

TOWN OF AMHERST
Planning Board

July 15, 2020

APPROVED

In attendance: Arnie Rosenblatt - Chair, Cynthia Dokmo – Vice Chair, Michael Dell Orfano, Dwight Brew-Selectman Ex-Officio, Bill Stoughton, Brian Coogan, 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 7:02 p.m., with the following statement. As Chair of the Amherst Planning Board, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10 and 2020-14, 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 840 9324 8643, or by clicking on the following website address: <https://zoom.us/j/84093248643> that was included in the public notice of this meeting.

Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Planning Board at: www.amherstnh.gov.

Providing a mechanism for the public to alert the public body during the meeting if there are problems with access: If anybody has a problem, please call 603-341-5290.

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

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

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

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

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

Christy Houpis sat for Marilyn Peterman.

PUBLIC HEARING(S):

- 1. SCENIC ROAD PUBLIC HEARING – EVERSOURCE – In accordance with NH RSA 231:158, the Amherst Planning Board will hold a Public Hearing for maintenance trimming and risk tree removal on the following roads: Lyndeborough Road and Green Road.**

Cory Keeffe, of Eversource, had difficulty joining the meeting, and thus this item was moved to later in the meeting.

OTHER BUSINESS:

2. REGIONAL IMPACT:

- a. Stephen & Sarah Fecteau (Owners & Applicants) – 39 Stearns Road, PIN #: 002-125-000 – Submission of Application/Public Hearing/Conditional Use Permit. To build an attached accessory dwelling unit onto existing home. *Zoned Residential/Rural.***

Arnie Rosenblatt explained that this discussion is regarding the addition of an ADU (accessory dwelling unit) onto an existing home on Stearns Road. This discussion does not deal with the merits of the plan, but rather any potential regional impact to surrounding towns.

Mike Dell Orfano moved no regional impact. Bill Stoughton seconded.

Roll call: Christy Houpis– aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Dwight Brew – aye; Mike Dell Orfano – aye; and Brian Coogan – aye. Motion carried unanimously.

- b. 6 Pine Road LLC (Owner & Applicant) – 6 Pine Road, PIN #: 008-042-000 – Submission of Application/Public Hearing/Non-Residential Site Plan. To illustrate the layout of a climate controlled self-storage building to Tax Map 8, Lot 42. *Zoned Limited Commercial.***

In response to a question from Arnie Rosenblatt, Nic Strong explained that this proposal is to take down the existing house on site, at the existing Pine Road self-storage units, and put up a new climate-controlled building with internal storage units.

In response to a question from Mike Dell Orfano, Nic Strong stated that the proposed building would be 20,291ft².

In response to a question from Arnie Rosenblatt, Nic Strong stated that the proposed building would be two stories.

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Nic Strong explained that the proposed building would contain 203 units of varying sizes, from 5'x5' to 10'x25'.

The group discussed any possible impact to surrounding towns, such as Bedford, Milford, or Merrimack.

Mike Dell Orfano moved no regional impact. Christy Houpis seconded. Roll call: Christy Houpis – aye; Bill Stoughton – aye; Cynthia Dokmo – aye; Dwight Brew – aye; Mike Dell Orfano – aye; and Brian Coogan – aye. Motion carried unanimously.

3. SCENIC ROAD PUBLIC HEARING – EVERSOURCE – In accordance with NH RSA 231:158, the Amherst Planning Board will hold a Public Hearing for maintenance trimming and risk tree removal on the following roads: Lyndeborough Road and Green Road. – *The Board retook this item at this time.*

Arnie Rosenblatt read the public hearing notice.

Cory Keeffe, a certified arborist from Eversource, addressed the Board regarding maintenance trimming and risk tree removal on Lyndeborough Road and Green Road. He explained that the marked trees lie within an area under a ½ mile on Green Road, and within an area of 0.4 miles on Lyndeborough Road. The plan is to remove brush less than 4" in diameter, within 8 feet of the sides of the wires, 15 feet above, and 10 feet below.

Cory Keeffe explained that this trimming will lead to more reliable progress and a safer distribution of power to the area. He explained that Eversource is also recommending the removal of three larger trees (two on Green Road and one on Lyndeborough Road) due to structural defects. As these three trees are dying, there is a high chance that they will fall.

Cory Keeffe explained that Eversource has contracted with Asplundh Tree Experts for this project. The contractor will contact each owner/abutter to ask for permission to do this work. The contractor works to specific standards. The trees/brush will be chipped into the woods, not into wetlands or ditches. He will personally inspect each trimmed/cut area as the arborist for the project. The wood chips do make good mulch, and the contractor will often offer these to the nearby abutters or to the town at no cost.

In response to a question from Bill Stoughton, Cory Keeffe explained that the list sent to the Planning Board originally showed four trees to be removed, but this list has been shortened to three. One tree on Lyndeborough Road was accidentally removed ahead of this meeting. The tree was already 75% dead and a different arborist had it cut. As soon as this issue was noted, it was brought to Nic Strong's attention.

In response to a question from Christy Houpis, Cory Keeffe explained that, in regard to the trees being trimmed, the procedure is for the contractor to mail cards to the homeowners ahead of

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time, asking for them to contact the contractor if a consult is desired. For the at risk trees, the contractor will call the customer directly, and will not cut the trees if contact cannot be made. Mike Dell Orfano noted that past practice has seen the tops of the trees lopped off, leaving a dwarf tree with branches below. He stated that the Board has repeatedly asked this process not to occur. He asked for assurances that this not happen in the future.

Cory Keeffe stated that he prefers a flat cut for these cuts. Occasionally the owner/abutter will ask that the trees not be cut from the ground, and that these reduction cuts be made instead. In these cases he will go back to follow-up with the owner. Cory Keeffe agreed to avoid making these reduction cuts whenever possible. He asked that he be contacted if the Board sees these types of cuts around town.

Brian Coogan questioned the contractor's process for contacting abutters and giving a reasonable period of time for them to respond before trimming the trees. He explained that he has seen trees lopped and cut on only one side, leaving the tree to hang heavy to one side, possibly putting nearby homes at risk. He stated that he believes balanced trimming of trees to be ideal.

Cory Keeffe explained that trimming trees symmetrically is actually worse for the tree. The company looks to prevent taking more than 25% of a tree's canopy down in a growing season. The company tends not to take the side of the tree that sits away from the power lines for this reason. If this type of trimming upsets an owner/abutter, arrangements can be made.

In response to a question from Cory Keeffe about his previous comment, Brian Coogan stated that he has heard of the contractors calling owners once on site, to tell them that cutting will be occurring. He would prefer that contact be made in advance, otherwise it's difficult to have much of a discussion with the owner/abutter.

Cory Keeffe explained that cards are mailed to owners/abutters ahead of time, in hopes of getting a response before work is scheduled. The contractor doesn't generally call the owner ahead of going to do the work, unless requested to. Once the owner/abutter gives permission to trim, the contractor goes to do the work, unless noted to call first. Typically, if an owner asks for the contractor to call ahead of time, it is a day or two in advance that the call is requested for.

In response to a question from Brian Coogan, Cory Keeffe stated that, if an owner wants a call from the contractor in advance to work being done, it is advised that the person disclose an appropriate time for the contractor to call.

Mike Dell Orfano moved to close the public hearing. Cynthia Dokmo seconded. Roll call: Bill Stoughton – aye; Christy Houpis – aye; Dwight Brew – aye; Cynthia Dokmo – aye; Mike Dell Orfano – aye; and Brian Coogan – aye. Motion carried unanimously.

Bill Stoughton moved to approve the proposal by Eversource Energy for removal and trimming of trees, as shown on the map and tree list received on April 21, 2020,

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less the tree already removed, on the following designated scenic roads: Green and Lyndeborough Roads. Mike Dell Orfano seconded.

Roll call: Bill Stoughton – aye; Christy Houpis – aye; Dwight Brew – aye; Cynthia Dokmo – aye; Mike Dell Orfano – aye; and Brian Coogan – aye. Motion carried unanimously.

OLD BUSINESS:

4. Discussion regarding Master Plan Update

Arnie Rosenblatt explained that Dwight Brew has graciously agreed to head up the Master Plan effort and chair the Steering Committee.

Dwight Brew gave a brief summary. *“At the June 17, 2020 Amherst Planning Board meeting, the Planning Board voted to establish a Master Plan Steering Committee to focus on the Amherst Master Plan update.*

The initial envisioned role of this steering committee will be to solicit community input as well as input from the Town, Schools, land use boards and businesses, organize and summarize this information, and report back to the community and Planning Board.

A subsequent step will likely be to establish individual theme working groups and gather data based on the information gathered in the initial phase.

At that meeting I was asked to head up the Steering Committee (at least initially) and Tracie Adams and Chris Yates were asked to represent the Planning Board. At the Board of Selectmen meeting on Monday night, the Selectmen asked me to represent the Board of Selectmen on the Steering Committee.

Since that meeting I have reached out to SAU 39 Superintendent Adam Steel to discuss how we could best receive school input and asked for a recommendation for someone who could serve on this committee, with a school interest, but able to also focus on the Master Plan as a whole.

Adam said that he would be happy to provide any needed school information and also stated that Roger Preston, the new SAU 39 Facilities Director would also be a resource and could speak for SAU 39. In terms of a school representative to the Steering Committee, Adam provided me with a name and I have had some discussions with this individual. This individual would like to talk this over with their family before committing.

I have also had a conversation with Rob Clemens, Chair of the ACC also asking for a potential representative from the ACC but who would also be able to focus on the overall big picture regarding the Master Plan. ACC Vice Chairman Jared Hardner has agreed to serve on the Steering Committee.

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More recently I reached out to Heritage Commission Chair Will Ludt, HDC Chair Jamie Ramsay and ZBA Chair Doug Kirkwood, but I have not had a chance to connect with these three for their thoughts.

With PB agreement, I would like to fill the land use board spots as appropriate, and also look for three community members via the Town Website.

I would recommend that, in consultation with the Planning Board Chair, the community member spots be filled based on letters of interest submitted."

Bill Stoughton explained that the Amherst Conservation Commission Chair, Rob Clemens, has made it clear that all ACC members are available to pitch in and help with the Master Plan as needed.

In response to a question from Tracie Adams, Dwight Brew explained that the suggestion is that the Steering Committee be made up of one rep from the Schools, one rep from the ACC, two reps from the Planning Board, one rep from the Board of Selectmen, three community members, and up to three reps from the land use boards.

Mike Dell Orfano asked what Dwight Brew meant by "land use boards." Dwight Brew explained that he defines the "land use boards" as the Planning Board, Zoning Board of Adjustment, Historic District Commission, Heritage Commission, and Conservation Commission.

In response to a question from Brian Coogan, Dwight Brew stated that he will discuss the possibility of having representation from both school boards on the Committee with the Superintendent. Dwight Brew also noted that the Souhegan School Board has representation from Mont Vernon and that he will see how things play out in terms of this item. Brian Coogan also asked about input from police, fire, ambulance, DPW and so on, noting the importance of the infrastructure and facilities used and maintained by those departments. Dwight Brew stated that he viewed the Town Administrator and Department Heads as providing input to the plan and was comfortable that would be included in the process.

Arnie Rosenblatt thanked Dwight Brew for his help.

5. Minutes: June 23, 2020; July 1, 2020; and July 7, 2020

Mike Dell Orfano noted that in all the sets of minutes he was puzzled because reference was made to questions asked but the questions themselves were not included and he thought the context was, therefore, lost. There was no comment to this by other Board members, no discussion and no decisions made.

Christy Houpis moved to approve the minutes of June 23, 2020, as written. Bill Stoughton seconded.

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Roll call: Bill Stoughton - aye, Christy Houpis - aye, Dwight Brew - aye, Cynthia Dokmo - aye, Mike Dell Orfano - aye, and Brian Coogan - aye. Motion carried unanimously.

Mike Dell Orfano moved to approve the minutes of July 1, 2020, as written. Bill Stoughton seconded.

Roll call: Bill Stoughton - aye, Christy Houpis - aye, Dwight Brew - aye, Cynthia Dokmo - aye, Mike Dell Orfano - aye, and Brian Coogan - aye. Motion carried unanimously.

Mike Dell Orfano stated he had the same comment about knowing the question because it was important to the context of the minutes and moved to approve the minutes of July 7, 2020, as written. Bill Stoughton seconded.

Roll call: Bill Stoughton - aye, Christy Houpis - aye, Dwight Brew - aye, Cynthia Dokmo - aye, Mike Dell Orfano - aye, and Brian Coogan - abstained. 5-0-1; motion carried.

Arnie Rosenblatt stated that the Board's next meeting will be on Thursday, July 23, 2020. During this meeting, the sole discussion by the Board will be if the new Jacobson application is sufficiently different from the first application for the Board to move forward. Other issues regarding the new application will only be pertinent if the Board moves forward.

Mike Dell Orfano moved to adjourn the meeting at 7:53pm. Christy Houpis seconded.

Roll call: Brian Coogan – aye; Cynthia Dokmo – aye; Christy Houpis – aye; Mike Dell Orfano – aye; Dwight Brew – aye; Bill Stoughton – aye. Motion carried unanimously.

Respectfully submitted,
Kristan Patenaude

Minutes approved: August 19, 2020