

Town of Bedford Planning Board Minutes March 27, 2023

A meeting of the Bedford Planning Board was held on Monday, March 27, 2023, at the Bedford Meeting Room, 10 Meeting House Road, Bedford, NH. Present were Charlie Fairman (Chair), Chris Bandazian (Town Council Alternate), Chris Swiniarski (Alternate), Steve Clough, Matt Sullivan, Phil Greazzo (Town Council), Matt Nichols, (Secretary), Priscilla Malcolm, John Nelson (Alternate), Logan Johnson (Alternate), Becky Hebert (Planning Director) and Jillian Harris (Assistant Planning Director). Absent: Hal Newberry (Vice Chair).

I. Call to Order and Roll Call:

Chairman Fairman called the meeting to order at 7:00 p.m. and appointed Mr. John Nelson to vote in the absence of Vice Chair Hal Newberry. Ms. Harris reviewed the agenda and stated the new applications to be heard tonight have been reviewed by staff and it's our determination that the applications are complete. The abutters have been notified and it is the opinion of staff that the applications do not pose a regional impact. Staff would recommend that the Board accept the applications as complete.

II. Old Business & Continued Hearings: None

III. New Business:

- 1. South River Road Ventures, LLC (Applicant & Owner)** – Request for a time extension to meet the conditions of approval for a previously approved Site Plan, for a 41,486 SF electric car maintenance facility and dealership, located at South River Road and Technology Drive, Lot 35-3-1, Zoned PZ.
- 2. PBL Properties, LLC (Applicant & Owner)** – Request for a time extension to meet the conditions of approval for a previously approved Subdivision Plan, for a 10-lot Cluster Residential Subdivision, located at 72 New Boston Road and Roblin Road, Lot 1-44, Zoned RA.

IV. Concept Proposals and Other Business:

- 1. Munson and Associates, LLC (Applicant) and Encore Commercial (Owner)** – Request for a conceptual site plan review for a 5-story, 65-unit multi-family independent senior living residence (55+), located at 125 South River Road, Lot 12-33, Zoned PZ.

V. Approval of Minutes of Previous Meetings (February 13, 2023)

MOTION by Ms. Malcolm to accept the agenda as read. Mr. Nichols duly seconded the motion. Vote taken – all in favor. Unanimous. Motion carried.

III. New Business:

1. **South River Road Ventures, LLC (Applicant & Owner)** – Request for a time extension to meet the conditions of approval for a previously approved Site Plan, for a 41,486 SF electric car maintenance facility and dealership, located at South River Road and Technology Drive, Lot 35-3-1, Zoned PZ.

Mr. Elias Patoucheas presents: Good evening. Thank you. I'm here tonight to request a one-year extension as prepared by the Planning Board staff in the staff report of my Site Plan approval for the project stated here. Chair Fairman said OK. Any questions or comments from the Board?

Ms. Malcolm asked are there any changes from when we approved this before? Mr. Patoucheas replied no. We're not asking for any changes; just to approve an extension of what was approved.

Ms. Hebert stated I can just add that the land development control regulations requires that the conditions of approval be satisfied within a year of the Planning Board approval, and the plans be signed by the Planning Board and then that a building permit be applied for within a year of planned signature. You have completed all of your conditions of approval. We have signed plans on file in the Planning Office. But the request is to have an additional year to apply for the building permit to build the electric car dealership. Chair Fairman said there's no reason to this point to assume or believe that they're not going to go ahead with this is there? Mr. Patoucheas replied unsure at this point. But there's been a lot of time spent and effort and money spent to design and obtain the approvals, which I did last year, so that I'm just asking for the same period to just give me another year if you wouldn't mind. Mr. Clough asked can you just refresh my memory? Is there a battery storage containment facility there for lithium type batteries, car batteries? Do you know what I mean—fire type of thing? Mr. Patoucheas asked battery storage containment? Mr. Clough continued well, it's an electric car facility. And I assume you'll be storing batteries there. Mr. Patoucheas replied correct. Mr. Clough said normally, when you're storing hazardous materials, you have some type of a containment facility because some of these—I've even seen car batteries in single cars, they can't even put them out for a single Tesla fire. Mr. Patoucheas replied so my assumption is that would be part of the building permit application process that we would design as part of the building. So what we had approved here was a site plan. That's what we're asking. I'm asking for an extension on that. Mr. Cough replied all right. Chair Fairman said I don't remember any discussion on that, Mr. Clough. It's good point. Will you actually be storing batteries? Would you expect to have spare batteries stored there? Mr. Patoucheas replied well, part of this approval is a repair facility. So ultimately, I'm assuming yes. But again, the building the architecture—we don't have actual physical architectural designs yet. As we begin those and work with the building department for approval, sure, that'll be part of it. I mean, typically, yes, in these designs, they have special areas for storage of these batteries. Chair Fairman asked and hazardous waste? Mr. Patoucheas replied yes. Chair Fairman said thank you very much. What is the Board's pleasure? Are there any other comments or questions?

MOTION by Ms. Malcolm that the Board grant a one-time extension to provide an additional year for South River Road Ventures, LLC to apply for a Building Permit for the proposed 41,486 SF electric car maintenance facility and dealership at South River Road, Lot 35-3-1, Zoned PZ, in accordance with the following findings of fact:

- **The plans are found to be in compliance with the purpose and intent of the Bedford Land Development Control Regulations;**

- **The Board also includes all facts found in the meeting minutes for this application and incorporates all meeting minutes into this decision.**

This approval is granted with the following conditions:

1. All conditions of the April 18, 2022 Planning Board approval shall remain in full effect.
2. The Applicant shall obtain a building permit for the project by April 18, 2024.

Ms. Hebert stated quickly before the Board votes on the motion, we should open and close the public hearing just in case there are any comments from folks in the audience. Chair Fairman replied thank you Ms. Hebert. Are there any comments from the public before we move on the motion? There were none. Any other questions or comments on this time extension? There were none.

Mr. Nichols duly seconded the motion. Vote taken – all in favor. Unanimous. Motion carries.

Chair Fairman said thank you, Sir. Mr. Patoucheas replied thank you. Have a great night.

Chair Fairman said next item on the agenda is:

2. **PBL Properties, LLC (Applicant & Owner)** – Request for a time extension to meet the conditions of approval for a previously approved Subdivision Plan, for a 10-lot Cluster Residential Subdivision, located at 72 New Boston Road and Roblin Road, Lot 1-44, Zoned RA.

Mr. Earl Sandford presents: Good evening, Mr. Chairman, Members of the Board. My name is Earl Sandford of Sandford Surveying and Engineering here to present the request. I think you have a good summary in your report. Nothing has changed other than they've come up, working with the fire department, for a way of taking away the existing building there, and that's part of the delay. But there's been other factors, but I think the key thing is we're on target. Well, we're not on target because we'd be done by now, but we're still looking to get this shovel ready. That's my instructions, as soon as possible. And I think the staff report is well written and the conditions are 100 percent acceptable for my client for a one-year extension. Chair Fairman asked are there any questions from the Board on this time extension? There were none. Chair Fairman asked are there any questions from the public on this time extension? There were none.

MOTION by Ms. Malcolm that the Planning Board grant a one-year time extension to provide an additional year for PBL Properties, LLC to fulfill the conditions of approval for the proposed 10-lot residential cluster subdivision at New Boston Road and Roblin Road, Lot 1-44, Zoned RA, in accordance with the following findings of fact:

- **The plans are found to be in compliance with the purpose and intent of the Bedford Land Development Control Regulations;**
- **The Board also includes all facts found in the meeting minutes for this application and incorporates all meeting minutes into this decision.**

This approval is granted subject to the following conditions:

1. All conditions of the February 14, 2022 Planning Board approval shall remain in full effect.

Chair Fairman asked Ms. Hebert, do we need a condition on this one like we did in the other, that building permit will be issued by a certain date? Ms. Hebert replied no, because this is a subdivision, so it's a little different. We're working towards having the plans recorded. Chair Fairman said OK, thank you. Any discussion or questions on the motion? There were none.

Duly seconded by Mr. Nelson. Vote taken – all in favor. Unanimous. Motion carries.

Chair Fairman said thank you very much. Mr. Sanford replied thank you very much. I appreciate your time. Chair Fairman introduced the next item on the agenda.

IV. Concept Proposals and Other Business:

- 1. Munson and Associates, LLC (Applicant) and Encore Commercial (Owner)** – Request for a conceptual site plan review for a 5-story, 65-unit multi-family independent senior living residence (55+), located at 125 South River Road, Lot 12-33, Zoned PZ.

Mr. Eldon Munson presents: Good evening, ladies and gentlemen. My name is Eldon Munson, and I am the developer and agent for this proposed 65-unit multifamily residential program at Market and Main Lot J. I appreciate the time that you folks are granting to give us another consult on our proposal and also the time that folks entertained the other night when you came over to the site for a site visit. I think that was helpful on our part and hopefully on yours.

The first things I want to address are some specifics from our last consult. The project has been reorganized both legally and fiscally, and we now plan to pay full taxes to the Town of Bedford as part of our operation. So that issue that came up last time, we've reviewed, addressed, and we expect to pay the full range of taxes to the Town of Bedford. Secondly, the affordable housing component, which we realize is in the statute, we're asking to be waived in this case. The reason for that is that the cost of construction when applied to the cost of purchasing an apartment does not allow an individual after paying taxes, paying for utilities and other expenses, and paying a housing responsibility to the condominium group—the math doesn't work anymore. They cannot afford to pay out of the guideline allowances for income. There wouldn't be enough money for them to get a loan from a bank to pay for the housing. And should the Board agree to move forward, we're ready to provide complete analysis of that with the fiscal impact study that the Board has already mentioned as a requirement for this development. So, those are the two major changes that you'll hear about tonight.

Number 1. We'll pay full taxes. But we cannot at this time project that we could have an affordable component to the development. So you will see within the details of the architecture that Mister Humphries will go over in some detail, that there's somewhat of a difference in the apartments themselves. He will enumerate all of that. Bowman Gardens is anticipated to be an active adult community with significant support for persons who are completely independent, who will have an agenda of activity, perhaps of work. It will not be a licensed health community. It will not be affiliated with Bowman Place at Old Bedford. It will be completely independent. And, again, that partly has to do with its fiscal and financial identification. As a for-profit, we won't have it affiliated with the Bowman Place, not-for-profit any longer. There will be no legal or fiscal connection there.

We will have a significant program to support people who move into the community. We plan to have internally a work center for people who are still active and working in their lives, offering a conference

room, an enhanced Wi-Fi in a work environment outside their home for the people who would rather not work in their apartment but rather have a place to go on a daily basis to work. We will have game rooms, public areas for socialization and recreation, a pub or bar for relaxing. It will not be public; it will be private. And we will not provide or sell alcohol. That would be the individual resident's responsibility. There will be a kitchen area that could provide a place for catered food or organized meals to be brought in, but there will not be a full meal program as is provided in a senior living center. This is a center for people who are independent—either make their own meals or go out to eat rather than a meal program that they're responding to every day.

One of the unique features is a rooftop garden that we would plan to have tables and seating. Plus a garden that will be for flowers and vegetables. And we're discussing pickleball courts, which you'll see illustrated on the rooftop when Steve speaks of it. Outdoor features, in addition to the rooftop garden, will include of patio for seating, as well as connection with the walking trail along Bowman Creek. We are also augmenting the landscape outside so that the building will have an appearance that will be broken up to some degree by landscaping and plants and so forth. Sixty-five apartments, including a variety of one bedroom, one bedroom with a den, two-bedroom and two-bedroom with a den, which we feel will cover a broad expanse of peoples' wishes to live there. There will be underground units under the building to the extent that they're available and then we'll have above ground parking for the remainder of the requirements for the residents. Staffing the building will include a management staff, maintenance, housekeeping and ground keeping. I think that covers my introductory remarks. If you have any questions for me, I would be glad to answer. In the meantime, then I'll introduce Steve to talk about architecture.

Chair Fairman asked are there any questions from the Board right this moment? Ms. Malcolm asked can you talk a little about the underground parking? You're not going to have the required number of spaces for underground parking. I also want to know how much space you're allowing per parking space. If everybody has an SUV and they're parking underground, are we going to fit everybody in and out? Mr. Munson replied, if you wouldn't mind, ma'am, I'd like to defer that to Steve when it's his turn. He's the architect and better able to discuss. But we do plan 29 places underground, and we believe those are standard size spaces which will fit an SUV or a sedan.

Mr. Stephen Humphreys of EGA Architects and Mr. Bob Duval of TFMoran present: Good evening. My name is Stephen Humphreys. I'm from EGA Architects. To answer the question about the underground parking, they actually oversized the spaces a little bit. Generally, they're 10 foot wide by 18 or 19 feet deep if I remember correctly. The reason is you usually have structure down there, columns, so you can make sure you can make the turning radius and open your doors, to get into the space. If that makes sense.

Mr. Munson said if there are no other questions for me with the introduction, I'd like to let Bob, who I think you know about... Ms. Johnson said I have a question. You said that the affordable piece doesn't work with the financing. I am wondering if you ran the numbers with like Invest NH money, or if you pursued any low-income housing tax credits or anything like that, or if it was just a straight... Mr. Munson replied they didn't include those to be very brief, and we hadn't planned on any government or relief other than private pay with attention to keeping costs as low as possible. We still have that as a goal, but the construction is quite expensive as anticipated. No, we didn't look at any of those programs yet. Ms. Johnson said OK, thank you. Chair Fairman said we'll probably get more into the affordable part of it later. I am kind of disturbed by your analysis, because that there can no longer be affordable housing because the cost is too high to build it and the rent, and that's exactly what you said and that kind of is a disturbing

trend that nobody can afford to build workforce housing. But we'll get into that more, I think, as we get into the evening.

Mr. Munson replied OK. But I appreciate the comments, Sir. Chair Fairman said thank you.

Mr. Humphreys said good evening, again. My name is Stephen Humphreys from EGA Architects. I do want to talk about the building and some of the changes that we've made since the last hearing in December. I think before I do that, I just want to talk a little bit about how the building is sited and how it relates to what we have already installed. The building is roughly the same shape as we submitted in December. The location of the building is really contingent upon—there's an easement to the north and west of the building for the sewer—and there is installed a detention system kind of to the south and east of this site. We have maintained the same roadway system that goes around the building as the previous hotel had been planned, and this has been run past the fire department so we can make the turning radiuses. It also keeps the landscape and around the buffer zone at the property line generally the same, which is good. Entry to the building comes through Upjohn Street, so you come in off Route 3 and you enter to the lower, what's called left-hand of the building, and you drive under the building 2 story space. There is parking around the building. There's parking on the north side. There are about 9 spaces there and two additional further up, and then there's 13 spaces on what's called the off-ramp side, where 293 is. To get to the remainder of the parking, there's an internal parking ramp inside the building to get to the garage below that has 29 parking spaces. The service area is in the lower northeast corner of the southeast corner of the site where there will be a dumpster and service can access into the building.

So we'll talk a little about the floor plans here. If you're looking at this slide, the parking levels is on the lower left just for reference. Also on the left side, that would be Upjohn Street. So, to access the parking garage, because of the utilities are installed around the site, the ramp is internal into the building which drops down and then you get into the garage, and there are 29 spaces. There's a stair at each end for egress, and the red spaces in the middle are the two elevators to get to the remainder of the building, and there's a small elevator lobby. The remainder of the space is filled out with service and mechanical uses typical for this type of building. If you go up to the middle floor plan, that is the ground floor, which is where you would enter. For reference, again, Upjohn Street is to the left of the plan. You would enter through the covered entry and walk through the vestibule and you come into the common spaces that Eldon mentioned. If you walk straight through, there will be the Commons, which would have the bar and the cafe, a large multi-purpose dine-in room towards the back that goes out to the patio. To the right of that, in the gray would be the small service kitchen, and again this is not going to provide three meals a day. This is going to be for functions and if somebody just wants to grab a quick meal, but it is not a full meal plan. The other green spaces for the Commons will contain a conference room and work areas, activities room typical for this type of project. The space that's in orange is the administration area. And then if you go to the north of the plan, the remainder is apartments. We've got a mix of 1 bedroom and 2 bedrooms on this floor. All would have access to the outside through a patio.

Going up a level to level 2, again, to get through the building vertically, there's two elevators centrally located: those red Xs in the middle. If you come off the elevators, it brings you out to a lounge and another additional common space that can be used for the residents. Both directions—whether you go to the right on the plan or up in plan is filled out with apartments and they range from a 1 bedroom to about 630 square feet up to about 1,260.

The apartments we've got planned right now would have bays with three sides of glass to give you 180-degree views, and a small balcony for each apartment. And again, you've got egress stairs at each end of the building; those are in red.

On this sheet we've got three more levels—levels three and four, which is the plan to the far left on the sheet, is essentially the same as level 2. The only difference is I filled out an apartment over the two-story covered entry, so it's that apt Number 10 on the bottom left. But again, it's carrying the same theme that you had down on level 2. Elevators are in the middle. Level 5 is roughly the same as level 3 and 4. The only difference is when I get to elevations, you'll see this is we've gone to a 4 1/2 story scheme with the elevations. So, these apartments will be slightly different in fact that they'll have sloped roofs inside and in dormers for the windows, but generally they're the same. Going to the top floor, the roof plan, you'll see this is different from the last mission is we've now got a sloped roof on the building. The two stairs—the two red boxes on the ends of the building—get you up to the roof. There's also one elevator we're going to bring up to the roof, and there'll be a small elevator lobby at the top there. And then that gives you a large roof deck up there that will be gardens, and there's a pickleball court planned up there.

During the last hearing we had, there was some comments from the Board, some good feedback, and we tried to address them here. Some of the comments were—obviously the scale of the building is 5 stories. There was a comment about it could use more detail and you wanted to see more views of the building. So we've kind of gone back to the drawing board and taken a stab at addressing these. The major difference between this time and last time is, again, we've gone from a straight five-story appearance of the building to a 4 1/2 story where we've used dormers and gable ends and sloped roofs to reduce the vertical scale of the building and at the same time add interest: lots of detail and gable ends. The materials of the building on the lowest level, we've kind of divided the building into bands. So, the lowest level is going to be a stone band, a durable surface, something to tie it in with the retail development that's across the street. It will have glass door fronts to match that. As you get to the middle part of the building, let's say stories 2-3 and half of four, you have a tan field which would be fiber cement siding, more of a residential appearance than a commercial appearance to the building. As you get up to the top floor again and go back to the dormers and the slope roof, gable ends and really the thought here is to provide a more residential looking building to differentiate it from the commercial development and retail spaces that are adjacent. But we'll still tie it in with the colors of the building and the way the windows are treated and try to have a connection to that. I'm just going to go over the views quickly. The view Number 1 on the top left is if you're standing at the Italian grill and looking across the street, this would be view looking across Upjohn Street into the main entry, which is the arched opening two stories. View Number 2 in the bottom left is if you're driving into the site from Upjohn Street on Route 3. To give you a reference, the Kindercare is on the right, which is the red brick building or the red building with the dark roof. Ours is behind that.

Chair Fairman asked while you're on that picture, how many years from now is that picture correct? Because obviously those trees—you're not going to plant them that size, are you? Mr. Humphreys replied they'll be whatever the landscape plant is. Chairman Fairman said pretty deceptive picture. Mr. Clough said we hope it looks like that. Mr. Humphreys said OK. Let's go to view Number 3. This view is from Route 3. I do have to defend myself a little bit. These photos are a mix of Google Earth, which is what's existing. So some of the trees are real. The other part is the file that we create, which is our building and then the last part is the file that we get from the other architects that put the plan together. So we try to get the best representation we can. Mr. Duval said and to your comment, Mr. Chairman, the trees around Carrabba's are existing. Those are the ones on the left on the preceding picture. Chair Fairman said the one without leaves on it is the existing tree. That's a long way away. Mr. Humphreys replied right. Mr.

Humphreys said no, that's real. Chair Fairman asked it's there now? Ms. Hebert affirmed; it is there now. Chair Fairman said oh, ok. It's just the ones in front of the building that are... Mr. Duval said yes, the ones in front of the building on the previous view. View Number 2—these would be new trees. These here. And these are existing, mature trees. Chair Fairman asked all the way along Upjohn? Mr. Humphreys replied yes. Chair Fairman said thank you. I didn't mean to interrupt your presentation. Mr. Humphreys said that's fine. It was a good question.

The last two views I have are a view from the 293 off ramp, which shows you the other side of the building. And again, we've taken the existing landscaping plans that were originally submitted and tried to fill in with the red maples that they had on their plans. What was the other trees they had? I'm not a landscape architect. We made our best effort to make the landscaping complementary to what the building has. And then the final view on the right is a little bit further back on 293, which captures the Market and Main barn and how our building relates to that with the trying to pick up on the gable forms that are happening in the barn.

Chair Fairman asked the building that's labeled "Trust" there in that picture, there's no building in Mark and Main of that size. If you look at that picture, the building labeled with Trust almost looks like it's a four-story building, and there's nothing in Market and Main that's that tall, I believe, that's been approved. That doesn't mean they can't come back. It's not under construction yet, so they may come back and get some changes.

Mr. Duval said this building here that at the cursor is on, that's currently a one-story restaurant. The one behind it is has always been a two-story building—currently it's a combination of restaurants and retail. So I think you're looking beyond this one at this one in that previous view. So I'll go back. Chair Fairman said the tallest building at Market and Main is two-story, I believe, and I just don't want these artist's conceptions to indicate we have taller buildings—anything close to the size of the apartment building you're putting in—because there is nothing close to it. The pictures look like it's pretty close. When you come back for the final, if you do, let's make sure that all graphics indicate appropriate size. And I understand that maybe that Trust building is closer to the front, so it's bigger than certainly the barn, but let's make sure it's correct. Mr. Duval replied we will certainly make sure that the model is correct, but these are actually built from a 3D model.

Mr. Nelson said but I think, Mr. Chairman, if I might just back up what you're saying, if I look at this, when I look at the size and scope, the proposed entity building will by far overwhelm everything else that we're talking about here. I don't think we're properly appreciating the size and scope compared to the surrounding. It will become the defining building for the space. And this here, this is completely off from a proportional sense, I believe, in properly conveying what Mr. Chairman is talking about. And I think we do need to have a good sense of that to understand because a lot of things that are being asked are relative to waivers of size and scope.

Chair Fairman added yes, the overall size of this building is, as I said in the last meeting, just overwhelming in my opinion. It's pretty massive. So, let's make sure that the final pictures and drawings and architect's conceptions reflect that this building is 3 1/2 stories higher than any other building other than the office building, which hasn't been approved, is probably going to be a three-story, I suppose.

Mr. Humphreys replied we can certainly check it. I think I'm done, unless there are any questions.

Mr. Bandazian asked for the mass of this building, how does this compare with the Building J hotel that was originally in the program? Mr. Humphreys replied the hotel was four stories, just going off top of my head. It was four stories. I don't remember the square footage. It was roughly the same footprint without the little ell bump out at the bottom, if that makes sense. Mr. Bandazian asked so, roughly the same height? Mr. Humphreys replied I don't know what the hotel height was. Mr. Bandazian continued four versus four and a half? Mr. Humphreys replied it was a story shorter. Ms. Hebert clarified a story shorter. Chair Fairman stated it was really a story and a half shorter. Mr. Bandazian asked how many rooms were in the hotel? Ms. Hebert answered 125. Mr. Bandazian asked, and this is 65? Ms. Hebert replied 65 units. Mr. Bandazian continued, and so parking spaces that would have been necessary for the hotel, as approved? Mr. Duval replied the parking, of course it's all done by shared parking. So to look at something in isolation is a little misleading. But the regulation for a hotel is one per room, plus one per employee, as I recall. So that would have been roughly 130 demand, and this is 1.25 per room, which is 82. Mr. Humphreys confirmed 82 is required. Mr. Duval said more importantly, with the shared parking analysis which we've completed, of course, it hasn't been submitted in the review, shows that 753 total spaces for the site with this as part of the site, and 761 provided after this is built and occupying the spaces under.

Mr. Bandazian asked and again, comparing the hotel as approved with this apartment building, how about demand on water and sewer infrastructure? Mr. Duval said it would be less for a... Mr. Bandazian continued even though people are there 24 hours, arguably cooking, cleaning, all that? Mr. Duval said yes. Per occupant water demand, typical water demand of a hotel is about the same as a per occupant water demand of a residential unit. Mr. Bandazian said thank you.

Chairman Fairman asked does your analysis conclude 2 two cars per unit? Mr. Duval said the requirement is 1.25. Chair Fairman asked even though you've got several two-bedroom apartments? Mr. Duval said there are two metrics. One is about 1.3 for multifamily that's in common use, not just in Bedford, but everywhere these days. But that's right, that doesn't take into account the number of three bedrooms versus studios. So another metric is 1 per bedroom, that's in common use. And that's probably the more accurate metric than per unit. Chair Fairman said I know you'll get into that parking analysis at the final, but I think it certainly continues to be a concern in this development. Are there any other questions or comments from Board?

Ms. Malcolm asked would you please clarify, again, the commercial building that is in front of or adjacent to this building is going to be 2 stories high? Because this picture—all of your pictures I find misleading. I would like to see that two-story building next to this five-plus-story building. That's a very misleading picture.

Mr. Duval answered well, the model is correct, dimensionally correct. But when you take a picture of anything, it's not just a question of the model being correct, it's also the camera lens. So, if you're using a fisheye lens so you can see more and you're not just focusing on too small of an area... Ms. Malcolm said I understand that you have used a photograph to make your building look smaller in relation to the buildings adjacent to it, and that concerns me. That's a massive building. Mr. Duval replied well, other renderings can be prepared with sort of a standard 50-millimeter lens that would give a more true-to-eye representation.

Chairman Fairman said I think the point here, gentlemen, is that the size of this building is a concern, obviously. It needs to be appropriately shown with the buildings around it so that we can get a better feel for how it's going to relate to Market and Main buildings, the school next to it, Carrabba's, and all the

other buildings because we all know it's big. And we'll get into talking about the waivers in a bit, probably. But let's make sure we present something that's not all deceptive in your architectural renderings.

Mr. Sullivan said Mr. Chairman, there's a comment in the staff memo where it says the Fire Department has expressed concerns that senior housing developments place a higher demand on the ambulance service, and the Department does not have the adequate facilities. I'm also concerned about the height of the building compared to the ladder capacity that the fire department has. Ms. Hebert, do you have any more specifics around what the Fire Department has expressed?

Ms. Hebert replied the Fire Department was fortunate in purchasing a new ladder truck, but the 60-foot height does correlate to the ability for the ladder to reach the maximum height of the building. I would need to follow up with the Fire Department on the ladder and the building height, but the building height wasn't one of their specific concerns. It was with the Chandler building because the Town did not have a modern ladder truck, but we were able to purchase a new ladder truck a few years ago, as part of a CIP program.

Chair Fairman said it's my understanding that our ladder truck that's on order is adequate for anything. But now this one is over our zoning, so it may be we need to check on that because it may be that my understanding is adequate as long as we stick to the height of our zoning. So, we need to double check on that certainly. Mr. Sullivan added but it's also the aspect that these types of communities tend to have an over indexed exertion on our especially first responder capacity with hospital or ambulance responses. So that's the other thing we have to consider, especially with the 55-plus community.

Chair Fairman said Ms. Hebert, it might be interesting to get stats, compare this to Maple Ridge ambulance response. Because I think it's a very similar facility hitting the same target group as Maple Ridge. I think the EMT and ambulance responses for many of the senior citizens groups are different than this and Maple Ridge. These are more active communities and active seniors. So I think if we can get that comparison, it might be interesting. Mr. Sullivan said I will say that from the previous presentation of the community when it was a nonprofit, for example, I was told that at that point, at least one elevator would be incapacity for gurneys or emergency facilities at that point. Would that still be the same in this case? Mr. Humphreys affirmed that's still the same, yes. Mr. Sullivan said thank you. Mr. Humphreys continued, and just to be clear, the only part that goes over the building height are the two stairs. They go to the roof, and those are required by fire code and the elevator. The remainder of the building is below the height. Ms. Hebert said so the waiver is for those elevator towers that would project above the roof. The maximum height in the PZ is 60 feet that would be allowed, which is generally a five-story building. Chandler is a five- to four-story building, so that's probably our closest comparison. The height of the Chandler is about 58 feet, if you're looking for something that would be comparable. But size and scale are always part of the Board's conversation. And any feedback you can give the applicant on the size and scale of the building will help as they move towards more detailed designs.

Mr. Bandazian said I have a suggestion because there are humans in the foreground that seemingly in the foreground of a building that is maybe six humans in height, and so for frame of reference, if you in your next presentation, position to-scale humans next to your buildings. Because I think that's part of what contributes to a massive look of this building. It looks just from the scale of the people, unless they're very short people. Chair Fairman said that picture right there shows how massive the building is. I mean, it really is. Wow, it's amazing how big it is. Mr. Nelson said that gives a true sense of the size and scale.

Chairman Fairman said I have a question relative to loading and unloading. People going to be moving furniture in and out. You don't have any place for trucks to park, no loading dock. My concern is, obviously, that somebody moving in is going to have to have their truck parked on Upjohn Street perhaps to get at the front entrance. Or, I think in the final presentation, you need to show a plan for not just the loading and unloading of furniture, but for overall delivery of things into the facility because you don't have anything. Also, I don't know that you show where a dumpster would be. You mentioned at least maybe that's way in the back corner there? I see it now, I think. Mr. Humphreys said yes, it's in the back, right corner where the service drive is. Chair Fairman said I see where the dumpster is. Mr. Duval said, and the loading zone would be at the bottom of the picture. It would occupy one of the lanes, and vehicles would just go around it when it's there. So, it wouldn't have to be obstructing Upjohn. And this is a circular drive all around the building, so if there's a truck here, there's still full access all the way. Chair Fairman asked and is it a one-way road? Mr. Humphreys said no, it's two-way. Chair Fairman continued so, if a truck parked there, vehicles could get by? Mr. Duval replied right. A vehicle can get around it, plus there's unobstructed access out to the other side. Chair Fairman asked and the elevators are large enough for large furniture, pianos, and anything that people will be moving in?

Mr. Clough said so I see the e-mail please register opposition to this newly proposed 65-unit apartment complex from 1,300 members from the Bedford Residents' Association. Ms. Hebert, did we get emails either for or against other than this? Ms. Hebert replied we did not. Ms. Johnson said I think this e-mail also lists the Union Leader's website, which had inaccurate information in it. It had information from the previous submittal, I believe, which was saying it was a nonprofit still so, it wasn't paying full taxes and everything. So, I don't know if they had all of the most accurate information. And then I also just wanted to comment, I believe with multifamily, you're required to have a fully sprinkled building as well. So that really cuts down on fire.

Mr. Humphreys replied yes, the building will be fully sprinkled, fire alarm system. Because of the height, it will actually be noncombustible construction required by code, so it won't be wood framed. Its steel framed. Ms. Johnson asked steel framed all the way up? Mr. Humphreys replied yes. Ms. Johnson continued and then I had a question. It seems like all of the roofs are not really compatible for any kind of solar or anything like that, but there's no plan to do any solar on the roof. Mr. Humphreys answered no plans yet. There is a flat section in the middle of the roof that could be utilized for that between the two roof peaks, north of the pickle ball court. Ms. Johnson said OK. And your mechanicals, what are you doing for mechanicals? Mr. Humphreys replied we haven't gotten there yet. Ms. Johnson said OK. That can also eat up a lot of the roof. And then I have a question about the first floor. With the rest of the site plan for everything commercial, when I looked at the first floor, it kind of has that commercial feel from the outside. And I just want to make sure that... can anybody come off the street and be like oh, this is a commercial building. Can I walk into this building? Or is it going to be like access? Mr. Humphreys replied it's for the residents. Ms. Johnson said OK. Because just it has that feel of a commercial building on the first floor. Maybe it's hard to see because it's further out, the big windows and that kind of thing where you're like, what is in this building? I guess it's more in the commenting piece. Mr. Duval said I imagine some identifying signage, Bowmans, residential. Mr. Humphreys said yes. Mr. Sullivan said to piggyback on that, is there an expectation that the front doors will be key coded, or card coded to an extent that not anybody can just walk in the street into the lobby, or will there be a gated, secured foyer? Mr. Humphreys replied I'll let Eldon answer this, but typically what happens is if there's a vestibule, the front door is always unlocked and you can get into the vestibule and the second door is locked, so you have to call. But I imagine during normal operating hours, those would both be open and there would be somebody at the desk.

Mr. Nichols said Mr. Chairman, I wanted to ask a little bit more about the affordable housing part of it. That will be one of the key waivers here, right? And I'm just trying to understand why, like on what basis we would approve, right? I mean it's a state regulation, and I haven't seen a good, compelling reason why. And so I'm really just trying to grasp what the basis would be and what other levers are available that could be looked at. You mentioned some other programs or something like that, right? Or is the answer just the current state regulation is not workable? So I'm really just curious about that, and I'm just trying to understand more about that piece. It doesn't have to be now, but going into the application, that would be really something I'm interested in. Chairman Fairman said yes, I agree with Mr. Nelson. I think we're definitely going to need strong rationale as to why we can't have some percent of workforce housing. Maybe not the full 25 percent, but a significant percent. And if you haven't searched long and hard for financial grants or financial offsets for affordable housing, workforce housing, then you haven't done your job to come in here and look at this. I think that's going to be a key waiver. Another key waiver to me is the height. I don't know if it was a year ago or two years ago, we set that height restriction in our zoning, and I think we had a lot of discussion at the time what it should be and why. At this point, this is the first proposal we've had to have a waiver on the height. I think it's going to be a very difficult one because of our discussions and so on, to waive that one. You need to take a look at that. And with that, looking at the overall massiveness of the building. That's got to be looked at. I just marvel. Are there any other comments from the Board?

Mr. Nelson said the height actually reminded me—so, is what we're looking at, the gables and the peaks—that's actually 60 feet? That 68 is the towers in the middle. Did I get that right? Mr. Humphreys replied yes, the 68 is just the stair towers and the elevator. The peak of the roof, the gables and the ridge lines are below the 60. Mr. Nelson continued so, basically because you want roof access, that's why we need to go to 68? Is that more or less? Mr. Humphreys answered yes, even if we didn't have a roof garden, I still have to bring one stair to the roof per code. Mr. Nelson said OK, thanks.

Chair Fairman opened up the meeting to the public for comments.

PUBLIC COMMENT:

My name is Paul Harrington. I work with Sullivan Construction as a director of business and development. I've been working with Eldon through this process getting this developed. At this time, I'd like to thank Ms. Hebert for organizing the walkthrough that we had. I thought it was very helpful for the Board looking at J Lot is what you see is what you got—which is nothing but dirt and weeds. And putting a structure like this, I understand, I'm not going to get into the weeds of that because I've got the professionals here. I'm not the professional. But I thought it was a good indication that the people came, and we did have some public. It was open to the public, and there were some public people there also that gave their interest. What was frustrating for me, being on the Planning Board in Bedford many years ago, I never liked to see a developer put something in the paper, in the Union Leader. And I was so upset. Poor Ms. Hebert. I felt bad for her cause I was calling on the 14th of March. That's when we had that big storm, and we had a lot of power outages. And I opened up the Union Leader and I see our building on the first page. It can't be on the 19th page for the old bids. But no, it's right on the first page, and I'm saying oh, because we just got working with Rick and also with Ms. Hebert and saying we are going to go full, we are going to pay one hundred percent on the taxes and everything else. And then all of a sudden, I see this thing. So that really blew my mind because I said, did the Union Leader check with Ms. Hebert to find out if everything was right? Because everything on there was basically wrong. Because they had us as the first go around with us just doing the basic fire and police and that's it. So I was really concerned with that. So, finally, Ms. Hebert had her house—there was no power, so she was working remote—and then she finally came,

said Paul, I understand. I'm sorry, this journalist from the Union Leader just puts anything in. I said, well, yeah, that's not right. And she said, I know. I'm going to take care of it. So, I was a little upset at that because I didn't want you people thinking that we have a slam dunk here, which we don't have a slam dunk here. We've got to work for what we want to propose. And I remember, Mr. Chairman, that your comment to us, too, was you got a lot of things to do on the exterior of the building. And so we regrouped on that, and I got Mr. Humphreys and Mr. Munson, and I and we feel with the gables and—the size is there. That's something that we're looking at, but it looks like something Bedford people would like. I have lived in Bedford 26 years. I would like something like that than a square box going up even four stories. Give it some little bit of excitement to see this Market and Main project with something like this. This is my opinion, no one else's, but we thought we did a pretty good job to at least get with your comment, Mr. Chairman of the exterior of our first go around here. So, other than that, I would like to see this building be approved. I think the Bedford people—In fact with that crazy paper, I did get a lot of—because I've got four sons that live in Bedford with their children, and I've got a daughter that's a schoolteacher at McKelvey School, 6th grade, special needs. And when I got my calls from my sons, they said, I thought you told me you were going to do full taxes. And I said, well, don't read everything you do in the Union Leader, because it's not right. So anyways, I got about four or five different calls of that because I did tell people in Bedford that, yes, we are going to do full taxes. That was the echo we heard from the Planning Department and also with Bedford neighbors. So we got through that, but there were some comments about the they liked this shape of the building, they liked the gables, and they thought it was kind of appealing to go up the ramp and see that. So, I just wanted to bring that to your attention. Chairman Fairman replied thank you, Sir. Let me just comment. I do appreciate how much you've listened to us the last time on a whole bunch of things. You went back with what the Board said and reacted to it very positively. And I think the article in the newspaper was very unfortunate. I was upset also when I read it. Mr. Harrington replied thank you. I figured you would be. Chair Fairman continued although I think the building is very massive in size, I think it is a relatively attractive building. I think you have done a good job architecturally making it attractive. But it is just so big, and it's going to be very hard to swallow that size of it. Thank you, Sir. Mr. Harrington said OK, thank you.

Chair Fairman asked are there any other comments from the public? And frankly, I'm surprised with that article in the paper, we didn't have a number of people here to comment about it. I thought there would be. There were no other comments from the public. Chair Fairman closed the public hearing and asked is there anything else from the Board this evening? Ms. Hebert suggested the Board might want to consider looking at a smaller version of this development, is 65 the maximum number of units that you need? Or could you look at fewer units? Is there a way to do a four- to five-story building? Just some thoughts and something to consider. Chair Fairman said a four-story building instead of the five certainly might make all the difference in the world. I don't know for sure, but in my view.

Mr. Nelson said I think the positives we've talked about are good in terms of some changes to the structure in the building. It's just that from a negative standpoint, we talked about what are the most critical waivers and for me it's just the fact the number of waivers. We've got several areas of height and parking and affordable units. There are just multiple things that that it starts to add up. And I think as we look and continue to move it forward, any way you can narrow down the number of those things to make it something that conforms to within, would exist as a positive. Chair Fairman said you might want to consider some of the parking that's on the backside of the building, making that covered parking. So at least you had one covered place for every unit? Mr. Humphreys replied I did look at that. The caveat is we have a detention system that's already installed back there. So I can't get anything for foundations into the ground because that parking is right over the detention system? Chair Fairman said there are ways around that though. It's just little more expensive, perhaps, but there are ways of supports, long

beams that would support the cover. And I'm not talking about full garages. I'm talking about just a cover. The requirement is not for a garage, it is with covered parking, I believe. And so I think that's something to consider. Is there any place you can do that. And that probably when you do that, maybe it makes the shared parking analysis is more difficult, does it? Mr. Duval replied, on that thought, the shared parking analysis requires that all parking on the site be open to all users on the site, so anybody who's there for any legitimate purpose can park anywhere on the site. And actually, there's already about 75 covered spaces at the Trader Joe's lower-level garage. So, since the requirement is for a certain number of covered spaces, some are on site, and some are a couple 100 feet away from the site. So, an argument can be made that that waiver is satisfied on the site. Mr. Clough said that's a shell game. Ms. Malcolm said it doesn't satisfy me. Chair Fairman said I just think if you're looking at paying the price for one of these units, you're going to want to have a place that you know you can park and have it a covered parking space. I can't imagine that the price these units are going to be, that people are going to really not want to have a dedicated parking place and that's going to be very difficult. I know we went through that with the apartment building before the big one is how do you have dedicated parking spots for the people in the apartments so that they've got a place they know they can park when the movie theater was open. And there was no good answer for it because it's all the shared parking. But I think there are some ways to handle that. Anything else from the Board?

Ms. Johnson said I think for me the affordable piece is important, just showing that you did the due diligence. That you did look at the numbers for that, and with different types of grants and whatever is available. It's hard, and it's not always guaranteed. There is an application process for a lot of those things, but just the due diligence that you even looked at it would be good information.

Chairman Fairman asked are there any further questions from you folks? Have you gotten enough feedback from us? Mr. Duval replied these aren't questions, really, but comments in regard to some of the comments that the Board has made for us. Number one, we just talked about the covered parking, and a case can be made that if you really feel strongly about having a car covered, you can park at night in the Trader Joe's garage. You probably won't have much competition, and that would provide that additional coverage. Also, I don't think Chandler has covered parking. Of course that's not elderly. Chair Fairman said and I suspect during a snowstorm that some people might do that. They might park over at Trader Joe's in the garage. Mr. Duval replied I think they would. And the height, again, I think that the building does comply with the height as defined as the lowest horizontal member of the structure. The little elevator penthouse or stair penthouse, I'm not sure, qualifies as lowest structural member of the building. So that's a question for the building inspector. But we may already comply with that. Chair Fairman said you're the ones that said a waiver was needed; I believe. Mr. Duval replied yes, well, I guess to be safe, but in the final analysis when we make the submission for site plan and we do everything we can to try to comply at the end of the day, we tried to meet the waivers as much as we can, but to the extent that we don't need a waiver, so much the better for all of us. Chair Fairman said we do think a fiscal analysis will be important, and we'll look forward if you can get that to us not just right before the meeting, it would be good if that that would come somewhat before then. Yes, Sir?

Mr. Harrington had another comment. I just I forgot, but I'd just like to make one more comment. Tom Sullivan was there. So the people that were there, we invited him to go to REI, go through the structure. It's a shell right now, but I thought they enjoyed that. And I had a good conversation with Miss Logan. I think she's on your Board. I had to ask her because she came up with some great construction comments. So, I asked Miss Logan, I said what do you do? And she said, Well, I'm an engineer. I said, well, OK, that answers that. So I said fine. At that time, I turned it over to Tom Hunt and to our super, which was Ken

to answer some of the questions she had. Because she had some very technical questions. I was impressed with that, and I just wanted to let you know that.

Ms. Malcolm said excuse me, Mr. Chair, can you clarify this fiscal analysis is going to be for workforce housing or affordable housing, is that correct? And also for having this building four stories instead of five? Chair Fairman answered it's for whatever they're proposing to the Town, but I would expect to see in that an analysis of why workforce housing doesn't work. Ms. Hebert replied the fiscal impact analysis will look at municipal services and is there a positive revenue to the Town or what is the cost on the taxpayers as a result of the construction of this project. A pro forma would be helpful for reviewing the analysis for workforce versus no workforce units. And that's what we've seen in the past when developers have asked for leniency on that percentage of workforce units, or do we eliminate them altogether. Chair Fairman said with all of the waivers, they need to convince us why the waiver is legitimate, and why it's the right thing to do, and that's including workforce housing, the height—every one of them—as to why the waiver is something we should approve. It's not up to us to prove the waiver should not be done. It's up to them to prove to us why the waiver is right. Ms. Hebert added, and it's wrapped into the use waiver for the elderly housing or senior housing. It's not an allowed use in the Performance Zone, so the applicants are asking for a waiver to allow that type of use at this site.

Ms. Johnson said I'm sorry. One more question. I think this is for Ms. Hebert. The taxes that would be generated from this property, I assume some go to the school and some go to—is there a way to have it more so that the taxes go towards the emergency, the fire, the things that the building is going to be using. Or is it just a general? Ms. Hebert replied it's a general. Chair Fairman said the fiscal analysis will go through both taxes and impact fees. They both have to pay two types of impact fees. It's all included in the fiscal analysis. Ms. Johnson replied thank you. Mr. Nichols said one more comment. Sorry, I know you heard there was some murmuring about the Trader Joe's and the shared parking. I mean, if that's up to us to judge, me personally, I think that's a creative solution to it and there might be some consumer impact where people don't want to, but that's not for me to judge. I think it's a creative solution to get it done. Just wanted to say that.

Chair Fairman said OK, long as you don't have any other questions or comments. Mr. Duval asked is the sense of this Board that we provide this additional information which of course would be part of the site plan application. And we're ready to come before the Board for that? Are we understanding that? Or are you saying we really need to come back for another conceptual, hash this out? Or can we just answer these things in the course of the site plan application? Chair Fairman replied I don't know that there's any particular reason for conceptual unless you're going to decide to not do some of the waivers and change the architecture to eliminate a couple of the waivers, which I think would be a good idea. But I don't see any particular reason—but let me just say as I said and as you all know—you've got to convince us why these waivers are both necessary and correct and right. Right for the Town. Right for the area. I'm a little surprised, frankly, that Market and Main is letting you do this big building, because it's going to so overwhelm the retail part of the place. But that's up to them. That's not me because it really is going to overwhelm the site. Ms. Hebert said Mr. Chair, you might want to poll the Board members just a straw poll to see if folks would like another concept review to talk about more of these questions? Or if they feel like the project's ready to go to full site plan application because the applicant will be investing a lot of consultant time and engineering into a full site plan application. And if you think there's more discussion that should happen at the conceptual level, that would be helpful to know now.

Mr. Clough said yes, we don't want to put the cart before the horse. Chair Fairman answered I think one reason why the conceptual meeting might be good is to see if we get more public to come. I'm very

surprised that there isn't public here for this meeting to voice their views on it. We only got the one e-mail. So, that might be a reason for doing another conceptual, but it's somewhat up to you folks. Mr. Clough said some of the people I talked to, they were surprised that it was this meeting and not the April meeting. They thought it was the April meeting that there was going to be the conceptual design. So I think there might be a miscommunication. I don't know where it went, but I agree with you, Charlie. I think I'd rather see another conceptual design review and where's the public? Mr. Sullivan said Mr. Chairman, I'll say that this scale of a project seems to turn the property from a mixed-use commercial into a mixed-use residential with some commercial aspect of it, which to me is always the antithesis of what's always been provided to us in every step of the way since the original Market and Main piece. So it's like when it was a hotel, great. But now it's this scale of an apartment building. I start to question, is this the best use? Is this what we were positioned from the original Market and Main? I would like to see another conceptual meeting where it's scaled down a bit because you've talked about the scale of how it looks from the road, how it looks from 293, how it is in comparison to the other buildings. And while I'm not opposed to an apartment complex in here of 55 plus or affordable housing, it's just this big building compared to everything else gets a little overwhelming to what this development was originally propositioned as. Mr. Clough said I agree.

Ms. Johnson said Mr. Chair, I have one more question. Was there a traffic study done for this with the residential piece? Mr. Duval replied yes, there's been a traffic study done, of course for the last approval. And then we took another look at the traffic that would be generated by this piece, replacing the hotel and ran those numbers and it was essentially a wash. It was maybe as I recall, a dozen or so more trips during one of the peak hours, but essentially a wash given the overall totals of traffic coming in and out. Chair Fairman said but you'd go through that in detail of the traffic study. Mr. Duval replied yes, as part of the site plan application that would be submitted that would go to the Town.

Chair Fairman said one thing you haven't talked at all about is signage and we would like to see maybe if another concept would include a little bit about signage. I don't know, and it's going to be blended in with the overall Market and Main signage plan, which we're expecting them to come back on some stuff there, I would think. Mr. Duval said, and they will be. Mr. Nelson said Mr. Chairman, the only thing I would add to the discussion is if the applicants are not planning to significantly change the concept based on maybe the discussions or the feedback, then I don't know that there's a value to having another conceptual discussion, then you move to a full site plan application. If you're going to take the feedback and maybe fairly significantly modify the proposal of the concept, then I think it's very valuable to come back with another conceptual. We had a course change and things were incorporated and feedback was provided. But if after taking this feedback, the thought is that's good feedback and we're going to proceed ahead as we see, then there's maybe not a tremendous amount of value to having another conceptual discussion. At some point, you need to move the project forward and we have some serious discussions around the things that are being requested.

Mr. Swiniarski said Mr. Chairman, I had a couple questions or maybe clarifying comments. On the traffic study, would that include an internal traffic study on the site itself? I wasn't on the Board or present for the initial site plan approval and I don't know what the other traffic study covered, but it seems like that may be cause for concern in terms of how everything flows inside the development itself. And the second thing I would point out, while I agree with Mr. Nichols, it is creative to think of Trader Joe's as a possible shared parking situation, that's not 200 feet away. That's a minimum of 750 feet. Mr. Clough added that's a long way in the winder. Mr. Swiniarski continued so, for over 55 community, yes, a tough walk for any of us, I think. While it's a great idea and I do appreciate and understand that it's a conceptual idea, probably shooting from the hip, in my mind, looking at that number, it doesn't seem like a realistic

possibility. Chair Fairman replied the internal traffic, there's always been a concern. I know the traffic study doesn't say a lot about that, but from the hotel, I suspect the traffic study will show that a lot of the traffic will come out Upjohn and turn right to go toward Manchester. I don't know if that's realistic, but I'm guessing that that's what it will say, which is the best way out from there, certainly. Otherwise you've got to go in around Friendly Toast and come out by Trader Joe's to get out of there and it's... But I think Main Street there is going to be interesting to see how it ultimately works. Mr. Swiniarski said the concern that that I was raising, I agree with that, but I'm thinking of something different of the traffic of, let's say, people who live here, who are driving their car to Trader Joe's and to Whole Foods and to all the stores. It's not that walkable. It's walkable, but not that walkable. Not when it's cold. Not when it's raining. There's going to be driving inside this site that never leaves and isn't captured if the analysis is just ingress and egress from the site onto Route 3. Mr. Duval replied well, actually and as a matter of fact, we did as part of the traffic study, analyze the major internal intersections, which is of course the site entrances. And also the first intersection by Friendly Toast and Main Street and then the intersection of Market Street and the Trader Joe's entrance. And also the bottom of Main Street, where it intersects with Upjohn as well as Upjohn south and South River and the main entrance itself, the signalized main entrance. And we also estimated trips into Whole Foods and out of Whole Foods. So that is captured in the traffic study, and understanding the discussion that there may be some congestion on site, remember this is a site. It's private property, and generally speaking the municipality is concerned about public. Queuing on site could be a problem, but essentially, it's contained on site. And our traffic studies show that it was manageable and generally I don't remember the numbers so I'm not going to say, but it was manageable, and it was relatively benign backups and delays on site. And this is essentially the same amount of traffic. And to the point that was mentioned about the suitability of residential and the mixed use, actually residential is a key component of mixed-use and it makes mixed-use work by having live, work, play, shop in one site. That's what mix use is all about, so that without leaving the site, whether you choose to drive to Trader Joe's or walk or whatever, without leaving the site, you can accommodate so much of your daily activities. That's what mixed use is about. Having a residential component really was a missing element before. And those trips are almost all absorbed and captured by other uses on site, so it's a beneficial thing to have 65 people living there—well, 65 units, maybe 100 people living there—with disposable income. They can go out and support the local businesses and not have to leave the site. Chairman Fairman said one question on the traffic study. Have you updated or will you be updating for actual numbers or for Whole Foods and Trader Joe's? Mr. Duval replied we did. We actually counted those the last time and generally speaking we can use a traffic study if it's not more than five years old. But if it's the Town's pleasure, this is something we can work out with Ms. Hebert, we could take new counts. Chair Fairman said they do use actual counts there, because... Mr. Duval said yes, the last one is based on actual counts. Ms. Hebert said we did actual counts for the last traffic study. Chair Fairman replied that's what I thought. Thank you.

Mr. Duval said well, thanks for your feedback. We're really going to take a hard look at it and see what we can do to come back with it. We've got some work to do. Mr. Humphreys said thank you very much.

V. Approval of Minutes of Previous Meeting (February 13, 2023)

Chair Fairman asked are there any corrections or comments in the Minutes? There were none.

MOTION: Ms. Malcolm moves that the Planning Board approve the meeting minutes as provided for February 13, 2023. Mr. Nichols seconded the motion. Mr. Nelson abstained. Vote taken – all in favor. Motion carried.

VI. Communications to the Board: Ms. Hebert said tomorrow is the Bedford Town Election, so get out and vote. And I wanted to make an announcement about the citizen's petition for amendment Number 9. When the Board discussed Amendment 9—this is the one prohibiting the keeping of roosters and geese in the R&A Zone—we heard from the petitioner that he would like to withdraw the petition. And we had the conversation about whether or not we could withdraw the petition or remove it from the Town ballot. And the petitioner didn't go through the process to legally remove the petition off of the Town ballot and the Board wanted to add a statement explaining why the Board did not support the zoning amendment. Our town attorney had us remove that statement. And we can only state on the Town ballot whether the Planning Board supports or approves of the amendment or does not support or approve of the amendment. So you'll see on the ballot that there's not a long description after Amendment Number 9. And if you're talking to folks in Town, that's why the added statement that we talked about could not be placed on the ballot.

Also, I believe Ms. Harris sent an e-mail about the New Hampshire Office of Planning and Development Spring Conference. The planning and zoning conference is free, and you do need to register if you plan to attend. It's on April 29th from about 8:45 to 3:30. It's worthwhile if you're interested and we can resend that e-mail if you need more information about it. And lastly, your next meeting is April 17th.

Chair Fairman asked is there anything on the grant? Ms. Hebert replied the Housing Opportunity Planning grant is going before Town Council on April 12th for authorization for the Town to accept the grant funding. Mr. Clough asked on the April 17th meeting, will there be a public hearing on this senior housing facility? Ms. Hebert replied it's really up to the applicant. They can come back with additional information, and I'm sure they're going to be talking about that amongst themselves, and they'll reach out to staff. So I don't believe at this time they'll be coming back on the 17th, but for a concept review we can certainly get them on that agenda if they decide they want to come back as soon as the 17th.

Chair Fairman said before we adjourn, I just want to thank Chris Bandazian for being on the Board. He's not running for reelection here tomorrow, so he will no longer be on the Town Council or both for this short period of time, as he stepped in to replace Bill both on the Town Council and here on the Planning Board. But he's been a long-term member of the Board as many of you know, and I appreciate his service and we is welcome back any time. Mr. Bandazian said thank you, Mr. Fairman. I hope not to be back here under similar circumstances. Chair Fairman said you can apply to be a member of the Planning Board without being Town Council, too.

Mr. Sullivan said Mr. Chairman, if I may. Two comments: One, I want to apologize for my tardiness tonight. It's not usual for my behavior, but I got caught up. Second, I found out that our Board member Ms. Johnson, and I share an alma mater, and if she's a civil engineer graduate, even if she was the worst civil engineer graduate of her class, she's probably one of the best candidates to be on this Board. And yes, that's a subtle aspect to say that we went to a great school, and I hope you hold me in the same respect. Chair Fairman asked what's school was that? Mr. Sullivan answered Rensselaer Polytechnic. I know that she's younger than I am, but I remember my freshman year at the orientation they said look to your left. Look to your right. One of you won't be here by the end of the semester. Ms. Johnson said my mom legitimately was sitting behind me when they said that, and she looked at both the people and said you'll be fine. Chair Fairman said I came out of a high school in New Hampshire that had 27 people in the graduating class. So, I got out there to Troy, NY, and I was so overwhelmed in all aspects, and the first physics and first calculus tests are designed for the smartest people to flunk. And I had no idea what it was. Mr. Sullivan said I'll withhold more comments, but other than the fact that getting out of Troy, NY is probably a good thing sometimes. Chair Fairman said it was long before you folks were there, I assure

you. The only reason I got in was I went to the first class of Saint Paul's Advanced Studies program. Mr. Bandazian said you and I share that. Ms. Hebert said I'm also a graduate. Chair Fairman said I did exceptionally well on advanced studies program—the advanced mathematics. And I had schools actually, because I did so well, calling me, like Dartmouth, and asked me to apply. That's what got me into many of the schools because of my overall education. But I did hang in there for three years. I finally got an engineering degree at UNH. Thank you all.

VII. Reports of Committees: none

VIII. Adjournment:

MOTION by Mr. Sullivan to adjourn at 8:36 pm. Mr. Nichols duly seconded the motion. Vote taken – all in favor. Motion carried.

The next meeting of the Planning Board is scheduled for April 17, 2023.

Respectfully submitted by
Sue Forcier