

TOWN OF BEDFORD
January 11, 2021
PLANNING BOARD
MINUTES

A remote Zoom platform meeting of the Bedford Planning Board was held on Monday, January 11, 2021. Members who were present remotely: Jon Levenstein (Chairman), Kelleigh Murphy (Vice Chairman), Hal Newberry (Secretary), Bill Duschatko (Town Council), Rick Sawyer (Town Manager), Mac McMahon, Priscilla Malcolm, Steve Clough, Charlie Fairman (Alternate), Matt Sullivan (Alternate), John Quintal (Alternate), and Becky Hebert (Planning Director)

Due to the Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Planning Board is using the Zoom platform to conduct this meeting electronically. Please note that there is no physical location for this meeting and the BCTV building is closed to the public.

The Town of Bedford is providing public access to the meeting live on BCTV, streaming at www.Bedfordnh.org/393/BCTV, and by calling into the meeting. Please email planning@bedfordnh.org or call 603-472-5243 to receive the call-in information.

Planning staff will also be accepting questions and comments by email at planning@bedfordnh.org. Please notify staff by email if there are technological issues with the audio transmission during the meeting.

I. Call to Order and Roll Call:

Chairman Levenstein called the remote meeting to order at 7:00 p.m. Public Works Director Jeff Foote was absent. There are no items to vote on at tonight's meeting.

II. Old Business & Continued Hearings: None

III. New Business:

1. The Planning Board will conduct the first public hearing on proposed zoning amendments submitted by the Planning Board. The full text of the amendments is available in the Town Clerk & Planning offices during normal business hours and on the Town website at www.bedfordnh.org.

III. Concept Proposals and Other Business:

2. Discussion of Charter amendment proposed by the Town Council to change the membership of the Planning Board from nine to seven members.

Ms. Hebert stated we do not have any new Planning Board applications on your agenda tonight, but I would recommend that the Planning Board still take a vote to accept the agenda.

MOTION by Vice Chairman Murphy to accept the agenda as read. Mr. Newberry duly seconded the motion. On a unanimous roll call vote, the motion carried.

- 1. The Planning Board will conduct the first public hearing on proposed zoning amendments submitted by the Planning Board. The full text of the amendments is available in the Town Clerk & Planning offices during normal business hours and on the Town website at www.bedfordnh.org**

ZONING AMENDMENTS PROPOSED BY THE PLANNING BOARD:

Amendment No. 1

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Bedford Zoning Ordinance to amend Article VIII, Section 275-62 A(1) and Table 3, Table of Dimensional Standards, as follows: Deleting “80” in the Maximum Building Height column for properties located on U.S. Route 3 with municipal water and sewer and replacing it with “60” and by deleting “80” in the Maximum Building Height column for properties located on local roads or U.S. Route 3 when private shared access drives are used and replacing it with “60.” [This amendment reduces the maximum height for buildings located in the Performance Zone, on properties with access to water and sewer utilities, from 80 feet to 60 feet.]

Ms. Hebert stated proposed Zoning Amendment No. 1 was submitted by the Planning Board to be included on the Town Ballot in March. This Zoning Amendment is intended to lower the maximum building height for structures located in the Performance Zone on properties that have access to both public water and sewer and have frontage on South River Road. The proposed Zoning Amendment would lower the maximum building height from 80 to 60 feet.

Amendment No. 2

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Bedford Zoning Ordinance to amend Article XV, River Corridor Smart Growth District, by deleting the Article XV in its entirety and to amend Article II, Section 275-7, Establishment of Districts and Section 275-8, Location of Districts, to remove the River Corridor Smart Growth District. [This amendment is intended to repeal Article XV, River Corridor Smart Growth District (RCSGD) from Bedford’s Zoning Ordinance because it was never fully enacted by the Planning Board. The RCSGD is an overlay district that was intended to be an optional zoning tool to permit mixed-use development subject to certain design standards. The overlay district includes the entire Performance Zone in Bedford. At this point, the Planning Board would recommend repealing the zoning and reviewing other regulatory tools to guide development in the Performance Zone.]

Ms. Hebert stated proposed Zoning Amendment No. 2 was submitted by the Planning Board to be included on the Town Ballot in March. This Zoning Amendment is intended to repeal Article 15,

the River Corridor Smart Growth District because this is zoning that was adopted in 2012 but never fully enacted by the Planning Board, and it causes some confusion to have this zoning on the books when it has not yet been fully enacted and not enforceable or technically in use. The Planning Board needed to adopt design guidelines to accompany the River Corridor Smart Growth District zoning, and although it has been talked about on several occasions over the years, they have never been finalized, and at this point the type of zoning that the River Corridor Smart Growth District utilizes involves a very detailed design guideline that is better suited for larger retail sites and it is typically used when folks are designing a new urbanist community or larger development from the ground up, and we don't have a lot of those sites left in Bedford. Along South River Road the River Corridor Smart Growth District includes the Performance Zone and it is an overlay district that encompasses the entire Performance Zone.

Ms. Hebert stated those are the two Zoning Amendments that are proposed by the Planning Board. At tonight's meeting the Planning Board will hold a public hearing to take input from the public on these two Zoning Amendments. The second public hearing for Zoning Amendments is scheduled for January 25, 2021. On January 25, 2021 the Planning Board would be taking final action to move these two Zoning Amendments to the Town Ballot after receiving input from the public.

ZONING AMENDMENTS PROPOSED BY CITIZEN PETITION:

Amendment No. 3

Are you in favor of the adoption of Amendment No. 3 as proposed by Citizens' Petition, to amend, Town of Bedford Zoning Ordinance, Article II, Section 275-7 Establishment of Districts, District Names, by deleting the words shown in the strikethrough and adding the words in bold as follows: 2 Performance Zone PZ To provide areas for a variety of uses including mixed use, retail, workforce housing, office, medical office, research and development and industrial uses serving both regional and local needs. The PZ provides for flexibility in land use development in exchange for meeting certain site, layout, landscaping, parking and environmental design standards specified in Article VIII, Performance District Zoning. Residential uses are not permitted except by approval of a waiver by the Planning Board as noted in Article III, Section 275-21, Table 2, Table of Uses and Article VIII, Section 275-61, Permitted Uses. This is an innovation land use control ordinance where the Planning Board serves as the land development review board for all zoning and planning matters with the exception of encroachments into the wetland setback. To amend Article VIII, Performance zoning District, Section 275-56, Statutory Authority, by adding the words in bold as follows: § 275-56. Statutory authority. This Article VIII is enacted by the Town of Bedford pursuant to RSA 674:21, II. This innovative land use control ordinance shall provide for all approvals associated with Article VIII, "Performance District Zoning", including the granting of conditional or special use permits, by the Planning Board, except for Section 275-61 "Use Regulations". Any decision made by the Planning Board under this innovative land use control ordinance may be appealed directly to Superior Court in the same manner provided by statute for appeals from the Planning Board, as set forth in RSA 676:5, III, and RSA 677:15. A waiver process from particular requirements set forth in Article VIII may be employed by the Planning Board where the applicant demonstrates substantial compliance with the standards set

forth in Article VIII, Chapter 275-58, Purpose, Subsections A through E. The Zoning Board of Adjustment shall have the power to authorize upon appeal, a variance from the terms associated with Article III, Section 275-21, “Use Regulations” and Article VIII, Section 275-61 “Permitted Uses” in accordance with RSA 674:33. Any decision made by the Zoning Board of Adjustment under this innovative land use control ordinance may seek a rehearing and appeal the decision to Superior Court as set forth in RSA 677. [This amendment is intended to remove the power to grant waivers of the permitted land uses in the Performance Zone (PZ) from the Planning Board and provide this authority to the Zoning Board of Adjustment.] [THE PLANNING BOARD DOES/DOES NOT SUPPORT PASSAGE OF THIS AMENDMENT. The Board will discuss the amendment at the public hearings on January 11th and 25th and will vote to support or not support the zoning amendment.]

Ms. Hebert stated the third Zoning Amendment has been submitted by Citizens’ Petition and is a Zoning Amendment that intends to shift the Planning Board’s power and authority over performance zoning to remove the Board’s authority to waive the permitted uses within the Performance Zone. Right now the Planning Board has the authority to oversee the performance zoning, including the ability to grant waivers to all aspects of that zoning and that includes uses that would be permitted in the district. This Citizens' Petition takes away the power of the Planning Board to grant waivers to allowed uses within the Performance Zone, and if a developer or landowner needed relief from the performance zoning permitted uses, in other words, if the use that they were proposing was not permitted by right in the district, they would need to seek a variance from the Zoning Board of Adjustment, which that is how uses that are not permitted by right in all of our districts in Bedford need to seek variances in order to allow a use that would otherwise not be permitted. This shifts the Planning Board’s authority to the Zoning Board with regard to no longer being able to grant use waivers, and any deviation from the performance zoning with regard to uses would need to be reviewed by the Zoning Board via a variance request.

Chairman Levenstein requested comments or questions from the Board on proposed Zoning Amendments No. 1 and 2.

Mr. Newberry asked if we lower the height, does that still allow for granting a higher height on a structure if we receive such a proposal? Ms. Hebert replied yes. Even if the Citizens' Petition Zoning Amendment No. 3 passes, the Board would still be able to grant waivers to the performance zoning for design related aspects of the zoning, including the dimensional standards, such as height. Yes, you would be able to waive that maximum building height if you felt that an application met and satisfied all of the purposes of the Performance Zone.

Mr. McMahon stated I had the same question as Mr. Newberry. Thank you for the answer, Ms. Hebert.

Town Manager Sawyer stated I have no questions but completely support both proposed amendments.

Chairman Levenstein stated I don’t have a question, but I do have a comment about proposed Amendment No. 1. I have said it before; I find it very hard to support this just because I think that the way the topography of Bedford is, it is such that taking a measurement from the ground and

determining how high a building should be based on that, doesn't really make sense when you have things on hills, and what is 60 feet from the ground could be 15 or 20 feet from street level in some areas and in other areas 60 feet from the ground can be 250 feet from the street level. So, I have problems with it with that in mind. The fact that you can grant waivers does make me have a little less problem with it.

Chairman Levenstein stated with proposed Amendment No. 2, I have no problems with getting rid of it. We have never enacted the regulations, and it really doesn't serve any purpose right now.

Ms. Hebert stated we should take public testimony on proposed Zoning Amendments No. 1 and 2 and then we will move onto the Citizens' Petition.

MOTION by Vice Chairman Murphy to open the public hearing on proposed Zoning Amendments No. 1 and 2. Mr. Fairman duly seconded the motion. On a unanimous roll call vote, the motion carried.

Susan Tufts-Moore, 27 Bedford Center Road, stated I would like to speak in favor, in particular, of proposed Zoning Amendment No. 1. I think it sounds like a reasonable and very good improvement to that zoning ordinance. Thank you.

Kathy Shartzter, 7 Roblin Road, stated I would also like to speak in support of proposed Zoning Amendment No. 1. Again, if the topography is such that a taller building is appropriate, I think there is the possibility of a waiver, but I think generally the residents of Bedford would like to keep things a little bit lower than what we are seeing, so I would support that.

Chairman Levenstein asked do we have anything that is 60 feet right now? Ms. Hebert replied we don't. We have a building that is just shy of 60 feet and that would be the Chandler apartment building in Bedford that was recently constructed. Mr. Newberry stated that is the apartment building that is behind Whole Foods.

MOTION by Vice Chairman Murphy that the Planning Board close the public hearing on proposed Amendments No. 1 and 2. Councilor Duschatko duly seconded the motion. On a unanimous roll call vote, the motion carried.

Chairman Levenstein requested comments or questions from the Board on proposed Zoning Amendment No. 3, a Citizens' Petition.

Mr. Newberry stated I have one question. As I recall, reading that it is limited to a waiver for housing, so that any other waiver would not be an issue. Is that correct? Ms. Hebert replied it is not limited just to housing. The question has come up this week, and I have reviewed the proposed Zoning Amendment and it does include the granting of waivers, our Table of Uses, which includes all of the uses, including workforce housing, that may be permitted in the Performance Zone, as well as Section 275-61 of the Zoning Ordinance, which lists all of the uses that are allowed in the Performance Zone, so it is not specific to residential uses. Mr. Newberry asked it would be any use waiver? Ms. Hebert replied yes.

Mr. McMahon stated other than it was a Citizens' Petition, does anyone have any other information how this happened to come up? Does the Zoning Board support this? Ms. Hebert replied no, this was a Citizens' Petition. The petitioner is not on the call tonight, but we will be having two public hearings to review the Zoning Amendment. I can give you a little background on the performance zoning if you would like a little more background on the Performance zoning and waivers. It is detailed in your staff report, or we can wait for the next meeting to go over additional details of the performance zoning. Mr. McMahon responded okay. I guess my comment is that I am not familiar that much with the Zoning Board, and from what I have seen on our Board, it seems like we are capable of being able to do this.

Councilor Duschatko asked could you discuss Mr. Newberry's question again. My system cut out and I didn't hear the whole discussion. I need some clarification on what Mr. Newberry had brought up because my questions are pretty much the same. Ms. Hebert responded Mr. Newberry's question was, is this amendment only affecting the Board's ability to grant waivers for residential uses in the Performance Zone, and the Zoning Amendment removes the Board's ability to grant waivers for any uses that are not permitted by right in the Performance Zone. So, that would be inclusive of any use that might not be permitted by right in the zone. Councilor Duschatko stated thank you.

Town Manager Sawyer stated I don't have any questions, but I would state that I have never been more opposed to a Zoning Amendment than this one ever in my career here in Bedford. I think it takes away the complete purpose of the Performance Zone and the reason it was put into place, which is to allow essentially 1-stop shopping for the applicant, but also give the Planning Board ultimate ability to work with applicants to make the best plans and developments for our community within that zone. For those reasons I am in total opposition to this amendment.

Mr. Fairman stated I second Town Manager Sawyer's views. I am very much against it, it is perpetuation of a small group of people in Bedford that are fearful of what the Planning Board might or might not do, the same group that put the zoning changes in to eliminate workforce housing in Town, and I think it is wrong. I think that the idea of a Performance Zone is a good one and we ought to keep it this way, so I am against this petition.

Vice Chairman Murphy stated I completely agree with Mr. Fairman and Town Manager Sawyer for all of the reasons they have articulated.

Mr. Sullivan stated the same as Town Manager Sawyer, Mr. Fairman and Vice Chairman Murphy is the fact that I am sure we can assume why this was brought up, but without the petitioners on the call, I won't voice my assumption, but ultimately it feels like it neuters the Planning Board's ability to make decisions in the Performance Zone. I am not a fan of it.

Chairman Levenstein stated I agree with what we have heard tonight. I agree with Town Manager Sawyer, I agree with Vice Chairman Murphy, I agree with Mr. Sullivan. I don't really see why you need to fix something that has worked well for a long time and has continued to work well. I am definitely against this.

MOTION by Town Manager Sawyer to open the public hearing on proposed Zoning Amendment No. 3, a Citizens' Petition. Councilor Duschatko duly seconded the motion. On a unanimous roll call vote, the motion carried.

Chairman Levenstein asked if there were any members of the public online or by phone that wished to speak. Ms. Hebert stated I do not hear anybody wishing to speak and I have not received any emails.

MOTION by Councilor Duschatko to close the public hearing on proposed Zoning Amendment No. 3, a Citizens' Petition. Town Manager Sawyer duly seconded the motion. On a unanimous roll call vote, the motion carried.

Chairman Levenstein stated the second public hearing on the 3 proposed Zoning Amendment will be held on January 25, 2021. Ms. Hebert stated at that meeting the Planning Board will be making the final recommendations to move any zoning amendments proposed by the Board to the Town Ballot and they would also be making a motion to support or not support the proposed zoning amendment submitted by Citizens' Petition. The Citizens' Petition is automatically placed on the Town Ballot and it is annotated with the support or not support of the Planning Board. Mr. Newberry stated I thought I read somewhere that the Town Attorney was going to review the proposed Zoning Amendments. Did I get that right and will we or have we heard anything in the way of an opinion from the Town Attorney. Vice Chairman Murphy stated we have it. It is in the Staff Report. Mr. Newberry stated I will reread that.

2. Discussion of Charter amendment proposed by the Town Council to change the membership of the Planning Board from nine to seven members.

Town Manager Sawyer stated the amendment is being considered by the Town Council. They have a public hearing on this item this coming Wednesday night, January 13, 2021 at 7:00pm. This would appear on the ballot if the Town Council chooses to move it forward. Right now it is still under consideration, but it would remove the two ex-officio members, the Town Manager and the Public Works Director, from the Planning Board, leaving seven citizen members, six of those being appointed by the Town Council and the 7th being the Town Council representative, and you would still have your alternates and your Town Council alternate as well.

Mr. Newberry stated I can understand that both those positions as voting members can find themselves in a difficult position. My concern would be that frequently both of those positions can bring perspective to the Board that we might not otherwise have when considering an application. I am just wondering if there is a mechanism being considered for facilitating input from the Town Manager and the Public Works Director to provide input to the Board on any given application.

Chairman Levenstein asked Ms. Hebert, please explain what happens with the applications before we see them at the Planning Board. Ms. Hebert responded before you see your applications at the Planning Board level, we have an internal technical review committee that meets ahead of submitting any comments to an applicant. The plans are reviewed and discussed at an internal

meeting, the staff level, and the folks who attend that meeting include the Police Department is invited, Fire Department personnel, Building Department, Town Manager, Public Works Director, Town Engineer, and the individual at DPW who oversees the sewer infrastructure. We typically have a detailed review of these applications and then we try to get comments out to the applicant ahead of your meeting to address any issues or concerns that might come up. I think moving forward if this change happens, at the Board's level, making sure that we capture everybody's comments in that plan review process will be really critical, probably very important for the Board to see that. Mr. Foote has had eyes on the plan and has comments or no comments. Chairman Levenstein stated they do have the opportunity to see the plans and comment on them if they have comments. Ms. Hebert responded they do. We distribute the plans and the applications and then we meet internally and have a discussion about them.

Vice Chairman Murphy asked could I ask what the impedes behind this was, because it seems like such a loss to not have the real-time input of the Town Manager and the Public Works Director on applications as they are coming before the Board. Councilor Duschatko responded I would like to address this comment. This is the work of a subcommittee of the Town Council that is looking to address certain questions and concerns that have come up by the public. A lot of the concerns are, and this is a very technical issue, that there is a feeling that all representatives of the Planning Board should be residents of Bedford and that we allowed department heads, as well as the Town Manager, to become non-residents, somewhat goes against that. I think it is a very minor consideration.

Councilor Duschatko stated the other consideration was that we are concerned that we are putting, particularly the Town Manager, in somewhat of an awkward position, the same thing for the Planning Director, because we use them also as boosters to attract business and work with the initial contact of new people looking to relocate into Bedford. I am talking about commercial or industrial use, not residential per say, except with the case of larger apartments. In discussion with both the Town Manager and the Public Works Director, they felt that they might like to relieve this sort of conflict of interest between the public and private concerns. The question of professional review is still a major concern of the Town Council, it is a major concern of mine particularly, and I am not sure we have come up with a totally comfortable feeling of how this is going to be handled. It is pending action, we have not taken action on it, we have not really discussed it in any other great length at our last meeting, and I think Wednesday's meeting with the Town Council may be more informative. I certainly welcome input from Planning Board members as well as the general public.

Vice Chairman Murphy stated my concern is just wouldn't there be more of an arguable disconnect by removing these individuals from the Board. That would be my concern, as opposed to any perceived conflict, and I don't think it is a conflict when everybody in the town is working sort in synchrony towards the same goals. Councilor Duschatko responded that is a good point. As I said, it hasn't been resolved. This particular motion came up from discussion of three members of a subcommittee, and I don't think that question has actually been asked of them on their thinking and it would be very appropriate that we do discuss that tomorrow. Vice Chairman Murphy asked for my own edification, who is on that subcommittee? Councilor Duschatko replied Councilor Racciardi, Councilor Stevens, and Councilor Radke.

Mr. McMahon stated I am concerned by the fact that we have employees that do not live in town. Town Manager Sawyer ran for election and some people agreed to that, and by self-disclosure I did. However, looking back on it, I have to say there was a considerable majority that did not agree with that and Town Manager Sawyer coasted in just as he should have. I am wondering exactly what is the objection by this 3-man committee, how can they tie that they live outside of Bedford and therefore there is a concern about them being on the Board. Later on when I read into it, or not, but I am a little insulted that anybody would think that either one of these gentleman would be influenced just because of their position. If that were case, I think it be proven and they would be removed. I can see the benefits of both sides but the way that this is constructed is worrisome.

Vice Chairman Murphy stated by way of example, not using members who we are talking about right now, Scott Hunter is the Chief of the Fire Department and I see him more in town, he doesn't live in town, he lives outside of Bedford, but I see him more than I see people that have lived in Bedford for 20 – 30 years. He is consistently at Town events, he is constantly involved, he was just at an event this past weekend working the bonfire where we burned all of the Christmas trees. I use that as an example because I really feel strongly, and this discussion came up in Manchester when I was on the Board of Mayor and Aldermen, I don't think that where you live and where you put down roots and where your older children maybe are comfortable living, is a dispositive factor in whether or not you are good at your job, and I don't think that it is a dispositive factor in whether or not you are invested in the community in which you work. I would hope that anyone who worked for a community, particularly one like Bedford, had inherent pride in their job and in the community that surrounds them. It bothers me to a certain extent that we would link the mere fact that you live in town, and it is tough financially to live in this town, it is expensive to live in this town, but to link that to whether or not you are invested in your job, I don't think that is fair.

Mr. Fairman stated following that logic that you have to live in town as a member of the Planning Board, I would say that the Superintendent of Schools can't be a member of the School Board because he doesn't live in town or isn't required to live in town, I don't know if he does nor not, but I know the previous one did not. From a Town Council standpoint that argument really falls apart in my view.

Mr. Fairman stated the other argument, and Councilor Duschatko said something that hit me, although I think we are all professionals, but Councilor Duschatko said wouldn't have the two professionals on the Board, and he is right. These are two professional people in their Town jobs and know an awful lot about things that we don't. Having said that, I think that I lean heavily and assume the Town Council is leaning heavily on where our Town Manager, what his thoughts are on this and he hasn't voiced his view and I won't ask him on a public forum to do that. He knows both sides of the fence and if that is the way it should be, then I would go along in his views, otherwise the two guys are too valuable to the Board to just let them go.

Mr. Newberry stated to point one, and has been stated by other members, I agree that both of those positions are filled by people who are professional and that should be the end of that. Both of those are professional positions and I wouldn't expect them to behave and conduct themselves in any manner other than professionally. To the second point, I don't know how the individuals currently in those positions feel about it, but I think all of us as members of the Planning Board at

some point have to make difficult decisions and sometimes vote for things that we personally may not agree with, and vice versa, vote against things that we may not personally agree with, but when it is the correct thing to do for the rules and regulations in town, that is how we all have to conduct ourselves in this position. I think that those two roles are probably even more so because of their professional standing. We are citizens, and may be professional in some capacity, but not professionals in terms of town municipality management.

Mr. McMahon stated on a practical side, to repeat what I said before, I realize they both go to the review and they make their opinions known. I don't know how many times that I have seen both of them, when a discussion took place, that they did not chime in and give information that the rest of the Board, or very view of the members of the Board, realized and then that information has been instrumental in making our decision just a little better. I can see where we are going to lose, at times, expertise that is going to be valuable, and just because they go to that review doesn't mean that all of their opinions might be expressed based on issues that are brought up by the discussion during the Board. I see great benefit in having them.

Councilor Duschatko stated I am trying to strike a neutral stance here. I think everybody's opinion is very correct. It would be very nice if you would air it to the full Town Council on Wednesday. We have heard nothing from anybody about these things. They have been announced in public for at least almost two months now.

Mr. Newberry asked Mr. Chairman, can we forward tonight's discussion to the Town Council for consideration? Councilor Duschatko responded I would really appreciate it if somebody would go farther than that and actually attend and make a statement. Vice Chairman Murphy asked do you know when on the agenda this is being taken up, so I could jump on and comment. I have my kids and I don't want to get stuck at a meeting for four hours. Mr. Newberry stated I was suggesting forwarding tonight's discussion, in addition to any Board members that can chime in, at the Wednesday hearing. Vice Chairman Murphy stated I would agree with Mr. Newberry. Councilor Duschatko stated I think you should do that also, but I think it would be much better if somebody can attend or more than one person can attend.

Ms. Hebert asked Councilor Duschatko, could you talk about the timeline for the adoption of the Charter amendments. They go on the Town Ballot, but do you have one or two public hearings. Minutes from tonight's meeting would not be available in time for Wednesday night's Town Council discussion. Town Manager Sawyer stated I can speak to the agenda on Wednesday night as the public hearings for the public and a warrant article that is being considered, and the third public hearing would be for this Charter amendment. It all depends on how long the budget discussions go as to what time this would be taken up. You can also send written comments to the Town Councilor's email address or to myself and I will make sure that the Town Council gets it.

Town Manager Sawyer stated in terms of the schedule, there is only one public hearing and that is this Wednesday night and the Town Council will vote after that, unless they choose to continue the public hearing to an additional date, but there is only one public hearing required and then if they so choose, they would move it to the ballot for voting in March.

Councilor Duschatko stated to answer your question directly Vice Chairman Murphy, it is Item 3 on the agenda and it depends if there is any lengthy discussion on the budget hearing in terms of time, and then there is just a very quick discussion on conservation funds after that. I don't think it would take up much time. I am guessing it would probably be ready around 7:20pm to 7:40pm. Vice Chairman Murphy stated I will jump on the meeting. Town Manager Sawyer stated I will send the link out to the Planning Board members tonight or tomorrow morning. Mr. Sullivan posted the link to the agenda itself, it doesn't have the Zoom information. We don't publicize that; we require people to contact us for it. I will make sure the Planning Board has it.

Chairman Levenstein asked if there were any members of the public that would like to speak on this item.

Susan Tufts-Moore, 27 Bedford Center Road, stated I would like also to say that I think it is extremely valuable and helpful to have those two Town professionals attend meetings as members of the Planning Board. I can't tell you how many times over the many years that I have been going to Planning Board meetings, that either the Town Manager or the Public Works Director provides very interesting, very helpful, and very informative background history that members of the Planning Board at the time, probably the majority of those members, were not aware of things that happened 10 or 30 or longer ago. I really think they are very valuable members of the Planning Board, and I would hate to see them be removed from the Planning Board.

IV. Approval of Minutes of Previous Meetings:

Amendments:

December 7, 2020 Minutes; Page 32, Town Manager Sawyer speaking, word 'can' is in the minutes twice and it should be 'can't' or 'cannot.' Page 35, Town Manager Sawyer speaking, 'Where the Planning Board would change convene a nine-member board,' the word 'convene' should be 'from.'

MOTION by Town Manager Sawyer that the November 23, 2020 Planning Board minutes be approved as presented, the December 7, 2020 Planning Board minutes be approved as amended, and the December 21, 2020 Planning Board minutes be approved as presented. Vice Chairman Murphy duly seconded the motion. On a roll call vote, the motion carried. Chairman Levenstein voted in favor of the December 7, 2020 Planning Board minutes and abstained from voting on the November 23, 2020 and December 21, 2020 Planning Board minutes.

V. Communications to the Board:

Ms. Hebert stated Mark Connors last day was last Thursday, and we are on the hunt for a new Assistant Planning Director. If you know anyone in the planning field who would be interested in applying, please send them in our direction.

VI. Reports of Committees: None

VIII. Adjournment:

MOTION by Vice Chairman Murphy to adjourn at 7:50 p.m. Mr. Newberry duly seconded the motion. On a unanimous roll call vote, the motion carried.

Respectfully submitted by
Valerie J. Emmons