

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

1 In attendance: Arnie Rosenblatt - Chair, Michael Dell Orfano, Dwight Brew-Selectman Ex-
2 Officio, Marilyn Peterman, Bill Stoughton, Brian Coogan, Cynthia Dokmo, Tracie Adams
3 (Alternate), Chris Yates (Alternate), and Christy Houpis (Alternate).
4 Staff present: Nic Strong, Community Development Director, and Kristan Patenaude, Minute
5 Taker.

6
7 Arnie Rosenblatt called the meeting to order at 7:04 p.m., with the following statement. As
8 Chair of the Amherst Planning Board, I find that due to the State of Emergency declared by
9 the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's
10 Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to
11 meet electronically.

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

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

17 We are utilizing Zoom for this electronic meeting.

18
19 All members of the Board have the ability to communicate contemporaneously during this
20 meeting through this platform, and the public has access to contemporaneously listen and, if
21 necessary, participate in this meeting through dialing the following phone #312-626-6799
22 and password 972 6919 0216, or by clicking on the following website address:
23 <https://zoom.us/j/97269190216> that was included in the public notice of this meeting.

24
25 Providing public notice of the necessary information for accessing the meeting:

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

29
30 Providing a mechanism for the public to alert the public body during the meeting if there are
31 problems with access: If anybody has a problem, please call 603-440-8248.

32
33 Adjourning the meeting if the public is unable to access the meeting:

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

36
37 Please note that all votes that are taken during this meeting shall be done by roll call vote.

38
39 Let's start the meeting by taking a roll call attendance. When each member states their
40 presence, please also state whether there is anyone in the room with you during this meeting,
41 which is required under the Right-to- Know law.

42
43 **Roll call attendance: Bill Stoughton, alone; Chris Yates, alone; Dwight Brew, alone;**
44 **Tracie Adams, alone; Mike Dell Orfano, alone; Cynthia Dokmo, alone; Marilyn**

April 30, 2020

APPROVED-Amended

45 **Peterman, alone; Brian Coogan, alone; Christy Houpis, alone; Arnie Rosenblatt,**
46 **alone.**

47
48 Arnie Rosenblatt noted that there will be opportunity for public comment after the Board has
49 completed its discussion. He encouraged the public present to be engaged in the discussion with
50 the Board.

51
52 **NEW BUSINESS:**

53 **2. Discussion regarding pending applications and their status**

54 The Board and Community Development Director Nic Strong reviewed the relevant Emergency
55 Orders issued by the Governor. Nic Strong explained that all Emergency Orders have now been
56 extended to May 15th, pursuant to Executive Order 2020-08. There is a question regarding the
57 order for deadlines because no specific date was given in that original order; however, per the
58 Attorney General, all orders have been extended to May 15th. It is hoped this will be further
59 clarified by the Governor tomorrow.

60
61 Arnie Rosenblatt stated that the Board currently has six pending applications to make decisions
62 on. The question is whether to put the decisions about those applications off until the Board's
63 meeting next week, or assume that any decisions on them will be extended until May 15th.

64
65 Bill Stoughton suggested that the Board ask each applicant whether s/he would like to move
66 forward electronically prior to the end of the Emergency Order.

67
68 Chris Yates thought the Board should wait until the Governor lifts or extends the existing orders.

69
70 Dwight Brew stated that it seems difficult to determine which applications are controversial or
71 not up front, and also that once the application process has begun it might be difficult to put it on
72 hold. He believes that in-person meetings, with certain restrictions, may occur soon, and that the
73 Board should hold off with hearing applications until the public can attend. He also stated that he
74 would like to make a couple of motions regarding making public the town attorney's opinion
75 about the grandfathering of a few pending applications.

76
77 Tracie Adams stated that she would like to see clarification from the Governor and try to get to
78 as normal as possible as fast as possible.

79
80 Mike Dell Orfano stated that much of what the Board does during hearings has to do with the
81 presentations it sees, the documents it's presented with, and the questions asked. It is difficult to
82 do these things virtually, and hard to analyze applications.

83
84 Cynthia Dokmo said that she agreed with the previous comments. She wanted to wait to see
85 what the Governor did with the emergency orders and was also in favor of waiting until there
86 could be in-person meetings. She noted that the Board had been dealing with somewhat
87 controversial applications with large audiences and it was a much more open forum if the
88 meetings could be in-person.

April 30, 2020

APPROVED-Amended

89 Marilyn Peterman stated that she tended to agree with everyone else. She did not know how best
90 to determine which applications might be non-controversial. She went on to ask if the Board
91 could meet with not more than nine people and with the proper social distancing to be able to
92 have the applicants present along with their charts and presentations.

93

94 Nic Strong pointed out that Board members alone made up ten people, then with staff, the
95 cameraman, applicants and their engineers and the fact that the public would have to be allowed
96 to attend, would put the numbers much higher than allowed by order and therefore that would
97 not be permitted.

98

99 Brian Coogan stated that he did not see anything material to the health and wellness of the
100 Amherst community that would need any applications to be expedited at this time. He believes
101 the Board should respect the social distancing outlined by the Governor. He doesn't believe that
102 the Board should expedite any of the "non-controversial" applications, because that does not
103 treat each applicant consistently.

104

105 Christy Houpis stated that he wanted to wait for clearance and guidance from the Governor on
106 the orders. He thought that determining the criteria on how to figure out what was non-
107 controversial would be problematic. He also thought that even as restrictions are lifted, people
108 are not necessarily going to want to be in a physical environment for meetings even if they can
109 be. Christy Houpis thought that was something for the Board to consider and that they should
110 wait for clarity.

111

112 Arnie Rosenblatt noted that there seems to be close to a consensus among Board members to
113 wait to hear what the Governor puts forth tomorrow and then meet next week to discuss options.

114

115 **Marilyn Peterman moved to defer making decisions on how to deal with pending**
116 **applications until next Wednesday. Bill Stoughton seconded.**
117 **Roll call vote: Bill Stoughton – aye; Mike Dell Orfano – aye; Dwight Brew – aye;**
118 **Cynthia Dokmo – aye; Marilyn Peterman – aye; Brian Coogan – aye. Motion**
119 **carried unanimously.**

120

121 **1. Discussion regarding a further housing needs assessment for the Town of**
122 **Amherst: the need; the purpose; who might perform such an assessment; what**
123 **kind of information should be included, and so on.**

124 Arnie Rosenblatt suggested that the Board and public discuss this topic from the current time,
125 7:27pm. until 9-9:15pm. He asked that all speakers be succinct, but noted that no time limits
126 would be imposed. He then asked Mike Dell Orfano to introduce this item.

127

128 Mike Dell Orfano explained that the Housing Needs Analysis completed by NRPC in November
129 was narrowed significantly in scope to examine workforce housing. Originally, the desire was to
130 inventory the current housing stock and get some notion of what the market was generally asking
131 for in town for diversity of housing, in order to have necessary data. The purpose of this data is:
132 to allow the Board to consider the benefits to the town of upcoming grandfathered IHO

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

133 applications in terms of housing stock; to allow the Board to make decisions regarding the design
134 of future ordinances; and, to know the existing conditions in order to have a point of departure
135 for the Master Plan process. He believes there is no one more qualified than NRPC to do this
136 assessment.

137
138 Christy Houpis questioned if now is the right time to be gathering this data, or whether the
139 collection of this information should be more closely married to the Master Plan process. He
140 went on to say that there is a cost involved with this data gathering and even if it was done now
141 there would be the need for other or more data to be collected as part of the Master Plan update.
142 Christy Houpis also stated that he is unsure what type of detailed changes the Board can
143 undertake within the next nine months, before the vote next March.

144
145 Brian Coogan suggested that the Board should consider this a data driven process and that it was
146 one thing to get information regarding housing statistics, but there was also the need for
147 information such as the demographic makeup, housing mix, and Amherst's statistics versus the
148 macro region. He believes that there will be an economic impact from COVID-19 and that the
149 Board should consider the broader impact to the region and its correlation to the housing market.
150 He thought there could be businesses entering and exiting the town and that there may be a
151 surplus of housing in a few years. Brian Coogan also thought that the Planning Board would not
152 want to approve complexes of housing that might never be built or only be half built and half
153 empty. He thinks there is a broader question of the economic mix of the community in regards
154 to housing.

155
156 Marilyn Peterman stated that the Board has a direct charter to go forward with applications,
157 zoning and other business, regardless of what happens next March. She stated that it is important
158 for the Board to have housing data. She further noted that it was not just the numbers of the types
159 of housing stock but also the age of the housing stock that should be considered because many
160 people do not want to buy an existing house. Marilyn Peterman explained that the growth rate in
161 town, 0.97% is very low. She noted that the housing needs report also showed a low absorption
162 rate in the housing stock of 4%, which drives up the price of housing. Marilyn Peterman thought
163 that a starting point would be to have existing housing data and reach out to the Board of
164 Realtors to get an idea about the economics of housing in town. It would be helpful to know the
165 existing stock for elderly, affordable, and rental housing types.

166
167 Cynthia Dokmo stated that the Master Plan should create any new ordinances as opposed to the
168 Planning Board creating a new ordinance and putting it before the voters next March. She
169 thought that if the Master Plan process helps to create new ordinances this could be viewed by
170 many in town as an ordinance that is thought to be positive for the town. She thought that
171 whether the information could be sought now or as part of the Master Plan would depend on how
172 much it would cost. She explained that the cost of a new assessment is a factor. If another
173 assessment is going to be needed during the Master Plan process, it might make sense to wait.

174
175 Dwight Brew thanked Mike Dell Orfano for putting together the issue. He stated that the first
176 step should be to find out what Amherst residents and business owners need and want in regards

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

177 to housing. This information should not come from a third party. Next, the Board can examine
178 what kind of housing currently exists, where the gaps are, and how to address them. The Board
179 will need to be able to show the public the tradeoffs at play in any choices. He doesn't believe
180 that housing should be looked at in a vacuum. Dwight Brew thought that the questions about
181 density bonuses presupposed a solution and their effectiveness should be evaluated. He also
182 thought that transportation and schools questions needed to be factored in and those would be
183 addressed by the Master Plan.

184

185 Tracie Adams thought the Board should think about a cost benefit analysis regarding the cost of
186 the report and the benefit to be gained from the information gathered. She thought that the
187 impact of Covid-19 on the economy will definitely factor into the housing situation which might
188 make a difference further down the road to the results of the report. She noted that the citizens
189 should speak to the needs and then the information gathering could be factored in.

190

191 Chris Yates stated that he believes there is a good amount of information in the prior
192 assessments. He would like to see a town survey to see what the members of the community
193 want/need today, and into the future. This feedback could also feed into the Master Plan process.
194 He stated that, unless there is good insight into what the community wants, it would be difficult
195 to build an ordinance to capture that.

196

197 Bill Stoughton agreed that there does seem to be a great deal of factual information in the prior
198 assessment. He has a concern regarding asking any organization like NRPC, to recommend
199 incentives that could drive absorption of the regional population and drive the town to be
200 homogenous. Bill Stoughton believes people come to the town due to its differences from many
201 of the surrounding towns. He would like to focus on some of these differences during the Master
202 Plan process in order to then craft ordinances that meet statutory obligations and work to drive
203 development in a way that the community wants.

204

205 Arnie Rosenblatt noted that he was sensitive to the fact that anyone with large tracts of land in
206 town can determine the most effective way to exploit their land as they like and that it is the
207 Planning Board's obligation to make the best determinations for the town from a broad
208 perspective. He noted that the Board would have to consider how any data would be used and
209 how any ordinance relying on the data would be used. He believes that the Board should still
210 work to do its best for the town, even with elections coming up next March.

211

212 Marilyn Peterman stated that the housing stock in town was previously geared toward families
213 who were attracted to the school system. The demographics in town may have changed. The
214 Board needs to collect data, not for the purposes of determining density bonuses or creating
215 ordinances, but to know definitively what exists at this point in time. Marilyn Peterman also
216 stated that the Board needed to know what the town needs for the demographics of the people
217 who wish to move to town. She noted that there are ordinances currently on the books that any
218 applications submitted in the next year will fall under. She went on to say that whether getting
219 the data is delayed or not, the Board could not discuss intelligently what the ordinances would

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

220 give them. The Board can't know if there is enough of different types of housing without first
221 having data and going into the community to ask what is wanted/needed.

222

223 Public Comment:

224

225 Doug Chabinsky, 89 Boston Post Road, stated that he believes the Board needs basic data to
226 know what is currently available in the town for housing to be able to assess whether or not
227 family housing, for example, is needed and how that might impact the schools. He also stated
228 that the data would be needed as a first step into the Master Plan process and suggested that this
229 could be an ongoing process throughout the year as opposed to doing it as one big package.

230

231 Tim Kachmar, 15 Mack Hill Road, stated that he is glad to hear that the Board wants community
232 input. He believes the previous report done by NRPC contains enough data to answer many of
233 these questions, although the data appears to be from 2018. He thought that if there are gaps to
234 make this data more current, those could be filled, but he is not sure a full, fresh report is needed.

235

236 Tom Quinn, 30 Christian Hill Road, thanked the returning and new Planning Board members for
237 their time and questioned specifically what data is being sought that isn't already in the most
238 recent report done by NRPC.

239

240 Mike Dell Orfano commented that the list of eleven questions being reviewed by the Board was
241 recommended as items to consider by NRPC. The estimated quote for this complete
242 supplemental analysis is \$3,500.

243

244 In response to a question from Chris Yates, Mike Dell Orfano stated that the American
245 Community Survey will be used by NRPC to gather some of the requested data, as the data from
246 the next Census will not be available until 2022. There is no fresher data than that of the
247 American Community Survey. Mike Dell Orfano noted that, during the Master Plan process ten
248 years ago, the amount of community involvement was very small and frustrating. He thought
249 that maybe this time the participation would be more but it would still be a small number of
250 people and the burden would be back on the Board to make good decisions with quality data. He
251 did not think the Board had enough information to make these decisions.

252

253 Tom Quinn noted that he would like to hear more regarding the motions mentioned by Dwight
254 Brew earlier in the meeting, regarding the release of the town attorney's comments.

255

256 Mike Akillian, 10 Old Mont Vernon Road, stated that only one of the questions being reviewed
257 as part of this new potential analysis deals with current housing stock. The rest of the questions
258 examine how Amherst compares to surrounding communities and NRPC's view on next steps.
259 He agreed with Dwight Brew that Amherst's residents and businesses need to be asked what they
260 want to see for housing stock and then examine how these wants interact with the current
261 schools, economic development, transportation, etc. He does not support this analysis being done
262 by NRPC on the town's behalf and reiterated that the posted questions cover a lot more than an
263 inventory of existing housing.

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

264

265 Danielle Pray, 7 Stearns Road, stated that the Board's priority should be on the Master Plan
266 process as it is the number one listed priority in the statutes for the Planning Board. There should
267 be a focus on getting the data necessary to begin this process. The Board previously secured
268 funds from the Board of Selectmen to move forward with the Master Plan, but hasn't yet started
269 the process. Any new or revised ordinances should come from the Master Plan.

270

271 Kelly Mullin, 48 Christian Hill Road, agreed that the first step in the Master Plan. She believes it
272 is premature to work on new or revised ordinances, or to expend funds while the economy is in a
273 downturn, especially since the data would not be any fresher than what was already provided. As
274 stated in a previous NRPC report, the town is not in jeopardy to address any applications since
275 the IHO has been removed. She knows that there are plenty of people who are interested in
276 helping with the Master Plan process and would like the Board to focus on asking the community
277 what is important to them. She suggested forming subcommittees, with involved community
278 members, to begin to look at key components that could be in a town survey. She doesn't believe
279 there is any fresher data available that what has already been supplied by NRPC. She thanked
280 the Board and appreciated that everyone had a chance to comment.

281

282 Bryan Galante, 32 Boston Post Road, stated that more data is better, but asked that the Board
283 scrutinize what data it is requesting and the relevance of it. He questioned the freshness and cost
284 of getting more data from NRPC. He would also like the Board to reinforce finding out what the
285 community wants, versus what the Board thinks the community needs. He noted that he moved
286 to town for what the town is now and did not want a change in housing and demographics that
287 could result in more large housing complexes.

288

289 Frank Montesanto, 55 Christian Hill Road, agreed that the Master Plan should be the current
290 focus of the Board. He stated that the new Master Plan process, as suggested by Mike Akillian
291 last year, sounded exciting and should be a rewarding process for the townspeople.

292

293 Mike Dell Orfano noted that the Master Plan process is at least a year long. There are currently
294 pending applications and the Board needs data to be supplemented in that time. The community
295 that everyone loves so much in town was the creation of the Planning Board over the last 30
296 years. He finds the lack of public trust in the Planning Board astounding. He doesn't believe that
297 prudent decisions on the pending applications can be made without more data.

298

299 Marilyn Peterman stated that she has lived in town for 43 years and that the town is not
300 necessarily a snapshot in time of what it looks like when someone moves here. Things are
301 always changing. The Planning Board is one of the entities that made it possible for the town to
302 attract different types of people. She stated that the Master Plan needs an understanding of what
303 housing exists in this town and for the future, whether it be single family, elderly housing, or
304 handicapped accessible. She sees a need for more affordable housing in town. She believes that
305 the Board must know the current stock of housing types in town.

306

April 30, 2020

APPROVED-Amended

307 Arnie Rosenblatt noted that he has tremendous respect for those on the Planning Board and that
308 he believes those on the Board have always tried to do what they believe is good for the
309 community. However, he doesn't believe the Board has always made good decisions. He stated
310 that he believes the Board can make decisions on pending applications with the data they already
311 have. He also noted that the burden was on the applicant to satisfy the ordinance and that the
312 Board would make their decisions with an open mind and judge the applications fairly. Arnie
313 Rosenblatt did not think that the Board had an obligation to get more information for the pending
314 applications. He agreed with the idea of updating the Master Plan and noted, however, that no
315 one had ever done one in a pandemic with social distancing restrictions.

316

317 In response to a question from Chris Yates, Mike Dell Orfano stated that the new analysis should
318 take about 2-3 weeks to complete.

319

320 Mike Dell Orfano stated that he believes the Board would incorporate the answers to these
321 questions from NRPC as part of the Master Plan process. He believes that the scope of work
322 involved in the Master Plan process is well beyond what the Board can accomplish this year. He
323 suggested reframing the set of questions to get a consensus from the Board regarding what
324 information is needed to supplement the existing study. Mike Dell Orfano believes that the
325 information received from NRPC could be the backbone of the housing section of the Master
326 Plan. He doesn't believe the Board currently has enough data to make good decisions on the
327 pending applications and that the Board needed quality information to round out the existing
328 study for the IIHO applications as they come in. He noted that, under the ordinance, the
329 applicant had to prove the need for the bonuses and the Board was accused of not knowing what
330 the town had or needed. Now the discussion was leaning towards postponing data gathering
331 which he felt was a circular argument. He would not vote in favor of moving forward with the
332 Master Plan process at this time.

333

334 Mike Dell Orfano stated that, if he were to make a motion, it would be to recast the set of
335 questions to the satisfaction of the Board, and offer the scope to NRPC for a requote of the
336 proposal.

337

338 Marilyn Peterman stated that the new data would be narrowly focused, based on the existing
339 current housing stock and incorporating the demographics and population estimates. She believes
340 that even the Master Plan will need estimated data for the next 5-10 years. She noted that the
341 developers based their reasons for coming to Amherst to do their projects on the future needs in
342 the Master Plan.

343

344 Mike Dell Orfano stated that the developers were working in their own best interests, as all good
345 business people do. He noted that the burden was on this Board to plan and that should resonate
346 with the members because they don't have the information. Mike Dell Orfano stated it was not
347 the Board's job to wait until the future Board takes over. He stated that he was frustrated because
348 everyone needed to take this work very seriously and without the information the Board could
349 not do their job which was to plan and that was their responsibility to the community.

350

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

351 Arnie Rosenblatt stated that he takes his responsibility on the Board seriously and takes planning
352 seriously and was not resigned to being a lame duck Board. He noted that just because he does
353 not agree with this approach does not mean he does not take planning seriously. Arnie
354 Rosenblatt stated that he was acutely aware of the ordinance and how it was used over the past
355 year and the community's concern over that. He did not think it fair to suggest that if some of the
356 Board members do not want the data this means that they don't take their planning
357 responsibilities seriously.
358

359 Marilyn Peterman noted that this data request is not to create a new ordinance, but to move
360 forward with the Master Plan. She explained that, if each developer got just what was allowed to
361 them by right, there would be many more impacts than what the town has seen over the years in
362 terms of children in schools, traffic and impact to the environment. The Planning Board hardly
363 has any discretion over what the developer can get by right.
364

365 Christy Houpis noted that a majority of the Board and public seems to believe this data is
366 important as part of the Master Plan process. If an applicant/developer comes before the Board, it
367 is always possible for the Board to request that the developer provide more data and information
368 at that time. He noted that getting this information for either process was not mutually exclusive.
369

370 Mike Dell Orfano stated that developers provide data in ways that will maximize their economic
371 advantage on the land. Without data, the Board will have nothing to compare this information to.
372 The Board does not have a current inventory of housing types. He stated that the request could be
373 to acquire good, quality, useful information for planning purposes in the short and long-term.
374

375 Marilyn Peterman asked if this was specifically geared towards housing. Mike Dell Orfano
376 stated that there was not much in terms of commercial activity in town and that there were some
377 substantial pieces of land that will come before the Board for residential development.
378

379 Brian Coogan stated that, worded this way, the request could include receiving benchmark data
380 and macro impacts to the town to support the school, fire and emergency departments. This
381 would be useful to the Board and transparent to the community.
382

383 Chris Yates stated that there are three different surveys that could be conducted: to the
384 community to see what they are looking for, to the schools/departments in town to see if they
385 were above or below capacity and their costs, and to get additional information from NRPC.
386

387 Mike Dell Orfano stated that he only wants preliminary, baseline data at this time. His intent is
388 not to start the Master Plan process but to get a baseline of the inventory in town and see how the
389 town fits regionally with that inventory. The Master Plan process can then build on this at a later
390 date.
391

392 Dwight Brew stated that the discussion started with a proposal that the Board had thought about
393 and given their opinions on. The public was allowed to comment but no motion has come out of
394 all of this. He was frustrated that he had done his homework and thought that the discussion

April 30, 2020

APPROVED-Amended

395 should move forward. Dwight Brew stated that he believes this request is to gather data without
396 understanding the requirements and context.

397

398 Mike Dell Orfano stated that the requirements were based on the applicants. He said that if the
399 Board did not plan the community for change, then change will change the community. He
400 asked, if you don't know what you have, how do you plan?

401

402 Arnie Rosenblatt stated that he had asked Mike Dell Orfano to frame the issue for the Board and
403 he thought the Board understood the issue, which was whether or not to ask for data on existing
404 housing and housing that was needed, such as senior housing, etc. The public had commented.
405 Arnie Rosenblatt noted that Mike Dell Orfano did not appear to want to frame the issue in the
406 form of a motion. Arnie Rosenblatt stated that if the Board wanted to talk about a different
407 question then they could and he thought they needed to start fresh. He asked for a motion so the
408 Board could vote.

409

410 Mike Dell Orfano stated he would be happy to make a motion on the existing proposal but
411 everyone had taken the matter and expanded it so he was not sure a motion would carry.

412

413 **Mike Dell Orfano moved to have an existing housing inventory done to supplement**
414 **the study the Board already has to identify items listed in the 11 questions and to**
415 **ask NRPC to do it. Marilyn Peterman seconded.**

416 **Roll call: Bill Stoughton – nay; Dwight Brew – nay; Cynthia Dokmo – nay; Brian**
417 **Coogan – aye; Mike Dell Orfano – aye; Marilyn Peterman – aye; and Arnie**
418 **Rosenblatt – nay. 3-4-0, motion failed.**

419

420 **Marilyn Peterman moved to request to NRPC strictly for baseline data for the**
421 **housing stocks existing in Amherst today, including all types: single-family,**
422 **affordable, elderly, different configurations, etc. and to confine the request to just**
423 **that information at this time. Mike Dell Orfano seconded.**

424

425 **Discussion:**

426

427 Bill Stoughton questioned if the request for data has been compared to the data already in
428 the previous assessment. He doesn't want to repeat an analysis that has already been
429 completed and thought that if someone could identify what was missing the Board would
430 be able to say whether they thought it was critical to doing their job.

431

432 Marilyn Peterman questioned if the Board knows the number of elderly units or single
433 floor units that currently exist. The request should be specific to the housing stock that
434 exists today.

435

436 Mike Dell Orfano noted that the Board has made allowances for workforce housing over
437 the years, some of which was deed restricted but the previous study does not identify how
438 many of each. There doesn't appear to be a record of these and if they have stayed

April 30, 2020

APPROVED-Amended

439 restricted over the years in the town office. He noted that a previous restriction for
440 affordable houses required them to be limited to 1,300 s.f., but that they may have
441 migrated to bigger homes without the Board's knowledge. Mike Dell Orfano stated that
442 the future proposals require the Board to know baseline information of where we
443 currently are.

444
445 Nic Strong stated that the Community Development Office has no database or listing of
446 the different housing types in town or a way to track if each unit has stayed as it was
447 developed. There are holes in the Office's data. This will be quite a large project for
448 NRPC and Nic Strong was not sure how they would have access to the data that was kept
449 in the office.

450
451 Mike Dell Orfano explained that the town staff could provide NRPC with a history of the
452 allowances given. NRPC can then compile an inventory of what the town should have, so
453 that the Board can go after any violations. This could also be an issue for taxation.

454
455 Bill Stoughton stated that there may be a lot of good data being sought for a lot of good
456 reasons. However, he has heard a lot of generalities tonight with uncertainties. He is
457 receptive to future discussions on this topic with specific line-by-line requests.

458
459 Cynthia Dokmo stated that she believes there is a lot of data in the previous analysis,
460 which she had read twice. She is perplexed as to what else is needed. If there is incorrect
461 data because there are not sufficient records held by the town, then this will be a much
462 larger, extensive project than simply learning about the existing housing stock and it
463 won't be accomplished in one or two weeks. She would not support this new request.

464
465 Dwight Brew stated that the latest proposal seems much different than the original
466 proposal. He stated that it is disappointing that the town doesn't have the information on
467 what was previously granted, in order to know if it's been complied with. While
468 receiving this may be useful, he would like to see a specific proposal and deliverables for
469 any new report or study.

470
471 Tracie Adams stated that she believes the 11 questions from NRPC are broad. She would
472 like more information on what data the Board was currently lacking.

473
474 Mike Dell Orfano stated that he thought it would be a good idea to recast the 11 questions
475 originally presented to get good information. He said that the problem was that there was
476 no good historical data and the information in the initial study did not provide housing by
477 type. He said that he didn't know how much elderly housing was needed to
478 accommodate empty nesters. Mike Dell Orfano stated that NRPC could answer the
479 questions and get that kind of information. He thought the Board should postpone the
480 conversation and work together to get questions to ask NRPC what they want. He stated
481 that the Board could not do nothing because applications will come in and the Board
482 would be shooting from the hip, which he did not want to do.

April 30, 2020

APPROVED-Amended

483 Brian Coogan thought it would be helpful for the Board to know the difference between
484 the data that was there and what Mike Dell Orfano and Marilyn Peterman think is needed.
485 This request is seeking data to interpret the town's demographics and project out the
486 housing stock for that demographic. This will give the Board a guide path in order to see
487 how best to move forward. He thought there was value in more finite questions being
488 asked and thought that the requests and deliverables should be refined. It would help the
489 Board understand the scope if they could see the delta difference between what was
490 existing and what was being asked for.

491
492 Christy Houpis stated that the Board had needed more information last year and the
493 burden of proof was on the applicant. He stated that the data could be gathered for the
494 Master Plan or to help with applications but the Board can ask for more data from
495 applicants if it is needed.

496
497 Marilyn Peterman stated that the Board can make the list of questions as specific as it
498 wants, as long as it receives data regarding the existing housing stock and the projected
499 future housing needs. She stated that the demographics from the original report were
500 clear on the population breakdown and the question was if the Town could accommodate
501 the demographics now with the existing housing stock and in the future with the
502 construction of new housing.

503
504 Mike Dell Orfano noted that there is currently a housing market phenomenon, where
505 young people are trying to buy entry level homes and seniors are trying to downsize into
506 the same type of houses. These two specific groups are competing for the same type of
507 housing. He said that the Board needed answers to the questions because they need the
508 baseline data to make good decisions.

509
510 Chris Yates stated that he was conflicted with this discussion because he believed in
511 having good information and could see the need for additional granular information on
512 certain questions. However he also believed that the Board needed other information to
513 support those questions.

514
515 Arnie Rosenblatt stated that the request for data seems to be coming for a couple of
516 reasons: in order to do planning for the community; and, to assist the Planning Board in
517 making decisions regarding pending applications that came in under the IIHO. He stated
518 that, if the Board needed more adequate data to implement the IIHO, then it should have
519 received this data before the IIHO was passed. He also believes that the Board can make
520 decisions on applications without this data and that the Board has not "shot from the hip"
521 in making decisions in the past.

522
523 Mike Dell Orfano stated that in 2015, when the IIHO was written, it was four years after
524 the last Master Plan and it was obvious the town needed greater housing diversity. He
525 stated that Arnie Rosenblatt seemed not to consider data to be that important. Mike Dell
526 Orfano said he could not remember a single development that Arnie Rosenblatt had voted

April 30, 2020

APPROVED-Amended

527 for. Mike Dell Orfano went on to say that for those people who do not deem
528 development to be all bad, the need for data on housing is essential. He noted that things
529 are different than they were in 2015 and he wanted more information. He said that the
530 questions should be made more specific, but the Board cannot do nothing.

531
532 Arnie Rosenblatt stated that he noticed hands raised among the attendees. He asked the
533 Board if they wanted to continue the discussion to another meeting or vote tonight. Mike
534 Dell Orfano stated he would like to continue this at another work session. Mike Dell
535 Orfano stated that applications would be coming in and there was time to produce a
536 study. Mike Dell Orfano thought the Board could reflect on what they understand about
537 the community and write down the questions about what they don't know.

538
539 **Marilyn Peterman withdrew her previous motion.**

540
541 Marilyn Peterman stated that no one knew what the future would bring and there could be more
542 developments proposed. She noted that the information would be useful for any development.

543
544 Cynthia Dokmo stated that she had read the study and there was a lot of information contained in
545 it. She asked Mike Dell Orfano and Marilyn Peterman what they thought was missing from the
546 data.

547
548 Mike Dell Orfano stated that the list of 11 questions was put together by NRPC, to include the
549 items NRPC felt were not included in the original analysis. He stated that he would be happy to
550 call NRPC to ask them to narrow the list down.

551
552 Brian Coogan, suggested that perhaps it might be helpful if NRPC could provide a representative
553 example of what the new study would look like. He said it did not have to be Amherst-specific
554 and could be something that NRPC has done for another community. He suggested something
555 that would show the difference between what NRPC already provided to the Board and what any
556 new study would provide going forward, so that the Board could see how it might influence their
557 understanding of the research and the data and see what the product would look like. The rest of
558 the Board agreed with this suggestion.

559
560 Public Comment:

561
562 Tom Quinn, 30 Christian Hill Road, stated that, at the Board's March 4th meeting with regard to
563 problems with the IIHO, John D'Angelo read a list of items he recommended as items that the
564 Planning Board needs to make more informed decisions. Tom Quinn explained that housing data
565 is part of the puzzle, but that many other pieces of information are needed to make an informed
566 decision. He stated that the outcome of that meeting was that the Board should come up with
567 basic requirements for developers for the information that should accompany any application
568 going forward. He stated that the applications in hand now did not have the information needed
569 to fulfill the CUP conditions.

570

April 30, 2020

APPROVED-Amended

571 Kelly Mullin, 48 Christian Hill Road, stated that she has never once heard an urgency regarding
572 housing stock data from the Board over the past year in order to make decisions on applications.
573 She didn't understand why it was stated that the Board could not proceed without getting more
574 data from NRPC. She doesn't believe the community wants to spend money on another report,
575 and doesn't believe that this request was ever put before them. She questioned to what extent this
576 data will be helpful if no fresher data is available.

577
578 Arnie Rosenblatt stated that the Board would continue this discussion at the next meeting.
579

580 In response to a question from Mike Dell Orfano, Brian Coogan explained that he would like to
581 see an illustrative piece of work from NRPC as an example of what the new data would look
582 like. Dwight Brew stated that he was interested in what the Town has now and not where the
583 Town should go from here. Marilyn Peterman stated that NRPC would not determine where the
584 Town would go. They would provide information on demographics.

585
586 **3. Suggestions from Board members on topics for future Planning Board work**
587 **sessions**

588 The Board discussed topics for their work session next week and agreed to have a non-public
589 session in order to discuss the release of the town attorney's opinion on a few pending
590 applications. Bill Stoughton noted that the Carlson Manor application had been tentatively
591 scheduled on the agenda for May 6, 2020, and asked if that would still take place. Nic Strong
592 explained that all the applications currently pending needed notice to be sent to abutters and,
593 therefore, the application would not be able to be heard on May 6th whether or not the Board had
594 decided to hold electronic meetings for hearings. It was discussed how best to hold a non-public
595 session using Zoom and Nic Strong stated she had to figure that out with the Town
596 Administrator.

597
598 **OTHER BUSINESS:**

599
600 **4. Approval of minutes: February 19, 2020; March 4, 2020; April 21, 2020**
601

602 **Mike Dell Orfano moved to approve the meeting minutes of February 19, 2020, as**
603 **amended [Line 105: to insert "a" after the word "under;" Line 264: to change the**
604 **word to "state" after the word "applicant.]" Brian Coogan seconded.**

605 **Roll call vote: Bill Stoughton – abstain; Cynthia Dokmo – abstain; Dwight Brew –**
606 **abstain; Mike Dell Orfano – aye; Brian Coogan – aye; Marilyn Peterman – aye; and**
607 **Arnie Rosenblatt – aye. 4-0-3; motion carried.**

608
609 The Board discussed that, in the April 21, 2020, minutes Line 155, Mike Dell Orfano
610 meant that the applicant's CUP was completed and, thus, "grandfathered" is not an
611 applicable term for this case.

612
613 **Mike Dell Orfano moved to approve the meeting minutes of March 4, 2020, as**
614 **presented. Marilyn Peterman seconded.**

April 30, 2020

APPROVED-Amended

615 **Roll call vote: Bill Stoughton – abstain; Mike Dell Orfano – aye; Dwight Brew –**
616 **abstain; Cynthia Dokmo – abstain; Marilyn Peterman – aye; Brian Coogan – aye;**
617 **Arnie Rosenblatt – aye. 4-0-3; motion carried.**

618
619 **Brian Coogan moved to approve the meeting minutes of April 21, 2020, as amended**
620 **[Line 21: to change the word “password” to the words “meeting ID;” Line 68: to**
621 **change the word “slightly” to the word “significantly.”] Mike Dell Orfano seconded.**
622 **Roll call vote: Bill Stoughton – aye; Cynthia Dokmo – aye; Dwight Brew – aye;**
623 **Mike Dell Orfano – aye; Brian Coogan – aye; Marilyn Peterman – aye. Motion**
624 **carried unanimously.**

625
626 The Board briefly discussed with Danielle Pray, 7 Stearns Road, the status of pending
627 applications that came in under the IIHO. Danielle Pray noted that she thought the Board would
628 be discussing the legal viewpoint about these applications. She stated that she had done a lot of
629 research on this and wondered how she could go about presenting the information to the Board.
630 Arnie Rosenblatt stated that this topic will be further discussed at next week's meeting. Danielle
631 Pray noted that she hoped that if the Board decided not to release Town Counsel's opinions they
632 would explain why the repeal of the ordinance is not applicable to the pending applications. She
633 stated that the Board would probably be inundated with questions about this.

634
635 **Marilyn Peterman moved to adjourn the meeting at 10:11pm. Bill Stoughton**
636 **seconded.**
637 **Roll call vote: Bill Stoughton – aye; Mike Dell Orfano – aye; Dwight Brew – aye;**
638 **Cynthia Dokmo – aye; Brian Coogan – aye; Marilyn Peterman – aye; Arnie**
639 **Rosenblatt – aye. Motion carried unanimously.**

640
641
642
643 Respectfully submitted,
644 Kristan Patenaude

645
646 Minutes approved as amended: May 20, 2020