

TOWN OF BEDFORD
June 24, 2019
PLANNING BOARD
MINUTES

A meeting of the Bedford Planning Board was held on Monday, June 24, 2019 at the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH. Present were: Chris Bandazian (Town Council-Acting Chairman), Rick Sawyer (Town Manager), Mac McMahon, Kelleigh Murphy, Charlie Fairman (Alternate), Matt Sullivan (Alternate), Priscilla Malcolm (Alternate), Becky Hebert (Planning Director), and Mark Connors (Assistant Planning Director)

I. Call to Order and Roll Call:

Acting Chairman Bandazian called the meeting to order at 7:00 p.m. Jon Levenstein (Chairman), Harold Newberry (Vice Chairman), Karen McGinley (Secretary), Phil Greazzo (Town Council Alternate), Jeff Foote (Public Works Director), and regular member Randy Hawkins were absent. Mr. Fairman was appointed to vote in place of Chairman Levenstein, Mr. Sullivan was appointed to vote in place of Vice Chairman Newberry, and Ms. Malcolm was appointed to vote in place of Mr. Hawkins.

II. Old Business & Continued Hearings: None

III. New Business:

1. **Manchester Boys and Girls Club (Owner)** – Request for approval of a conditional use permit to allow a 20 square-foot monument sign for Camp Foster at 36 Camp Road, Lot 39-19, Zoned R&A.
2. **Thomas Decourcy & Patricia Berchtold (Owners)** – Request for approval to subdivide one lot into two residential parcels at 511 New Boston Road, Lot 6-20, Zoned R&A.
3. **Edward & Susan Ranger (Owners)** – Request for approval to subdivide one lot into two residential parcels at North Amherst Road and Hardy Road, Lot 28-34, Zoned R&A.

IV. Concept Proposals and Other Business: None

Mr. Connors stated all of the applications have been reviewed by staff, staff would recommend that the Board find the applications to be complete, the abutters have been notified, and it is staff's opinion that none of the applications pose a regional impact. Staff would recommend that

the Board accept that agenda, and in so doing, adopt the staff recommendations that the applications are complete and do not pose a regional impact.

MOTION by Ms. Murphy to approve the agenda as read. Town Manager Sawyer duly seconded the motion. Vote taken – all in favor. Motion carried.

1. Manchester Boys and Girls Club (Owner) – Request for approval of a conditional use permit to allow a 20 square-foot monument sign for Camp Foster at 36 Camp Road, Lot 39-19, Zoned R&A.

Ken Neil, Manchester Boys and Girls Club Chief Operating Officer, distributed a printout of the existing sign and the proposed sign.

Mr. Neil stated the sign location is at the entrance to our first gated entrance. It is a loop road and this allows parents and visitors to identify the property coming in. Acting Chairman Bandazian asked could you just go through what it is that you are asking for. Mr. Neil responded I believe permission to put this new signage in. The only thing that is missing from the proposed sign is the 36, so that will be on there to designate the address for police and fire. It will also be the location that the knock box is attached to for fire access to the facility. The signage really is about the same square footage in the actual signage part. The existing sign is a 4 x 4 sign and the new sign is 3 x 5, so it is pretty much the same square footage in terms of the actual sign. The frame of the new sign is much larger, so if you are taking that into account, that is a bigger sign, but it will be buried 4 feet down.

Acting Chairman Bandazian asked you are familiar with the conditions in the staff memo that the old sign be removed, this one not be illuminated and the sign location to be moved approximately 5 feet to the southeast? Mr. Neil responded I am familiar with it not being illuminated but I am not sure I understand. It needs to be moved back 5 feet? Mr. Connors replied the existing sign slightly encroaches over the lot line. We are just asking that you move the sign so you are not encroaching and it is fully within your lot. Mr. Neal responded that is not a problem at all. There is plenty of room. Acting Chairman Bandazian asked and it is the plan to remove the old one? Mr. Neal responded yes.

Acting Chairman Bandazian asked for questions or comments by the Board.

Town Manager Sawyer stated that was my only question, to make sure that he understood that piece.

Acting Chairman Bandazian asked for comments or questions from the audience. There were none.

Ms. Hebert stated for the public's benefit, we can explain the Conditional Use Permit is needed for Camp Foster because the property is in the Residential Agricultural District and signs are limited to 8 square feet. They have a sign and have historically had a sign, but this is a

substantial change to the existing sign and they are making it a little bit bigger and moving it, so we thought we better bring it back in and require a Conditional Use Permit.

MOTION by Town Manager Sawyer that the Planning Board grant the Conditional Use Permit, and find that the criteria have been met per our deliberations, to permit a 23 square-foot monument sign for Camp Foster and the Boys and Girls Club of Manchester (Owner) at 36 Camp Road, Lot 34-19, Zoned R&A, consistent with the plan by WelchSign, dated May 1, 2019, subject to the following conditions:

- 1. The existing monument sign along Camp Road shall be removed.**
- 2. The sign shall not be illuminated.**
- 3. The sign shall be moved approximately five feet to the southeast such that it is located fully within the subject property.**

Town Manager Sawyer stated I feel it meets the Conditional Use Permit criteria because of its unique location and type of facility that it is. Ms. Murphy duly seconded the motion. Vote taken - all in favor. Motion carried.

Acting Chairman Bandazian stated I saw the new work on television. It really is a very, very impressive upgrade. Mr. Neil responded I want to thank you on behalf of the club for approving it and certainly we are on track to have kids out there starting July 8th and before that point, or right around that point, we will send an invitation to all of you folks to come out for another walk around after the fact, if you would like to see it. We are pretty proud of it, it came out well, it has been a long winter, but we are in the homestretch. Thank you very much. The Board congratulated Mr. Neil on the great job.

2. Thomas DeCourcy & Patricia Berchtold (Owners) – Request for approval to subdivide one lot into two residential parcels at 511 New Boston Road, Lot 6-20, Zoned R&A.

Jason Lopez, Keach-Nordstrom Associates, Inc., was present to address this application to subdivide one lot into two residential parcels. Mr. Lopez stated the parent parcel is 4.2 acres, known as Map 6, Lot 20 and is owned by Thomas and Patricia Decourcy. With me tonight is Mr. Decourcy and if you have questions for him, he will be happy to address any of those.

Mr. Lopez stated the property is located on the north side of New Boston Road between King Road and Pulpit Road. There is an existing 4-bedroom, single family home built in about the mid 1980's. The property is served by an existing well, septic system and overhead utilities. There is an existing single curb cut onto the Class II State roadway. The property slopes towards New Boston Road, so as you are looking at the property, it climbs quite a bit going towards the back. There is a wetland channel that cuts through the southeast corner of the property. That stormwater runs down under a driveway culvert and under a roadway culvert heading towards Wallace Road on the other side of New Boston Road.

Mr. Lopez continued the wetlands have been flagged, located, the soil scientist has been onsite and conducted the high intensity soil survey mapping. We have been out there and performed

the test pits. Per the zoning and Land Development Control Regulations, there is sufficient area, frontage and soils to support two lots. The second sheet of the plan depicts the 20,000 square feet of buildable area, the lots contain 100 x 75-square-foot buildable boxes, 75-foot well radius, and a 4,000-square-foot septic reserve area. We have applied to DES for the subdivision permit. We do have a pending comment waiting for an easement because there is an access easement here, so we need to provide them the easement information. They will have all of their comments addressed. The lot will be served by a common driveway, and due to the location of the wetlands on the site also being located on the State road to limit driveway curb cuts, we are proposing a single accesspoint to also minimize the wetland impact. That will require a waiver.

Mr. Lopez stated the sight distance plan has been provided, and we have also provided a profile for the centerline of the driveway to show that it can be constructed at 10 percent or less, which was a comment from the Fire Department.

Mr. Lopez continued the existing home is serviced by an overhead utility line and that overhead line will cross over the new proposed lot, so we have provided an easement. Also, with the new service line we are looking to go underground with utilities to the new lot, so we have some cross-easements there, but that portion of existing utility line we were asked by staff to submit a waiver to maintain that. So we have provided a waiver for that.

Mr. Lopez stated we have received a copy of the staff report and read through the recommendations and we are in agreement with all of those. With that, if there are specific questions, I can address those.

Acting Chairman Bandazian asked for comments or questions from the Board.

Town Manager Sawyer stated I would just note that the well radius for the new well just has it panned basically property line to property line, so you just need to work very closely with your well operator to get it in that point. I have no problem if you end up needing to follow-up with staff to do a well radius release, so be it. I don't know your experience with working with well companies to get it that precise. Mr. Lopez responded my opinion would be the 4,000 is reserved for the full area of the septic and that is kind of what is forcing me to pin that well back there, but when we do an actual septic design, the area of the leach field is going to be much smaller and that will allow us on the septic plan to pull that well more into the center of the lot away from the lot lines a little more. Town Manager Sawyer responded okay, great.

Acting Chairman Bandazian stated in that same general area there is a cross-hatched, bow-tie shape. Is that ledge? Mr. Lopez replied there is some ledge and there is some steep slope. That bow-tie area is ledge.

Ms. Malcolm stated traffic moves along quite briskly on New Boston Road, and I notice there is a lot of vegetation near this driveway. I see on the sight distance plan that you provided you have said trees, brush, stumps, and stuff shall be removed. How far along New Boston Road are those going to be removed? Mr. Lopez replied not too far because if you can see on that plan, we start looking over the pavement and gravel shoulders fairly quick. It is going to have to be within about 50 – 75 feet in both directions, and then once you get beyond that distance, you are

pretty much looking over gravel shoulders and pavement. Ms. Malcolm stated okay; so traffic coming out of the driveways can be seen. Mr. Lopez responded yes, and this is currently under review by the DOT and they will be issuing a revised permit for this. Ms. Malcolm stated thank you.

Acting Chairman Bandazian asked for further comments or questions from the audience or the Board. There were none.

MOTION by Ms. Murphy that the Planning Board grant the waivers from the following sections of the Bedford Land Development Control Regulations:

- 1. Section 231.1.4, requiring each lot have its own drive to allow both lots to be served by a shared driveway.**
- 2. Section 237.1, requiring utility connection to be installed underground to allow overhead utility lines to traverse the new parcel and to allow minor modifications to the existing lines, if necessary, to service the new lot (provided the new utility connection is provided underground).**

Mr. Fairman duly seconded the motion. Vote taken - all in favor. Motion carried.

Town Manager Sawyer stated the sight distance shows 400 feet and I believe for residential you only need 200 feet, unless the State is requiring it. Mr. Lopez stated DOT requires 400 feet. Town Manager Sawyer stated thank you.

MOTION by Ms. Murphy that the Planning Board grant approval of a two-lot residential subdivision for Thomas and Patricia DeCourcy at 511 New Boston Road, Lot 6-20, as shown on the plans by Keach-Nordstrom Associates, Inc., last revised May 28, 2019, with the following precedent conditions to be fulfilled within one year and prior to plan signature:

- 1. The Director of Public Works and the Planning Director shall determine that the Applicant has addressed all remaining technical review comments to the Town's satisfaction.**
- 2. The Applicant shall submit any outstanding engineering review fees to the Department of Public Works.**
- 3. A letter shall be submitted to the Planning Department by a Licensed Land Surveyor certifying that all boundary monumentation has been set as noted on the plan, or the boundary monumentation may be set and shown on the plan.**
- 4. Easements shall be recorded with the subdivision plan for shared access of the driveway and to allow the utility service for Lot 6-20 to cross Lot 6-20-1. The easement language shall be to the satisfaction of the Planning Director.**
- 5. The plan shall be revised to include a note that the driveway serving the new lot shall not exceed a grade of 10 percent.**
- 6. If the Planning Board approves the waivers, they shall be noted on the plan with the date of approval.**

7. **The Applicant shall submit all recording fees to the Planning Department at the time of recording.**
8. **Prior to the issuance of Certificate of Occupancy, a professional engineer shall certify to the Planning Department that the driveway as built does not exceed a grade of 10 percent.**
9. **Prior to the issuance of Certificate of Occupancy, school and recreation impact fees shall be paid to the Town.**

Mr. Fairman duly seconded the motion. Vote taken - all in favor. Motion carried.

3. Edward & Susan Ranger (Owners) – Request for approval to subdivide one lot into two residential parcels at North Amherst Road and Hardy Road, Lot 28-34, Zoned R&A.

Bob Kilmer, Sandford Surveying and Engineering, was present to address this request to subdivide one lot into two residential parcels on behalf of the applicant. Mr. Kilmer stated this parcel is at the corner of North Amherst and Hardy Roads. It is actually zoned Residential and Agricultural. The parent parcel existing is 23.9 acres. What we are proposing to do is create a new lot 34-1, which will consist of 4.24 acres, which will be fronting on North Amherst Road and take up 4 acres of the northwest portion of the parent parcel. That will leave Lot 28-34 with 19.7 acres. The partial wetlands were flagged, there was a partial high intensity soil mapping done, because due to the McQuade Brook and the flood zone that runs through that, most of the property to the east along Hardy Road ended up falling either in the floodway or 100-year flood zone as the elevations played out on the flood insurance rate maps and flood insurance studies of McQuade Brook. We are proposing both driveways for each lot, so basically the developable property is to the west of McQuade Brook. McQuade Brook kind of cuts through, comes across North Amherst Road heading south. We have proposed two driveways coming off on North Amherst Road, we have provided the profiles to show that we have 200 feet in each direction for sight distance as required. Again, both lots meet over the minimum required for soil based lot sizing, and, again, the remainder parcel, the buildable area, again, is fairly small due to the wetlands in flood zone areas.

Mr. Kilmer continued we have a list of waivers that we are asking for. First would be High Intensity Soil survey mapping for the whole parcel, wetlands for the whole parcel, and there is also a waiver to maintain two driveways on Lot 28-34. The new driveway on North Amherst Road, which would service the buildable area where a house could set. The second one would be just south of the intersection of North Amherst Road and Hardy Road. This driveway services the existing barn where he can get to his animals and feed them and all of that stuff that is required to maintaining his animals on the site. Again, most of this parcel right now is pastureland. He just has cattle on there. Acting Chairman Bandazian asked could you go over your specific waivers and just give us the rationale for the waivers.

Bedford Land Development Control Regulations:

1. Section 218.1.11, requiring 2-foot topographic contours: Topographic survey of all subject parcels.

2. Section 218.1.12, requiring High Intensity Soil Survey mapping: High Intensity Soil Survey mapping for all subject parcels.
3. Section 218.1.13, requiring the entire wetland area to be delineated on the subdivision plan: Wetland mapping of all subject parcels.
4. Section 231.1.4, requiring that each lot shall have its access through its own frontage and a separation of 100 feet from the intersection: To have a driveway within 100 feet of an intersection and two drives on a single lot.

Mr. Kilmer stated with the first three sections we asked they be waived due to the amount of wetlands and the flood plain issues with the property. Again, we have proven out all the soils and all of that stuff to meet the standard for the Town. Then we ask for the second driveway only because the second driveway services the barn and is another access for the property on the east side of McQuade Brook. Town Manager Sawyer stated let me just clarify. The first three waivers are really for the backland. You have done all of that work. Mr. Kilmer stated everything basically by the barn to the south and to the west, when you drive by, you would see it falls into the marsh farther down. Town Manager Sawyer stated so the information has been provided for the area being developed, or potentially developed, but it is really just the excess backland that the waivers are requested for. Mr. Kilmer responded yes.

Acting Chairman Bandazian asked for any questions or comments from the Board.

Mr. McMahan asked for the eastern property, how close will the septic system come to the 100-year plain? Mr. Kilmer replied all of that stuff is out of the 100-year flood plain. They don't allow you to develop in it, so we have shown it all out of the flood plain. It is kind of hard to see but the 100-year flood zone runs down and then comes in through here. We are actually showing all of that stuff to the west of that. Mr. McMahan asked so the setback for the leach field to the 100-year flood plain? Mr. Kilmer responded there is no setback for the 100-year flood zone. The setback would be from the flagged wetlands. Mr. McMahan responded okay; thank you.

Mr. Fairman stated I would like a clarification. If in the future with the waiver of these for the backland I certainly understand that, but if they came in for a development later, if they could, if they can find land there that is okay to be developed, they would still have to do that for another development? Is that correct? This waiver would not waive them from doing that if they were going to develop later? Ms. Hebert replied that is correct. Mr. Fairman stated thank you.

Acting Chairman Bandazian stated I have two questions, and maybe staff can answer this or not. In the VHB memo one suggestion that they had was to have a tie-line on the south border. What does that mean? Mr. Kilmer responded what we had done because it was a compilation of plans on that south side, no one had really determined that because of the wetlands and stuff, we had asked for that waiver. But what we ended up doing, what they were looking for, was a tie-line as far as area in that. So we held the abutting plans and created a varying in distance foreclosure lot area and all of that stuff to create close figures. Acting Chairman Bandazian asked so that is how the 19.7 is determined, from that line? Mr. Kilmer replied correct. Acting Chairman Bandazian asked and the actual boundary is hard to determine because of Ash Bog or what? Mr. Kilmer replied right. It is swampy, marshy stuff to try to get in through there to find any kind of evidence. In some portions on some of the older plans there were some fences somewhere in

there. Ms. Hebert stated I think earlier there was an additional waiver and we dropped that waiver, which by providing the tie-line and completing the boundary of the property, they were able to drop that waiver because they were able to show the lot dimensions for the parcel on all sides and staff felt like that was important.

Acting Chairman Bandazian stated the other question I have is about infiltration mechanisms. It seems a little vague to me. The culvert or bridge from McQuade Brook is challenged, I would say. I noticed lately that crushed stone has been brought in and a filtration sock of some kind or silt sock and today I just saw posts or stakes sticking up. I don't know if staff can illuminate on that. Ms. Hebert replied the VHB memo notes that in the drainage memo provided with the subdivision, the plan proposes that each new building lot would have an infiltration area to take the stormwater that would be generated from the new house lot construction to infiltrate that stormwater and meet our standards to not increase runoff off from the property. Those locations haven't been shown yet on the plans, so as a condition we are asking that those technical concerns be met. Mr. Kilmer stated there will be an additional sheet to the plan set. You don't see the pre and post drainage reports that go with the drainage report that is submitted to staff and to VHB for review, they were on those plans. What they are requesting is that we are going to put another sheet in showing those areas and showing the drainage controls, erosion controls and all of that stuff for each lot on a third sheet. Acting Chairman Bandazian stated Ms. Hebert, it said it is a technical thing that gets worked out with staff. Ms. Hebert responded it is a technical thing that will be worked out and the applicant has seen the VHB comments and is committed to resolving all of those outstanding items. Mr. Kilmer stated correct.

Mr. Kilmer stated the one question I do want to ask is, how we created North Amherst Road with a subdivision there was no evidence really of stone walls and all of that stuff through that section, so we created it off the existing centerline of North Amherst Road. One of the comments from staff and VHB was removal of the fence from the new right-of-way. What my client is asking is that that fence, since it has been there he says approximately 40 years, that it can remain within the right-of-way until what time as the Town requires to do drainage upgrades and it is in the way or he stops pasturing cattle, using it as a pasture where the fence will no longer be needed. Ms. Hebert stated DPW had noted that the rail fence was in the right-of-way and had asked that it be relocated. Acting Chairman Bandazian stated and I think the request is to leave it where it is until the site is developed. Is it interfering with DPW activities now in any way? Ms. Hebert replied it affects the Town's liability because when a hazard has been identified, if it is not corrected, it increases our liability. I personally hate to see a fence moved that has been there for as long as this one and it is scenic, but liability is a real concern for the Town and it is a concern for DPW. Acting Chairman Bandazian stated the only thing I can think of is that the applicant submit an indemnification hold harmless agreement or security to the satisfaction of the Planning Department and Town Manager to leave it there, and if they choose not to do that, it sounds to me like it would have to come down. Town Manager Sawyer stated unless there is more information about the right-of-way. I wasn't aware that you essentially created that right-of-way line as part of the plan. Hopefully VHB was or the DPW were when they reviewed it. There are no recorded drawings of the right-of-way? Mr. Kilmer replied not of this. We will definitely go back out and look again to make sure. Again, they require the 50-foot right-of-way, so if there are any segments of stone wall to the north side and it does not meet that 50 feet, we would have to give you that. Town Manager Sawyer stated I think the telephone

poles, electric poles, are behind the fence in some locations. Mr. Kilmer responded basically I believe the fence runs along them and it is right behind them. Town Manager Sawyer stated just generally if the fence is in front of the poles, I would tend to think that it is in the right-of-way. Mr. Kilmer responded it doesn't hinder the utility company's access. Town Manager Sawyer stated understood.

Mr. McMahon stated the question is still open on whether or not your suggestion is accepted by the applicant.

Ms. Murphy asked so that fence is squarely on the parcel that is not being proposed to be developed? Mr. Kilmer replied it runs along both. Ms. Murphy stated which prompts my next question. How do you bind a future party to an indemnification clause when they don't even own the property yet? Acting Chairman Bandazian responded if ownership gets transferred, I guess that would trigger the obligation to remove it. Ms. Murphy stated because I don't think you could even covenant that. Acting Chairman Bandazian responded you wouldn't want a covenant. Ms. Hebert asked Mr. Kilmer, do you know the plans for the property? Would the larger lot stay in agricultural use because they may need to make changes to the fence anyway for the driveways? Mr. Kilmer replied the 4-acre lot is one of the owners, Heidi Ranger, who is going to build a house on that. The second portion Edward Ranger plans on leaving it as it is using it as pasture. Basically, the reason you have to show the buildable area and all of that stuff is because we can't create a non-building lot. We had to do the extra work on the remainder parcel to prove that out. He has no intentions of, again, at this point selling it, but you can never say never either. We don't know what is going to happen. Mr. Fairman asked so you would ultimately remove the fence in front of the place you are building, the one lot, or would you keep it there too? Mr. Kilmer replied he is thinking of gating it and being able to just fence around her driveway and house and they would use some of her parcel, again, they are all owners, to keep it as much pastureland as possible.

Ms. Hebert asked so potentially we could have, because Heidi Ranger is also party to this application, two indemnification agreements or license agreements to maintain the fence. Acting Chairman Bandazian replied the difficulty is it is on public property if it is in the right-of-way. Mr. McMahon stated it is a liability issue. Ms. Hebert responded right. Town Manager Sawyer stated it is currently just in the VHB memo, it is not a separate condition of approval. Is that right? Ms. Hebert replied it is actually noted on the plan to be relocated, so the applicant agreed, although they are not happy about it, they did agree to put the note on the plan but wanted to discuss it with the Board. Note 19 says, 'existing pasture fence to be moved to property line.' Town Manager Sawyer asked there is no timing on that. Does moving it to CO of the house help or they really just want to leave it there permanently? Mr. Kilmer replied he kind of wants it there. Again, I am just asking for the possibility of keeping it, and, again, CO maybe for the existing lot or the new lot and to keep the other one. I don't know. He just had noted that it had been there 40 years, he is getting up in age and it would be quite a chore for him to move that back. Mr. McMahon asked did I hear you say that they are going to run livestock on the property and that fence would be for the livestock? Mr. Kilmer replied that was my option; we could do it if he stopped keeping livestock and the fence was no longer needed. Is that what you are asking? Mr. Fairman stated I think separate from the legal issues, the fence is nice because it identifies that property as farmland when you drive by. I think it is a nice feature of that piece of

lot and piece of land. I would hate to see the fence removed. Hopefully we can come up with a way to keep it there. Mr. Kilmer stated again, it is a wooden fence, posts and rails, it is not just posts with barbed wire and all of that stuff. It does have some kind of a view. I think in the staff report they actually had a picture of it. Acting Chairman Bandazian stated it is very attractive. I think people would be unhappy, the general public, if it was not there. The problem is that it is in the right-of-way. Mr. Fairman stated it's not really in the way of anything, it is just a liability issue. At this point it is not in the way of anything is it? There is no work going on on those Town roads out there at all? Acting Chairman Bandazian stated that is correct, other than whatever is going to go on on the culvert or bridge or whatever. It is not in the way though. Mr. Fairman asked there are no plans for that road now? Town Manager Sawyer replied no; we rebuilt both Hardy and North Amherst Roads in the last 10 years, 5 years even. That work has been done.

Acting Chairman Bandazian asked for any further comments or questions from the Board or from the audience. There were none.

MOTION by Ms. Murphy that the Planning Board approve the following waivers from the Bedford Land Development Control Regulations:

- 1. Section 218.1.11, requiring 2-foot topographic contours**
- 2. Section 218.1.12, requiring High Intensity Soil Survey mapping**
- 3. Section 218.1.13, requiring the entire wetland area to be delineated on the subdivision plan**
- 4. Section 231.1.4, requiring that each lot shall have its access through its own frontage and a separation of 100 feet from the intersection.**

Town Manager Sawyer duly seconded the motion. Vote taken - all in favor. Motion carried.

MOTION by Ms. Murphy that the Planning Board grant final approval of the subdivision application prepared for Edward and Susan Ranger and Heidi Ranger for Lot 28-34, located off of North Amherst Road and Hardy Road, to create one new residential lot, in accordance with the plan prepared by Sandford Surveying and Engineering, Inc., with a revision date of June 13, 2019, with the following precedent conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions of approval to be fulfilled as noted:

- 1. A letter shall be submitted to the Planning Department by a Licensed Landscape Surveyor, certifying that all boundary monumentation has been set as noted on the approved plan, or in lieu of a letter, the final subdivision plan to be recorded may be submitted noting that the bounds have been set.**
- 2. The Planning Director and the Department of Public Works shall determine that the Applicant has addressed all technical review comments to the Town's satisfaction.**
- 3. If the waivers are granted by the Planning Board, they should be noted on the plan.**

- 4. All outstanding (if any) engineering review fees shall be paid to the Department of Public Works.**
- 5. Prior to the issues of a Certificate of Occupancy for a house on either lot, school and recreation impact fees shall be paid.**
- 6. All recording fees shall be submitted to the Planning Department at the time of recording.**

Town Manager Sawyer duly seconded the motion.

Mr. McMahon stated I would like clarification. The plan says that the fence will be removed. Just as long as everybody knows what they are voting for. Ms. Hebert stated yes.

Acting Chairman Bandazian called for a vote on the stated motion. With all members voting in favor, the motion carried.

V. Approval of Minutes of Previous Meetings:

MOTION by Town Manager Sawyer to approve the minutes of the June 10, 2019 Planning Board meeting as presented. Mr. McMahon duly seconded the motion. Vote taken - all in favor. Motion carried.

V. Communications to the Board:

Ms. Hebert stated we did not receive any new applications for the July 15th Planning Board meeting. We are planning to cancel that meeting. I will send an email to the Board. Our next regular meeting won't be until August 12th.

VII. Reports of Committees:

Ms. Hebert stated I have a Master Plan update. We have been in the process of reviewing a client draft for the Master Plan and submitted initial comments to TPUDC. The project manager from TPUDC has moved onto a new position, so we are regrouping and we are about a month behind. I expect to have the public draft in the next month or two. I think we are still on track for a fall public community workshop to review the public draft and receive comments from the community. We don't want to hold a public forum like that during the summer months. Ms. Murphy asked are we convening the Master Plan Steering Committee again prior to that or not? Ms. Hebert replied we will be meeting at least once during July and August. Mr. Connors stated part of that would be when we present the public draft of how do we do that as a way to reach out to the community.

Mr. Fairman asked is there anything new on the Goff's Falls development or the Market & Main development? Ms. Hebert replied Market & Main is still waiting for their large cinema tenant to sign lease agreements and become locked in, and I think that continues to be a component of the

project that is very important for the next phase to start. No new updates on Market & Main as far as new building in the foreseeable future. Ms. Malcolm asked is REI in the next phase? Ms. Hebert replied REI would be in the next phase. Acting Chairman Bandazian asked with regard to the offsite improvements, are there any hard dates when that is going to begin? Ms. Hebert replied we do not have hard dates. We have had a preconstruction meeting and we don't have a construction schedule from the developer at this point. They would need to return to the Planning Board in the fall if they were not able to meet their October deadlines. Town Manager Sawyer stated my understanding from Ms. Hebert is that the project manager is coming to town this week and she intends to ask all of these questions of them that you have been asking, so your questions are very timely. Ms. Hebert stated they did say Trader Joe's and Friendly Toast are doing a good business in Bedford and are very happy to be in town. Mr. Fairman stated I have one question on Friendly Toast. That is whether or not the signs meet the sign guidelines and all that we have agreed to on the Board. They have five signs on that little building, with two of them very big, and I was just wondering, I wouldn't want them to not meet the guidelines and requirements because that leads into problems downstream. I just wanted to make sure. Ms. Hebert replied they have exactly what the Board approved on their building. Mr. Fairman stated thank you.

Town Manager Sawyer stated the other question was about the Goff's Falls apartments. I believe you have an update on those. Ms. Hebert replied yes. The Goff's Falls apartments are close to having their site plan signed by the Board and they are working towards prepping materials for building permit.

Town Manager Sawyer stated for the general public on the Route 101 work being done. Obviously there are a lot of lane shifts that are going on and there is one significant one that is about to occur in the next week or so, which is Bedford Center Road at Route 101, where we have seen a significant amount of illegal left-hand turns out of Bedford Center Road onto Route 101, even though you have to pass four signs that say you can't do that before you actually make that turn. We did add some cones and some additional signage thanks to Public Works and the contractor on Friday, but we are just within a week at most too from a shift there on Route 101 where we will be on the opposite side of Route 101, on the opposite side of the median that has been installed, and at that time there will be no access from Bedford Center Road in either direction. Bedford Center Road would be closed as the current proposal at that point in time until the full construction is completed and all of the traffic is both east and westbound on their own sides of the road. When we shift to the other side of the median, there is no way to get the traffic across from Bedford Center Road to be able to make rights-in or rights-out without really hampering the construction process and putting a break into the curb island they have just recently constructed. As soon as they make that, those left turns will absolutely stop, but please don't make left-hand turns out of that intersection if at all possible.

Mr. McMahon asked is that going to be publicized? Town Manager Sawyer replied yes. The message boards would go up at least a few days in advance. It will obviously put a little bit more strain on the Meeting House Road intersection because anybody who currently peels off going westbound on Bedford Center Road, will have to continue to Meeting House Road or to Wallace Road to continue on their way. As we know, this is a means to an end and a better end that we have to get to. Mr. Connors asked do you know if they are still on track for end of the year?

Town Manager Sawyer replied that is my understanding, and they seem to be making great progress right now. October is the official word that I have been given, so let's shoot for November 1st.

Mr. Fairman stated we had a good neighborhood type meeting last week on Liberty Hill Road at the safety complex. That too is closed that I suspect helps this intersection out here because you can't get down Liberty Hill Road from here. Liberty Hill Road will continue to be closed in various sections for the next three months at least. The goal is to get it done before school starts but it is going to be really tight.

VIII. Adjournment:

MOTION by Ms. Murphy to adjourn at 7:50 p.m. Mr. Fairman duly seconded the motion. Vote taken – all in favor. Motion carried.

Respectfully submitted by
Valerie J. Emmons