an ideal location. He also has concerns regarding traffic and site distance.

428

429 Sally Wilkins, 28 Green Road, cautioned against using certain plants that may actually be illegal
430 in New Hampshire, such as currants. She also agreed with Carter Scott regarding climate change
431 affecting what may be grown here in the future, noting that the Forest Society has said that New
432 Hampshire will lose its maple syrup industry in 15 years due to climate change, and there is thus
433 a need to look into other possible species.

434

435 Tom Quinn, questioned what other unit layouts there will be than the drawings shown this
436 evening. Carter Scott explained that there will be 1, 2, 3, and 4 bedroom units. The town is in

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437 dire need of workforce housing and so that will be focused on, with 43% of the units being
438 classified as that. There are not drawings yet completed for all of the different unit styles.

439

440 In response to a question from Tom Quinn, Mike Dell Orfano stated that he's not sure what the
441 basis is to determine if an application is "materially" different from a previously submitted
442 application. He deferred to Town Counsel on the matter.

443

444 Board Comment:

445 In response to a question from Rich Hart, Carter Scott stated that all of the homes in the
446 development are located within 30 degrees of true south. He plans to put solar on all of the roofs.
447 He will commit to this for the 2020 and 2021 years, and then go year-by-year to see what
448 incentives are available and if it's still cost-effective.

449

450 John D'Angelo commented that this application appears to have tried to incorporate much of the
451 previous feedback and looks to be substantially different. He explained that the town's housing
452 assessment by NRPC shows that there are about 4,100 homes in town, and that, if the town wants
453 to fulfill its Fair Share, it is deficient by about 390 workforce units. The IIHO provides the
454 opportunity to create these units, but the current petition warrant article is out to repeal the IIHO.
455 The Board of Selectmen has commissioned NRPC to study what the effect will be if the IIHO is
456 repealed and the town is still not carrying their Fair Share.

457

458 Marilyn Peterman thanked the applicant for a lot of information that wasn't previously presented.
459 She is glad to see that workforce housing has been included in the project. She also believes the
460 NRPC housing assessment for the town should be read and given due credit.

461

462 In response to a question from Lisa Eastland, Carter Scott explained roads are graded with A, B,
463 C, D, and F. The intersection previously discussed is currently graded a D level of service. It is
464 already projected to fail. The proposed development will add traffic to the area, but not enough
465 to change the level of service.

466

467 Brian Coogan stated that the sustainability of farming seems to be declining. He would like to
468 see data that shows similar farming that is sustainable and succeeding. Carter Scott stated that a
469 farmland consultant will be hired to help with the business plan for the farm and ensure its
470 sustainability over the long term. The plan will be looked at very hard. He understands that Brian
471 Coogan would like to see empirical evidence as to how the plan can succeed.

472

473 Mike Dell Orfano stated that there is an existing ordinance in town that allows for a right to
474 farm. This is enforced by state law. It is hard to separate the farming from the housing on this
475 project, but they are two separate things.

476

477 Cliff Harris stated that he looks forward to hearing more about this at a CUP hearing.

478

479 Arnold Rosenblatt stated that he will wait for the formal application to determine if the
480 applicant's burden is sustained.

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481
482 Mike Dell Orfano stated that the applicant should at some point address his ability to finance the
483 project successfully in order to appease any concerns. Carter Scott stated that he already has a
484 bond quote in hand.

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486 Mike Dell Orfano stated that the Board will meet on March 4, 2020, at Town Hall in order to
487 discuss possible modifications to the IIHO ordinances. The Board usually discusses possible
488 changes to the IIHO in the fall, but were unable to due to volume of applications. This Board
489 discussion, will not be open to public comment, and the meeting notice will state as much.

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491 **Arnold Rosenblatt moved to adjourn the meeting at 9:52pm. Cliff Harris seconded.**
492 **All in favor.**

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498 Respectfully submitted,
499 Kristan Patenaude

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501 Minutes approved as amended: April 30, 2020