

Town of Bedford Planning Board Minutes April 17, 2023

A meeting of the Bedford Planning Board was held on Monday, April 17, 2023, at the Bedford Meeting Room, 10 Meeting House Road, Bedford, NH. Present were Charlie Fairman (Chair), Hal Newberry (Vice Chair), Michael Strand (Town Council Alternate), John Nelson (Alternate), Chris Swiniarski (Alternate), Matt Sullivan, Bill Carter (Town Council), Matt Nichols, (Secretary), Priscilla Malcolm, Steve Clough, Logan Johnson (Alternate), Becky Hebert (Planning Director) and Jillian Harris (Assistant Planning Director). Absent: Phil Greazzo (Town Council).

I. Call to Order and Roll Call:

Chairman Fairman called the meeting to order at 7:00 p.m., introduced the Board members, and stated I'd like to first of all welcome Bill Carter who is substituting for Phil Greazzo this evening. Bill is the chairman of the Town Council at this point, still is, I guess. And also Michael Strand who has joined us as the Alternate for the Town Council—recently elected to the Town Council. Welcome both of you. 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. Jeffrey and Allison Ropes (Applicants & Owners)** – Request for Detached Accessory Apartment Conditional Use Permit, located at 69 Barr Farm Road, Lot 2-23-23, Zoned RA.
- 2. Bar Harbor Bank & Trust (Applicant & Owner)** – Request for site plan amendment for landscape improvements, for a previously approved Site Plan for a bank located at 3 Kilton Road, Lot 12-23, Zoned PZ.
- 3. Shane Patel (Applicant) and Akhil Hotel Group, LLC (Owner)** – Request for time extension approval of a site plan to construct a five-story, 120 room extended stay hotel and associated improvements at 270 South River Road, Lot 24-98-8, Zoned PZ. *The Planning Board received a request to postpone this application this evening.*

IV. Concept Proposals and Other Business: None

V. Approval of Minutes of Previous Meetings (March 27, 2023)

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

III. New Business:

1. **Jeffrey and Allison Ropes (Applicants & Owners)** – Request for Detached Accessory Apartment Conditional Use Permit, located at 69 Barr Farm Road, Lot 2-23-23, Zoned RA.

Mr. Earl Sandford of Sandford Surveying and Engineering presents: Good evening, Mr. Chairman and members of the Board. My name is Earl Sandford of Sandford Surveying and Engineering. I heard someone say at the beginning this should be a quick one tonight and I hope we won't disappoint from our end. It's a pretty simple application. As you know, since they changed the rules to allow detached ADUs, there seems to be quite a demand for them. Mr. Ropes has followed suit with several others that we've presented recently.

Mr. Ropes said I'm Jeff Ropes, by the way, applicant. It's a little odd for me to be sitting on this side. I was on the Zoning Board for Bedford for several years, so it's a different view. I have to say during that time it was our purview to allow accessory dwelling units, and it was a special exception. I think we maybe had, the six years I was here, three or four. I'm the third this year, so I could see it's a trend that looks like is happening. And I think it's really helpful that it's detached. So, thank you, Board, for doing that. Mr. Sandford said it's off the end of our Barr Farm Road. If you kept going much further, you'd be in Goffstown or against the Town line at the back of this property. Here we have an existing single-family house with a little under 3,000 square feet of living area, and they're going to extend the driveway to do a 1,000 square foot, the allowed maximum for an ADU. And we've done the engineering to make sure that they can get it out there, that it's a viable project. Mr. Ropes said since I wrote them, I'll read the criteria for your approval.

- A) Only one accessory dwelling, either attached or detached, shall be permitted per lot. The current use of this property is a four-bedroom, single-family home. The proposed detached ADU will be the only accessory apartment on the lot. Do you want me to read the intro or just read the answer? Ms. Hebert answered you can read the intro just so you know what the criteria is, sure.
- B) The accessory detached apartment should be clearly incidental to the primary use of the property for the single dwelling and shall not have a gross floor area greater than 50 percent of the gross floor area of the single-family dwelling or greater than 1,000 square feet, whichever is less. We're obviously at the 1,000 square feet. The existing residential structure is 2,960 square feet of living space. That proposed is 964 of living space for the ADU, which meets the gross floor area requirements.
- C) Septic system design capacity shall be approved by the New Hampshire Department of Environmental Services and has been approved. It is in the file.
- D) One parking space shall be provided for the accessory apartment and no new driveway curb cut from the street shall be constructed. Basically, you can see it's an extension of the existing driveway. You will not actually see the dwelling. The original drive is about 300 feet long. It's another additional 150 feet beyond that. And I did check with Tim at the Fire Department about the driveway qualifications meeting the criterion, and it does for this use.
- E) The combination of principal dwelling in the detached accessory apartment shall comply with the minimum lot size for residential agricultural district in accordance with Article III, Section 275:22, Table 1, Table of Dimensional Regulations. The existing parcel size is 7.4 acres, which exceeds the

1.5-acre minimum lot size for the rural agricultural zone. The total number of bedrooms for the single-family home and the proposed ADU is five bedrooms. Soil base lot sizing for the five-bedroom lot passed the minimum required based on a soils map that Earl had done and is on file and it's in there, I think, if you want to see it—but it doesn't really affect.

- F) The accessory dwelling apartment or lot shall not be converted to a condominium or other form of legal ownership distinct from the ownership of the single dwelling. And the ownership of the ADU will remain under the ownership of the single-family dwelling.
- G) The accessory detached apartment shall have no more than two bedrooms. The proposed ADU has one bedroom.
- H) The accessory detached apartment shall be located in the rear yard or the side yard of the lot. In this case, it's kind of both.
- I) The exterior design of the detached apartment shall be compatible with the existing single family through use of similar construction materials, architectural design and scale. The proposed ADU will be a conventional ranch style home over a 2-car garage using traditional construction methods. It is going to be compatible with more like the—there's a photo in there and if you want to flip to it, maybe. Because I think this is the one question. You can see it's kind of varnished, shed looking as opposed to my colonial style house, but it matches in that regard. That's kind of what it's going to look like as far as the batten boarding of the structure. That's the cabana and it's just literally behind it. And it would actually be more like that architectural form than the current house. And neither of these can be seen from the road—the house or the ADU. Mr. Sandford said you're going for the barn look. Mr. Ropes replied yes, exactly. And that's really the criteria that I think we meet.

I did send a plan of this to the abutters a couple of weeks ago and asked them if they had any questions and nobody replied back.

Mr. Sandford said and just to recap a little bit or at least to mention, you've got 7 acres to play with here, so we're not in any way pinched against lot lines. You can see we're 340 feet from one, 230 feet from another, 142 feet is the shortest distance and there is some wetland there, but we're well past the 50-foot setback to that. I think all the ducks are in a row for him to go for the building permit if we can get the approval. We'd be happy to answer any questions.

Chairman Fairman said I'll start off with a question. This is a new garage you're building over. It's not an existing? You're building a two-car garage and a living unit over that? Mr. Sandford replied yes, correct, on a slab. Chair Fairman asked Ms. Hebert, our Zoning didn't really address that combination of building a new building—a dual use like this, did it? Ms. Hebert replied well, I think it did contemplate conversion of existing detached garages to accessory dwelling units, and so this is a little bit of a hybrid where they're also going to benefit from having the extra garage space and the ADU above. Chairman Fairman said you understand, of course, that garages can never be used for extension, for a couch, or for somebody to sleep in or anything like that? They have to stay as garages. Mr. Ropes replied yes. Chair Fairman continued, you also show on the plan, a deck and something else. Mr. Ropes answered yes, it's a covered porch, covered deck. It's not conditioned. It's not insulated. Mr. Sandford added and it's open below, as you can see in the photo. Chair Fairman said I don't know if that meets the intent, either, of what we thought was a living detached would have. Ms. Hebert asked is the deck part of the 940 square feet? Mr. Ropes replied

no. Mr. Sandford said it's a porch. It's a covered porch, not a living area, per se. It's not heated. Mr. Ropes said It's a slider that leads to it from the deck into the main entrance. Mr. Sandford said so I don't think would meet the definition of living area when it's not heated and not insulated. Basically it's the porch. Chair Fairman said I'll open it to the Board for questions.

Ms. Malcolm asked the existing septic system is going to be used for this unit also? Mr. Sandford replied the procedure on that is to—except the existing—it isn't sized for this, but they have an allowance that says you can keep using it, but you have to have an approved new septic should it fail. So we're incrementally going to be sending more effluent to it. But I guess you call it a hip pocket design, which is what we've been doing. So they have if it fails, it's to be replaced with something that's bigger and expanded. So that's the procedure that has been accepted. Even that was true for the ADUs that were being approved regularly within the house. We're using the same scenario as that with the hip pocket design. If it's not seeing much use, then there's no reason to tear up what's there. But if it shows any signs of failure, then you can't replace it in kind. You have got to replace it according to the fresh and approved design that's in place right now. Ms. Malcolm said thank you. Vice Chair Newberry asked so you have an approved the design? Correct? Mr. Sandford said yes.

There were no further questions from the Board and there were no questions from the public.

MOTION by Ms. Malcolm that the Board grant the Conditional Use Permit for a detached accessory apartment, located at 69 Barr Farm Road, in accordance with the application materials submitted by the applicant, last revised February 28, 2023, as the Planning Board finds that the applicant has shown substantial compliance with the criteria for granting the conditional use permit, in accordance with the following findings of fact:

- **The plans are found to be in compliance with the purpose and intent of Section 275-21(J) of the Zoning Ordinance;**
- **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. The applicant shall submit a building permit for review and approval by the Building Dept.
2. School and Recreation Impact fees, per Article 120 of the Land Development Control Regulations, must be paid prior to the Certificate of Occupancy for the detached accessory apartment.

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

Chair Fairman said thank you gentlemen. Mr. Sandford replied thank you very much. We appreciate your time.

Chair Fairman said next item on the agenda is:

2. **Bar Harbor Bank & Trust (Applicant & Owner)** – Request for site plan amendment for landscape improvements, for a previously approved Site Plan for a bank located at 3 Kilton Road, Lot 12-23, Zoned PZ.

Mr. Richard Pilla of Paramount Partners presents: Good evening, Mr. Chairman, members of the Town of Bedford Planning Board. My name is Richard Pilla. I am with Paramount Partners out of Quincy, MA, and I am here this evening on behalf of Bar Harbor Bank & Trust. It was only a few years ago that I came before this Board. I think there's a few new faces from then and hopefully the Board and the Town is pleased with the results of the branch. We certainly are, and I hope the Town feels that way as well. This evening I'm here to request a change in our landscaping, if I may. The Bar Harbor Bank & Trust branch is located in the Hannaford Plaza on the corner of Kilton Road and South River Road. The plaza, originally developed in 1970, was redeveloped in 2003. It sits on a 10.88-acre parcel identified as assessor's Map 12, Lot 23, and is anchored by Hannaford Brothers Supermarket and HomeGoods.

The property is in a Performance Zone. The bank branch was constructed in 2020, however, the existing landscaping had been installed many years before as part of the former Stop and Shop landscaping package. Many of the existing shrubs and other vegetation are either overgrown, outdated, and certainly not typically found in modern landscaping collections. As a result, the visibility of the Bar Harbor branch is significantly compromised along both South River Road and Tilton Road. The proposed landscape changes include removal of large existing shrubs, such as the viburnums and forsythia, which have just overgrown. Very little here was taken because if you recall at one point there used to be a Stop and Shop gas station. And I guess it was, at the direction of the Board, kind of covered that up from South River Road. Well, the gas station went away, but a lot of the vegetation was just allowed to grow beyond what it should be.

What we are proposing is to replace that. We would be replacing a lot of the older vegetation with ornamental grasses, Carl Forester grass, Hosta, daylilies, and Dwarf Korean lilac shrubs. We think that this would dramatically improve what's there currently. Also part of what we are proposing is to remove some of the low branches which are really dead. Again, not only do we want to improve the appearance in front of the branch and also the intersection—that quadrant of the intersection—but also improve the visibility of the bank branch. There are a number of photographs that have been taken. What we did was just took a sequence of photographs, both along South River Road and Kilton Road, so you could see for yourselves that in many spots the branch is blocked from vehicular and pedestrian traffic along both roads and also at the intersection. Any questions?

Ms. Johnson asked, can we see the photos? Mr. Pilla replied oh, surely. Chair Fairman said I understand you're leaving the trees that are there. Is that correct? Mr. Pilla replied yes. We're not touching any trees. It's just that, as I mentioned, some of the forsythia and viburnums, they've just overgrown. We're not touching any trees. We're just trimming the lower branches that happen to be dead. GMT Landscaping will be doing the landscaping work. Our landscaping plan was done by TFMoran, and we're very pleased at how it came out.

Ms. Hebert asked the pruning would not be excessive? You're just looking to prune the dead limbs, not prune up the canopy? Mr. Pilla replied no, no, no, no. I believe I have photos to show that. We're going to walk down South River Road and then take a right onto Kilton Road. The branch is over here behind this. This is the South River Road entrance to the to the shopping center. Chair Fairman asked going South on South River Road? Mr. Pilla replied we're going to go south. Did I say north? Chair Fairman added, before you get to Kilton Road. Mr. Pilla replied oh, yes. Again, this is at the same part, but just including the street and the sidewalk. As we go, now you can begin to see the branch. It's in this area where a lot of the vegetation has overgrown that we would like to cut back. And this cluster of trees, again, we're not touching any trees. We're not touching any of the limbs. It's just this low hanging, many of the branches are dead. I wouldn't call it a branch. I'm not an arborist so bear with me. But some of the smaller branches

off of the main branches... I don't know when these trees have ever been trimmed. Again, you're on South River Road. You're at the median. And it's difficult to see—you see that there's a building there, but you're not quite sure what it is.

These are the trees right on the corner. Again, we are not touching any trees. You can see how this is overgrown and it's just blocking the visibility of the branch. Right now, this is all going to be colorful because we want people... Landscaping is important and even though it's not part of the bank, it really is an extension of the image that the bank wishes the cast for itself. So right now this is what you see. And these photos were taken last August and September. And so this will all be flowers, plants, planted in this area. Mr. Sullivan said and this bed, I believe it's going to be graded a little bit. Mr. Pilla replied it would be graded a little bit, yes.

Mr. Carter asked, wasn't the purpose of some of these bushes to make sure that headlights weren't shining onto either Kilton or South River Road? Headlights from cars that are in the bank lot. Was that any consideration of why they put such dense bushes in at that time? Mr. Pilla replied that was before my time. I don't call that. Mr. Carter continued, they definitely need to be looked at because they are out of control and overgrown. Ms. Hebert said this is in the Performance Zone and our Performance Zone landscaping standards are fairly rigorous. There are different layers of landscaping that's required, and because the plants went in when Stop and Shop was originally developed and the gas station, they have grown to their mature size and beyond, probably. But the purpose is to really soften the appearance of the shopping plaza parking lot and to help with aesthetics along the roadway corridor. Mr. Pilla said and also, as far as headlights interfering with traffic at the intersection, the bank's hours are typically over by 4:00 o'clock or 5:00 o'clock, not on weekends, or Saturday mornings. So when you would be more likely to have your headlights on, they won't be coming from cars going in and out of the bank. Chair Fairman said it would have been more of a problem for the gas station back then. Mr. Pilla said yes, because if you're at the gas pump and you're looking straight ahead, you could blind the traffic going by. Mr. Carter said definitely an arborist should be put in there because I'm sure a lot of those trees haven't been attended to in many years. Chair Fairman said but they don't interfere much when you drive down. They are spread apart a little bit.

Vice Chair Newberry asked how much are you going to regrade the southeast corner? I think there's a little berm there now. Mr. Pilla answered it will be cut back somewhat, but it's not being eliminated. Vice Chair Newberry asked do you have anything to specify how much you're going to cut it down? Chair Fairman said they can't do a lot because of the trees. Mr. Carter said there's probably multiple years of mulch on that hill. Ms. Hebert said the Board could recommend the berm be cut down not more than and provide a dimension. I don't see a dimension on the plans. Mr. Pilla replied yes, I'm looking at the notes from the demolition plan. But the very first note, the general comments say that the contractor shall comply with all applicable rules, regulations, laws and ordinances having jurisdiction over this project site. So I'm sure Becky and Jillian are going to be out there first thing in the morning when the landscaper is there and making sure that they're doing what they're supposed to be doing and not taking certain liberties. Vice Chair Newberry said a limited condition that you lower that berm by no more than a foot unless agreed with the Planning staff. Can you live with that? Mr. Pilla asked could you repeat that, please. Vice Chair Newberry said yes, a condition would be that you lower that berm no more than one foot unless reviewed and approved by Planning staff. Mr. Pilla answered yes. Chair Fairman said I would add to that also that no reduction of the berm should disturb the roots of the trees that you are leaving. So as you take the berm down, you start getting close to trees at all, I don't think it would due to the fact that it's mulch. But if you extended that over into the lawn part, you'd be getting toward the tree roots. So, I would add that to your condition, Hal.

Vice Chair Newberry said as far as the mature trees that you're planning to prune; do you have a maximum height that you're going to prune to or not exceed from ground? Mr. Pilla replied I don't think we actually discussed that, but again, whatever the Board and the staff feel is appropriate. Again, it's just that some of these lower branches—I'm short. Well, I used to be 5'7", but my last check up the doctor said I'm 5'6" now. And I'm not wearing stilts as Jillian thinks I wear. But as I walk down South River Road, those branches are hitting me on the head. So if somebody who's even 5'8" walks by, so again, there's also a safety element to all of this too with some of these branches. But again, we're not going to do anything that's going to compromise the beauty of the trees. Trees need to be pruned. Vice Chair Newberry said I can see that you probably want to get rid of some of the lower limbs just for visibility, but my concern is that without a specification as to how high you're going to go, you end up with trees that look butchered. Mr. Pilla replied that's surely not our intent, no. Ms. Hebert said we've seen some that look like they've got a bad haircut and there's just a natural looking like canopy left on the treetop. So maybe staff could approve the lower limbs before they're cut, and the arborists could flag them. Mr. Pilla said what we could do is we could have the landscaper put like an orange, you know, on those branches that we're proposing to remove and then you can all take a look and say yes, that's fine. Vice Chair Newberry said lacking a specification, I think that would be a wise thing to do if staff wants to take on. Ms. Hebert said we've spent a lot of time on the site with the landscaping. As part of the original approval, we helped them selectively remove shrubs from the front landscape area. And this is kind of phase two. The bank is still not happy with their visibility from South River Road. Mr. Pilla said when we first came before the Board, this was something that we were proposing to do. And the response was, well, let's get the branch open. Let's see, once it's up, and then come back to us. And that's why we're here. We're now back to you. Ms. Hebert said you could also put a height if you wanted to. You could say not taller than 12 feet from the ground elevation. I mean I just hate to bind them if there's a dead branch and they want to cut. Vice Chair Newberry said I'd start with something lower than 12 feet. Mr. Carter added I would think 6. Vice Chair Newberry said 6 or 7 feet so a person can walk underneath it. Maybe that would be a good spec, is that if you think you want to go higher than six or seven feet, that should be reviewed by staff. Mr. Pilla said no, I think if you go that high, I think you would mess up the tree. I mean, it's not going to look very nice. Vice Chair Newberry replied that was my initial concern. The other question I had was to reference the flower bed. Mr. Pilla said, well, there's going to be flowers planted. Vice Chair Newberry said so my question is, will those be regularly maintained, or will there be flowers there June 1st? Mr. Pilla replied no, this will be regularly maintained and part of our agreement. See right now it's the property owner. The bank is a tenant. And so part of our agreement is, because we care about what it looks like in front of our building... If you're Hannaford or HomeGoods and you're at the other end, you're not so concerned about it. So our arrangement with the with the landlord is that we're going to maintain this because we want it to look nice all the time. Vice Chair Newberry replied thank you. That was my other question. So, the tenant will maintain that parcel along the east. Mr. Pilla affirmed, right. Where you see within the—I don't know if you can see it—there's like a yellow box. Ms. Hebert said if you move the cursor, it will show on the screen. Mr. Pilla replied oh, yes. That's right. Thank you. See, there's a yellow box like this. We're talking about everything here, here. We're going to maintain. We want that to look like a showpiece. We want it to look nice. Because if it's got color there and people look for it, then they are going to be saying oh, there's Bar Harbor Bank. So, it's in our interest that whatever we're going to be doing is going to be a credit to the property. Vice Chair Newberry said thank you.

Ms. Malcolm asked this green area that is outside of the plantings and under the trees is, is that lawn? Mr. Pilla asked this green here? Ms. Malcolm said right. Mr. Pilla answered yes. Ms. Malcolm continued, and you need to have enough room under the trees, I assume then, for a riding lawn mower. Mr. Pilla replied I don't know how the landscaper, the grass cutter—I assume that they use a standing lawn mower.

Mr. Carter said yes, it's a riding/standing that they use to do that. Ms. Malcolm said they stand on the back of it. Mr. Clough said 6 feet might be too low. Ms. Malcolm agreed, saying 6 feet would be way too low. I would clause it to maintain the symmetry of the tree. Work with staff. What worries me is the sides and the top of the tree. The lower branches can be trimmed as long as the symmetry of the tree is maintained. It's your business and you want people to see your business. Yes, 12 feet is too high, but 6 feet seems a little low. Mr. Pilla asked this is being recorded, right? So I can go back and make sure that I'm getting everything—all your suggestions. Members of the Board affirm, yes.

Ms. Johnson said I think the way that I read the recommendations from the staff was that originally the building wasn't there and so part of the landscaping was to provide a buffer for seeing the parking lot and the gas station. And now that the building is there, that is also providing a little bit of a buffer. And you definitely want people to see the building because the building is new and pretty. Mr. Pilla replied and the gas station, if memory serves me correctly, took up more space than what the bank building takes up because you had the canopy. Ms. Johnson continued, I guess what I'm saying is that I think what's being proposed is definitely going to be more visible to what's behind it, but also, it's not a gas station. It's a beautiful building. Mr. Pilla said thank you. I'll make sure the architect knows that. There were no further questions from the Board and there were no public members present.

MOTION by Vice Chair Newberry that the Planning Board grant final site plan approval for the proposed landscaping improvements at 3 Kilton Road, Lot 12-23, in accordance with the landscape plans prepared by TFMoran, last revised October 13, 2022 and the following findings of fact:

- **The request is 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 November 4, 2019 site plan approval remain in effect.
2. Replacement plantings shall be installed during the same season as removal of existing plantings.
3. The berm currently in the southeast corner of the property be lowered no more than 1 foot without review and approval by Planning staff.

Duly seconded by Ms. Malcolm.

Discussion: Ms. Johnson asked were we going to add the condition of the tree pruning height? Ms. Malcolm asked, can the staff handle that? Ms. Hebert replied we can work with the applicant to make sure that the symmetry of the tree is maintained and that there's no excessive pruning. Vice Chair Newberry said I think since the discussion is part of the approval, that might be a reasonable way of covering the issue of appropriately pruning the existing trees. I don't know if staff's opinion is we don't need to make that a specific condition. Ms. Hebert replied I'm comfortable working with the applicant on that matter and we can work closely with your arborist and take a look at that before they do any work. Mr. Pilla replied absolutely.

Vote taken – all in favor. Unanimous. Motion carries.

Chair Fairman said thank you, Sir. Mr. Pilla replied thank you.

Chair Fairman stated the third item on today's Agenda, as has been stated, the applicant postponed until the next meeting. Are there any other communications?

PUBLIC NOTICE: Vice Chair Newberry asked do we have a date for the next meeting to assign to that? Ms. Hebert replied yes. If we could make an announcement that the application by **Shane Patel (Applicant) and Akhil Hotel Group, LLC (Owner)** has requested postponement to the May 8th Planning Board meeting, and this announcement will serve as public notice.

IV. Concept Proposals and Other Business: None

V. Approval of Minutes of Previous Meeting (March 27, 2023)

Chair Fairman asked are there any changes, corrections to the Minutes? There were none.

MOTION: Ms. Malcolm moves that the Planning Board accept the meeting minutes for March 27, 2023 as printed. Mr. Nichols seconded the motion. Vote taken – all in favor. Vice Chair Newberry and Mr. Carter abstained from the vote. Motion carried.

VI. Communications to the Board: Ms. Hebert said there are a couple of training opportunities coming up for Planning Board members. The New Hampshire Office of Planning and Development is hosting their annual Spring Planning and Zoning Conference. This is on April 29th and it's an online event. The deadline to register for the event is April 26th. We've sent an e-mail with information about the training event. Take a look at that. Jillian will send it out again. Be sure to register by the 26th if you're interested in attending. The sessions are usually pretty good. This is an online event, so you'll be able to participate from home.

The other training event we have coming up is associated with the housing project—the Housing Opportunity Planning Grant also comes with participation, and the community can reimburse up to three volunteers with a small stipend for attending the Invest New Hampshire's Housing Opportunity Planning Grant Housing Academy. This is a five-day event—some in person, some online training—and it's something that we would like to see a few Planning Board members attend. We sent an e-mail out about this, and you have a copy of the Housing Academy flyer in front of you. If you're interested in attending, if you could e-mail me or Jillian and if we have more than three, we'll get back to you and have a conversation about who should attend. Does that sound good? Chair Fairman replied thank you.

Chair Fairman said I have one communication I'd like to add. At the last Southern New Hampshire Planning Commission, we were told that the grant request for the sidewalk along Old Bedford Way to Memorial School was 95 percent approved and they expected it to be 100 percent approved very quickly. The Town Council may know more than I do about that. Have you heard it has been approved? Mr. Carter replied not yet. We just met last Wednesday. Things have been going on between now and then, we'll probably know by with our next couple of meetings. Chair Fairman said it's something we've been trying to get for some time—two or three grant applications to get it. There are some existing matching funds from a developer that was a requirement for the development at the time, and those matching funds we want to make sure we get to use, so this is good news. It's a sidewalk we've wanted for some time.

VII. Reports of Committees: Vice Chair Newberry said I just have a quick question for staff. Going back to the accessory detached apartment. Section F or criteria item F, that the detached apartment can't be converted into a condominium or other form of a legal ownership distinct from the ownership of the single dwelling. Is that enforced in any way? Do we require that that be an addendum to the deed or that that be a part of the... Ms. Hebert replied in Bedford, creating the condominium form of ownership is included in our definition of a subdivision, so they would need Planning Board approval to create the condominium. It would be turned down if we had the call or the inquiry in the Planning Department, and the owner wouldn't be able to by step that process and just create their own condominium without Planning Board approval. Vice Chair Newberry said it wouldn't need to be a part of the deed. Ms. Hebert replied that's right. Vice Chair Newberry said if we made that a condition, would that create another problem? Or does that eliminate... Ms. Hebert replied, I think it could in the future. What if 20 years from now, the Town decided that wasn't such a bad thing? And this landowner would have a permanent deed restriction on the condominium ownership. Mr. Newberry replied thank you.

Mr. Sullivan said I want to go back to the grants—the package that we got from the State as part of the HOP thing. I know it's going to the Town Council. Has that been fully approved yet? Mr. Carter replied it hasn't made its way to the Town Council yet. Ms. Hebert said no, the Town Council approved the Housing Opportunity Planning Grant at their last meeting last week. Mr. Carter said all right. There are so many grants... yes, we did approve that at our meeting last week. Ms. Hebert added we have the grant contract finalized and the RFP has been posted. We expect to have proposals by the middle of May. Chairman Fairman asked do we know who might bid on that? Do we have a list of people that we're going after or trying to get? Ms. Hebert replied New Hampshire Housing has a list of approved vendors, and so we've sent the RFP out to all of the approved vendors. We've had a few inquiries, and I expect we'll get at least a handful of proposals, if not more.

Mr. Strand said I have one quick question, Becky. When you guys review RFPs for the HOP grant, to what degree would the Planning Board and/or Town Council be involved in that evaluated decision prior to final vote? Ms. Hebert replied I think the Housing Working Committee will take the first shot at reviewing proposals and then they'll be recommending a consultant to the Planning Board to approve, and then that final contract, because of the dollar amount, would be approved by the Town Council. Mr. Strand said understood. Thanks.

Vice Chair Newberry asked the granting agency gets review on that also, don't they? Ms. Hebert replied yes. If the vendors are not part of the list of approved contractors, then they would need to also be consulted before we entered into a final contract.

VIII. Adjournment:

MOTION by Ms. Malcolm to adjourn at 7:52 pm. Vice Chair Newberry duly seconded the motion. Vote taken – all in favor. Motion carried.

The next meeting of the Planning Board is scheduled for May 8, 2023.

Respectfully submitted by
Sue Forcier