

TOWN OF AMHERST  
Planning Board

June 17, 2020

**DRAFT**

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

Arnie Rosenblatt called the meeting to order at 7:03 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 password 830 2693 4054, or by clicking on the following website address: <https://zoom.us/j/83026934054> 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](http://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.

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**Roll call attendance: Bill Stoughton; Chris Yates; Dwight Brew; Tracie Adams; Mike Dell Orfano; Cynthia Dokmo; Marilyn Peterman; Brian Coogan; Christy Houpis; Arnie Rosenblatt; all alone and present.**

**NEW BUSINESS:**

**1. Discussion regarding Impact Fees**

Dwight Brew explained that the Board of Selectmen and Planning Board consulted Bruce Mayberry to look at the impacts developing houses could have on Amherst and to come up with options for implementing impact fees. The report looks at new developments, houses, and businesses with costs associated with incremental infrastructure costs. This does not cover operating costs or rehab builds, but could cover the cost of things like new classrooms, adding onto the Police Station, or additional ambulances, as they relate to the new development.

Dwight Brew explained that Bruce Mayberry spoke with the Police Department, Fire/EMS Department, DPW Director, and the Superintendent of Schools for SAU #39 to come up with items that could be subject to impact fees. There are multiple fee schedule options, such as per unit, or per bedroom, or, as the Board of Selectmen is currently learning towards implementing, per square footage. This fee schedule is based on five different types of housing units: Single family detached, Townhouse/Attached, Two family structures, Multi family dwelling structures, and Manufactured housing. The impact fee assessed for each type is tied back to its square footage. On the commercial side, there are fee schedules for retail, industrial, institutional, etc. For residential units, impact fees will be considered for Police, Fire, Recreation, Roads, and Schools. For commercial units, impact fees will be considered for Police, Fire, and Roads, but not for Recreation or Schools.

In response to a question from Arnie Rosenblatt, Dwight Brew explained that, while the Board of Selectmen established the impact fee schedule, the Planning Board is responsible for collecting the fees. Before the Board of Selectmen adopts the impact fee schedule, they want the Planning Board to review it and submit any feedback. The Board of Selectmen is far enough along in the process, that it might be ready to vote to implement impact fees at its next meeting.

Nic Strong, Community Development Director, noted that the Planning Board is able to, if it wishes, adopt regulations that clarify the procedures listed in the ordinance. The Board of Selectmen is responsible for adopting the formulas and report, and can modify it if there are Planning Board recommendations. The Board of Selectmen can also work with applicants or developers to create an alternate schedule of payments. She explained that there are certain items in the ordinance that aren't clearly specified, such as who assesses the fee if the Planning Board are not involved (likely the Building Inspector); who actually collects the fee when it is due; how the money is deposited; how the money is paid out, and so on.

Dwight Brew explained that the Board of Selectmen has chosen to move forward with a square footage schedule, versus one based on per unit or per bedroom, as it appears to be the fairest way to assess impact fees. The Board of Selectmen has also chosen to look at a 3,000ft<sup>2</sup> cap on all

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residential housing units because most data shows that footage over 3,000ft<sup>2</sup> does not usually lead to additional impacts on the Schools, Fire, Police, or Roads.

Dwight Brew explained that the Board of Selectmen is not inclined to include ADUs in the 3,000ft<sup>2</sup> cap for a residential unit. For example, if a house is 4,000ft<sup>2</sup> and an ADU is 1,000ft<sup>2</sup>, the ADU will incur impact fees as it will be treated as though it results in an impact to the town and schools.

Dwight Brew explained that the Board of Selectmen is considering exempting senior housing from the school impact fee portion, if it can come up with a way to make sure that the type of housing is not lost over time. He explained that the Board of Selectmen also discussed workforce/affordable housing, and is considering treating it as not exempt at this time because this type of housing still has an impact on the town and schools. The intent of the schedule is to collect impact fees based on the impact of new development, and not to try to influence the behavior of developers. He also noted that an impact fee of \$4,000 or \$6,000 seems like a lot as a stand-alone amount, but if looked at when financed over a 15/30 year period it does not seem as significant a cost.

Dwight Brew explained that there are two separate legal school districts in town, the Souhegan School District and Amherst School District. The Board of Selectmen is hoping to look for the districts to decide how they would like the impact fee funds split between themselves. It is possible that the impact fee schedule can be adopted first, and this decision could follow at a later time.

Arnie Rosenblatt opened the floor to Board members for comments and questions.

Bill Stoughton stated that, even if no changes were made, he would be happy to see the impact fee schedule move forward as presented and revisited in a year. In regard to exemptions for senior and affordable housing types, he doesn't believe that impact fees should be used as an incentive measure. He believes this confuses the purpose of impact fees. He explained that any incentives should flow from the Master Plan process. He stated that relief to senior housing can be given currently through a formal property tax relief. This makes sure the relief goes to those who need it most, whereas relief through impact fees may help those who actually need it the least. He explained that there is also not currently a way to prevent senior housing from being flipped in the future.

Bill Stoughton also noted that he does not agree with relief from impact fees for affordable housing. He doesn't believe this relief is sufficiently targeted. Currently, in this area, an affordable housing unit can cost around \$350,000 for someone who makes up to \$100,000/year. He believes that if relief is being sought, it should aim for helping those in greater need than that. There is also no way to make sure relief at this level wouldn't go back into the developer's pocket, and that an affordable unit is also not flipped in the future.

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Bill Stoughton stated that, in regard to ADUs, an ADU usually adds a person, a car, and thus, a demand to town services, whether the base unit is more or less than 3,000ft<sup>2</sup>. He explained that the ordinance already has a netting procedure that assures an impact fee won't be assessed two times on the same square footage.

Marilyn Peterman stated that senior housing can be tracked into the future, as it is noted on the deed and condo docs. She doesn't believe that this type of housing unit produces children into the school system. She read from RSA 674:21 V(a): "The amount of any such fee shall be a proportional share of municipal capital improvement costs which is reasonably related to the capital needs created by the development, and to the benefits accruing to the development from the capital improvements financed by the fee. Upgrading of existing facilities and infrastructures, the need for which is not created by new development, shall not be paid for by impact fees." She believes that imposing an impact fee for schools on senior housing could be a lawsuit waiting to happen.

Marilyn Peterman also questioned why the impact fee report reads that car trips per day are greater in number from single family homes than from multi-family and senior homes, yet the road fee seems listed as higher for the latter two housing types. She questioned the justification for charging a higher school impact fee per square footage for certain types of housing than single family. She believes these rates seem disproportionate. She also stated that the 3,000ft<sup>2</sup> cap seems to be creating a regressive tax on smaller homes. She suggested starting a cap at around 1,000ft<sup>2</sup> and then bringing it up at higher square footages.

Marilyn Peterman noted that, in regards to RSA 674:21 V(a), she believes that an incoming development can't be charged impact fees to correct an existing condition, such as a road that is failing today. In terms of affordable housing, she doesn't believe that exempting this type of housing would be incentivizing anything. There are already incentives in the zoning ordinances to provide ways to build certain types of housing. The thought behind exempting affordable housing from impact fees would be to try to keep the prices of homes relatively inexpensive, as these fees are typically passed onto the homeowner at purchase.

Tracie Adams stated that she was impressed with all of the information from Bruce Mayberry. She agrees with forwarding along the schedule, as written, as it is what the citizens want and then reevaluate it at a later time. She doesn't believe the schedule is trying to incentivize any particular type of housing.

In response to a question from Christy Houpis, Dwight Brew noted that the school impact fee split is still an open question, but he doesn't feel it's something that needs to be addressed in order to implement impact fees at this time. The Board of Selectmen will eventually hear different proposals to determine the correct percentage for each school district. The Board of Selectmen want the fees to be collected and fairly distributed, but the school districts need to say how this will be most appropriately done.

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Christy Houpis agreed with the idea of allowing the fee schedule to move forward, as written, and let it evaluate itself over a one year period. He does believe that impact fees are part of the cost of doing business for developers and that impact fees should be moved forward as expeditiously as possible. He would like to see the fee schedule put into play fairly, across the board, and adjusted over time.

Chris Yates explained that he liked to see notes 2 and 3 in Bruce Mayberry's memo, regarding a possible higher Fire and Rescue impact fee (1.5 times higher) for senior units due to increased usage, and the possibility that the school impact fee is not applicable to age-restricted housing, if this housing can be tracked and enforced into the future. He would like to see an explanation from Bruce Mayberry regarding the calculation for the roads impact fee. He also didn't see a breakdown in the commercial industrial type impact fee for heavy versus light.

Cynthia Dokmo agreed with Dwight Brew's position, regarding moving the fee schedule report forward. She stated that senior housing, or 55+ housing, doesn't necessarily mean that each occupant of the unit has to be over the age of 55, by law. Thus, this type of housing could still add children into the school system and have an impact.

Mike Dell Orfano stated that he has an issue with the cap of 3,000ft<sup>2</sup>. He would like to see a 2,000ft<sup>2</sup> exemption established for all housing types. He believes the 3,000ft<sup>2</sup> number appears to be a random choice. He would recommend no impact fees be assessed up to 2,000ft<sup>2</sup> but then assessed at the regular proposed rate above this, up to 10,000ft<sup>2</sup>, if someone wanted to build that big of a house. He believes that the 3,000ft<sup>2</sup> cap incentivizes larger homes being built. During the last Master Plan session it seemed to be clear that most people in town don't want the larger mansions that this type of thinking seems to be incentivizing. He believes lowering this cap could help create more housing that will be of interest to young people and seniors who want to stay in town.

In regard to the possibility of recouping impact fees for past projects, Mike Dell Orfano also noted RSA 674:21 V(a) and 674:21 V(c): "Any impact fee shall be accounted for separately, shall be segregated from the municipality's general fund, may be spent upon order of the municipal governing body, shall be exempt from all provisions of RSA 32 relative to limitation and expenditure of town moneys, and shall be used solely for the capital improvements for which it was collected, or to recoup the cost of capital improvements made in anticipation of the needs which the fee was collected to meet." He noted that Bruce Mayberry's report mentions recouping fees in three different sections, which he doesn't believe is always permissible per the ordinance and would like a legal opinion on it.

Mike Dell Orfano also questioned the chart on page 39 of the impact fee report, regarding impact fees for school facilities. He questioned the justification for charging a higher impact fee amount to Two Family and Manufactured unit types, than to Single Family units. He noted that the report from NRPC shows that Amherst is short on affordable housing units. While he believes that impact fees are part of the cost of doing business for developers, he also explained that the town has a regional responsibility to contribute its fair share of affordable housing units. By raising the

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cost of these units by imposing impact fees on them, it would appear that the town is not interested in doing its part.

Brian Coogan noted that the impact fee schedule report is complex and introduces a number of different levers. He believes that developers will always figure out how to create the greatest yield for themselves, which is their right. He is concerned about how this will play out for the community. He believes this plan could have worked for the town back in the 70's and 80's, when the town was seeing exponential growth, but, over the last 20 years, the growth has become more static. The town is now seeing less than 3% of growth year-after-year. Currently there are a lot of projects on the docket. He understands that this is the catalyst for imposing impact fees but he would like to see some math done regarding the amounts that will actually be collected, versus the administrative cost and burden to implement the fees.

Brian Coogan noted that the popular opinion seems to be that impact fees are needed to help with the burgeoning schools in town. However, he believes this impact speaks more to how education has changed over time, not necessarily how the population in town has changed. He has concerns about reacting to the popular opinion in order to quickly appease people. He believes the proposed plan seems quite complex and he would be interested in something a bit more simplistic.

In response to a question from Arnie Rosenblatt, Dwight Brew stated that the Board of Selectmen is required to solicit input from the Planning Board on the impact fee schedule report. He believes the Board of Selectmen is genuinely interested in hearing the Planning Board's opinions and will take them into account.

Mike Dell Orfano stated that he recently called the Community Development Office to determine if there have been any requests for the number of residential building permits issued over the past year, in order for someone to determine how much money might be collected if impact fees were implemented. No one has asked for this data and the Community Development Office doesn't track the units developed by square footage. He agrees that the Board of Selectmen should slow down this process. He believes that this schedule could hurt many in town, especially seniors.

Marilyn Peterman noted that units that are restricted to age 55+ are generally restricted in both the deed and the condo docs, and thus children are not allowed to live in these units.

Brian Coogan stated that there are no town ordinances that restrict children dwelling in senior units. While he can't forecast what these numbers might look like, there is nothing to preclude that situation from happening, and younger children living with their grandparents seems to be happening more often.

John D'Angelo, Amherst Selectman, explained that the Board of Selectmen accepted Bruce Mayberry's report, as written. John D'Angelo then had questions regarding exempting affordable housing and Selectman Reed Panasiti had questions regarding exempting senior housing. The

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Board of Selectmen was hoping to hear the Planning Board's opinions on the report. He does not believe that impact fees are part of the cost of doing business to the developer, because these fees are passed along to the first homebuyer.

Tom Quinn, 30 Christian Hill, noted that some townhouses in Amherst, like those on Scottie Way, are about 1,250ft<sup>2</sup>, give or take. When looking at two of the attached townhouses, some of those include four bedrooms and probably four cars. He believes the fee schedule should reflect that there are probably more cars at these units on Scottie Way, compared to a similar sized Single Family unit. He believes it is thus reasonable for a higher impact fee for roads to be charged to this type of unit. He doesn't believe it makes sense to make carve outs in the fee schedule for any particular group. The Board of Selectman hired Bruce Mayberry for his expertise and these are his recommendations.

Kelly Mullin, 48 Christian Hill Road, stated that she doesn't agree with the comments that the implementation of impact fees is being rushed, because this ordinance was voted in by the taxpayers a number of years ago. The public has not been okay with the fact that the impact fees haven't been implemented yet. She believes that Amherst is one of the few towns in southern New Hampshire that doesn't utilize impact fees. She has spoken with some of the developers in town and, while they are not thrilled with the idea of impact fees, they do accept them as the cost of doing business. She isn't sure if it's fair for the town to continue to pass the cost of development onto the taxpayers. She believes the impact fee schedule should be implemented and reviewed again in one year.

Tom Quinn questioned why is there was a suggestion being made for a cap being set at an upper limit of square footage but not at a lower limit (e.g. 1,000ft<sup>2</sup>). He doesn't believe that small units should be incentivized any more so than larger units. Units built under 1,000ft<sup>2</sup> still have an impact to the town.

Arnie Rosenblatt noted that, while he may disagree with some of the comments made, all of the comments were reasonable. He believes it is appropriate to disagree, even with an expert in this field. He feels similarly to Bill Stoughton, that Bruce Mayberry is well qualified and experienced to create this report. He is inclined to tell the Board of Selectmen to move forward with the proposal as made and review it in the future. He also noted that he believes it is important for all townspeople to pay for public education. He doesn't believe that he should pay less simply because he no longer has school aged children.

Arnie Rosenblatt asked if the Planning Board had to make a motion on their recommendation to the Board of Selectmen. Nic Strong explained that the ordinance states that the Board of Selectmen will submit the schedule to the Planning Board for review and recommendations. She believes that the Planning Board's comments could be enough for the Board of Selectmen to review, in this case.

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**Bill Stoughton moved that the Planning Board recommend to the Board of Selectmen that the impact fee schedule last presented to the Planning Board be adopted. Cynthia Dokmo seconded.**

**Discussion:**

Marilyn Peterman noted that on Scottie Way there are three single stand-alone units, but that the majority of people in the neighborhood are renters. Most of the units are two bedroom units, not four bedroom. Whether any of the units are townhouses or single-family units, none of them have more than two vehicles at them. She doesn't believe that the number of cars should be taken into account; it should be the number of car trips.

Mike Dell Orfano noted that he will not vote in favor of the motion due to there being a higher end cap but no lower end cap for square footage, concerns regarding the recoup of impact fees, and other inconsistencies.

**Roll call: Bill Stoughton – aye; Marilyn Peterman – nay; Brian Coogan – nay; Cynthia Dokmo – aye; Mike Dell Orfano – nay...**

***Christy Houpis sat for Dwight Brew for this vote, as Dwight Brew is also a Selectman and it was unclear if he should vote on this motion for the Planning Board.***

**...Christy Houpis – aye; Arnie Rosenblatt – aye. 4-3-0; motion carried.**

Arnie Rosenblatt noted that this vote was only to pass along a recommendation to the Board of Selectmen and that three members of the Planning Board clearly articulated differing views.

**Bill Stoughton moved that the draft minutes of this meeting should be forwarded to the Board of Selectmen along with the recommendation. Christy Houpis seconded. Roll call: Bill Stoughton – aye; Marilyn Peterman – aye; Brian Coogan – aye; Christy Houpis – aye; Cynthia Dokmo – aye; Mike Dell Orfano – aye. Motion carried unanimously.**

Brian Coogan stated that his main concern is that this fee schedule will be set and then forgotten about. He impressed upon the Board of Selectmen the need to come back and assess how the schedule is working and make continuous improvements to it.

Dwight Brew noted that the zoning ordinance requires the Board of Selectmen to revisit it annually.

Marilyn Peterman suggested that the impact fee schedule report be checked by an attorney relative to its implementation with the RSAs.

*Mike Dell Orfano exited the meeting. Christy Houpis sat for him.  
Marilyn Peterman exited the meeting. Tracie Adams sat for her.*



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**OLD BUSINESS:**

**2. Discussion regarding Master Plan update**

Arnie Rosenblatt explained that he had a discussion with Dwight Brew regarding the Master Plan update. Dwight Brew volunteered to assist with presenting a couple of ideas in a way that incorporates Mike Akillian's proposed plan and some of Nic Strong's suggestions. He is sensitive to the fact that this Planning Board will not be able to finish the whole Master Plan process before the vote next March.

Dwight Brew explained that he is looking for continuity in the process. The Planning Board has heard pitches from Mike Akillian, Nic Strong, and NRPC. He sees a lot of overlap between Mike Akillian's and Nic Strong's proposals. He believes it makes the most sense to agree on a process and then leverage the Community Development Office to keep moving the process forward for a smooth transition to the new Planning Board next year. He stated that the first step should be establishing a steering committee. That group can then solicit vision and theme ideas from the community. These ideas will be filtered through the steering committee back to the community for feedback. Based on this community feedback, working groups based on the themes can be created to further refine the ideas presented and complete tradeoff analyses. The tradeoffs and recommendations will then be available to the community for additional feedback and this will be the basis for the Master Plan.

Nic Strong explained that the Master Plan is a land use plan. There are only two required sections: Vision and Land Use. The Vision section might need input from outside sources, especially in the present time. NRPC has survey tools that can be used to help. The Vision ideas can then be used to guide the way for the theme discussions to take place. Data gathering can take place at the same time through the Community Development Office and NRPC. The steering committee is a good place to start and it will be important to look at scenario planning (aka tradeoffs). The Community Development Office needs the Planning Board to determine the way forward so that the Office knows how to best assist and who else is needed for the process.

Chris Yates agreed with moving forward with this process. He agreed with the idea to set up the steering committee who can then lay out assignments for the rest of the group. He would be happy if drafts of the Plan could be available towards the end of the year.

Brian Coogan stated that the Board has been discussing this issue for at least 6-8 months now. There has been quite a bit of discussion, but no action. He would like for functions to be handed out to the group with the intention to start to bring back deliverables at this time.

Arnie Rosenblatt explained that there was a hiatus in continuing the discussion into the Master Plan due to several reasons over the past few months.

Brian Coogan stated that he believes the Board has the capacity to take on more work at this point. The Board agreed to work towards Mike Akillian's presented approach months ago. There

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has been ample time to get direction on this and assign names to take certain actions. He believes, at this time, that the process should be recalibrated and moved forward on.

Tracie Adams agreed with creating the steering committee as a first step and beginning to gather data.

Christy Houpis stated that he believes standing still on a project for a period of time is similar to moving backwards in its progress. While the Board may not look the same next year, he would like to see this Board move forward and decide the best way to do so. He believes it is critical to engage the public in this process. How to engage the public and to do so sooner rather than later are key issues.

In response to a question from Christy Houpis, Arnie Rosenblatt explained that there isn't currently money in the budget for the Master Plan process, but that if the Board receives some quotes for work from NRPC to present to the Board of Selectmen, there may be funds able to be made available.

Cynthia Dokmo agreed with appointing a steering committee as soon as possible. The first Master Plan process that she worked on had huge community involvement and she believes that helps to produce a better product.

Arnie Rosenblatt stated that there appears to be an agreement on the Board to appoint a steering committee. This group can recruit members and begin to process a budget and community involvement ideas to bring back to the full Board. Arnie Rosenblatt asked Dwight Brew if he would consider being on the steering committee. Dwight Brew agreed.

In response to a question from Dwight Brew, Arnie Rosenblatt stated that he would like for there to be two additional Planning Board members on the steering committee, in addition to Dwight Brew himself.

Dwight Brew, Tracie Adams, and Chris Yates all agreed to be on the steering committee.

Cynthia Dokmo stated that the steering committee should be announced to the public and other members should be sought.

Dwight Brew noted that, during the earlier motion regarding the impact fee schedule, on which he did not vote, an alternate can't be used to vote for the Board of Selectmen member of the Planning Board. Thus, he should have been voting instead of Christy Houpis in his place.

Arnie Rosenblatt noted that the vote wasn't going towards anything. It was simply a recommendation to the Board of Selectmen to help in their discussions regarding impact fees. Of the regular Planning Board voting members, Dwight Brew, Bill Stoughton, Cynthia Dokmo, and Arnie Rosenblatt all voted in favor of moving forward with the impact fee schedule as currently detailed. Mike Dell Orfano, Marilyn Peterman, and Brian Coogan all, for different reasons and to

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different levels of disagreement, voted not to support moving forward with the impact fee schedule precisely as written. While Christy Houpis voted during the motion, his vote is essentially discounted because Dwight Brew should have been placing a vote.

Brian Coogan suggested that a school board or school administration member be placed on the steering committee. Dwight Brew stated that he would ask the Board of Selectmen's opinion on the matter, as the Master Plan is supposed to be a land use document.

Arnie Rosenblatt stated that he is comfortable with the fledgling steering committee and asked that the group begin the process, speak to NRPC about the cost and possible ways forward.

**OTHER BUSINESS:**

**3. Minutes: June 3, 2020**

**Bill Stoughton moved to approve the meeting minutes of June 3, 2020, as amended [Line 163: for the sentence to read "...Bill Stoughton believes he *can* participate in the discussion..."] Christy Houpis seconded.**

**Roll call: Bill Stoughton – aye; Cynthia Dokmo – aye; Tracie Adams – aye; Christy Houpis– aye; Dwight Brew – aye; Brian Coogan – aye. Motion carried unanimously.**

**4. Discussion regarding scheduling new applications**

Arnie Rosenblatt explained that the Carlson Manor application will be heard by the Board next Tuesday.

Nic Strong noted that the Arboleda Reality application will be heard by the Board on July 1<sup>st</sup>, and the threshold meeting for the second Jacobson application will be heard on July 7<sup>th</sup>.

Cynthia Dokmo stated that she spoke to Ken Clinton, of Meridian Land Services, when she and Brian Coogan went on a site walk because they could not attend the Board's walk on 6/13/20, who told her that the Arboleda Realty application will probably be postponed for a month.

Nic Strong explained that there is a potential new application that could be heard on July 1<sup>st</sup> instead, but the Board would have to be okay with hearing a new application before some of the pending applications, which are already scheduled for later dates. The new application was a CUP for an addition onto a house that is already completely within the Wetland and Watershed buffer District.

Bill Stoughton stated that, if the house is within the Wetland and Watershed District, this application needs to first be heard by the Amherst Conservation Commission.

Cynthia Dokmo suggested flipping the Board's regular session with its work session for the month of July, in order to be accommodating to the applicant's possible request.

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Arnie Rosenblatt stated that he doesn't believe a swap would give the steering committee enough time to get information and bring it back before the Board.

In response to a question from Arnie Rosenblatt, Nic Strong explained that the Board is authorized to continue to meet via Zoom at least through June 26<sup>th</sup>, due to the current Governor's orders.

The Board discussed the issue that the Arboleda Realty application will need to be re-noticed if the Board does not meet on July 1<sup>st</sup>, as there will not be a meeting at which to continue it to a date certain. It was noted that the July 1, 2020, meeting would have to at least be a five minute meeting to continue this application, if there is nothing else on the agenda.

Bill Stoughton suggested putting the Eversource tree removal item on the Board's agenda for July 1<sup>st</sup>, thus also allowing the Arboleda Realty application to be tabled to a date certain. Nic Strong stated that she thought there would be time to post the notice for that hearing. The Board agreed with this suggestion.

#### **5. Any other business that may come before the Board**

In response to a question from Nic Strong, Brian Coogan volunteered to be the Planning Board representative to the CIP Committee.

Arnie Rosenblatt explained that a letter was sent to Nic Strong and Town Administrator Dean Shankle suggesting that the Planning Board's upcoming potentially large hearings should not be held until the meetings are able to be held in person and not via Zoom. He stated that he thinks the Board should continue with Zoom meetings for as long as it is allowed. He believes it is wrong and irresponsible to encourage large groups of people to meet in person at this time. There are issues with Zoom meetings but there are also issues with trying to meet in person.

Dwight Brew and Brian Coogan agreed that the Board should continue to hold its meetings via Zoom at this point in time.

Chris Yates agreed that, with the number of attendees there have been so far at the Board meetings, there is no reason not to continue to hold the meetings via Zoom.

Brian Coogan stated that he believes there could be lawsuits made whether the Board decides to hold its meetings via Zoom or in person. He believes the Board needs to err on the side of making public health and safety the priority.

Tracie Adams agreed that Zoom meeting currently meet the legal requirements set forth and allow for the highest level of public safety.

Christy Houpis agreed with the other Board members.

Tom Quinn, 30 Christian Hill, asked if there was some way to have an open mic in a spot that would allow people to gather and ask questions on Zoom when they wish to speak, similar to

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how an in-person meeting would be held. He believes some elderly people may have issues with utilizing Zoom for these meetings and that it would theoretically be possible for a group of people to meet and speak through one computer.

In response to a question from Arnie Rosenblatt, Tom Quinn stated that he is suggesting allowing groups of seniors to meet in person in order to communicate with the Board during meetings. Tom Quinn stated that being in person for these meeting versus using Zoom is different. He is not suggesting that the town make available a place for an open mic, but simply if the Board would be agreeable to it.

Bill Stoughton stated that the town has procedures for Zoom meetings on its website for the public to review.

Nic Strong explained that these procedures have also been sent out to any applicants and abutters prior to each meeting. The procedures also have a phone number that people can call to talk through the process.

Arnie Rosenblatt agreed that public safety is the first priority and that the Board and town should continue to do all they can to keep the public involved during these meetings.

**Cynthia Dokmo moved to adjourn the meeting at 9:33pm. Christy Houpis seconded. Roll call vote: Bill Stoughton – aye; Christy Houpis – aye; Dwight Brew – aye; Cynthia Dokmo – aye; Brian Coogan – aye; Tracie Adams – aye. Motion carried unanimously.**

Respectfully submitted,  
Kristan Patenaude

Minutes approved: (enter date of meeting at which approved and then go to header, change DRAFT to APPROVED and include approved date in the footer.)