

TOWN OF AMHERST  
Planning Board

November 17, 2021

**APPROVED**

1 In attendance: Arnie Rosenblatt, Dwight Brew, Bill Stoughton, Christy Houpis, Mike Akillian  
2 (alternate), Tracie Adams, Chris Yates, Tom Quinn (remote), and Tom Silvia (alternate).  
3 Staff present: Natasha Kypfer, Town Planner; and Kristan Patenaude, Recording Secretary  
4 (remote).

5  
6 Arnie Rosenblatt, Chair, called the meeting to order at 7:00pm at Town Hall and via Zoom  
7 concurrently. He explained the Board is requesting all present in-person to wear masks over nose  
8 and mouth, as a courtesy. The Board is masked and there are extras available.

9  
10 Arnie Rosenblatt noted that he would be taking agenda item 3 out of order, as the applicant has  
11 requested a continuance.

12

13 **PUBLIC HEARINGS:**

14 **1. CASE #: PZ14590-080321 – EAM Amherst Holdings, LLC (Owners &**  
15 **Applicants) – 317 Route 101, PIN # 008-072-000 – Non-Residential Site Plan**  
16 **Application. To depict proposed site improvements to utilize the subject property**  
17 **for a proposed Agricultural Farming and Supply Operation. Zoned Residential**  
18 **Rural. Continued from October 20, 2021.**

19 Natasha Kypfer, Town Planner, noted that the applicant is requesting a continuance to December  
20 15, 2021, and will allow for an extension of the 65-day deadline.

21  
22 **Tracie Adams moved to continue the Non-Residential Site Plan Application,**  
23 **CASE#: PZ14590-080321, to December 15, 2021, at 7pm at Town Hall. Seconded by**  
24 **Bill Stoughton.**

25 **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn -**  
26 **aye, Christy Houpis - aye, and Chris Yates – aye; motion carried unanimously.**

27  
28 A member of the public noted that he flew up from Florida to be present for this case and stated  
29 that it was difficult to hear it being cancelled at the last minute. It was noted that the request for  
30 continuance was sent to the Town on Tuesday.

31

32 **COMPLETENESS REVIEW OF APPLICATION AND PUBLIC HEARING IF**  
33 **APPLICATION IS ACCEPTED AS COMPLETE:**

34  
35 **2. CASE # - PZ14922-101321 – David & Laura Wang (Owners) & Bennett**  
36 **Chandler (Applicant); 4 Gatchel Way, PIN #: 005-059-021 – Conditional Use Permit**  
37 **Application. To add a 998 square foot apartment within the footprint of a 40’x42’**  
38 **pool house and garage already permitted for construction under PO13151-092220.**  
39 **Zoned Residential/Rural. Continued from November 3, 2021.**

40 Arnie Rosenblatt read and opened the case.

41

42 Natasha Kypfer noted that all required items have been submitted for this application.

November 17, 2021

**APPROVED**

43 **Tracie Adams moved to accept this application as complete. Seconded by Bill**  
44 **Stoughton.**

45 **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn -**  
46 **aye, Christy Houpis - aye, and Chris Yates – aye; motion carried unanimously.**  
47

48 Bennett Chandler, Bennett Chandler Design & Construction, LLC, explained that, in late 2020,  
49 the Town issued a building permit for the Wangs to create a main house and pool house on the  
50 property. He noted that this proposal is to convert space inside the already approved pool house  
51 into an in-law apartment. He noted that this proposal is allowed by right, but that there are  
52 restrictive covenants in the neighborhood that only allow the apartment to be utilized by related  
53 individuals. This is what he believes the space will be used for.  
54

55 Arnie Rosenblatt asked if the assertion being made is that this apartment will only be used by  
56 related individuals of the family. Mr. Chandler affirmed that this is the assertion being made and  
57 that there is a strong neighborhood association to check on this item.  
58

59 In response to a question from Tracie Adams, Mr. Chandler stated that the proposal keeps the  
60 same proposed square footage and footprint for the pool house and will work well with the  
61 residential character of the neighborhood.  
62

63 In response to a question from Tracie Adams regarding proposed parking on the property, Mr.  
64 Chandler stated that the main house has a three-car garage, and the pool house has a one car  
65 garage as part of the already approved building permit. There is room outside of the garages to  
66 comfortably park an additional three cars.  
67

68 In response to a question from Bill Stoughton regarding why a garage was proposed inside a pool  
69 house, Mr. Chandler stated that the Wangs wanted a fourth parking spot in a garage.  
70

71 Bill Stoughton asked if the original stormwater management plan for the property anticipated  
72 this amount of impervious area: a five-bedroom house, a pool, a pool house, and associated  
73 driveway. He asked if these impervious areas fit into the original stormwater plan for the  
74 development. Mr. Chandler stated that none of the proposed impervious areas have changed due  
75 to this change in use and he believes that the impervious area would have been reviewed  
76 previously by the Building Department as part of the building permit. Bill Stoughton stated that  
77 the Planning Board is responsible, individual from the Building Department, to make sure that  
78 the Town regulations are satisfied.  
79

80 In response to a question from Tom Silvia regarding a septic system on site, Mr. Chandler stated  
81 that he has the approval and permit for the septic design, including a one-bedroom Accessory  
82 Dwelling Unit (ADU).  
83

84 Tom Quinn stated that his primary concern regarding this proposal is for the neighbors. He  
85 suggested that the Board include a condition to restrict the proposed ADU to related parties. He  
86 also noted that this is a non-conforming lot at 1.4 acres instead of 2 acres.

November 17, 2021

**APPROVED**

87  
88 Natasha Kypfer explained that the Staff Report includes a note that the acreage size of the lot  
89 conforms with the zoning ordinance in place at the time of approval.  
90

91 Tom Quinn asked about restricting the ADU to related parties on the plan. Mr. Chandler noted  
92 that he believes this request would be inconsistent with NH case law.  
93

94 **Tom Quinn moved to deny the application.**

95 **There was no second to the motion, thus it died on the floor.**  
96

97 In response to a question from Bill Stoughton, Mr. Chandler stated that he does not have any  
98 issues with the conditions set forth in the Staff Report.  
99

100 Bill Stoughton stated that he would like to add a condition precedent #2: confirmation that the  
101 impervious area added by the proposed structures on site, including the ADU, does not exceed  
102 the capacity of the development's stormwater system.  
103

104 Mr. Chandler stated that the ADU does not add any square footage to that which was approved  
105 by the building permit. He stated that he is not okay with the proposed additional condition, as it  
106 places the entire project, including the construction already completed, in jeopardy. He noted that  
107 questions were already answered, and relevant materials were already provided to the Town  
108 through the building permit process. The construction on this project is already in process.  
109

110 Bill Stoughton stated that he would still like to see confirmation on this issue. Mr. Chandler  
111 stated that he would not agree to the proposed condition.  
112

113 Tom Quinn stated that the foundations for these structures are already in the ground, making this  
114 sort of a moot point.  
115

116 Dwight Brew stated that he supports Bill Stoughton's proposed condition.  
117

118 In response to a question from Chris Yates, Bill Stoughton stated that this property is part of the  
119 larger Founder's Way development. Chris Yates asked if these items (footprints and impervious  
120 surfaces) would have been previously laid out as part of the Planned Residential Development  
121 (PRD) process for Founder's Way. Bill Stoughton explained that a certain amount of impervious  
122 surfaces was likely assumed for each lot in the development. He wants to make sure that the true  
123 amount of impervious surface being proposed on this lot was assumed, or that the system can  
124 handle what is being proposed. Bill Stoughton stated that he believes the amount of impervious  
125 surface on this lot is more than what was previously determined for each lot in the development.  
126

127 In response to a question from Chris Yates, Bill Stoughton stated that he wants to be sure that  
128 this item is within the envelope assumed for this development, or, if above that, can still be  
129 handled by the system.  
130

November 17, 2021

**APPROVED**

131 Tom Quinn noted that this proposal does not change the footprint previously approved for the  
132 building permit but addresses a change in use of the building. His concern is regarding the small  
133 lot, the nearby neighbors, and the use of this structure. He would like for there to be a condition  
134 that limits the use of this structure to related family members only, so that a future owner cannot  
135 turn it into an Air B&B or rental unit, which might disrupt the neighborhood.

136

137 **Bill Stoughton moved to approve Case #PZ14922-101321 for David and Laura**  
138 **Wang, for a Conditional Use Permit for a 998 s.f. Accessory Apartment in a**  
139 **detached structure at 4 Gatchel Way, Tax Map 5 Lot 59-21, with the conditions set**  
140 **forth in the Staff Report; an additional condition precedent #2: confirmation that**  
141 **the impervious area added by the structure, including the proposed ADU, does not**  
142 **exceed the capacity of the development's stormwater system, and to add an**  
143 **additional subsequent condition #7: that impact fees be assessed at the residential**  
144 **rate. Seconded by Dwight Brew.**

145

146 **Discussion:**

147 **In response to a question from Dwight Brew, it was noted that the foundations are**  
148 **already in place for this project.**

149

150 **Tom Quinn requested that the motion be amended to restrict the use of the ADU to**  
151 **related family members.**

152

153 **Bill Stoughton stated that he would not amend his motion to include this, as he does**  
154 **not believe it is within the Planning Board's purview. While the Town allows for an**  
155 **ADU through the Conditional Use Permit (CUP) process, the HOA on site limits the**  
156 **use of the ADU to family members or caregivers to the residents of the main unit of**  
157 **the home.**

158

159 **In response to a question from Chris Yates, Bill Stoughton stated that he believes**  
160 **the matter of confirming that the stormwater system can handle the proposed**  
161 **structures on site can be handled administratively and that the applicant would not**  
162 **need to come back before the Board.**

163

164 **Dwight Brew noted that he will vote against the motion, because the foundations for**  
165 **these structures are already in the ground.**

166

167 **Voting: Dwight Brew - nay, Bill Stoughton - aye, Tracie Adams - nay, Tom Quinn -**  
168 **nay, Christy Houpis - nay, and Chris Yates - aye; 2-4-0, motion failed.**

169

170 **Tracie Adams moved to approve Case #PZ14922-101321 for David and Laura**  
171 **Wang, for a Conditional Use Permit for a 998 s.f. Accessory Apartment in a**  
172 **detached structure at 4 Gatchel Way, Tax Map 5 Lot 59-21, with the conditions set**  
173 **forth in the Staff Report and an additional subsequent condition #7: that impact**  
174 **fees be assessed at the residential rate. Seconded by Dwight Brew.**

November 17, 2021

**APPROVED**

175 **Voting: Dwight Brew - aye, Bill Stoughton - nay, Tracie Adams – aye, Tom Quinn -**  
176 **nay, Christy Houpis - aye, and Chris Yates – aye; 4-2-0, motion carried.**

177

178 **PUBLIC HEARINGS:**

179 **3. CASE #: PZ14588-080321 – Keith E. Healey Trustee (Owner) and Healey Tree**  
180 **Works, LLC (Applicant) – 307 Route 101, PIN # 008-074-000 – Non-Residential Site**  
181 **Plan Application. To show the proposed site improvements in order to use the**  
182 **property as a residence and for the operation of a tree services, cordwood, and**  
183 **wood-chipping business. Zoned Residential Rural. *Continued from October 20, 2021.***

184 Sam Foisie, Meridian Land Services, and Keith Healey joined the Board. Mr. Foisie noted that  
185 the drainage waiver was addressed at the last meeting and that the Board requested more  
186 information to prove that the increased discharge rate for the 25- and 50-year storms will not  
187 have an impact on the Joe English Brook watershed. He has since completed an analysis on the  
188 watershed. The watershed is approximately 8,000 acres; this site is approximately 7 acres and  
189 minor in size to the total watershed. He compared the peak discharge rates and times for the  
190 watershed and site. The peak discharge rate for both the 25- and 50-year storms for the  
191 watershed occurs at roughly the 18<sup>th</sup> hour, while the peak discharge rate for the site is at roughly  
192 the 12<sup>th</sup> hour. As those discharge rates do not line up, there will not be an overall increase to the  
193 discharge rate of the watershed. The report also shows that the 25-year storm rate for the  
194 watershed is approximately 1,100-1,200 CFFs, well above the discharge rate for the site. The 50-  
195 year rate is approximately 1,700 CFFs, well above the discharge rate for the site. This evidence  
196 supports the evidence that there will be no adverse impact to the watershed. Sam Foisie also  
197 noted that a letter from Keach-Nordstrom Associates, Inc., states that Mr. Nordstrom is not  
198 opposed to the possible approval of the requested discharge waiver.

199

200 In response to a question from Tom Quinn regarding the proposed performance bond for the  
201 project, Sam Foisie stated that he believes the Board previously took a preliminary straw poll on  
202 waiving this item. The reasoning for this would be to not make the applicant pay for this item  
203 twice, the fact that the applicant lives at the site and thus has an interest in keeping it in  
204 compliance, and also the good faith shown by the applicant in spending time and money to fix  
205 the compliance issue on site.

206

207 In response to a question from Tom Quinn regarding why the drainage waiver is necessary, Sam  
208 Foisie explained that this is a unique site and the work done to bring it into compliance will  
209 shrink the potential business area by quite a bit. The requested waiver will allow for there to be  
210 room for the business while not impacting the surrounding watershed area. The proposal will not  
211 affect the water quality or groundwater discharge rate to the watershed and will meet the spirit  
212 and intent of the ordinance.

213

214 In response to a question from Tom Quinn regarding what would need to be done to the site to  
215 conform to this section of the regulations, Sam Foisie stated that, without the waiver, the site will  
216 need to be raised approximately 1'. Due to existing slopes and berms on the property, the  
217 business will lose approximately 10% of its workable area. There would also be an additional

TOWN OF AMHERST  
Planning Board

November 17, 2021

**APPROVED**

218 cost of bringing fill to the site. This would have a negative impact on Mr. Healey and his  
219 business. Mr. Quinn questioned if the 10% loss would really impact the business. Sam Foisie  
220 explained that this would be a compounding loss, as even bit of available land on site will help  
221 Mr. Healey's business.

222  
223 Tom Quinn stated that he is hesitant to grant environmental waivers, especially for a site that sits  
224 near an important watershed. He noted that this proposal is for a non-conforming use in a  
225 residential area. He does not believe clear rationale has been made as to how the 10% loss of  
226 land would impact the business.

227  
228 There were no questions or comments from Christy Houpis, Mike Akillian, Tom Silvia, or Chris  
229 Yates.

230  
231 In response to a question from Dwight Brew regarding if the waiver will not be detrimental to  
232 the surrounding environment, Bill Stoughton stated that he will support the waiver because he  
233 does not believe that insisting on compliance on this item from this applicant will give any  
234 benefit to the Town or environment. Bill Stoughton stated that he believes the peak discharge  
235 rates are out of phase with each other, and that any excess discharge will be absorbed by the  
236 large sized watershed without a detrimental effect. Bill Stoughton noted that he does not believe  
237 this waiver will have an impact on the cleanliness of the water in the area, because it will only be  
238 discharged after the first 1" of water, which the regulations work to cleanup. He noted that there  
239 is clearly a detriment to the applicant for compliance in this case.

240  
241 In response to a question from Bill Stoughton regarding a difference in the listed hours of  
242 operations between the plan and the application, Sam Foisie stated that the plans will be changed  
243 to represent Monday-Saturday 7am-3:30pm, as previously discussed.

244  
245 Bill Stoughton stated that there is no waiver needed for bonding because the regulations only  
246 state that the Board "may" require it. He would not insist on bonding in this case. He also noted  
247 that he would propose for impact fees to be assessed at the industrial rate, measured for the  
248 square footage of the building constructed on site.

249  
250 Bill Stoughton proposed that within 24 months after the date of approval, the following items  
251 must be completed in order to constitute "active and substantial development or building"  
252 pursuant to RSA 674:39, I, relative to the 5-year exemption to regulation/ordinance changes:  
253 commencement of construction of stormwater features. He also suggested that the following  
254 items must be completed in order to constitute "substantial completion of the improvements"  
255 pursuant to RSA 674:39, II, relative to final vesting: awarding of the building permit for the  
256 maximum 3,200 s.f. building.

257  
258 Tracie Adams asked her fellow Board members their opinions on the performance bond. Dwight  
259 Brew stated that he believes, if this project is not completed properly, the applicant will be given  
260 a cease & desist order. Thus, the applicant has a vested interest, and a performance bond may not  
261 be necessary.

November 17, 2021

**APPROVED**

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305

In response to a question from Tracie Adams, Sam Foisie stated that he would add notes to the plan regarding the approved waivers and regarding the monitoring reports. He also stated that the applicant is willing to submit the wetland restoration reports to the Town, as well as the State.

Tom Quinn asked if the Board plans to discuss the use of fuel/maintenance chemicals on site, as this will be used as a commercial/industrial site. He noted that, if the Board plans to grant a waiver based on what is going out into the environment on site, then the Board should discuss what is being used on the site.

Arnie Rosenblatt asked for a motion for the proposed waiver.

**Bill Stoughton moved to grant the waiver requested to Section 5.A.7 of the Stormwater Regulations as the Board has determined that granting the waiver will not impair achieving the spirit and intent of these regulations, that compliance with these regulations is not reasonably possible given the specific circumstances relative to the site plan, or the conditions of the land in such site plan, and that the proposed substitute solution is consistent with the goals of these regulations and is in the best interest of the Town. Seconded by Tracie Adams.**

**Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams – aye, Tom Quinn - nay, Christy Houpis - aye, and Chris Yates – aye; 5-1-0, motion carried.**

Tom Quinn asked if there was to be any discussion on the motion. Arnie Rosenblatt stated that there was no discussion on the motion.

**Tracie Adams moved to approve CASE# PZ14588-080321 for Keith Healey Revocable Trust of 2014, Keith Healey, Trustee, for a Non-Residential Site Plan to show the proposed site improvements in order to use the property as a residence and for the operation of a tree services, cordwood, and wood-chipping business, at 307 N.H. Route 101, Map 8 Lot 74, with the following conditions: conditions precedent and subsequent as listed in the Staff Report, with the applicant to be assessed impact fees at the industrial rate; and that within 24 months after the date of approval, the following items must be completed in order to constitute "active and substantial development or building" pursuant to RSA 674:39, I, relative to the 5-year exemption to regulation/ordinance changes: commencement of construction of stormwater features. He also suggested that the following items must be completed in order to constitute "substantial completion of the improvements" pursuant to RSA 674:39, II, relative to final vesting: awarding of the building permit for the maximum 3,200 s.f. building. Seconded by Christy Houpis.**

**Discussion:**

**Bill Stoughton noted that condition precedent #2 in the Staff Report mentioned security, and he stated that the Board is not insisting on security in this motion.**

November 17, 2021

APPROVED

306 **Tom Quinn stated that he supports businesses in Town but will be abstaining for**  
307 **this item because he wishes that there had been more discussion on this item. He**  
308 **requested that there be additional discussion on motions made in the future.**

309  
310 **Arnie Rosenblatt stated that, in his understanding, there had been ample time for**  
311 **discussion on the application, and that Mr. Quinn, and other Board members, had**  
312 **all had a chance to speak to the item, if they so choose.**

313  
314 **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams – aye, Tom Quinn -**  
315 **abstain, Christy Houpis - aye, and Chris Yates – aye; 5-0-1, motion carried.**

316  
317 **OTHER BUSINESS:**

318 **4. REGIONAL IMPACT:**

319 **a. CASE #: PZ15044-110521 –Brian Russell (Owner & Applicant); 78**  
320 **Merrimack Road, PIN # 004-021-000 – Conditional Use Permit - To**  
321 **construct an Accessory Dwelling Unit and garage. Zoned Residential/Rural.**

322 **Dwight Brew moved that there is no regional impact per this application. Seconded by**  
323 **Chris Yates.**

324  
325 **Discussion:**

326 **Tom Quinn stated that he received no information on this item in his packet. Natasha**  
327 **Kypfer stated that, as this is only being reviewed for regional impact at this time, there**  
328 **was no additional information sent. Tom Quinn stated that, while he is not inclined to**  
329 **think that there will be regional impact from this item, he will abstain as there is not**  
330 **enough information for it to be clear to him.**

331  
332 **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn -**  
333 **abstain, Christy Houpis - aye, and Chris Yates – aye; 5-0-1, motion carried.**

334  
335 **The Board discussed when this item will be heard by the ZBA for a variance request. Natasha**  
336 **Kypfer noted that this item is proposed to be on the Planning Board’s agenda for December 1,**  
337 **2021, but there will not be time for it to be heard by the ZBA prior to that. She suggested that the**  
338 **Board continue this application at the meeting on December 1, 2021, so that the variance request**  
339 **can first be heard by the ZBA. The variance request has not yet been submitted.**

340  
341 **Tom Quinn again noted that the Planning Board has received no information on this application**  
342 **in order to make decisions on it.**

343  
344 **5. Distribution of proposed 2022 Zoning Amendments and discussion of timeline for**  
345 **public hearing**

346 **Natasha Kypfer stated that the packet for this item has been provided to the Board and that a**  
347 **copy of it has been posted to the website. The first public hearing for this could take place on**

TOWN OF AMHERST  
Planning Board

November 17, 2021

**APPROVED**

348 December 1, 2021, or on December 15, 2021. If a second public hearing is needed, due to  
349 substantive changes, it must take place 14 days later. This could occur in early January and still  
350 meet the necessary timelines for the process.

351  
352 Mike Akillian asked about proposed amendment #4, regarding Section 4.3: Residential/Rural 35'  
353 frontage requirements. This is not discussed in the Northern Transitional Zone, in the General  
354 Office Zone, or in the Industrial Zone. He asked if the 35' frontage requirements only pertain to  
355 certain zones. Bill Stoughton explained the language for the Northern Transitional Zone is not  
356 listed in the same way, but that the frontage requirement is still there. For the General Office  
357 Zone and Industrial Zone, reduced frontage lots are not allowed.

358  
359 Bill Stoughton stated that, on page 12 of the document, Section I.2.d. he would like for the  
360 sentence to read "of not less than four feet the distance required by the applicable Best  
361 Management Practices for the stormwater facility..." He would also like Section 3A, page 8, to  
362 have the word "approval" removed from the end of the sentences.

363  
364 In response to a question from Dwight Brew regarding the timing of the public hearing process,  
365 Natasha Kypfer stated that the document must be posted to the website and in the vestibule of  
366 Town Hall approximately 10 days before the public hearing date.

367  
368 In response to a question from Chris Yates regarding 200' minimum frontage on corner lots, Bill  
369 Stoughton stated that he believes this is the intended frontage required from each road.

370  
371 Tom Quinn suggested that there be a special meeting for the Board to focus solely on making  
372 changes to this document.

373  
374 Arnie Rosenblatt stated that he does not favor that idea, as Bill Stoughton has spent a tremendous  
375 deal of time on this document and the Board has determined previously how it would feel  
376 comfortable moving forward.

377  
378 Bill Stoughton stated that he wants to make sure all Board members have an adequate amount of  
379 time to process the proposed changes. He believes the document could benefit from additional  
380 review.

381  
382 Arnie Rosenblatt stated that he believes there was not support from the Board on Tom Quinn's  
383 suggestion and asked if there was support for Bill Stoughton's suggestion that there be further  
384 discussion on the proposed amendments.

385  
386 Tom Quinn stated that he does not disagree with Bill Stoughton's suggestion. He stated that he  
387 believes there needs to be additional chances for the public and Board members to comment on  
388 the document. Arnie Rosenblatt stated that a public hearing will be necessary for this and give  
389 the public a chance to comment.

390  
391 Dwight Brew suggested that changes be sent to Bill Stoughton prior to the December 1, 2021,

TOWN OF AMHERST  
Planning Board

November 17, 2021

**APPROVED**

392 meeting for possible inclusion. Bill Stoughton stated that Nic Strong did the bulk of the work on  
393 this project, and that it may be more proper for changes to be worked through her.

394  
395 Arnie Rosenblatt stated that his concern is that the Board will continue to circle this item. He  
396 does not want a flawed product, but also wants to get the document through as there are a  
397 number of important changes proposed.

398  
399 Mike Akillian agreed with allowing people to digest this a bit more, send comments in, and then  
400 for the Board to review a final document once more. He suggested that the Board submit, along  
401 with this document, a thought process as to what was being corrected and strengthened, to build  
402 support with the public.

403  
404 Arnie Rosenblatt stated that he believes the most impactful time to address the public is right  
405 before the Town Meeting vote. He does not believe many people will attend the public hearing  
406 for this item.

407  
408 Bill Stoughton suggested that any comments/proposed changes be sent to him prior to  
409 Thanksgiving. He will review them but is not positive they will be accepted. He will then work  
410 with Nic Strong to determine if any of the items should be included in the document for review  
411 by the Board on December 1, 2021.

412  
413 Arnie Rosenblatt stated that he would like Board members to represent that they will only speak  
414 on this topic for approximately two minutes during that meeting, in order to keep things brief.

415  
416 Tom Quinn stated that members of the public may not have known they had chances to comment  
417 on this item. He would like it to be made clear to the public before the December 1, 2021,  
418 meeting. He still believes the Board should have a separate conversation on this matter.

419  
420 Arnie Rosenblatt stated that each Board meeting has been a public meeting. He is not trying to  
421 squelch discussions. There have been many meetings where this document has been discussed.  
422 The public is specifically invited to come to the public hearing on this item, and an additional  
423 public hearing will be held if substantive changes are made. He is concerned this will become a  
424 never-ending process and is not in favor of discussing this at the December 1, 2021, meeting. He  
425 noted how important these provisions are, in regard to new applications coming into the Board.

426  
427 Mike Akillian agreed with sending any comments/changes to Bill Stoughton for he and Nic  
428 Strong to arbitrate what will be included for a final Board review. Arnie Rosenblatt stated that is  
429 not what Bill Stoughton previously suggested, and that the suggestion was for the Board to  
430 review the document on December 1, 2021.

431  
432 Christy Houpis stated that this document has been discussed many times by the Board. While he  
433 would like to hear everyone's opinion, he would prefer for this to be moved forward at this time.  
434 Edits on this document will not end, but the document should now move forward to a public  
435 hearing.

November 17, 2021

**APPROVED**

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437 Tom Silvia agreed with moving the document forward to a public hearing.

438

439 Dwight Brew stated that it appears the Board will review this document at a public hearing on  
440 December 15, 2021, and there could be a second public hearing depending on substantial  
441 changes. Arnie Rosenblatt stated that a second public hearing could be useful.

442

443 Christy Houpis stated that this document needs to be pushed forward to protect the Town and  
444 make it easier for the Board to do its business.

445

446 Tracie Adams agreed with moving forward with a public hearing on December 15, 2021.

447

448 Tom Quinn stated that members of the public had an issue with the ordinance in past years. He  
449 would like the Board to make an attempt to involve everyone in the discussion on this item. He  
450 noted that no one from the public is currently involved in the discussion and the Board should  
451 make more of an effort in drumming up interest.

452

453 **Christy Houpis moved to forward with this document for a public hearing on December**  
454 **15, 2021, with a second public hearing to be held January 5, 2022, if necessary. If the**  
455 **Board has edits to be made, they should be sent along for consideration, but otherwise**  
456 **this document will be presented at the public hearing. Seconded by Tracie Adams.**

457

458 **Discussion:**

459 **Dwight Brew asked if any proposed changes will be made to the document, or if this**  
460 **document, as is, will be presented at the public hearing.**

461

462 **Christy Houpis noted that some Board members already have changes they are**  
463 **proposing. He is suggesting that this document, as is, be presented at the public hearing.**  
464 **Any subsequent changes, edits, deletions, etc. by the Board should be submitted to Bill**  
465 **Stoughton and Nic Strong, with no guarantee that they will be included. This document,**  
466 **as is, will be discussed by the Board at the public hearing on December 15, 2021, and**  
467 **the notice for this will be posted at the required time before the meeting.**

468

469 **Mike Akillian noted confusion regarding if proposed changes will be considered prior**  
470 **to the public hearing date.**

471

472 **Arnie Rosenblatt clarified that this document will be discussed, as is with any changes**  
473 **discussed tonight, on December 15, 2021. Any revisions or substantive changes**  
474 **discussed on that evening will be brought forward to a second public hearing, on**  
475 **January 5, 2022. Seconded by Chris Yates.**

476

477 **Tom Quinn asked if he could make a comment on the motion. Arnie Rosenblatt noted**  
478 **that he has commented several times on this item and asked if he had additional items.**

November 17, 2021

**APPROVED**

479 **Tom Quinn stated that he believes the Board should have additional discussion on this**  
480 **document.**

481  
482 **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn - nay,**  
483 **Christy Houpis - aye, and Chris Yates – aye; 5-1-0, motion carried.**  
484

485 Dwight Brew clarified that there are to be no further changes made to this document, per the  
486 motion made. Arnie Rosenblatt stated that any proposed changes are to be discussed at the public  
487 hearing on December 15, 2021.  
488

489 **6. Minutes: November 3, 2021**

490 **Christy Houpis moved to approve the meeting minutes of November 3, 2021, [Line**  
491 **370 change “bases” to “basis.”] as amended. Seconded by Tracie Adams.**  
492 **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - abstain, Tom**  
493 **Quinn - abstain, Christy Houpis - aye, and Chris Yates – aye; 5-0-1, motion carried.**  
494

495 Tom Quinn stated that he was not trying to make trouble, but he believes, in regard to zoning  
496 amendments, he believes the Board needs to be as transparent as it can in discussions, and garner  
497 as much public opinion as possible. He believes the Board has gotten in trouble for doing things  
498 in the dark in the past.  
499

500 Arnie Rosenblatt stated that the Board is in no way doing things in the dark. This is a publicly  
501 noticed meeting. All documents will be posted prior to the public hearing on December 15, 2021,  
502 and again if a second public hearing is needed. This process is the proper one to allow for public  
503 input.  
504

505 **Tracie Adams moved to adjourn at 8:45pm. Seconded by Chris Yates.**  
506 **Voting: Dwight Brew - aye, Bill Stoughton - aye, Tracie Adams - aye, Tom Quinn -**  
507 **aye, Christy Houpis - aye, and Chris Yates – aye; motion carried unanimously.**  
508

509  
510  
511 Respectfully submitted,  
512 Kristan Patenaude  
513

514 Minutes approved: December 1, 2021