

TOWN OF AMHERST
Planning Board

April 21, 2020

APPROVED-Amended

In attendance: Michael Dell Orfano- Chair, Arnie Rosenblatt, Dwight Brew-Selectman Ex-Officio, Marilyn Peterman, Bill Stoughton, Brian Coogan, Cynthia Dokmo, Chris Yates (Alternate), and Christy Houpis (Alternate).

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

Michael Dell Orfano called the meeting to order at 7:34 p.m, with the following statement. As Chair of the Amherst Planning Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order.

However, in accordance with the Emergency Order, I am confirming that we are: Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

We are utilizing Zoom for this electronic meeting.

All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #312-626-6799 and meeting ID 972 6919 0216, or by clicking on the following website address: <https://zoom.us/j/97269190216> that was included in the public notice of this meeting.

Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Planning Board at: www.amherstnh.gov.

Providing a mechanism for the public to alert the public body during the meeting if there are problems with access: If anybody has a problem, please call 603-440-8248.

Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to- Know law.

Roll call attendance: Mike Dell Orfano, wife is in the room with him; Marilyn Peterman, alone; Arnie Rosenblatt, alone; Cynthia Dokmo, alone; Dwight Brew,

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alone; Bill Stoughton, alone; Christy Houppis, alone; Chris Yates, alone; Brian Coogan, alone.

Alternate, Tracie Adams entered the meeting.

The Board members each introduced him/herself and gave a brief explanation of his/her background.

ELECTION OF OFFICERS:

Pursuant to the Planning Board's Rule of Procedure, Section 3.6: "The officers of the Board shall be elected annually during the month of April by a majority vote of the Board."

Mike Dell Orfano moved to nominate Arnie Rosenblatt as the Chairman of the Board; Cynthia Dokmo as the Vice Chair; and Marilyn Peterman as the Secretary. Bill Stoughton seconded.

By roll call vote: Dwight Brew – aye; Brian Coogan – aye; Arnie Rosenblatt – aye; Cynthia Dokmo – aye; Marilyn Peterman – aye; Bill Stoughton – aye; Mike Dell Orfano – aye. Motion carried unanimously.

OTHER BUSINESS:

1. Discussion of upcoming Planning Board meetings

Mike Dell Orfano explained that the Housing Needs Analysis done by NRPC seemed to be significantly narrow, in that it mainly deals with workforce housing. He asked the Board to review a set of 11 questions that will hopefully help to form the scope of another study that can be produced by NRPC to analyze the town's housing needs. He stated that the Board needs to know the current housing inventory in town and what types of improvements can be made to ordinances in order to move forward. He explained that the removal of the IIHO (Integrated Innovative Housing Ordinance) has left a gaping hole in the town's ordinances and, in order to fill that hole, the Board will need a notion of the land use priorities in town. In order to establish these priorities, a third party needs to analyze the town's housing needs and requirements.

Dwight Brew noted that, due to the recent election of officers, Arnie Rosenblatt should now be chairing the meeting. Arnie Rosenblatt acknowledged this and ceded the floor back to Mike Dell Orfano.

Bill Stoughton suggested that this be an item of discussion for the Board's next meeting in order for everyone to be prepared to participate.

Mike Dell Orfano asked what meetings were currently scheduled. Community Development Director, Nic Strong, stated that the Board was waiting to hear from the Governor regarding what will happen after the current Emergency Order ends on May 4th, which is why the topic of meetings was on the agenda.

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89 Arnie Rosenblatt stated that there should be a threshold discussion as to whether the Board wants
90 this assessment. If it does, who does the Board want to perform it, what is the purpose of it, and
91 what information does the Board want included?

92
93 Chris Yates suggested that information be sought from others, such as the schools, Fire &
94 Rescue, etc.

95
96 Marilyn Peterman stated that a Housing Needs Analysis was completed, but another is needed
97 that doesn't only explore workforce housing. She believes the questions, as presented, will give
98 the Board clear data on what types of housing are needed in town.

99
100 Mike Dell Orfano stated that another analysis would give the public a third party assessment of
101 the housing stock and the town's needs in order to better manage its land. He believes that all of
102 the town's departments should participate in this process eventually, but that this study will not
103 be that comprehensive.

104
105 Cynthia Dokmo stated that the latest analysis from NRPC has a lot of information in it and that
106 the Board members should review it in order to see what information is still needed.

107
108 Mike Dell Orfano stated that the IIHO once held a set of procedures for the town to follow, but
109 that is now gone. There are still various states of procedures that exist, but with the IIHO absent
110 there are limits to the Board's ability to mitigate impacts.

111
112 In response to a question from Marilyn Peterman, Nic Strong stated that the idea for requesting
113 the previous analysis from NRPC was originally hers. It was then run by Mike Dell Orfano and
114 Town Administrator Shankle, and NRPC was asked to come up with the scope of the study.

115
116 The Board indicated interest in holding a meeting in a relatively short time to discuss this. Nic
117 Strong stated that the Planning Board can hold a Zoom meeting next Thursday, April 30th at
118 7pm.

119
120 In response to a question from Kelly Mullin, Arnie Rosenblatt stated that first application for the
121 Jacobson property was denied. There is currently a new application for the same property that
122 has been submitted.

123
124 In response to a question from Tom Quinn, Arnie Rosenblatt stated that the application for the
125 Jacobson property that was denied is being appealed by the applicant. The question of whether
126 another application can be brought forth by that application while the case is pending, is a
127 question for Town Counsel. He explained that, if legal to do so, he will move forward with the
128 new application with a completely open mind in order to determine if the application satisfies the
129 applicable ordinance.

130
131 In response to a question from Christy Houpis, Nic Strong stated that, per the Governor's orders,
132 there are currently no deadlines or requirements that the Planning Board needs to meet.

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Nic Strong stated that the Planning Board currently has four applications that were all postponed in April that it needs to decide what to do with.

Mike Dell Orfano suggested that the Board continue to look at applications that involve simpler decisions, such as lot line adjustments, but defer major applications that will include a lot of public input.

Dwight Brew agreed that the Board should carry on with some of its work, but questioned how it would decide between items that are simple versus controversial.

Christy Houpis stated that, while he is sensitive to the needs of applicants, there are also extenuating circumstances at hand. He would like a clear understanding of the guidance from RSAs, while also being able to have the perspective from public input.

Arnie Rosenblatt suggested that the Board use their meeting next Thursday as a way to identify possible work session items. He also requested that Nic Strong bring the Board any pending applications to review, and that Town Counsel be asked to review any questions regarding these pending applications.

In response to a question from the public, Mike Dell Orfano stated that the Carlson CUP application was previously approved and the applicant is now in the site plan review phase. This application is not “grandfathered” in because its CUP application was already approved.

In response to a question from Chris Rand, Arnie Rosenblatt stated that there is nothing in any of the pending applications that is considered a “no brainer,” to him.

In response to a question from the public, Mike Dell Orfano explained that the Board voted on an “up to” number of units during the Carlson CUP application. If the site plan review doesn’t adequately address the impacts recognized by the Board, this number can be reduced until the impacts are mitigated. Arnie Rosenblatt added that he will be scrutinizing that “up to” number, as he will not be persuaded that the applicant has a right to any number of units at this stage.

Danielle Pray, a member of the public, commented that she is currently researching whether the subdivision application for Carlson is “grandfathered” in simply because the CUP was granted.

Nic Strong explained that the Board currently has a hearing scheduled for May 6th for the Carlson application. This was continued from a previous meeting and was supposed to be held at the high school. Arnie Rosenblatt stated that the Board will discuss this issue at their next meeting.

Marilyn Peterman moved to adjourn the meeting at 9:15pm. Mike Dell Orfano seconded.

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176 **Roll call vote: Cynthia Dokmo – aye; Marilyn Peterman – aye; Dwight Brew – aye;**
177 **Bill Stoughton – aye; Brian Coogan – aye; Mike Dell Orfano – aye; Arnie**
178 **Rosenblatt – aye. Motion carried unanimously.**
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181
182 Respectfully submitted,
183 Kristan Patenaude
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185 Minutes approved as amended: April 30, 2020