

TOWN OF AMHERST
Planning Board

January 18, 2023

APPROVED

In attendance at Amherst Town Hall: Tracie Adams – Vice Chair, Bill Stoughton – Board of Selectmen Ex-Officio, Chris Yates, Tom Silvia, Cynthia Dokmo, Tim Kachmar (alternate) and Pam Coughlin (alternate)

Staff present: Nic Strong, Community Development Director; and Kristan Patenaude, Recording Secretary (via Zoom)

Tracie Adams called the meeting to order at 7:00pm.

PUBLIC HEARING(S):

1. Public hearing to adopt the updated Amherst Master Plan. See separate notice.

Plan with
appendix <https://www.dropbox.com/s/b4fpuk3lpnh60y0/Final%20120522%20Amherst%20Master%20Plan%20with%20appendix%20.pdf?dl=0>

Plan with no
appendix https://www.dropbox.com/s/df7xkwuyzf8sueh/120522%20Amherst%20Master%20Plan_no%20appendix%20.pdf?dl=0

Tracie Adams stated that the purpose of this hearing will be to consider the adoption of the updated Master Plan. Copies of the Master Plan are available for review at Town Hall through the Community Development Office during regular hours. It can also be accessed online through the links on the Town website or through the Master Plan links in the agenda. One link includes the Plan and the appendix, which is all the data that was compiled. The other link is to the Plan without the appendix, for a more abbreviated version.

**Bill Stoughton moved to enter into the Public Hearing on the Master Plan. Seconded by Tom Silvia.
Motion carried unanimously 5-0-0.**

Tracie Adams, as the Master Plan Steering Committee Chair, read the following statement: RSA 675:6 states that every local Master Plan shall be adopted or amended by the Planning Board in the following manner: the Board shall hold a public hearing prior to the adoption or amendment of a Master Plan. RSA 675:7 provides details of the requirements for the time and place of the public hearing. At least a 10-calendar day notice is required and, in lieu of posting in a general circulation paper, the notice may be posted on the municipality's internet website on the home page, or a link to the notice is properly placed on the home page and in other public places. The website posting must be maintained until the conclusion of the hearing. These requirements have been fulfilled. The Master Plan final draft was posted on the website December 27, 2022, and the public hearing notice with the Master Plan attached was posted to the Town website on the home page January 5, 2023. The public hearing notice was also posted in the Town Hall and Town Library. Additionally, Planning Board members did post to the Amherst Facebook page to encourage citizens to review the Master Plan and to attend the public

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hearing tonight. RSA 675:6 further states that the Board may adopt or amend the Master Plan upon completion of the public hearing by an affirmative vote of the majority of its members.

Tracie Adams explained that RSA 674:3 states that the Planning Board is responsible for preparing, amending, and adopting the municipality's Master Plan. Many Planning Boards create committees that include non-Planning Board members to assist with updating the plans. The Amherst Planning Board commissioned the Master Plan Steering Committee, which met for the first time August 17, 2020. The Committee included representatives from various boards and committees, as well as citizens of the Town. The Master Plan Steering Committee members, over the course of two years, met monthly. The people on the Committee were very dedicated to the lengthy journey and brought their own personal expertise to the documents. She thanked all involved for their service to Amherst and recognized the members: Tracie Adams, Planning Board; Tom Gauthier, Amherst School Board; Jared Hardner, Amherst Conservation Commission; Tim Kachmar, citizen member; Will Ludt, Heritage Commission; Danielle Pray, Board of Selectman ex-officio; and Chris Yates, Planning Board. There are also several people who served on the Committee and left during the course of the two-year journey: Dwight Brew, Board of Selectmen ex-officio; Joe Ilsley, citizen member; and Tom Quinn, Planning Board. The Office of Community Development played a vital role in the Master Plan process, and she recognized Nic Strong for her professionalism, dedication, knowledge, and guidance. She also thanked Natasha Kypfer, who was the Town Planner early in the process and suggested the Envision Amherst theme.

Once formed, the Master Plan Steering Committee conducted a Town survey, which had an excellent participation rate and helped to define the Town's priorities. With this feedback, the Committee partnered with Resilience Planning & Design, led by Steve Whitman, and supported by his team Zak Brohinsky and Liz Kelly. A community forum was hosted at the Amherst Middle School and the Envision Amherst website was continually used as a spot to provide comments and feedback from the public. The Planning Board received monthly updates from the Committee, to keep apprised of the progress of the Master Plan. Outreach included creation of the Envision Amherst website, communications with other municipal boards and committees, flyers and postcards, social media posts, and print media articles in the Union Leader, the Amherst Citizen, and the Milford Cabinet. A short video explaining the project and how one could participate was also created and made available on the website on August 17, 2021. The completed draft of the Master Plan was presented to the Planning Board for review, with the Board giving their comments and feedback. This was incorporated into a revision of the Master Plan draft, and this updated draft was then presented to the Planning Board on October 5, 2022. The Planning Board voted to move the Master Plan forward to the public hearing and adoption phase.

Tonight, the Committee is pleased to hear comments and questions from the Planning Board and citizens of Amherst. After adoption of the Master Plan, a story map will be created. This story map offers an alternative way for people to engage with the Master Plan, through maps and images. It breaks down some of the larger ideas in a more relatable way. This cannot be

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completed until the final language in the Master Plan has been adopted. She asked Planning Board members for questions or comments.

Tom Silvia commented on the broad transparency in the Plan and the number of people that were involved. He stated that he believes this is an excellent document and a job well done.

Cynthia Dokmo thanked all those involved for their hard work. She stated that she appreciates the time taken in the process and noted that the Town was well served by the Committee.

Bill Stoughton emphasized the degree to which the Steering Committee and the Planning Board sought the public's input throughout the entire process. This included the previously mentioned public survey and all of the public meetings, which were also available via Zoom. He stated that he believes there was an attempt to get the word out widely regarding this evening's public hearing. He personally saw the notice in the Amherst Citizen's online update and believes there were also postings made on Facebook. The Board and Committee have worked very hard to get the public's input throughout this entire process, including up through tonight.

Chris Yates thanked everyone involved in the process and noted the collaborative process. He stated that he is happy with the end product being presented to the community.

Pam Coughlin thanked all involved for their hard work.

Tim Kachmar stated that he is happy with the end result and that this was a great team effort. There was a lot of public input into this process and the Committee paid attention to the survey results.

Tracie Adams asked for public comment.

Doug Chabinsky, 89 Boston Post Road, stated that he filled out the survey but was not necessarily involved in the other open forum meetings. He has read the Master Plan and has a few questions. He noted that there is a section which lists a number of efforts. This area is blank as far as priorities and actions. He asked when the priorities of those actions will be defined, and the priority will be determined. He asked, after the Master Plan has been adopted, when the public will start seeing the impact of the document on the Planning Board. He stated that he would have liked to see the raw results of the survey. He stated that the document does not tell him what the Board's number one priority is and when it will be addressed.

Bill Stoughton stated that there is a 37-item implementation matrix at the end of the Master Plan which was likely what Mr. Chabinsky was addressing. He explained that the Board realized that many of those tasks are not simple and would likely require a number of outside resources. The Planning Board does not control those kinds of resources, so it decided to identify these items in order to hear back, in part from the public as to what its priorities are, but also to hear from the elected boards in Town and staff. Ultimately, the Board of Selectmen will assess the funding options, what should be done and on what schedule.

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Doug Chabinsky asked, once the Plan is approved, how the Board will solicit the public's input as to priorities, so that the Planning Board can then make a recommendation to the Board of Selectmen. He stated that he found it interesting that the survey results show that 83%-87% of the public think that retaining the character of Amherst was the number one concern. He stated that he would agree with that. He also found it interesting that only about a third of residents thought further development was a necessity for the Town. There was also a lot of concern expressed for traffic congestion, water conservation, and protecting the Town's aquifers. These items seem to be high priorities and it is not clear what actions will be taken to address them. This certainly needs to happen right now, as it will shape everything the Town wants to do for further growth development. Doug Chabinsky stated that he is not clear how the Planning Board can effectively ensure that Amherst is on the path to meet the vision set forth in the Master Plan. He stated that he hopes the Board will keep the citizens well informed of what all the steps are. He noted that the Master Plan seems to cover everything of importance but, until it is actually implemented, it has no meaning.

Bill Stoughton explained that the comment's tonight begin the process of gathering the information on priorities. He emphasized the extent to which the public's input was sought throughout this process is because the groups wanted a lot more public input than received. He understands that it is difficult to come to an hours long meeting on a weeknight. He attended many of these meetings and believes that the people involved worked hard to try to get any public input at all. The groups wished there was more public input to help set the priorities. The input of those who speak helps the groups to determine those priorities. He noted that people will see a number of items included on the ballot this year, including a number of ordinance changes to address the concerns that have been raised and addressed in the Master Plan. For example, there will be proposed building code amendments that address water quality, requiring new construction to complete water quality and quantity tests on wells that are drilled before developers turn those houses over to the first buyers. This is a small but an important step.

Doug Chabinsky requested that the Planning Board explain these proposed changes very clearly, or the majority of people may not understand if the proposal is an improvement or not. Bill Stoughton stated that he entirely agrees but cannot promise that the explanations will satisfy either himself or Mr. Chabinsky. The Board is trying to do better, by including information in the voter's guide this year regarding the ordinance changes. He noted that the Board, as an official body, is somewhat limited in what it is able to say and the way in which it is able to say it. Private citizens have much more latitude regarding these discussions. He stated that Mr. Chabinsky's point was well taken.

Doug Chabinsky apologized for not being as involved as he should have been throughout this process. He went on record to state that he would assist with whatever else needs to happen going forward. He stated that the Master Plan is a good document, but it all comes down to how, or if, it is executed.

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Tracie Adams explained that the Master Plan is not a legal document, but it is a guiding document. It is the Committee's hope that all Town departments, committees, etc., will review the document in their purview and try to take those implementation steps further. The Committee encouraged all of the Town departments, boards, committees, and groups to keep in mind the Master Plan and the implementation options in hopes of moving them forward. She agreed that the execution and the implementation will be what takes this from a nice document on paper to something that actually changes the Town of Amherst.

Rob Clemens, 13 Tarleton Lane, and Chair of the Amherst Conservation Commission, echoed comments made by Mr. Chabinsky and Tracie Adams, that this document has to guide and inform all boards/committees going forward. He stated that the Conservation Commission has not voted on any formal items from this document. He thanked the Steering Committee for their effort. He stated that the Plan is very good, and the Town needs to use it to inform decisions. The Conservation Commission will be guided and informed by this document. The 30+ recommendations at the end of the document pick up on a number of things that are of concern to the Conservation Commission. Rob Clemens noted that the Commission is working on specifically water resource protection, open space preservation, climate resilience, and public education and outreach regarding those and related topics. The Master Plan, as it is proposed, gives both priority and importance to carry on with those activities. The Conservation Commission is ready to roll and has been rolling on a number of these items. He stated that the Commission appreciates this effort, as it helps strengthen the group's activities. He recommended that the Planning Board adopt the Master Plan.

Bill Stoughton stated that the Conservation Commission was critically important in ensuring that many of the water resource sections of the Master Plan were included and are robust. He stated that the Commission worked very hard to identify those issues and to examine what it could do as volunteers on those items. He explained that there is a wealth of knowledge of volunteers on this Commission, and the Town is lucky to have them.

Jeanne Ludt, 3 School Street, thanked the Committee for all of its hard work. She stated that her concern is that this Plan will simply end up on a shelf somewhere, and not be utilized. Her experience, in the past, is that Master Plans have been placed on a shelf and pulled off by developers to use to support their positions, rather than protecting the townspeople. She hopes that the Planning Board will make sure this is a living document, and a guiding document. She asked how the Master Plan will be used. She mentioned an article called 'Staying Small by Thinking Big,' which deals with managing growth in a small town. One of the priorities that came to the surface through the Master Plan process is that the Town needs to manage development and growth. This is, essentially, the Planning Board's responsibility. The article noted that the foundation of growth management rests on four footings: a vision, a development plan, regulations, and processes. She hoped that this Master Plan will be the jumping off point for many future regulations and processes that the Planning Board will consider in order to make sure the Town is managing growth properly.

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Tim Kachmar noted that it is critical to have citizen interaction with this process. The Board has seen a number of citizens' petitions come forward and a number of citizens' groups work with the Planning Board subcommittees on developing the proposed changes to the ordinances. There is more work that needs to be done and it is critical that citizens get involved. This change is not just up to the Planning Board or the Town committees. If this document just sits on a shelf, it is not just the Planning Board's fault, it is the Town's fault.

Peter Lyon, Chair of the Board of Selectmen, thanked everyone on the subcommittees and the Planning Board for their hard work over the course of two long years. He stated that the hard work has paid off and has produced a document that the other boards/committees in Town can work with. This document will likely be more revered than the last one or two.

Deborah Keough, 16 Summerfield Way, thanked everyone involved for their volunteerism. She stated that not everyone understands how much work it takes out of someone's private life to be a volunteer. She applauded everyone who does work for the Town as a volunteer. She stated that she is happy to hear that the Town is going to be run by the people and not developers. Residents should be able to choose how they want to grow the Town. The Town should not simply rubber stamp all development. She stated that it is great that people are being heard through this process.

Tracie Adams noted that there was no additional public comment at this time. She closed the public hearing and entered into deliberation amongst the Planning Board members. The Board's options are to adopt the Master Plan as presented or adopt the Master Plan with amendments. The Board also has the option to hold a second public hearing on the Plan at a future date.

**Tom Silvia moved to adopt the 2023 update to the Town of Amherst Master Plan, as presented at the public hearing. Seconded by Cynthia Dokmo.
Motion carried unanimously 5-0-0.**

Tracie Adams stated that she believes everyone enjoyed being part of the Master Plan Steering Committee. She thanked everyone who gave input and stated that the Board is interested in continuing to have citizen input and have the Plan be a living document. She thanked everyone who participated.

Megan Murray, 2 Steeple Lane, representing the Town of Amherst and Milford for District 37, serving as the Deputy Ranking Member for Environment and Culture and the Vice Chair of the Hillsborough County Delegation was present. She thanked the Planning Board and congratulated them on a job well done.

Dan LeClerc, representative of the Town of Amherst for District 34, stated that he was previously on Manchester's Master Plan Committee, and it was a long, arduous battle, but a great step forward for the next 10 years of the town. He noted that the Labor Committee has some upcoming bills and looks forward to working with the public. He thanked and congratulated the Planning Board.

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OTHER BUSINESS:

2. Discuss release of security for One Bon Terrain, Map 2 Lot 26-4

Tracie Adams read and opened this item. She stated that, on November 2, 2022, the Planning Board confirmed compliance with the approved site plan for EIP One Bon Terrain Drive, LLC. The applicant has certified through their engineer that the site has been constructed per the approved plans and is substantially complete per the Planning Board approval. Tracie Adams noted that, based on several visual inspections of the stormwater basin during construction, it was the project engineer's professional opinion that all stormwater infrastructure was constructed per the plans as approved by the Town of Amherst Planning Board and will function as intended. The applicant is now requesting that the security be released.

Nic Strong stated that the Town has received confirmation that the last item, installation of light poles, has been completed on site. This was not related to the security but has been completed.

**Tom Silvia moved to release the security and any accrued interest to the applicant, EIP 1 Bon Terrain Drive, LLC. Seconded by Bill Stoughton.
Motion carried unanimously 5-0-0.**

3. REGIONAL IMPACT:

- a. CASE #: PZ16834-011023 –Robert Houvener (Owner & Applicant); 13 Washer Cove Road, PIN #: 025-021-000 & Bruce Bowler (Owner & Applicant); 9 Washer Cove Road, PIN #: 025-023-000 –Subdivision Application, Lot Line Adjustment. To adjust the lot lines for parcels Map 025-021-000 & 025-023-000. Zoned Residential/Rural.**

Tracie Adams explained that the Board is only reviewing this item in terms of regional impact. This application proposes to take parcel A of 0.112 acres from Map 25 Lot 23 and add it to Map 25 Lot 21. The applicants have already been to the Board of Selectmen to allow for paper roads in the area to be terminated, and to the Zoning Board of Adjustment to allow Map 25 Lot 23 to become smaller and, thereby, more nonconforming than it currently is. Both lots are currently non-conforming. The Residential Rural Zone requires a 2-acre minimum lot size.

**Cynthia Dokmo moved no regional impact. Seconded by Chris Yates.
Motion carried unanimously 5-0-0.**

- b. CASE #: PZ16835-011023–Scott McEttrick (Owner & Applicant); 6 North End of Lake, PIN #: 008-066-000 –Conditional Use Permit. Construct a detached garage with an Accessory Dwelling Unit and approved ISDS and reclaim areas of the existing gravel driveway to be restored back to an unaltered state. Zoned Residential/Rural.**

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Tracie Adams stated that the applicant proposes to reclaim 2,424 s.f. of driveway, including 1,676 s.f. within the wetland buffer. The plan is to construct a 792 s.f. detached garage, with an accessory dwelling unit and an individual septic system. This consideration is only in regard to regional impact.

**Chris Yates moved no regional impact. Seconded by Cynthia Dokmo.
Motion carried unanimously 5-0-0.**

- c. CASE #: PZ16836-011023–Sheila Armand; The Armand Living Trust (Owner & Applicant); 16 Clark Avenue, PIN #: 025-035-000 –Conditional Use Permit. Raze the existing family home and construct a smaller house within the same footprint along with an approved ISDS. Zoned Residential/Rural.**

Tracie Adams stated that the property is located at 16 Clark Avenue. The applicant is proposing to raze the existing two-bedroom house and build a new two-bedroom house within the footprint. The corner of which is within the wetland buffer. The new house will be approximately 250' smaller than the existing house and an individual septic system is proposed. This consideration is only in regard to regional impact.

**Bill Stoughton moved no regional impact. Seconded by Cynthia Dokmo.
Motion carried unanimously 5-0-0.**

4 . Minutes: December 21, 2022 & January 4, 2023

**Tom Silvia moved to approve the meeting minutes of December 21, 2022, as presented. Seconded by Chris Yates.
Motion carried unanimously 5-0-0.**

**Bill Stoughton moved to approve the meeting minutes of January 4, 2023, as amended [Line 495: change “supported” to “supposed”] . Seconded by Tracie Adams.
Motion carried unanimously 2-0-3 [T. Silvia, C. Dokmo, and C. Yates abstaining]**

4. Any other business that may come before the Board

**Cynthia Dokmo moved to adjourn at 7:44pm. Seconded by Chris Yates.
Motion carried unanimously 5-0-0.**

Respectfully submitted,
Kristan Patenaude

Minutes approved: March 1, 2023