

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

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

Staff present: Nic Strong, Community Development Director; Natasha Kypfer, Town Planner; 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, as extended by various Executive Orders, 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 822 7050 4115, or by clicking on the following website address: <https://zoom.us/j/82270504115> 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 603-341-5290.

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.

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

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

Arnie Rosenblatt expressed his sadness and condolences at the news of Bill Drescher's, Amherst Town Counsel, passing.

Second Public Hearing on Proposed Zoning Ordinance Amendments. See separate notice.

Arnie Rosenblatt noted that, due to the passing of Bill Drescher, Esq., these proposed Zoning Ordinance amendments have not yet been reviewed by Town Counsel. He asked the Board to consider if it would like to move forward with any of the proposed amendments, ministerial or otherwise, without first hearing from counsel.

In response to a question from Cynthia Dokmo, Nic Strong stated that there is nothing critical in the proposed amendments, and that the Zoning Ordinance can be lived with, as is, for another year, if necessary.

Cynthia Dokmo stated that she would prefer to not move forward with any of the amendments without first hearing from counsel.

Mike Dell Orfano and Marilyn Peterman agreed with Cynthia Dokmo.

Brian Coogan stated that, although Town Counsel provides great insight, he believes many of these proposed amendments should be made at the discretion of the Board and that some can be decided on without counsel's guidance.

Arnie Rosenblatt agreed with Brian Coogan that some of the proposed amendments could be decided on by the Board alone.

Bill Stoughton stated that he is okay with waiting for Town Counsel to review the proposed amendments, but that he believes the Board would also be okay with moving forward with the first amendment, to delete references to and definitions from the Integrated Innovative Housing Ordinance (IIHO).

Cynthia Dokmo and Arnie Rosenblatt agreed that moving forward with the first amendment, as ministerial changes to the ordinance, would be agreeable.

Bill Stoughton moved that the Board consider the proposed Planning Board Zoning Ordinance amendment #1 (IIHO references and definitions) only. Brian Coogan seconded.

Discussion:

January 6, 2021

APPROVED - Amended

Marilyn Peterman stated that the Board has always relied on Town Counsel to review proposed zoning amendments, ministerial or not. She believes, if there's not much difference either way, that these proposals should wait until they can be properly reviewed by Town Counsel.

Arnie Rosenblatt agreed with Marilyn Peterman that the cautious approach is probably better for all of the items.

Dwight Brew stated that he will vote in favor of the proposed motion so that the Board can hear input from the public. He noted that there will probably then be another vote to actually move forward with the proposed amendments or not.

Bill Stoughton stated that he respects Arnie Rosenblatt and Marilyn Peterman's opinions, but that he still feels comfortable making the proposed motion.

Roll Call: Brian Coogan – aye; Mike Dell Orfano – nay; Cynthia Dokmo – aye; Dwight Brew – aye; Bill Stoughton – aye; and Marilyn Peterman – nay. 4-2-0; motion carried.

Public Comment:

Arnie Rosenblatt noted that this public comment is only to discuss the possibility of moving one proposed zoning amendment (#1) to the warrant.

Marty Rowley, 8 Old Mont Vernon Road, noted that he was unclear which amendment was being discussed. Bill Stoughton directed him to the correct amendment.

There was no further public comment at this time.

Marilyn Peterman moved to set aside all of the proposed Zoning Ordinance amendments until they can be properly reviewed by Town Counsel. Mike Dell Orfano seconded.

Roll Call: Brian Coogan – abstain; Mike Dell Orfano – aye; Cynthia Dokmo – aye; Dwight Brew – aye; Bill Stoughton – aye; and Marilyn Peterman – aye. 5-0-1; motion carried.

PUBLIC HEARING

- 1. CASE #: PZ13107-090920 – JEP Realty Trust & Robert H. Prew Revocable Trust (Owners) & Clearview Development Group (Applicant) – 38 New Boston Road, PIN #: 007-072-000 & 005-159-001–Public Hearing/Conditional Use Permit – To depict a 49-unit Planned Residential Development on the two lots per the Integrated Innovative Housing Ordinance of 2019. Zoned Residential Rural. *Continued from November 18, 2020***

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

Ken Clinton, Meridian Land Services; Erol Duymazlar, applicant and owner of Clearview Development Group; Lilly Corenthall, senior project hydrogeologist, of Sanborn Head; Stephen Pernaw of Stephen G. Pernaw & Co; and Jim Callahan of Atkins Callahan; joined the Board.

In response to a question from Arnie Rosenblatt, Nic Strong stated that this application has already been accepted by the Board as complete.

Ken Clinton stated that this is the second public hearing in the Conditional Use Permit (CUP) process for a Planned Residential Development (PRD) under the IIHO. This proposal is for a 49-unit development. Although the IIHO was struck down last year, this application was deemed by Town Counsel to be grandfathered in. If this CUP is approved, there is still a final design application and associated hearings that will need to be completed.

The proposal sits on two parcels in the northwest corner of Town, Lot 5-159-1 along Boston Post Road, and Lot 7-72 along New Boston Road. The west village is proposed to contain 25 buildings, with access from Boston Post Road and a current right of way. The east village has access from New Boston Road, along with a required scenic road setback. There are 18 proposed units on this property, as a related but separate and distinct village; four single and the rest duplex. This gives the project a proposed total of up-to 49 units. There will only be 43 buildings being proposed on site, as six of these proposed units are to be attached Accessory Dwelling Units (ADUs).

Ken Clinton explained that a group met on December 2, 2020, for a site walk of the area. The group was able to walk through the proposed roads area of the properties, across the open space, and around the north side of the west village.

Ken Clinton addressed a claim made by Kristine Pierce for adverse possession of some of the land located within this proposed development, by noting that the applicant's attorney would speak to the matter.

Jim Callahan stated that a letter was received from an abutter on Monday regarding the proposed adverse possession claim. He stated that this claim is not relevant to this case and should be considered a civil matter, to be settled outside of the CUP portion of this application. He noted that, even if this claim is correct, it will probably not change the proposed density of this project and is thus not relevant to the matter at hand.

Ken Clinton stated that there is no merit to this claim from a land survey standpoint. An analysis of the area mentioned in the claim finds no units, wells, or septic systems being proposed as part of this project. Thus, this claim does not impact the improvements as presented. If this claim were to become an issue in the future, there is no design being proposed in the area, and thus, it is not germane to this application.

Ken Clinton presented the density bonus worksheet. He noted that the bonus categories are either restrictions (for example: senior housing, attached/detached housing, etc.). This type of category

January 6, 2021

APPROVED - Amended

is a benefit to the Town based on diversifying the housing stock and offering housing to a wider range of ages, economic situations, etc. The other category is that of amenities (based on certain improvements, definitions of which are listed in the ordinance). These amenities are embedded in the plan and are, by definition, of a public benefit and, thus, justified. For both of these bonus categories there are then three considerations, 1) are the math calculations for these density bonuses correct [he believes they are]; 2) are these bonus category items built into the applications materials? [yes, all of these listed density bonuses are built into the proposed application]; 3) is there a benefit to the Town for each bonus being sought? [he believes there is].

Ken Clinton reviewed each density bonus category. For senior housing, the proposed development previously had senior housing mixed with non-age-restricted housing. There was a potential issue with federal guidelines, and so the applicant is now proposing to convert the entire east village portion to senior units. This will still be its own village with its own covenants and restrictions, but there will be no possible issues with discrimination concerns. The west village is proposed to be 25 total buildings, with six possible ADU attached units. The applicant will only be seeking bonuses for the 14 attached housing units, noted on the plan as being in the east village, and not for the six ADUs. Senior housing is needed in Town, and so this will be a benefit. Attached housing allows for cheaper units, reduces the overall footprint of the development, is better for the environment and is, thus, a benefit to the Town.

Ken Clinton noted that there is not a large need for ADA-compliant housing in Town, but the applicant will commit to creating at least one ADA-compliant unit in the development. The applicant will only seek one bonus for this unit. Senior units are primarily single-floor living, and so there will be bonuses sought for those 18 units, for a total bonus of 1.8 units. There are also 18 2-bedroom units being proposed for a bonus of 1.8 units. There are also 6 1-bedroom units being proposed for 0.9 bonus units.

Ken Clinton stated that the amenities category for bonuses was more subjective and he had provided the definitions from the Zoning Ordinance for the Board. He stated that a bonus will be sought for Walkability, for a total of 3.215 bonus units. Directly from the ordinance, walkability is a benefit to the Town. There can be internal walkability to the project, such as sidewalks and footpaths, allowing the residents to walk around the development. There are proposed paths in the development that will allow residents to walk between the villages. These private trails will also connect to the public trails on site.

Ken Clinton explained that the bonus for Community Space Open to the Public can, by definition, be either indoor or outdoor, such as a trail network and trailhead parking, both of which are being proposed as part of this development. The proposed trailhead parking is located in the open space on the property and the public trail network will allow connectivity to the open space of the property and also to other nearby trails. Some of these trails connect to the south and possibly up to the Mont Vernon line. This network will have its rights conveyed to a third-party, probably either the Amherst Land Trust (ALT), or the Forest Society. This will have a direct public benefit and is also a benefit to the environment.

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

For Open Space Under Restrictive Covenant, Ken Clinton explained that there are two proposed open space parcels, one in the east village and one in the west village, for a total of 41.7 acres. The applicant is proposing placing a good amount of this land into conservation land, under a conservation easement, to be managed by the ALT or Forest Society. This is a direct public and environmental benefit. Two of the three proposed amenities under this section are of a public benefit, with only Walkability being resident-based. This is as the definitions for these bonus sections are set up.

Ken Clinton shared some of the draft agreement between the applicant and some nearby abutters. This agreement looks to set aside a minimum of 12.5 acres on the north side of the west village as a conservation easement. There is a possibility that this area could be increased to include a total of 41.7 acres. The final design, after the CUP has been approved, will look to adjust these concept lines, but this agreement will remain substantially the same.

Ken Clinton again addressed the claim of adverse possession. He explained that the claim, if accurate, would only reduce the base density of the site by 7/10 of an acre, or 0.36 units. This would lower the density from 57.19 units to 56.64 units. The applicant is only proposing 49 units, thus, even if the development is adjusted for this claim, it would be inconsequential.

Ken Clinton stated that all of the materials submitted, and subsequent reports show that the proposed density is suitable and of a public benefit. The site could yield 57.19 units, but the applicant is only proposing 49 units, leading to 8.19 unused units (or 14.3%).

Ken Clinton addressed the traffic study, noting that it had been done in conjunction with another similar project using combined data. The other project was not currently active and Stephen Pernaw, PE, was present to summarize just the Clearview Development specific information. Stephen Pernaw, of Stephen G. Pernaw & Co, stated that a traffic study was submitted on May 1, 2020, for two developments, one being the Clearview project. He has since separated out information pertinent only to the Clearview project, and submitted a memo to this effect on December 20, 2020. He noted that he recently learned that this proposed development lowered its unit number from 66 to 49, and so the numbers projected are probably on the high side. This document looked at the existing conditions of the site using traffic counters and manual observations. The report projects 10 years into the future, from 2021 to 2031. The report then looks at the property and estimates the amount of traffic that will be generated, the quantity of the trips and estimates of where they will travel to and from. He noted that 85% of the traffic going to/from the Clearview site is expected to go through the Village area.

Stephen Pernaw explained that, overall, the development is expected to generate 71 vehicle-trips during the AM commuter peak hour, and 70 vehicle-trips during the PM commuter peak hour. This represents approximately 60 additional vehicles during the worst-case PM peak hour period, or one additional vehicle per minute, on average. The primary travel routes to/from the site will be New Boston Road and Boston Post Road. From this route, travelers will likely go south on Route 122 or east/west on Route 101. The projected impact will not be enough to significantly impact the six nearby intersections or two new access points to be created. The proposed access

January 6, 2021

APPROVED - Amended

points will operate well below capacity and will not need auxiliary turn lanes. The proposed development will add approximately 2-3 additional seconds of traffic during the peak period to the Boston Post Road/Foundry Street intersection, and an additional 1 second of traffic during the peak period to the intersection next to Moulton's Market. While all developments create traffic impacts, the proposed Clearview development will not significantly alter the prevailing conditions in Amherst on an overall intersection basis. The associated traffic generated will be generally comparable to the traffic changes that occur in Amherst from one random day to the next. Stephen Pernaw again stated that there would be no significant adverse impact, no dramatic changes, no need for offsite improvements or auxiliary turn lanes from this development. He noted that this report is based on single-family detached housing units, and, thus, the proposed age-restricted units may lower the numbers even further.

Lilly Corenthel, of Sanborn Head, stated that her company did further assessment of the available data. The original report looked at the NH Water Well database in a 1-mile radius of the site. The further assessment also examined data from ¼ and ½ mile radii. Within the ¼ mile radius, 28 wells were identified, and the average well yield was 9 gallons/minute. This average well yield is above the NH Water Well Board suggested minimum capacity for domestic wells of 4-5 gallons/minute. Residents along Old Mont Vernon Road were spoken with and their well yield record was examined. One of these wells had a very low yield, of 1 gallon/minute, at the time it was dug. Adjacent wells in the area, show a heterogeneity in well yields of anywhere from 1-8 gallons/minute. Wells with low and high yields being located near each other is a common characteristic of fractured bedrock aquifers.

Lilly Corenthel explained that the Clearview development proposes 27 wells on 79 acres, which averages to 0.3 wells per acre. This proposed well density is similar to or lower than nearby areas and will have a similar heterogeneity in average well yields. The report notes that it is believed that the local groundwater resources have the capacity to serve the proposed private bedrock domestic supply wells. She noted that, from January to November 2020, precipitation in Hillsborough County was about 5" less than normal, for a period ranging from 1900-2020. Precipitation has increased about 0.5" per decade since 1900 and future climate scenarios generally predict precipitation to increase. All of this data supports the opinion that the local groundwater can support the demands of the proposed Clearview development, and that the development will have no significant impact to the nearby area.

Ken Clinton explained that the applicant originally looked into bringing Pennichuck Water to the site but determined that the overall cost would be approximately \$1.4M. The number of additional units needed to overcome that cost would be approximately 20, leading to a total density of around 70 units. He explained that he is comfortable saying that the proposed 27 wells will be safe and not significantly impact the area. The proposed number of wells is less than could be placed in the area with a traditional subdivision. He strongly believes that the application meets the CUP requirements and that the burden of proof for the bonus density categories has been met. In the end, the testimony, plans, studies, reports, Amherst Zoning Ordinance, Master Plan, and Housing Needs Assessment, all work together to show the proposal is acceptable and a benefit to the Town.

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

Arnie Rosenblatt opened the hearing up to the Planning Board.

In response to a question from Christy Houpis, regarding the fact that the Traffic Report seems to note that there will be no significant impact from the project as proposed but that, if the nearby intersections have problems today, the proposal may have marginal impacts to those problems, Stephen Pernaw stated that the intersection of Boston Post Road/Foundry Street will have an increased delay of about 7.8 seconds to 8.0 seconds. This is a very small impact. Stephen Pernaw noted that each person's perception about what sort of an impact this will have might be different, but that, overall, the proposed development will only add a second or two of traffic impact. He also noted that there was no way to model such things as police officer intersection control, so the analysis was conducted as if there were no such controls.

In response to a question from Christy Houpis, Stephen Pernaw explained that special events are not taken into consideration during the traffic study and would, in general, slow down traffic in the area. He stated that seasonal adjustments were used to get from the data gathered to a peak month condition.

In response to a question from Christy Houpis, Lilly Corenthel explained that the state average well yield varies, but the proposed well yield from the site, even at a reduced 9 gallons/minute, meets the minimum gallon/minute yield (4-5 gallons/minute). The data examined is limited to the wells installed since the 1980's by registered well drillers. There could be other wells in the area not included in this data.

Marilyn Peterman noted that, when the IIHO was created, the term "walkability" also looked at the ability of residents to walk to existing facilities in Town. She believes that the proposed development is close enough to Town that residents could walk to Town and use existing facilities.

In response to a question from Mike Dell Orfano, Ken Clinton explained that the land could be divided into 31 lots by right in a traditional subdivision. The proposed development looks to place an additional 12 foundations in the ground over a traditional subdivision plan. The six proposed ADUs would be attached to six of the 43 buildings.

Mike Dell Orfano stated that because this application was submitted under the IIHO, if the ADUs were not applied for now, a CUP would be required for them in the future. Ken Clinton stated that the theme of this project from the start has been multi-generational living, and thus the applicant wanted to be upfront about the possible six ADU units. Additional ADUs may be sought in the future by owners and would have to go through the proper Town procedures to be approved.

Mike Dell Orfano asked if the ADUs would be restricted in some fashion: rental or elderly, for example. Ken Clinton stated that there aren't currently any restrictions on the proposed ADU units, except that they will be one-bedroom units, in order to be smaller than the main unit. Mike Dell Orfano noted that, under state law, two-bedroom ADUs are allowed and the Town would

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

not be able to limit this. Ken Clinton noted that the proposed 6 ADUs will be one-bedroom units; additional ADUs of larger sizes could be proposed by owners in the future and would have to go through the proper Town procedures for approval. Mike Dell Orfano noted that he has concerns about limiting the six proposed ADUs to be one-bedroom units. Ken Clinton stated that this was a voluntary restriction on the part of the applicant.

In response to a question from Mike Dell Orfano, Ken Clinton explained that there is currently an informal network of trails in the area, but they are not all marked or maintained. The proposed trail network would be documented through an easement and maintained by a third party. The Forest Society currently manages land to the north. Both the Forest Society and ALT are being consulted as possible third-party managers.

Mike Dell Orfano asked if there was an limitation with regard to septic systems if an ADU was approved with one bedroom but a future owner wanted it to be a two bedroom unit. Ken Clinton stated that, as presented, there is no limitation for the ADU units bedroom count, in terms of septic systems. This will become more apparent during the design stage.

Cynthia Dokmo noted that she has concerns about the lower yield existing wells in the area. Ken Clinton explained that bringing Pennichuck Water to the site is economically unfeasible. He explained that to have one quadrangle of the site with potential lower yields, but not necessarily yields below the state minimum requirements, does not mean that there will be impact to all other quadrangles on site. He trusts the water professionals' opinion that there will not be a significant adverse impact to the surrounding area.

Tracie Adams noted that she believes the applicant is working the development into the lay of the land. She explained that the Heritage Commission originally had concerns regarding preserving the existing features of the site. Ken Clinton noted that there is an archaeological study summary filed with the Town that he is happy to share with the Heritage Commission.

Tracie Adams said that she was familiar with this area and understood the applicant's contention that the additional traffic volume would add one to two seconds' wait at intersections and was not considered substantial. She noted, however, her concern with walkability and safety for walkers and cyclists on the roads with a 60 vehicle increase.

Tracie Adams noted that, although the water yield amounts on site appear to be above the minimum recommended by the State, there is a concern regarding additional fractures in the future. Water is an important resource and needs to be considered in this proposal and this development should not negatively impact people who already live there.

Tracie Adams noted that the open space with covenants that was used to achieve bonus units was presented with a large range in the potential acreage - 12.5 to 41.7 acres - which she thought was a big difference if the same bonus was sought no matter the amount of open space provided. Erol Duymazlar explained that he is committing to protect 12.5 acres for the abutters. The remainder

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

of the approximately 40 acres will be gifted as a conservation easement with restrictions on it, in order to connect the nearby pieces of trail land.

Brian Coogan explained that, in terms of “walkability,” the proximity of this proposed development to the Village and schools lends itself to having a value by connecting these areas via a sidewalk. This would allow for the safety of residents along the transit road and also expanding the walking network for residents. He does not believe that footpaths within the development are much of a benefit to the community, and thus should not be worthy of density bonuses. In terms of community space, if the proposed development were to offer a community park or something similar, he would consider that worthy of density bonuses, but, existing trails that have not been well-maintained, he does not believe are worthy. He also doesn’t believe that a public trailhead parking area that leads to a limited number of trails should be worthy of density bonuses.

In response to a question from Dwight Brew, Ken Clinton explained that the 55+/senior housing will be enforced using deed restrictions and the condominium documents. As there is no method of enforcement through the Town, these will be the primary methods of enforcement. This is similar to other developments in Town.

Dwight Brew noted that the Hidden Pond development in Town may have a third party that is responsible for enforcing this age restriction. He noted that his preference would be to have this restriction monitored by a third party. Erol Duymazlar explained that these restrictions will be embedded in the condo docs, and these must comply with federal regulations. Erol Duymazlar noted that the Hidden Pond development may be subject to affordable housing elements that his project is not subject to.

Chris Yates echoed Brian Coogan’s concerns about walkability into the Town from the proposed development. He explained that it would be nice to see benefits from these proposed bonus categories to the Town and not just to the development’s residents.

In response to a question from Bill Stoughton, Ken Clinton stated that the approximately 40 acres previously mentioned are proposed to be placed into a conservation easement.

In response to a question from Bill Stoughton, regarding the intersection of Boston Post Road/Main Street becoming capacity deficient by 2031 with or without this proposed development, Stephen Pernaw explained that the southbound approach to this intersection has a volume capacity ratio that is about 15% over capacity, without any developments. Stephen Pernaw noted that the AM peak traffic amount is influenced by the schools, but that it is not over capacity for the full hour, just for a peak 15-minute period. Stephen Pernaw explained that the stop signs at that intersection for all ways restricts the capacity of the intersection. He wasn't saying that this should be changed but pointing out that form of traffic control sacrifices capacity.

Bill Stoughton stated that this proposed development was asking for bonus units and

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

will contribute to an already deficient intersection. He is struggling with the idea that this development will not adversely affect traffic. He is concerned about voting in favor of the proposed development, with the density bonus units, which will make the situation worse without doing anything about it.

Stephen Pernaw explained that the delay for that intersection is proposed to increase from 9.3 seconds to 12.8 seconds, and that was with data from both of the original two developments in the study being examined. There will be an impact from the proposed development, but the difference will only be an increase of a couple of seconds. Ken Clinton noted that any development will cause a traffic impact, just as any single-family house would cause a traffic impact. The ordinance specifies that a proposed development cannot have a significant adverse impact on traffic, and, per Stephen Pernaw, this development will not have a significant adverse impact. Bill Stoughton stated that Ken Clinton appears to be looking at this from the point of view of the ordinance's Section 3.18 requirements; he is also looking at it from the point of view of a benefit to the Town. The Board must wrestle with the proposed development in terms of its obligation to protect the existing Town infrastructure.

Stephen Pernaw explained that, in terms of this particular intersection, there are a limited number of options. The stop signs could be removed from the north and south bound lanes of travel. A traffic signal control could also be installed, though he doubts that the traffic numbers would warrant that.

In response to a question from Bill Stoughton, Lilly Corenthel stated that 70 gallons/day/person comes from a standard measurement of demand. This is typically used to design well yields and septic systems. Bill Stoughton noted that the Water Well Board has much higher figures within 2 and 4 hours. Lilly Corenthel explained that the Water Well Board mentions 600 gallons in a two-hour period, once per day. This is based on different well depths and yields and converted into an anticipated flow rate. The 70 gallons per day is the flow rate averaged over the day. The 600 gallons is a peak demand over two hours in one day.

Bill Stoughton noted that overall precipitation looks to increase, but with sharper swings (higher and lower rainfall/drought events). He asked if the recharge analysis was based on an average year or nine months of the year that weren't in drought. Lilly Corenthel explained that the recharge analysis is based on the average rainfall amount. Bill Stoughton asked if the analysis is a computer model and if it took into account things like evapotranspiration and vegetative uptake. Lilly Corenthel stated that it is determined based on a mass balance, +/- approach using conservative assumptions to get to that number. Irrigation and returns from septic systems are not included in this approach. A follow-up assessment was done on the drought conditions and found similar conclusions in terms of capacity.

Bill Stoughton stated that he looked at the east Milford precipitation amounts for last year and found that the drought most affected the area during the five months of May-September. The precipitation values in those months are much lower. If the analysis had been done on those drought months, the recharge amounts, gallons per day, would be too low. Lilly Corenthel

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

explained that this was considered because groundwater systems typically respond over longer than the month-to-month period. Most recharge occurs in the fall or spring. Bill Stoughton explained that planning doesn't necessarily only look at averages; for example, in high rainfall amounts, 100-year floods are worried about and regulated for, or for stormwater regulations, 50-year storms are examined and designed for. He noted that more extreme periods should be taken into consideration in order to not tax the natural resources, as this group has a responsibility as planners for the Town. The group should look at the adequacy of groundwater resources in proposed developments. Lilly Corenthal explained that they did look at drought conditions for this year and found that the anticipated demand was still less than the recharge during these conditions. Also, some of the heterogeneity of New England bedrock systems is negative, in that it is unpredictable, but the systems are also fairly compartmentalized and widespread well characteristics are not normally seen. The fractured bedrock systems each act as their own individual reserves. In the long-term forecast, precipitation is expected to become more variable in New England and this will affect the whole state. The number of wells proposed in this Prew Purchase development is well within the number of wells around the State. The concerns are real but not unique to this development.

In response to a question from Arnie Rosenblatt, Natasha Kypfer stated that the determination tonight by the Board is as to whether the applicant has satisfied the CUP requirements through this application and met its burden in terms of that, and, in conjunction to determine the maximum number of units allowed as part of this project. Arnie Rosenblatt asked if there had been any third-party reviews of the studies that were submitted. Natasha Kypfer stated that the Board has not yet made any determinations in terms of requesting third party reviews to look at any of the Board's concerns regarding the applicant's studies.

In response to a question from Arnie Rosenblatt, Jim Callahan noted that there is not currently a lawsuit put forth by the abutter regarding the claim of adverse possession.

Mike Dell Orfano noted that the Hidden Pond development is a low-moderate income housing development that is managed by the third party. That development is under an entirely different set of requirements than this proposed development.

Arnie Rosenblatt opened up the proceedings to the public and stated that afterwards he would go back to the Board.

Public Comment:

Tom Quinn, 30 Christian Hill Road, stated that he has concerns about the water impact issue from this proposed development because he has not heard anything definitive, but instead has heard loose comments about what people "believe" and "think" will happen. He believes the Board should consider the possible worst-case scenarios. He noted that the traffic in this area is already an issue, with many in Town driving their children to school. He would like the Board to consider that there is already increased traffic during these busy times and what impact the proposed development would have. He also questioned if separating the elderly housing from the rest of the units will satisfy federal regulations. He noted that the land can legally and

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

appropriately allow 31 units. He suggested that, if bonus densities are allowed by the Board, it should be mandated that Pennichuck Water be brought to the site.

In response to a question from Chuck Siragusa, 39 New Boston Road, Stephen Pernaw stated that his study found that one approach lane on each leg of the intersection leading up to the two new access points is appropriate for the projected volume of the site.

In response to a question from Chuck Siragusa, Ken Clinton stated that the four stand-alone units located directly across the road from Mr. Siragusa's house are proposed to be 2-bedroom condos. Chuck Siragusa noted that these units are approximately 150' from his house and that he will have a good view of the backside of these proposed units and asked if there had been any talk of restructuring the development and using loop roads instead of hammerheads. Ken Clinton stated that the layout of the site is subject to change during the design process, as he had noted at the site walk. Ken Clinton added that if the road location changed then the unit locations would probably change too. He also noted that loop roads were not considered due to the terrain of the property, including topography, wetlands, setbacks and floodplain issues. He added that the applicant was willing to work to make the layout more appealing within the constraints of the property and the regulations but that there would still be units just beyond the scenic road 100' setback. He pointed out that Mr. Siragusa's own house was probably 40 - 45' from the road and, therefore, not compliant.

Chuck Siragusa asked how two wells could be proposed to serve 18 families and whether there would be some kind of pump house for storage. Ken Clinton explained that a split well system with some level of infrastructure to disperse the water allows, per the state requirement, that one well can service nine units. He noted that the east village has a higher water well yield. He noted that when the wells are installed their output will dictate the volume of storage that will be necessary. Ken Clinton explained that the concept design shows the proposed locations for the wells, taking into account the roads, units, and leach fields. He noted that they were as far from Mr. Siragusa's property as possible.

In response to a question from Chuck Siragusa, Ken Clinton stated that he doesn't believe the proposed output from these wells is an appropriate question. There is some data that can be extrapolated from other well data in the area to give a possible range of outputs, but the exact output is unknown at this time. Chuck Siragusa noted that he had a well on his property with an output of 3 gallons/minute. It would dry up several times a year and his water was often iron stained and full of sediment. He noted that water treatment systems take a lot of water to flush them. Chuck Siragusa stated that he had to have a well drilled two years ago. He has concerns about the proposed wells and strain they may cause on the aquifer.

In response to a question from Chuck Siragusa, Ken Clinton stated that the proposed trailhead parking is set to have 3-4 parking spaces. Chuck Siragusa noted that, if the area becomes a popular hiking spot, people may park along New Boston Road, causing a safety hazard. He thought the parking area should be bigger, an option that Ken Clinton said they could consider.

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

Chuck Siragusa asked if there were any ADUs on the portion of the development opposite his house. Ken Clinton said there were not. Chuck Siragusa asked where the 55+ housing would be. Ken Clinton stated that the 18 units in the east village would be senior housing. Chuck Siragusa asked if the ADUs would be restricted. Ken Clinton stated they would not. Chuck Siragusa asked if the units in the east village would be condos. Ken Clinton stated that they would be condos. Chuck Siragusa asked what would stop someone renting out a unit to someone who was age 35 and what the enforcement mechanism would be. Ken Clinton explained that typical covenant control is found through the legal documents for the association. There can be a third-party management company to review future sales considerations. There will be some sort of oversight for this development. Chuck Siragusa asked what would happen if someone bought a unit and rented it out. Ken Clinton stated that was no different than Mr. Siragusa renting out his house.

Martin Rowley, 8 Old Mont Vernon Road, stated that he submitted a letter to the Board on November 17, 2020, with his objections to this project. He stated that he doesn't believe sufficient notice was given for this CUP application to the public and that there was a failure to present all of the information in the design phase of the project. He noted that he believes some of the bonuses being sought are duplicative and may double-, or even triple-, dip on others. He also questioned the benefit to the Town as a whole from some of these proposed bonuses. He stated that, while Town Counsel's opinion was that this application was grandfathered in under the IIHO, Town Counsel's opinion did not address the notion that there was insufficient notice given for this application and that not enough information was presented. Martin Rowley was concerned that the timing of the data gathering for the traffic study was such that it was not a true picture of the situation. He also noted that the current trails being mentioned as part of this application do not presently connect to the center of Mont Vernon, as previously stated.

Mike Akillian, 10 Old Mont Vernon Road, stated that he believes the information presented on the water issue depersonalized the reality of the situation. The families nearby with water issues at their homes are real people and not just dots on a map. He believes there is an issue with both the quality and the amount of water for this proposed development. If nearby residents lose the water to their property, the investment in their homes reduces to nothing. Some in the area have had to undertake additional fracking to remediate the issue. He has concerns about the new tenants to this development also having issues. Mike Akillian went on to say that this was a Catch-22 situation because, using NRPC's model and data, if the applicant was to build only 31 traditional 4-5-bedroom houses on this property, there would be more water consumed than if more units were built in a smaller area on site. This leaves the decision between a rock and a hard place. He believes if the Board agrees to give density bonuses to the applicant, the applicant should have to bring Pennichuck Water to the site. There could possibly be innovative collaborations sought between the Town and the applicant in order to do so.

Matthew Delude, representative for Kristine Pierce, 40 Boston Post Road, addressed his client's adverse possession claim. He explained that there is a wood line shown on the CUP plan that goes across lots 19, 18, and 17, this is the area being discussed in the claim. There is currently an established orchard at that site that is completely connected to other aspects of his client's

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

orchard on her land. The claim for adverse possession is that the title can be added to the person's property once it has been used for 20 years. His client has been using these orchards since January 2000, and thus acquired the land through adverse possession on January 13, 2020. This claim will need to be formalized at some point, but the title was technically granted to his client on the date in 2020. It is not the formalization that grants the title, but the use that grants it. His client is currently still trying to settle this issue with the applicant. The intent is to alert the Board of this issue, because the claim will impact the plan as proposed. He was pleased to hear that transferring these 0.7 acres will not cause any issues because, per prior conversations with the applicant, it has been made to seem that this would cause a significant impact. In looking at the proposed plan, there are three proposed well radii for lots 19, 18, and 17, all of which encroach on the land in question. There are certain protections and restrictions that must be placed on these well circles and, thus, significant adjustments will need to be made. The claim will cut the acreage of lot 18 in half and significantly impact the acreage on lots 19 and 17. He also noted that an offer from his client to purchase the land back in 2018 is not inconsistent with the adverse possession claim, because his client did not own the land through adverse possession at that time.

In response to a question from Arnie Rosenblatt, Matthew Delude stated that he is asking the Board to hold off on a determination about this CUP application, as presented, until after the adverse possession claim is settled. Matthew Delude explained that a lawsuit on this claim has not yet been filed because his client is trying to settle the matter with the applicant.

In response to a question from Arnie Rosenblatt regarding why Matthew Delude's client did not raise this claim from the moment this project was proposed, if the claim became formalized on January 13, 2020, Matthew Delude stated that he would prefer not to divulge his client's confidences.

In response to a question from Arnie Rosenblatt, Matthew Delude stated that the Board does not have the authority to make the decision regarding the adverse possession claim.

Michael Scher, 18 Old Mont Vernon Road, echoed Mike Akillian's comments. He noted that there is a dilemma because the applicant's right to a standard subdivision would result in 31 wells on the property. The Board would have no authority to stop the number of wells being put on a standard subdivision. He would like the Board to look at how to reduce the impact of the proposed development compared to a 31 subdivision with 4-5-bedroom units, in terms of traffic, school impact, etc. There is also a potential that the applicant could build a 31-unit standard subdivision with the potential for 31 ADUs.

Bryan Galante, 32 Boston Post Road, stated that he has spoken with the developer regarding the proposed no-cut zone on this property. He would like the Board to look at where the wells are being proposed on the property and where the current wells are drying up nearby. He is excited by the possibility of extending the trail network in the area. He believes parking could be an issue if the area becomes popular. He stated that the Erol Duymazlar has been showing that he is willing to work with everyone to find solutions.

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

Bill Birchard, 6 Alden Lane, member of the ALT, stated that the ALT has agreed to take on the easement as proposed. He believes this will be a benefit to the Town. The ALT would be interested in pursuing a trail from the area to the Mont Vernon line.

There being no further hands up, Arnie Rosenblatt stated that the Board will again discuss the matter at hand.

Arnie Rosenblatt stated that he doesn't believe an adverse possession claim would probably be handled by courts within less than a year.

Cynthia Dokmo stated that the adverse possession claim is a civil matter. She doesn't believe the Board has a right to discuss it as part of this application. If the applicant finds out he is losing a portion of land through this claim, that is up to him to deal with at that time.

Dwight Brew questioned, if the claim is legitimate and the net tract land area is reduced, how the Board would handle this change if the CUP is approved.

Cynthia Dokmo explained that lot line arguments were always explained to be a civil matter between the parties and that the Board shouldn't decide on it.

Mike Dell Orfano agreed that adverse possession is a civil matter and shouldn't be a matter of discussion for this Board. The number of units with bonuses is well below the net tract calculation, per Ken Clinton, and so he doesn't believe there would be any impact from the claim. He explained that water and traffic are main issues at play here. He questioned if there has been any communication between the applicant and the Amherst Bicycle and Pedestrian Advisory Committee in regard to offsite access ways. He noted that, if the neighborhood is so concerned about the water study being inaccurate, the Board could request a third party to verify the data. Mike Dell Orfano questioned if the Town can impose a betterment charge in regard to the water issue. He is not opposed for the Town to use a third party to evaluate the traffic study data as well. He noted that the estimated cost by the developer to bring Pennichuck Water to the site is a great burden and shouldn't be requested without compensation. The betterment charge could be used to preserve the value of abutters' homes in the area.

Chris Yates stated that he had no comments at this time.

Bill Stoughton stated that he could see some value to third party studies by an independent party. With respect to water, he would like the Board to ask a third party to look at what will happen during a 25- or 50-year drought, in order to plan for more than just the average.

Christy Houpis noted that an important issue is evaluating the benefit to the Town against the potential bonuses being sought. He has concerns about the traffic and believes that there are issues in the area already. These problems will be exacerbated. Water is a concern and there are a number of people in the area who have already had issues. He is concerned that the study did not take into account all of the wells in the area. He also has concerns about long-term tracking of the types of housing being proposed in this development. The Board has the right to give an up-

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

to number and it has to make this determination based on the benefits to the Town and the potential adverse impacts. He would like to have an answer on the long-term tracking of units, and the potential parking impacts along New Boston Road. He would like to see third party studies done on the traffic and water issues.

Marilyn Peterman stated that there are communities across the country that have 55+ housing restrictions in which the legal documents in the deed and condo docs refer to the restrictions for the units. People that live in these associations are usually well attuned to the rules that need to be followed. She does not believe that most of the other developments in Town have had third party management companies addressed. She is not averse to third party reviews from the Town for water and traffic studies. She noted that bringing Pennichuck Water to the site doesn't necessarily mean that the residents will get the water quality/quantity that they want. It also doesn't mean that restrictions can't be put on the water usage in the area. She explained that she doesn't believe it's appropriate for an attorney to get up and speak to the Board, without the Board also having an attorney present.

Arnie Rosenblatt stated that he would continue to allow anyone who wants to to speak. It is part of the Board's job to listen to those who want to speak.

Cynthia Dokmo agreed that the Board should consider third party reviews for the traffic and hydrogeological studies. She believes that the Board should review the proposed bonuses one-by-one at a different time.

Dwight Brew explained that this development could be chunked into 30 4+-bedroom homes. The 49 proposed units are broken down into six 1-bedroom, 12 2-bedroom, leaving the balance as 3+-bedroom units. He noted that 1-2-bedroom units place less of a demand on water resources and other Town services. Smaller units can be a benefit to the Town, as each unit places less of a demand on the Town. Each of the 18 units (1 or 2-bedroom) could be looked at as about ½ of a typical unit being built, meaning there could be an equivalent of about 40 units. He believes this is a benefit to the Town. There are concerns, but there are also a number of positives as part of this project. He stated that it would be a responsible thing to have an independent third party examine a couple of the studies. In regard to Amherst levying taxes on an individual section of Town, he believes a Village District could be created in which a service is only provided to that area of Town. He believes this would be a long process though. He explained that water can be an answer but basing zoning on it could also take the Town in a less rural direction.

Brian Coogan stated that he thought it would be helpful to have the traffic and water studies reviewed. He noted that the applicant could place 31 single-family units on that property and the proposal had a delta of 18 additional units. Brian Coogan stated that he would like to understand the differential between what there is by right and what is being proposed, in terms of traffic, water, etc.

Tracie Adams stated that she is in agreement of the third-party review for the traffic and hydrogeological studies.

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

Arnie Rosenblatt stated that he believes the adverse possession issue is a red herring. The abutter can make any claim, but this will need to be addressed by a court. Adverse possession does not just happen; it only happens when a court determines it to be so. He would like to know more about the traffic and water issues at hand. He explained that the experts that have spoken tonight were hired by the applicant, and he keeps that in mind. The Board must know more about the water issue on this site. If there is a problem with water on this site, just because it would cost a lot of money to bring Pennichuck Water to the site doesn't mean that this is a good reason to not do so. He believes the next step is to get additional third-party information on these studies.

In response to a question from Mike Dell Orfano, Natasha Kypfer stated that the applicant would need to agree to table the case to a date certain, as the CUP conversation has already begun. She believes that at least one to two months might be acceptable in order for third party reviews to be completed.

In response to a question from Mike Dell Orfano, Lilly Corenthal explained that the timeline for a hydrogeological study depends on the scope.

Marilyn Peterman questioned if these are to be reviews of the studies completed by the applicant.

Ken Clinton stated that the question should have been addressed to him, as the applicant's consultant. He understands the Board's need for verification that the studies are complete and correct, but it is not appropriate for the Board to ask Ms. Corenthal her opinion on the timeline for another company to perform studies for the Town. A separate third-party consultant chosen by the Town should review the completeness and correctness of the water and traffic studies already completed. That scope would be appropriate. The applicant has already paid substantial sums of money for studies that were never before required at this stage of the application process. These studies were done by professionals, who are experts in their fields. He doesn't believe it's proper to request a review of these studies; however, he understands where the Board is in its process. The Town can get 2-3 quotes for these third-party reviews and the applicant will then let the Board know if the cost is reasonable or not. He is disappointed that he was cut off earlier, as there have been a number of misrepresentations, misstatements, misunderstandings and misapplications of the ordinance that he would need an entire additional meeting just to debate and discuss this application with that misinformation. He needs time to refute at least a half dozen critical misunderstandings of the ordinance and the application as presented.

Arnie Rosenblatt stated that the applicant had over an hour to make a presentation and then time to answer a number of questions. He believes that the applicant should have all opportunities to address anything that has been discussed.

In response to a question from Mike Dell Orfano, Ken Clinton stated that he doesn't believe the applicant has a choice, from a continuation standpoint, to agree to table this application to a date certain. Ken Clinton stated that he is unsure if the study reviews can be completed by then. If they cannot be completed by then, he believes that the Board could still vote on the minimum number of bonus units above the baseline density, for an up-to number, with the caveat that there

January 6, 2021

APPROVED - Amended

will still be these pending reviews discussed as part of the final design review. Ken Clinton stated that he would prefer not to push this application out for more than one month.

In response to a question from Mike Dell Orfano, Natasha Kypfer stated that the February 17, 2021, Board meeting agenda includes the Pine Road storage facility application. She noted that Keach-Nordstrom could be consulted regarding the review of these studies, but she would need to check with Nic Strong on this.

Mike Dell Orfano moved to table this application to February 17, 2021, at 7pm via Zoom, to review the results of the traffic and hydrogeological studies. Marilyn Peterman seconded.

Discussion:

In response to a question from Arnie Rosenblatt, Natasha Kypfer stated that she is unsure how long it will take to get these reviews done. The Town will need to consult with Keach-Nordstrom as a next step.

Bill Stoughton stated that he would also like the Board's two stated concerns about traffic and water to be relayed to the reviewer rather than simply sending the studies for review.

Brian Coogan stated that he believes there's probably a standardized scientific approach to these studies that is used, and that the completed reviews come down to the reviewer's opinion of the data. The Board is looking to see if the opinions given are reasonable, true, and accurate per the standard approach. He would like to see the delta in differences between different types of developments, as he previously mentioned.

Arnie Rosenblatt stated that the Board would not be issuing a blank check from the developer but wanted answers to the questions raised by the Board. He thought that the Board could ask an outside expert to suggest what the scope of these reviews could be. The Board could then review the proposed scope and the quote and determine if there was agreement to proceed.

Mike Dell Orfano explained that, in the past, professional studies provided to the Board have been professionally reviewed to validate and verify that the information provided is reasonably accurate and suitable for the intended purposes. In this case, some Board members have specific questions that haven't been answered by these professional studies. He believes these questions would need to be specifically articulated, if the Board is to ask for answers to these as part of these reviews. His motion does not include those questions.

Marilyn Peterman stated that, in terms of requesting the differential between the 31 by-right units and what is being proposed, this was not within the scope of work of

January 6, 2021

APPROVED - Amended

the experts. There is also a question as to the subjective needs of the Town for different types of housing. This cannot be answered by an expert's opinion; the Board must decide this based on what it knows about the housing in Town.

Roll Call: Marilyn Peterman – aye; Mike Dell Orfano – aye; Bill Stoughton – nay; Cynthia Dokmo – aye; Dwight Brew – aye; and Brian Coogan – aye. 5-1-0; motion carried.

In response to a question from Mike Dell Orfano, Ken Clinton stated that he can provide the Board with a thorough comparison of the impacts of a conventional/by-right subdivision versus what is being proposed. Brian Coogan stated that he believes this information would be very helpful to the process.

In response to a question from Mike Dell Orfano, regarding why Bill Stoughton voted against the motion, Bill Stoughton stated, in regard to traffic, specifically in regard to the Boston Post Road/Main Street intersection, he would like to know an independent consultant's assessment of the effect of the delays and quality of performance of that intersection caused by the proposed Clearview development. He stated that the study indicates a couple of seconds delay added and also states that the intersection is deficient without the development. Bill Stoughton stated that the Board needs to understand and consider if doing something with this development or intersection or not will allow the Board to do a better job for the Town. With respect to water, Bill Stoughton is concerned with looking only at the average rainfall over time, and not looking closely enough at the effect of the extremes on the rechargeability of the wells in this area and of the aquifer affected, as this proposal is located in the Aquifer Conservation District. The Board needs to know if drought conditions, over a period of 3-5 months similar to those experienced this year, are something to be concerned about while planning or simply aberrations.

Arnie Rosenblatt stated that he simply wants to know if there's a problem with putting more wells in this area.

Christy Houpis stated that he wants to know more about the standard deviation as it relates to traffic and water. He would like to know how a third party can evaluate those concerns.

Marilyn Peterman questioned if the by-right 31 units would have more/less impact than what is being proposed, because the applicant would not need to come before the Board for this type of development. Mike Dell Orfano agreed; the suggestion is to look at the differences in impacts between a by-right subdivision and what is being proposed. He believes this is a reasonable request as part of the requested review.

In response to a question from Mike Dell Orfano, Ken Clinton stated that he is okay with the scope of work being proposed, with the additional questions just articulated. Ken Clinton stated that he still needs to know the cost of these reviews.

Arnie Rosenblatt stated that even a standard subdivision would include a hydrogeological study.

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

Mike Dell Orfano moved to include, as part of the professional review of these studies, the questions articulated by Bill Stoughton regarding the intersection near Moulton's and the water issue relative to periods of drought. Bill Stoughton seconded.

Roll Call: Marilyn Peterman – aye; Mike Dell Orfano – aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Dwight Brew – aye; and Brian Coogan – aye. 6-0-0; motion carried.

Marilyn Peterman exited the meeting.

Christy Houpis sat for Marilyn Peterman.

Natasha Kypfer stated that the next Board meeting on is January 20, 2021, and on the agenda is Carlson Manor. The February 17, 2021, meeting includes the Pine Road storage facility application and the Clearview application.

Mike Dell Orfano moved to table the DPW Scenic Road Public Hearing to January 20, 2021, at 7pm, via Zoom. Christy Houpis seconded.

Roll Call: Christy Houpis – aye; Mike Dell Orfano – aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Dwight Brew – aye; and Brian Coogan – aye. 6-0-0; motion carried.

The applicant for CASE #: PZ13385-111720, Ashoke Rampuria, addressed the Board to request that his case be heard before March 2021, in order to move forward with his project in a timely manner.

Natasha Kypfer reviewed the current Town meetings being held in February, in order to find another date for a proposed Board meeting. The Bicycle & Pedestrian Advisory Committee meets on February 9, 2021, but the Board could choose to meet on that evening as well.

Christy Houpis moved to move that [“that” meaning CASE #: PZ13385-111720, for 3 Howe Drive, as it was previously being discussed] to establish a meeting on February 9, 2021, at 7pm, via Zoom. Brian Coogan seconded.

Roll Call: Christy Houpis – aye; Mike Dell Orfano – aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Dwight Brew – aye; and Brian Coogan – aye. 6-0-0; motion carried.

Mike Dell Orfano moved to table the Eversource Scenic Road Hearing to February 9, 2021, at 7pm, via Zoom. Brian Coogan seconded.

Roll Call: Christy Houpis – aye; Mike Dell Orfano – aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Dwight Brew – aye; and Brian Coogan – aye. 6-0-0; motion carried.

Mike Dell Orfano moved to table CASE #: PZ13464-120820 to February 9, 2021, at 7pm, via Zoom. Brian Coogan seconded.

TOWN OF AMHERST
Planning Board

January 6, 2021

APPROVED - Amended

921 **Roll Call: Christy Houpis – aye; Mike Dell Orfano – aye; Bill Stoughton – aye;**
922 **Cynthia Dokmo – aye; Dwight Brew – aye; and Brian Coogan – aye. 6-0-0; motion**
923 **carried.**

924
925 **Cynthia Dokmo moved to adjourn the meeting at 11:23pm. Christy Houpis**
926 **seconded.**

927 **Roll Call: Brian Coogan – aye; Mike Dell Orfano – aye; Christy Houpis – aye;**
928 **Dwight Brew – aye; Bill Stoughton – aye; and Marilyn Peterman – aye. Motion**
929 **carried unanimously.**

930

931

932

933 Respectfully submitted,

934 Kristan Patenaude

935

936 Minutes approved as amended: January 20, 2021