

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

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

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

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

However, in accordance with the Emergency Order, I am confirming that we are:

Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

We are utilizing Zoom for this electronic meeting.

All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone #312-626-6799 and password 972 6919 0216, or by clicking on the following website address: <https://zoom.us/j/97269190216> 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 603-440-8248.

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

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

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

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

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

April 30, 2020

APPROVED-Amended

Peterman, alone; Brian Coogan, alone; Christy Houpis, alone; Arnie Rosenblatt, alone.

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

NEW BUSINESS:

2. Discussion regarding pending applications and their status

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

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

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

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

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

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

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

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

April 30, 2020

APPROVED-Amended

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

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

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

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

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

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

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

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

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

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

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

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

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

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

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

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

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

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

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

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

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

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

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

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

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

Public Comment:

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

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

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

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

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

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

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

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

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

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

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

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

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

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

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

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

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

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

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

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

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

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

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

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

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

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

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

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

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

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

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

April 30, 2020

APPROVED-Amended

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

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

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

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

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

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

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

Discussion:

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

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

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

April 30, 2020

APPROVED-Amended

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

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

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

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

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

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

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

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

April 30, 2020

APPROVED-Amended

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

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

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

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

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

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

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

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

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

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

Marilyn Peterman withdrew her previous motion.

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

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

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

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

Public Comment:

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

April 30, 2020

APPROVED-Amended

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

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

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

3. Suggestions from Board members on topics for future Planning Board work sessions

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

OTHER BUSINESS:

4. Approval of minutes: February 19, 2020; March 4, 2020; April 21, 2020

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

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

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

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

TOWN OF AMHERST
Planning Board

April 30, 2020

APPROVED-Amended

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

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

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

Marilyn Peterman moved to adjourn the meeting at 10:11pm. Bill Stoughton seconded.

Roll call vote: Bill Stoughton – aye; Mike Dell Orfano – aye; Dwight Brew – aye; Cynthia Dokmo – aye; Brian Coogan – aye; Marilyn Peterman – aye; Arnie Rosenblatt – aye. Motion carried unanimously.

Respectfully submitted,
Kristan Patenaude

Minutes approved as amended: May 20, 2020