

Town of Bedford Planning Board Minutes June 12, 2023

A meeting of the Bedford Planning Board was held on Monday, June 12, 2023, at the Bedford Meeting Room, 10 Meeting House Road, Bedford, NH. Present were Hal Newberry (Vice Chair), Chris Swiniarski (Alternate), Matt Sullivan (Member), Phil Greazzo (Town Council), Matt Nichols, (Secretary), John Nelson (Alternate), Becky Hebert (Planning Director). Absent: Charlie Fairman (Chair), Steve Clough (Member), Priscilla Malcolm (Member), Michael Strand (Town Council Alternate), Logan Johnson (Alternate).

I. Call to Order and Roll Call:

Vice Chair Hal Newberry called the meeting to order at 7:00 p.m. in the Chair's absence, introduced the Board members and appointed Mr. Swiniarski and Mr. Nelson as voting members. Ms. Hebert reviewed the agenda and stated staff would recommend that the Board accept the agenda. The application was accepted as complete at the May meeting.

II. Election of Officers (2023-2024)

III. Old Business & Continued Hearings:

- 1. Shane Patel (Applicant) and Akhil Hotel Group, LLC (Owner)** – Request for approval of a time extension to meet conditions of approval for 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. *(This application was tabled from the May 8, 2023 meeting.)*

IV. New Business: None

V. Concept Proposals and Other Business: None

VI. Approval of Minutes of Previous Meetings (May 22, 2023 Workshop)

VII. Communications to the Board

VIII. Reports of Committees

IX. Adjournment

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

II. Election of Officers (2023-2024)

Vice Chair Newberry stated our first order of business this evening is election of officers 2023-2024. Before we start that, I'd like to make a suggestion for the Board to consider, and that would be to Table the election of officers to the next scheduled meeting, which I think Ms. Hebert said is June 26th. There are a couple of reasons I'm suggesting that. Our current Chairman, Mr. Fairman, is not available this evening. We're missing three regular members, and I think the Board may want to consider extending Charlie the opportunity to express whether he's interested in asking for the Board's support in Chairing again or not. And I think that all things considered, we may want to Table that to the next meeting. I did speak with Ms. Hebert earlier today about that and I don't think that it's going to impact either the Board's operation or any of the Planning Department's operations, and we don't run into any regulation that says we have to execute that tonight. Ms. Hebert affirmed saying, that's right. The current officers will continue to serve until the Board reorganizes.

MOTION: Mr. Greazzo moves that the Planning Board Table the Election of Officers to the meeting of June 26. Mr. Nichols seconded the motion. Vote taken – all in favor. Motion carried.

III. Old Business & Continued Hearings:

- 1. Shane Patel (Applicant) and Akhil Hotel Group, LLC (Owner) – Request for approval of a time extension to meet conditions of approval for 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. (This application was tabled from the May 8, 2023 meeting.)**

Mr. Bob Duval of TFMoran presents: Good evening. Mr. Chairman, my name is Bob Duval. I'm an engineer at TFMoran, here on behalf of the applicant, Akhil Hotel Group. Ms. Hebert has done a good job in her report of showing the history of this project. Basically, I'll just go through it for the record quickly. Its Lot 24-98-8, 270 South River Road where a five-story 120-room hotel on this 5.2-acre lot more or less was approved on April 22, 2019. Then a time extension was granted on May 20, 2020, which was right at the onset of COVID. The applicant let that extension lapse in April of 2021, but then post COVID, has resubmitted the application in March of 2022, which would expire on April 18, 2023.

We are seeking a one-year extension from that date to one year from this date, actually. And I would ask the Board that if they grant this extension that it would be extended to one year from this date. The architecture is up on the board if you want to refresh yourself. It's a five-story hotel, 120 rooms. At the present time, all of the conditions of approval have been met essentially to the extent they can be at this point, except for two; which is number one that all the conditions of the original approval shall remain in effect and number two, the driveway permit which expired last month shall be updated. We've been in touch with DOT and are preparing that application for an extension of that at this time.

On the prior memo from the original hearing, there were a couple other items about storm water management, land disturbance permit from the Town that has been granted, and the applicant paying \$124,000 of sewer line extension share, and that has been paid. So, it's really just updating the driveway permit and moving the extension tonight.

Chair Newberry said thank you. Are there any comments or questions from the Board?

Mr. Sullivan said Mr. Chairman, I have one question. So, in the staff memo, there are two conditions, but in the second to last paragraph of Section 3, it talks about the driveway permit, which is labeled as condition number 3. I just want to make sure that that's a typo and that we shouldn't see a third condition. Ms. Hebert confirmed, that is a typo, yes. Mr. Sullivan said OK.

Mr. Greazzo asked, Ms. Hebert, is there a limit on the amount of extensions you can afford an applicant?

Ms. Hebert replied, there is not a limit. We generally look to see if the regulations have changed significantly, or if there have been significant changes in the neighborhood that might warrant bringing the project back for a full review. Last year, the application lapsed, and the Board reapproved the application. And then they had one year to finalize the conditions of approval and they're back for a one-year extension. So, I don't take issue with this request. There aren't any regulations or significant changes to the area around the site on South River Road. I think updating the driveway permit is important because the State is working towards constructing improvements along the southern section of South River Road, and they'll want to capture any changes they want to see in that driveway permit.

Mr. Greazzo said the applicant's representative mentioned that this already expired in April. So, is this a resubmission of the application or a request for an acceptance to extend from the lapse of the extension?

Ms. Hebert replied, because of the way our timing of our meetings work, we typically don't penalize someone if they get us the extension request before the project expires, because sometimes the Board has to continue an application or things don't line up perfectly. So, I would like to keep it running one year from the approval rather than granting a one-year extension from the June 12th date, just because it's easier for us to track administratively if we're looking at one year forward from each subsequent request and tracking it back to that original approval.

Vice Chair Newberry said so, did I understand correctly, Becky, that it would be one year from—If it's approved today? Ms. Hebert replied one year from April 22nd. Vice Chair Newberry said OK, thank you. Ms. Hebert said it's 2023. The plan would expire on April 18th, actually, 2024.

Mr. Duval said that's acceptable. For the Board's information, the final architecture drawings are being completed now, and the applicant intends to start building this year, probably in the fall. Vice Chair Newberry replied excellent. Glad to see that you were also able to resolve the outstanding sewer issue. Mr. Duval said that's one of the reasons for this prior extension was the applicant was trying to negotiate some lesser amount, but in the end wants to move ahead and has paid the full amount. Vice Chair Newberry said excellent that's resolved. There were no further questions from the Board and there was no one who wished to comment from the public.

MOTION: Mr. Sullivan moves that the Planning Board grant a one-year time extension to the April 22, 2022 Site Plan approval for an extended-stay hotel at 270 South River Road, Lot 24-98-8, Zoned PZ, in accordance with the Site Plan prepared by TF Moran, last revised April 4, 2019, and the architectural plans by ZHA Architects, last revised April 16, 2019, subject to the following conditions:

1. All conditions of the April 22, 2019 site plan approval, October 7, 2019 site plan amendment and April 18, 2022 approvals shall remain in effect.
2. The NHDOT Driveway permit shall be updated.

Mr. Greazzo seconded the motion. Vote taken – all in favor. Motion carried.

Vice Chair Newberry said you're all set for another year. Hopefully you're operational in the fall. Mr. Duval said thank you, Mr. Chairman.

IV. New Business: None

V. Concept Proposals and Other Business: None

VI. Approval of Minutes of Previous Meeting (May 22, 2023 Workshop)

Vice Chair Newberry asked are there any changes, corrections to the May 22 Workshop Minutes? There were none.

MOTION: Mr. Greazzo moves that the Planning Board accept the meeting minutes for May 22, 2023 Workshop. Mr. Nichols seconded the motion. Vote taken – all in favor. Mr. Swiniarski abstained from the vote. Motion carried.

VII. Communications to the Board: Vice Chair Newberry asked do we have any communications for the Board, Becky? Ms. Hebert replied sure. The Housing Working Group has met several times since the last Board meeting and interviewed two teams for the Housing Opportunities Planning Project Grant and selected the team led by Fugere Planning and Development as the consultant team that would work on this project for Bedford. And right now, we're working on finalizing the contract and are excited for the project to start. I'll show you the cover, so you remember which one we were talking about when we reviewed the two proposals.

Mr. Greazzo asked is that the one with the team members that are generally from Bedford? Ms. Hebert replied, generally, from New Hampshire, yes. Matt and Hal participated in those discussions. I don't know if you have anything else you want to add? Vice Chair Newberry said I think you had mentioned that the team has been receptive to suggestions from the Working Group. I don't recall all of them, but I think it was that we would like to make sure that they have a legal representative as a part of their team, and I think we also wanted them to beef up their communication design capability on the team. Was there anything else. Matt? Mr. Nichols replied, those are the two I think, yeah. Ms. Hebert said they agreed to all of those changes, and we have an amended proposal and contract that we're working through right now. We do have to have the contract reviewed by the folks that administer the Housing Opportunities Grant Program and the consultants need to be on the list of approved consultants. So, we're working through that review, and then the Town has their own review for contracts. I think they should be ready to start within a week, a week and a half, would be my guess, and that's right on schedule with the project schedule. The project has a hard end date of July 2024, so we don't want to delay too long. And we need to be mindful to keep things on track with this particular project. Vice Chair Newberry said that's good to hear. Mr. Nelson asked, will they provide updates kind of in progress, or is that something you'll provide, just in terms of maintaining milestones and things of that nature? Ms. Hebert replied, sure. Right now, the project schedule has a lot of upfront data gathering and then a reporting back to the Planning

Board and the community with a public session that would be in the fall, and they would have a few meetings with the Housing Working Group. And the Housing Working Group would report back to the Planning Board, but then the Planning Board would be more involved following that first public input session. But the way the project has been designed, there's a lot of data gathering on housing and housing in Bedford, and then the consultant team will sort of report out to the community on their findings and that will really kick off the project. Mr. Nelson said OK. Thank you. Vice Chair Newberry asked are there any other questions from the Board? There were none. Anything else for the Board, Becky? Ms. Hebert said no. Vice Chair Newberry said it sounds like that is coming along well, and that's good to hear. If there's nothing else, we can entertain a motion to adjourn.

VIII. Reports of Committees: None

IX. Adjournment:

MOTION by Mr. Nichols to adjourn at 7:17 pm. Mr. Nelson duly seconded the motion. Vote taken – all in favor. Motion carried.

The next meeting of the Planning Board is scheduled for June 26, 2023.

Respectfully submitted by
Sue Forcier