

TOWN OF BEDFORD
July 18, 2022
PLANNING BOARD
MINUTES

A meeting of the Bedford Planning Board was held on Monday, July 18, 2022, at the Bedford Meeting Room, 10 Meeting House Road, Bedford, NH. Present were: Charlie Fairman (Chairman), Hal Newberry (Vice Chairman), Matt Nichols (Secretary), Phil Greazzo (Town Council), Priscilla Malcolm, Matt Sullivan, John Quintal (Alternate), John Nelson (Alternate), Chris Swiniarski (Alternate), Jillian Harris (Assistant Planning Director), and Becky Hebert (Planning Director)

I. Call to Order and Roll Call:

Chairman Fairman called the meeting to order at 7:00 p.m. Regular member Steve Clough was absent; Alternate John Nelson was appointed to vote.

II. Old Business & Continued Hearings: None

III. New Business:

1. **Town of Bedford (Applicant & Owner)** – Non-binding discussion for the construction of a parking lot expansion at the Bedford Public Library, located at 3 Meetinghouse Road & 15 Bell Hill Road, Lots 20-1 & 20-7, Zoned R&A.

IV. Concept Proposals and Other Business:

1. **Gerard J. Dumas Family Trust Co – Trustee Joanne Dumas & Pauline L. Dumas Revocable Trust, Co-Trustee Joanne Dumas (Applicant & Owner)** – Request for Conceptual Discussion of a 14-lot cluster residential subdivision, located at 227 Wallace Road, Kennedy Drive and County Road, Lots 20-26, 20-27, 20-28, 27-24 & 27-110, Zoned RA.
2. Discussion of Draft Land Development Control Regulation Amendments.
3. Discussion of New Hampshire Department of Transportation Ten-Year Plan Update.
4. Development Update.

Ms. Harris reviewed the agenda.

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

New Business:

1. Town of Bedford (Applicant & Owner) – Non-binding discussion for the construction of a parking lot expansion at the Bedford Public Library, located at 3 Meetinghouse Road & 15 Bell Hill Road, Lots 20-1 & 20-7, Zoned R&A.

Rick Sawyer, Bedford Town Manager was present to address this application from the Town. Also present were Jeff Foote, Public Works Director and Mariam Johnson, Bedford Library Director. Town Manager Sawyer stated we have a little presentation to take you through, and then we would be glad to answer your questions.

Town Manager Sawyer stated posted on the screen, the arrow points to the existing parking lot at the library, the library show along Meeting House Road, the Craftworkers' Guild is at the back of the site, the Town Hall is as located, BCTV, and the parking lots associated with that. Also, Bedford Village Common, I am sure will be discussed tonight, where the gazebo is located and the parking lot for the park. Really we see this parking lot as Bedford center parking for all of those uses. Looking at our abutters a little bit more and adding the property lines in, the Bedford Village Common does sit behind the library and the parking lot, we have the Mobil station to the south, and we have residential abutters to the east, to the north and to the west. Obviously, as you look further out, the church has a large parking lot in the district as well.

Town Manager Sawyer continued as we start off looking at the site, I did want to show this just because I feel that the island in the middle of the parking lot as you come to the library is an important piece for really setting the stage and are really very minor changes happening to that, the existing trees will remain there, we are adding a walkway that will help connect to the crosswalk that is on Meeting House Road. If you have ever tried to connect to that from the library or if you had to park at BCTV and walk over, you know that there is no real walkway that accepts that crosswalk on the library side of the site. Coming in a little bit into the site, where the parking lot is going to be added is really down below where the tent is current, and what is important to see in this posted photo is that there are three existing spruce trees, which one is not showing in the photo, but those spruce trees used to be a part of a longer hedge of spruce trees and they all have either died or have lost all of their lower limbs and/or are dying and really not effective anymore. Those three spruce trees will be coming out. We will talk about the landscape plan more as we go. Again, just coming into the site, I think you all know this part of the library pretty well. The driveway looking down into the site you can see that the pavement is ready to be replaced and the need for parking has been shown over a number of years, so that is why we are before you tonight. You are going to see in the plan that we are proposing to remove the landscaping in this center island and redo the lower parking lot, and a big part of what we are going to see as a change is immediately behind the library will be a green space and we will talk about that a little bit more when we get to the site plan.

Town Manager Sawyer stated posted is the demolition plan that really just highlights the existing conditions. Setting the stage where we are, the library is now on the left and the Craftworkers' Guild is now on the right. What is shown here is the box hatching of the upper island area and the upper parking lot is really just to show that we are just reclaiming the top 1.5 inch of that

parking lot and repaving it in place, but then the changes really happen as we start to get out back. Other things on the site to see is our existing geothermal wells that service the HVAC for the library are these long lines that are on the drawing and the parking lot will be going over the top of those and those geothermal wells were designed to accept a parking lot on top of them when we put those in in 2016.

Town Manager Sawyer stated I know there are a lot of lines on this plan; if you bear with me for one second, I am going to turn off the part of the new lot and just focus on the existing lot and get you set on that, and then we will talk about the new lot a little bit. In the upper lot we are making some very minor changes to the upper parking lot. Our handicap parking will now be centralized on the upper lot and the driveway as you come in, if you remember right now it turns pretty tightly on the back side of the library. We are proposing to change that and add a green space immediately behind the children's room, where our tent, which is currently in the field, would be located in the future. It is just like at your home where you have your patio or your pool out behind your back door, we would like to have the green space for the active uses right behind the library so that patrons don't have to be crossing back and forth in the parking lot and the librarians don't have to be hauling their activities and their books across the parking lot to the tent. This rectangle here is the location of where the tent would be and that would be a green space right behind the library. The biggest change in this is as you know, you come in today and you turn and go around and then you exit out the same way. In this new plan it will be one-way in only and you can choose left or right, and we think you will be able to see if there are spaces over to the right side that you would choose to go that way or continue in and park here. In front of the Craftworkers' Guild that really just gets improved and they have a similar amount of parking.

Town Manager Sawyer continued adding the new parking lot, or the addition to the parking lot, will bring us to a total of 111 parking spaces. It is an increase of 48 overall. The upper lot will have seven spaces in total, which is a decrease of seven spaces, and the new lower lot reduces its total amount of parking by two spaces, and the difference is the 57 spaces we are adding. We are adding 47 up here as shown and 10 to the east of the Craftworkers' Guild. You can see on the circulation that it is all one-way patterns and you would leave in a one-way out as you currently do.

Town Manager Sawyer stated I am going to show you a few photos. The next photo is showing standing in front of the Craftworkers' Guild looking at the row of trees where the new punch-through will be taken to connect the new parking lot. The Craftworkers' Guild is right here on the right, and this is the area where we need to clear to make that new connection and punch through. It is really starting from here where these trees aren't doing real well, right over to the side of the Craftworkers' Guild. There are about eight or ten full sized trees in there that would be coming down. The next photo will be standing in this opening looking up the new parking lot area. Again, came through that opening looking up towards the tent and Meeting House Road, you can see that spruce tree that we looked at in the beginning that is not doing well. The next photo is looking down. Before we were down here looking up and now we are in the upper parking lot looking down to the tent. What I really want you to see here is our neighbor to the east, Ms. Tefft's property where there is a chain-link fence but really no landscape buffer between the two properties on either side. We will talk about that a little more also. In the next

photo I just stood a little bit further to the right and there are a series of stakes that really mark the edge of the parking lot. What I want you to see here is how wide of a landscape island we will really have between the existing parking lot, which is way over here on the right, and the new lot. That is at least a 40-foot, if not larger, planted island that will run down between the two and really help provide visual separation and landscaping for both projects. The new walkway that you are going to see really runs right beside these stakes and connects the new parking lot. Posted now is just a diagram that takes all of the extra information off and it just shows you the pavement and the walkway, so that you can really start to see the new walkways that will be added along the new lot connecting to the library, the lower section of the library and to the upper lot and that walkway connecting over to BCTV. There is also a connection to the Bedford Village Common walkway that connects right here along that, and, again, just rebuilding the sidewalk in front of the Craftworkers' Guild.

Town Manager Sawyer stated there are a lot of lines on the posted plan. This is the grading plan and what it does show you if you were to look in detail is that the existing lot essentially gets regraded as is, we are making change here where the two punched-out islands and the existing lot will become parking spaces, so those are graded over. This also shows the drainage; existing drainage is from a series of manholes, catch basins that lead to a pond next to the Craftworkers' Guild that was built for this purpose when the library was built; that pond was manmade and built at the time. You can also see with the new parking lot that there is a series of manholes, catch basins to catch that water and, again, direct that to the pond. Mr. Foote and his team have looked at stormwater and believe that that pond will fully retain the 50-year storm without needing to make any changes. There is also sheet grading runoff for this upper lot. About half of that lot will sheet flow off into the field and down towards the wetland that goes behind the Craftworkers' Guild and heads over towards the gazebo. If you can picture a crown in a road, how a typical road is crowned, this parking lot would be the same, where about half of the road would sheet to the east and down towards Route 101 to the wetland and the rest would be collected in these catch basins along the new parking lot.

Town Manager Sawyer stated posted now is the lighting plan; I won't go into a lot of detail except there are five new poles. One is next to the Craftworkers' Guild and two on each side of the lot, which matches the lighting that is at the existing library. I know you look at a lot of lighting plans and a lot of foot candles, the average on this plan is one foot candle. It is very low lighting; I believe the maximum is 4.3 foot candles, extremely low lighting. I don't think we have ever had a complaint about lighting at the library, and they will be lighting fixtures to match the existing lighting out there. They will be 16-foot poles, very respectful and LED fixtures. We had done a replacement program at the library about three years ago or so that really reduced the energy usage at the library itself for lighting.

Town Manager Sawyer stated now we go to the landscape plan. There is a lot shown here. I would say this is the thing that we are still revising a little bit. There are 32 shade trees on here, a variety of maple, red and what oaks and plain tree, there are three ornamental trees, those are the smaller graphics, which are crabapple and service berry, there are three Austrian pines in the back, there are 69 shrubs that I counted of a bunch of different varieties, and then there is also what I really wanted to focus on was the screening that we are providing to the Tefft lot to the east, that has 17 cedar trees, Eastern White Cedar, and arborvitaes, plus a number of shrubs that

are also included in that 69 shrub total. We really believe that that will be a great enhancement and really do the job of screening the parking lot from the Tefft property.

Town Manager Sawyer that is my last slide. We would be happy to answer any questions. As you know, it is review and comment, and we are certainly willing to listen. I started by saying there is a little bit of probably modifications still happening to this plan, and I would tell you that it is likely these trees that landscape architect showed where we are wanting to put the tent near the building that those likely would not make sense to us. With this tree there is already an existing tree there that we don't believe that is in danger of dying or coming down at the moment, and possibly this tree out in the front that we need to look at as well for just visibility as you leave the library because it is not always the best. We just want to be sure that that tree also won't impact that at all. Otherwise, that is the plan, and we hope to build it as soon as we can.

Chairman Fairman asked the Planning Board members for questions or comments.

Mr. Sullivan stated Town Manager Sawyer and Mr. Foote, it is good to see you again. I'm glad you remembered where the Planning Board meets and what time. I will say personally that I have missed having you in our presence. As read through the Historic District Commission's notes and the staff memo for tonight, and I looked at it, so it is back of the envelope math, it is roughly an 85 percent increase of parking here. The thing that kept coming up to me is the why. Why are we doing this, why do we have to have such expansion, and I understand that there are some funds be allocated by a capital expansion from the Town, as well as the American Rescue Plan, I am just wondering, is this a project that the Town has been working on for a while or is this a project in search of funding or funding in search of a project. I am just trying to understand why the expansion to this extent. Town Manager Sawyer responded I am going to have Ms. Johnson come up. I know she is ready to answer this and I can fill in any gaps that she has. It is definitely a project that has been around for a long time, and the funding became available this year. Ms. Johnson responded I have been working at the library since 2006 and parking has been a topic of discussion since I started. If we look back, it started even before that in 1995 when this lot was purchased. The first plan for parking was drawn up in 2002, and I don't know how many iterations we have gone through, but posted now is the 2002 plan. What it means for us is we have been underutilizing our reading room space and our programming space for years. We coordinate with Jane O'Brien, who books the Town Hall, but I don't know how long any of you have been on boards here, but prior to Covid it was no uncommon to have no parking available in the town center just because, as you know, being on a board you meet the first Monday or the third Thursday or whatever, it is not catch-as-catch-can, it's on a regular basis and so Thursday nights around here can be very crowded. In addition to that, we can't schedule too many things at once at the library because then there is no space for people who are coming into transact with library activities, we schedule our morning meetings after our story time start so that people can get parking and bring their children and bring their books and that sort of thing in. It has been a long standing discussion. Mr. Sullivan stated I will say that there are times that I have shown up that it has been empty and then particular times, I will say the Daddy and Donuts events that I love going to when it is packed, because I have a 4-wheel drive vehicle I may have parked on the lawn in the back in the past, but I was trying to understand the capacity requirements of whether it was expanding the parking lot to allow for capacity of the library or was it hopeful capacity expansion to utilize more of the library, but it sounds like it is

the parking has been limiting engagement of the library is what you are saying. Ms. Johnson responded yes. Town Manager Sawyer stated we do have photos of people parked on those islands at recent events and so forth. We can show those if you would like to see them.

Ms. Malcolm asked where is the book drop going to be located? I read somewhere that you are removing where the book drop is currently. Town Manager Sawyer responded we had talked about moving it and making those changes, but in the end, it is going to stay right where it is at the moment. We will continue to look at it, it might make some sense to be on the other side, but there was no way of moving those easily and still having all of the circulation work as we were hoping it would. We know it is a tight spot there and we know the delivery drivers love to park right there as well, but fixing that causes other problems that we haven't been able to address yet. Ms. Malcolm stated the other thing I read in your description is that there are going to be spaces provided for the delivery drivers. Is that it? Town Manager Sawyer responded again, you were probably reading some stuff from early concepts that we had, and I could show you those, that would have really taken out all of the landscaping in that existing island and really narrowed that down significantly. I think all of involved felt strongly that that would have caused just an aesthetic along the street there that we weren't happy with. For now, we are continuing to leave it as it is. It is a shame that delivery drivers won't park in a parking spot because, as you know, most of the time when they are delivering, there probably is a spot available. The same thing happens at the Town Hall. They park right in the middle of the drive aisle when there are 20 spaces available for them, but so far people are able to get around.

Vice Chairman Newberry stated that was a very good presentation. I think it really presents it well. I don't think that typically we like parking lots, but I do think that in this instance more parking is going to help facilitate better use of the facilities. I did have a couple of questions.

Vice Chairman Newberry stated picking up on an item in the staff memo. In order to circulate all the way through and back in again, a vehicle would have to go back onto Meeting House Road and I think that if you can come up with a way of avoiding that necessity would be very desirable. That little 18-footer at the north end there, as shown on the plan, looks like you could do several different things there to maybe widen that out enough that you could allow a left turn there and avoid people having to go back out onto Meeting House Road in order to come back into the circulation. That is just a comment on my part. I really would like to see something done that alleviates having to go back out onto Meeting House Road.

Vice Chairman Newberry stated on the south end there, the parking up against the south end where the fill is, is there something going in there that will prevent vehicles from going over that bank. Town Manager Sawyer responded I don't believe we have shown any guardrail or anything like that. I think the slopes are 1-foot contours. Vice Chairman Newberry stated I think they are two footers or something. Town Manager Sawyer stated I will let Mr. Foote speak to it. Vice Chairman Newberry stated you should look at something there too. Chairman Fairman stated wheel bumpers maybe. Vice Chairman Newberry stated somebody is going to end up going over that bank, you can bet on it. Mr. Foote stated that is a fair point. The classic response to that as far as Public Works, as many times as we will just add a few boulders along that just to give people direction. That is a fair point, and I think we can accommodate that with little trouble.

Vice Chairman Newberry stated the other question I had was in previous discussions and in some of the minutes and notes I picked up that there was some debate about funding, and that just raises the question in my mind do you anticipate that your landscape plan is funded enough so that you will be able to execute it as you have on the plan. Town Manager Sawyer responded we have some money in the budget, which we hope is enough, but the library trustees have committed the fund raising for the remainder of the money needed to complete the landscape plan.

Chairman Fairman asked Mr. Foote, would you care to address the question relative to circulation. Mr. Foote responded I really appreciated the staff report from the Planning Department. We did look at that several times, and I have been to the library multiple times looking at this. When you enter the library, typically when you get to the split below, you are forced with one option when you go down. Today you will have two options when you go into the existing parking lot area, and after you visit this proposed plan, I am going to guess that your eyes are going to pull over if you see vehicles parked in the new lot or not. I think the circular pattern works today and I think this will work better. I think that adding a left as you come up and to allow for recirculation into the lot really adds two conflict points. One there and then another one for the folks that are entering the library. The amount of times that someone may have to exit the site, I am going to guess that they have gone through the site and if they didn't find a spot to park, then they likely would be heading to these parking lots here. We looked at it, we are always thinking of safety and there are two conflict points there that the recirculation would be introduced then I don't see the need for that honestly. We are talking about paving an impervious area and anything we do we are going to reduce the island and we are going to impervious areas, so we have been mindful of a number of things on this project and that is one of the ones that we are.

Mr. Nelson stated Mr. Chairman, I just want to back up Hal's view. I think of this is the time that you are going to need to be able to recirculate is the time when I think it is the most dangerous in the sense to go back out onto the street. There are going to be periods of time when there is going to be high density here and people will be circulating to find an open spot, and I think the concern would be coming back out onto the roadway in a period of high density. That is just one thing to think about. The main time that you are going to need to circulate is the time when there is the highest level of probably traffic on the roadway and density. I would echo a little bit Vice Chairman Newberry's concerns there. Vice Chairman Newberry stated I would also add the concern that you have two potential conflict points within the property, but you are talking about two potential conflict points out on Meeting House Road that are probably going to be higher velocity than you are going to have in a parking area. I understand the concern there, but I still want to emphasize that I really think that if you include that as a part of your opening plan, you won't have to go back and retrofit something afterward, after somebody gets clipped out on Meeting House Road.

Councilor Greazzo stated I was asked if there is public comment at this session. Chairman Fairman responded yes.

Councilor Greazzo stated speaking to the points that you were just making. If you look at the island that you have that is separated into two pieces, the front island. If you eliminate the smaller piece, you can have two lanes instead of one; that eliminates your collision point and you can recirculate. Where is the runoff going? Do we have wetlands on the site? I know behind the gas station it looks kind of. Mr. Foote responded there are wetlands on the property but we are not impacting wetlands as part of this project. There is no wetland impact as part of this project. There is no regulatory permit needed for this project. Councilor Greazzo responded I understand, I am just asking if the runoff from the parking lot itself runs down towards the gas station and that wetland area. Mr. Foote responded just as it does today. Councilor Greazzo stated but that is dirt today. Is that part of your snow removal plan too? Where does the snow go? Just off to the side anywhere? Town Manager Sawyer responded actually with this plan I think it is probably going to make it easier for us to maintain the library lots because we now will have an area where we can put some snow piles that we currently don't have a whole lot of room to be able to do that, being able to access that field area for snow, and there is also room for snow between the shade trees as shown on the plan.

Councilor Greazzo asked is there any reason that you don't want to connect to the driveway to let people out onto Route 101? Town Manager Sawyer responded I think there are a number of reasons. I just want to tell the public what we are talking about. There is an existing driveway that goes next to the Mobil station out to Route 101 that was the driveway for the Johnson home that sat where this parking lot is proposed to be built. For us there are a number of concerns with that flow. Cut-through traffic being one of them through the library parking lot to get to Route 101, and then just the safety and circulation of those turning movements on Route 101 are the primary comments.

Chairman Fairman stated before we ask for public comments I do have one myself. Because this parking lot I believe is designed for use by the overflow of Bedford Commons as well as the Old Town Hall, really there is only two town-owned locations we can have a meeting. One of them is this building and one of them is the Old Town Hall and the library. It is unfortunate that that is the case but it is. You have a sign on your plan located where the driveway goes down for library use only and I wonder why we have that sign. Please go to the new plan and read the small print. Right at the entrance on that little bump next to the two places, it says 'proposed library parking only.' Councilor Greazzo asked is that referring to anybody who enters that area of the parking lot or is it just for those two spaces? Mr. Foote responded that will be deleted from the plans. Chairman Fairman stated it is important that this be available for everybody. Town Manager Sawyer stated that is absolutely a great point. It is Bedford center parking for the Town Hall, the BCTV and the library and the common altogether. Chairman Fairman stated I would also like to suggest in those two parking spots that are there that perhaps that they be timed spaces, 15 minutes, 30 minutes, something like that, because I think all of the other parking spots on that level are handicapped. There are a lot of people that go into the library, so to make to 15 minutes, 30 minutes, some timed parking. Town Manager Sawyer responded we appreciate that.

Vice Chairman Newberry stated when you mentioned the parking for the common, I think you said there is a path down there in the southwest corner. Is that going to be enhanced at all to facilitate people using that parking space to walk down into the common area? Mr. Foote

responded that ramp was improved close to ten years ago now. Town Manager Sawyer stated I don't know given the slope that is along there that we could do much of anything, but it is actually a nice paved pathway with a railing that lets you park at the library and go to the park. Vice Chairman Newberry stated I was in there today and I didn't notice that. You might want to consider adding a sign just so it is obvious to people that they can access by foot down into the common area. Town Manager Sawyer responded understood. I think this plan overall will enhance those cross connections between all of the lots, but the comment is well taken. Vice Chairman Newberry stated I think that expanded parking will help to make the whole area more usable. Town Manager Sawyer stated we hope so. Chairman Fairman stated I think the addition of a sidewalk that comes down to that pathway will make it more obvious too.

Chairman Fairman opened the public hearing on this application.

Maureen Redmond, 81 Bedford Center Road, stated I am all for the library to expand programs, I am all for people to park and be able to get to the Town Hall, I just don't think it needs to be a \$400,000 lot that is paved. We are all able to park in grass and I just think the lot is already there, just put a sign that says overflow parking, make an arrow, take a few trees down and when it needs to be parked on, it can be, but we don't have to waste the Town's money on a huge parking lot that may or may not get used. Thank you very much. Chairman Fairman stated Mr. Foote, would you like to comment on that. Town Manager Sawyer stated I will respond first. We are looking for all season parking. Certainly a grass parking lot won't help us in our winter conditions. I realize that there are aren't concerts happening at the park in the wintertime, but we really are just looking for all season, not just winter, but mud season as well, on this slope we don't believe would be highly successful.

Nicholas Vestrodly, 69 Bedford Center Road, stated I just wanted to say that we are saying that there is the need, and I understand that some people had to park around and they could show pictures of people not having space there, but there is the Bedford Village Common parking that is always empty and it is because it is farther away. Now we are eliminating all of the upper lot spaces and people will have to park down there, and I wonder is it even going to be used because it is so much farther way than anything else that is being used now that if the Bedford Village Common parking that was just redone a couple of years ago is not being used at all, will that be used. Will all of those parking spaces at the end where the Mobil station is not being used at all. I don't see the need for any additional spaces, the existing parking lot could be refactored, the lower parking lot, to include ten more spaces, that could probably be enough. We have other parking here and at the town offices, and the use of the library has decreased 20,000 fewer people go the library since 2009, so there is a decrease in use. I am just wondering why we think that we are going to use all of that parking.

Kelly Martin, 73 Bedford Center Road, stated I love the comment about the project looking for funding. First of all, of want to appreciate the amount of work that has been put in for the additional landscaping just to make it more of a centerpiece for Bedford center. My concern is that you talked about egressing onto Meeting House Road. In the morning we are backed up all the way past Church Street and now in the afternoon, we are backed up all the way to Church Street, so sometimes it is all well and good to add additional parking or additional use to a building, but sometimes the amount of people that are egressing and exiting becomes too much

for what the area can handle, and I think this is a particular case. If you were to add an additional 40 lots and they are all full and people are exiting at time of end of school or pickup, what happens to Meeting House Road, what happens to that traffic pattern there, where the concern about safety. That is pretty much it. Thank you.

Chairman Fairman asked Ms. Johnson, would you talk about when are the crowded times. For instance, I don't see in the morning traffic any rush coming out of the library, or even in the afternoon necessarily, when is the crowded time in the library in general. Ms. Johnson responded Town Manager Sawyer had addressed this in his staff report at the Town Council meeting. I think he understands traffic flow differently than I do, but I know Meeting House Road is backed up at 7:30am. Town Manager Sawyer stated I can certainly speak to the road and traffic counts, but the question was what is the busiest time at the library itself. Ms. Johnson stated I would have to look at our door counter, but I would say that Saturdays are super busy. Chairman Fairman asked when do you have big meetings? Ms. Johnson responded big meetings are generally at 7:00, 7:30, 6:30, so I think it is not the time that the traffic is backed up. Town Manager Sawyer stated this board, as you know, you see a lot of traffic studies and the traffic studies are based on peak hour trips, AM and PM that you just heard the gentleman speak to. The biggest events at the library has been stated as after those peak periods. Granted there can be a daytime even that would busy, but it is right at 5:00pm or is it in that 7:00am to 9:00am window in the morning. The library isn't open during the AM peak. Could the Town Hall or BCTV be hosting an event, possibly, but not likely to the point where we are impacting those peak hour trips on the corridor. Chairman Fairman stated that was my thought too was in general the peak traffic hours coming up and down Meeting House Road don't coincide with the peak traffic for the parking lot. Town Manager Sawyer stated it is like tonight in this room, there are 60 or so people here but we are off the peak hour, there weren't the backups getting into this meeting tonight. Chairman Fairman stated it definitely backs up, we all know that. Town Manager Sawyer stated we all absolutely know that AM and PM peak is a real problem and we hoped that the Route 101 improvements were going to alleviate that but we clearly still have a lot of people trying to get to Route 101 from all parts of Bedford.

Dan Muskat, 49 Church Road, stated I love that you park on the grass, I think that is the answer right there. When the budget was passed for \$400,000, were you able to confirm since the Historic District Commission meeting whether that \$400,000 included landscaping and lighting or not. Town Manager Sawyer responded it is my understanding that it has a provision for the lighting but that it probably can only fund a portion of the landscaping. Mr. Muskat asked when this goes over budget, what are we going to do? I don't think fund raising is really a realistic answer. Town Manager Sawyer responded our \$400,000 budget has a little bit of a contingency and the trustees have committed to raising the additional funds for the landscaping. We don't have additional funds to draw from for this without going back to the Town Council or other boards to try and get additional fund, that is the budget we have. Mr. Muskat asked since the \$400,000 was approved, we know the price of everything has gone up. Have we addressed what the new quote will be currently to build this lot? Town Manager Sawyer responded I will let Mr. Foote speak to that, but we are utilizing our existing road contractors who have bid pricing for pavement, asphalt for that type of work. There are a few things in here that clearly wouldn't have been in a road that we have to get a price for, but otherwise we have an engineer's estimate based on the contractor pricing we have for our roads. Mr. Foote stated that is a very good

question. Some of the things that we have done to try to keep this within budget is originally when we met with the trustees, we have met with them a half dozen times now, granite curbing in the lower parking lot was the want. Now we are going to be constructing asphalt, so we have taken measures to try to mitigate some of the increased costs that we saw and is also being seen in the industry. Mr. Muskat stated thank you.

Mr. Muskat stated I would like to address the actual need for the parking lot. Have there ever been any actual studies done saying when we have actually not had enough parking spaces at the library to accommodate the library's needs? Mr. Foote responded that is a great question. If we were a private developer coming in here and wanting to construct a library, a town hall, a BCTV, and a Craftworkers' Guild, along with the Bedford Village Common, the required number of spaces we as a private developer would have to provide is 224 spaces. Today in all three of those parcels, the total existing is 122 spaces, so there is about 100 space deficit as we exit today. So this proposal is adding 48, so we are only having the actual need if we were a private developer coming in here asking for this project. The need is based on the Town's Land Development Control Regulations, so there is a need. I am glad you asked the question; it was a very good one. Chairman Fairman stated just to clarify something Mr. Foote said, when we look at any new type of development, whether it is a restaurant or an apartment building or business, manufacturing facility, hotel or any kind of facility, we have Town requirements for the number of parking places, and what Mr. Foote has just said, obviously this wouldn't meet those requirements at all as existing or even with the addition we are way off on that requirement. Mr. Muskat stated we still don't have an answer to how many times in the last 5 – 10 years, have we run out of parking spots at the library, period. Chairman Fairman responded I can speak to several that I couldn't find a place to park when I came to this meeting. Mr. Muskat stated at the library. Chairman Fairman stated including the library, including all of the parking places, I couldn't find a place to park. Mr. Muskat asked how many times? Chairman Fairman responded I don't know; many, a few. I have also had problems in the library finding a place to park with meetings there. It is real; I don't know if anybody else have had experiences like that, but I have. Mr. Muskat stated I have been in town for 22 years, and I don't think I have ever seen the library parking lot full, period. We are spending \$400,000, \$400,000 when we can put a sign up and park on the grass. I don't get it.

Kathleen Bemiss, 37 Magazine Street, stated first I need to ask if it is okay for me to speak as a private citizen at this meeting. Town Manager Sawyer responded yes, absolutely. Ms. Bemiss stated I am speaking as a private citizen this evening, and since this project was first presented at the Historic District Commission in March, I believe, I have been asking the same question that Mr. Muskat has been asking for actual hard data. How many times in any given week is there overflow parking required? How many times a week do we need to park in the gazebo parking lot? That hasn't ever been presented to me. I don't believe we need this, but interestingly, I have just heard in the last couple of minutes that the Town of Bedford has said we, as a private developer, if we were going to do this parking lot as a private developer, would need to do this because the Town requirements are such. It is interesting that the Town of Bedford does not need to follow their own rules. You as the Planning Board hear many, many such proposals and you say that is too close to the wetlands or that is 5 feet too close to the neighbor, that has environmental impacts, the Town doesn't have to do any of those things. But I would ask the

Planning Board to think in your mind what would you be doing if this were a private proposal coming before you, what requests would you make of this proposal. Thank you.

Elaine Tefft, 7 Meeting House Road, stated I have heard a lot of really unusual statements tonight, which may or not be accurate. I have lived here a very long time, over 50 years. I was very young when I came. But prior to the high school being built, all of the voting, the annual voting, the Town meetings, everything was at the Town Hall and there was never a problem with parking. There used to be a fair at the church in the fall and there were a lot of people, never a problem with parking. As recently as this spring, the Bedford Women's Club had a huge sale day to raise money, there well over 100 people there and nobody parked on the grass, nobody had trouble parking. I am just not buying it. If in fact we do need to have a place for meetings, how about our \$85 million high school that was only supposed to cost \$55 million. There is plenty of room there, and there are the other schools, they all have their own parking lots. Think of the money we can save and think of how much better it would be, frankly. If you are going to have that many people at the library, let me tell you that the toilets are inadequate, the high school has tons of toilets, they are all set. I don't think we need or want to do this. In the 1990's, which is well within the 50-year limit, when I was here, there were plans that were addressed at three separate annual Town Meetings where we vote on the budget, where money was voted by the taxpayers, not the crazy amounts that we use today, to buy parcels of land so that there could be a Bedford center park. We almost have one; it is tiny and the kids get to play and there is a tent, but it is green and we almost have that park, but actually the whole plan was to buy enough parcels so that seven acres would be accumulated of green space, right in the middle of Bedford. As a matter of fact, the then Town Manager called it Bedford's green necklace. Obviously the Town Manager then was a woman who liked jewelry, but it was a great idea and I think it would have been a great piece of jewelry for Bedford to have that green necklace. What bothers me is that the Town votes money to buy land for a park at an annual meeting and then all of a sudden whoops, that is not going to happen. That park, the Bedford center park, that was talked about becomes Bedford center parking. Is that even legal? There was no vote or no petition to change prior votes and I realize that we reelect, or do not reelect people every year, but I think when you start appropriating money, it is a different set of rules and even politicians get voted out, they don't just disappear. One of the things that has not been discussed at all that really distressed me is the environmental damage. Vice Chairman Newberry stated Mr. Chairman, I would like to point out to the audience that the role of the Planning Board in this particular instance is to comment and advise, it is not to approve to disapprove this development. I think if you have a question about the development, you should bring that forth, we don't need a history lesson. Ms. Tefft stated well, it sounded to me like somebody did because, and I know very well you have no power over what they do because they are the Town and they can do what they please, but I would like to know why there are no environmental studies. There needs to be, because to go from green grass that is not contributing to global warming, to just black asphalt, which does contribute to global warming, I think there must be something the Planning Board or something somebody in the State of New Hampshire can do to protect our environment. I don't want to be like Europe burning up all over the place. Finally, a personal comment, and you may think everything I have said personal, but frankly, it is not. It is just that I like things done properly. Access to Meeting House Road is more than just an oh darn, look at that traffic backed up way past the church. I can't get out or into my driveway by right only by sufferance. What can you do? I think you have a responsibility so that property

owners can leave their own property and can use the public roads they have paid for, and I have to tell you that twice a day now the traffic is horrendous. Thank you for putting up with me and for listening to me. I don't remember seeing any of you at those meetings 50 years ago, but then we have all changed and you probably don't remember me either. Chairman Fairman stated thank you, Ms. Tefft.

Chairman Fairman closed the public hearing on this application.

Chairman Fairman stated there is one other thing I want to bring up from the staff report. They did suggest that the light towers be changed to be like the ones in the Bedford Common. It is a much more attractive light towers than what you have, and I just wonder if you would like to comment on that. Town Manager Sawyer responded again, I think the lighting at the library has had no issues for the 25 years that it has been here in this place, and we just recently converted those to LED's, and I think you have the ability to screen these if there is some objection to light trespass. The low levels of lighting that we are showing on this plan are the lowest I have seen on any plan. Councilor Greazzo stated I think he is referring to the style. Town Manager Sawyer responded I know; the other style though you see the fixture, there is no way to screen that fixture. The light source is immediately in your face, and I believe this is a better style fixture for lighting a parking lot and not a walkway. If it was a walkway like in the park, I agree with you 100 percent. My undergraduate degree is in landscape architecture; I agree with the comment completely but I don't believe it is the right source. We have those same lights at the Bedford Town office upper parking lot and when you leave that parking lot at night, it is fairly dark and those aren't the right fixtures, in my opinion, for a parking lot. Chairman Fairman stated thank you, Town Manager Sawyer.

Chairman Fairman asked for any other comments or questions from the Board.

Vice Chairman Newberry stated I would have to agree on the lighting. I think the existing lighting is not very aesthetic but it is effective, and I think the alternative would spread more light around, whether we like it or not, even though it would be more aesthetically please maybe. Town Manager Sawyer stated and it would be a lot more fixtures and a lot more money, but I understand the comment for sure. Chairman Fairman stated thank you very much.

Councilor Greazzo stated I would like to ask one question of Mr. Foote. You are very good at saving money. Is your department able to do any of the site work in advance to offset some of the costs that the paving company would otherwise be providing? Mr. Foote responded well, if the timing, we have gone past the window, but there may be another that develops as far as importation of materials to the site. I am still looking at that. I was looking at that three months ago. Thank you for the comment. I try to be very conservative and frugal with Town funds, and I won't exhibit any other characteristics for this job, I can assure you. Councilor Greazzo stated just looking for some way to bolster the shortfall for the landscaping. Mr. Foote stated we looked at some of the existing closed drainage, and we are going to camera it and see if we can save some of it. I am not sure we can, but we are looking at everything, just as we always do. Thank you.

Concept Proposals & Other Business:

- 1. Gerard J. Dumas Family Trust Co – Trustee Joanne Dumas & Pauline L. Dumas Revocable Trust, Co-Trustee Joanne Dumas (Applicant & Owner) – Request for Conceptual Discussion of a 14-lot cluster residential subdivision, located at 227 Wallace Road, Kennedy Drive and County Road, Lots 20-26, 20-27, 20-28, 27-24 & 27-110, Zoned RA.**

Mr. Swiniarski recused himself from this conceptual review.

Attorney Andy Prolman of Prunier & Prolman PA was present to address this conceptual review on behalf of the applicant. Attorney Prolman stated with me is project engineer, Brenton Cole, and Jeff Merritt of Granite Engineering, and Joanne Dumas the trustee and property owner.

Attorney Prolman stated we are before you for your comments and comments from our neighbors tonight on our 14-lot proposed cluster residential subdivision. I think most folks are familiar with the area. We have Wallace Road to our west with the homes and some fields and some woods along Wallace Road, south of us is Kennedy Drive in the Presidential neighborhood immediately south of County Road West. As you can see on the screen, we have our proposed in the middle, as well as you can see the high school, the middle school immediately to our east, and then the new apartments directly above us on Bow Lane. With this project we are proposing 14 single-family homes on single-family lots and we will have Town water and sewer connecting to the site. Just a brief history of this property; the Dumas family from the 1950's onward acquired and assembled in a roughly 70 acres in this area of town from Wallace Road all the way over to Nashua. In 1991 after a lot of back and forth between the School District and the Dumas family, the Dumas family sold 42 acres to the Bedford School District, which was certainly helpful for the Town and the Dumas family reserved utility easements across the school property, but in doing so and conveying that, they lost their frontage on Nashua Road. So we currently have frontage on Wallace Road, which is really not usable because we have Riddle Brook in between their Wallace Road frontage and the proposed project. The Kennedy Drive dead-ends at County Road West, and we have to cross and I will speak to that in a moment, and the access from the north, Bow Lane, is challenging from many respects, which Mr. Cole will get into as well. We have our point of access, you will see it, it really just has to come from Kennedy and we will speak to that momentarily.

Attorney Prolman stated the path forward to come back to you after a conceptual discussion is a trip to the Zoning Board for two variances and then a trip to the Town Council with respect to the classification of County Road West. I need to variances for this project; there is a little piece of the project up at the very top, as you can see posted on the screen, there is a small triangle in the Commercial Zone, and the Commercial Zone does not allow cluster residential subdivisions, but we wanted to be able to use that as our calculation for our density. The second variance is currently the project does not have frontage on a Class V road and we will be seeking a variance to allow the project to go forward as we have it proposed. We will have ample frontage, if the project goes forward, because we will a Kennedy Drive extension but currently we need the frontage variance because we will be crossing County Road West. That would leave a trip to the Town Council because currently County Road is classified as a Class VI road and we have to

upgrade that to a Class V road as we will be making that request to upgrade through the Town Council and actual through the physical work as well.

Attorney Prolman stated the staff report had some very good comments about how to approach that. We had initially suggested 100 feet of building out a portion of County Road West, as he would suggest to reduce that, and we think that could make a lot of sense to do that, so we are certainly willing to consider that and hear the Board's thoughts and concerns on accessing through County Road West. I think that is my initial presentation and maybe I could turn it over to Mr. Cole on what we are looking at for the project.

Mr. Cole stated I am from Granite Engineering. We were the civil engineers on the project. The Dumas family owns five parcels that combine for almost 32 acres. The plan is to merge four of those parcels into Lot 26. Lot 24 is where the existing dwelling and where the Dumas mother lives. Lot 24 and the newly merged Lot 26 will be adjusted and Lot 26 will now have 26.5 acres and make up for the parent parcel for our new cluster subdivision. The cluster subdivision will have access off from Kennedy Drive, which is currently an abrupt dead-end. There is no formal turnaround, it just stops. When we extend Kennedy Drive, we will be extending it by 1,000 feet to create a 1,200-foot cul-de-sac from the edge of Jefferson and Kennedy and terminating at a cul-de-sac as indicated on the screen. This was designed at 1,200 to meet your cul-de-sac maximum construction. The proposed roadway does cross County Road, and at that crossing you will see on the second sheet in your plan set that we are proposing a more formal intersection up in the top right-hand corner of the plan, where you will see a more formal intersection with bollards, connectivity for the existing trail that is out there, trailhead signs, a formal crosswalk to make sure the connectivity is safe. Also with the Kennedy Drive extension, we will have a wetland impact in through the area indicated on the screen. In order to access the majority of the upland of the property, there is a wetland crossing that will be necessary for the Kennedy Drive extension. Located off from the Kennedy Drive extension will be 14 cluster residential lots for single family. They range from about 0.8 acres to 1.2 acres; they all have the requisite frontage as well. The open space is roughly 119,000 square feet; it extends around the cluster subdivision with a 50-foot buffer minimum for wooded. Most of the buffers are larger than the 50 feet, especially towards the Kennedy and the Jefferson development, specifically in this area shown, and more specifically in this area through here. The other residential development that surrounds it has a lot more than that because of Riddle Brook and the open space that we have designed to the north that abuts the apartments to the north of that. The lot is split zoned; we are requesting a variance to allow the Commercial Zone in our density calculations. You can see the zone, as shown, so there is portion of the property that would really be deemed not usable, we really wouldn't be able to put utilities in through there or anything that is associated for the residential, and we will be seeking a variance to allow that component to be absorbed into this project.

Mr. Cole stated Attorney Prolman alluded to having utilities out here. Up in the northeast part of the property there is municipal sewer, municipal water and gas that were stubbed for this development. We are extending that through the open space through Kennedy Drive and we will bring municipal water and gas to the end of Kennedy Drive, which will bring hydrants and fire protection to a development that has none today. With that I will hand it back to Attorney Prolman for any last remarks.

Attorney Prolman stated I have nothing further, Mr. Chairman. Again, as you heard from your last presentation, we are here for your comments and questions.

Chairman Fairman stated I will ask my first question and then turn it over to the members of the Board. How are people going to have access to the open space? The place to have a trail system that extends from Kennedy Drive out through this area shown. There is a trail that leads out to the back through the open space and then heads out to the new apartment development. There is an existing trail that I think the students have used that is in through the area indicated on the screen, and I believe that was in the staff report formalized that a little bit more. You would see an intersection here with a trail system leading up to the high school and then heading west to the apartment complex.

Chairman Fairman asked for comments or questions from the Board.

Mr. Sullivan stated I have a question for Ms. Hebert. In terms of the community space; if that waiver was granted, it would essentially be coveted that it could no longer be developed as commercial because it is technically in the commercial space, it would be restricted to green space. Ms. Hebert responded yes, it would be restricted by covenants as open space and it would be part of the cluster development, so it would be not available for future development.

Mr. Sullivan stated my other comment is mostly that I hear some comments coming from the audience, I love that you are passionate about this, but it is a little distracting as we hear the applicant speak. Please keep your comments as quiet as possible. Thank you. Chairman Fairman stated I will add to that that we don't like a lot of repeat comments. If somebody else has already said something, say you agree with them, but don't go through it all again. Thank you, we will get to that in a moment.

Ms. Malcolm asked how many of these 14 units are going to be affordable housing units? Attorney Prolman responded at this point we were not planning on any, but it something that the Board to ask us to consider, we certainly would. Chairman Fairman asked because of the size of these lots, are you anticipating them being very high-end houses, high cost houses or lower cost, not necessarily affordable, but what is the range of the anticipated costs of these homes? Attorney Prolman responded Mr. Chairman, in all honesty, we haven't even gotten that far in our analysis. With the price of building materials and road construction costs and everything that goes with it, these are not coming in at \$200,000. Chairman Fairman responded that's fine; thank you.

Chairman Fairman stated before we go onto other Board members, Ms. Hebert would you address the various requirements on a cluster development such as this. Ms. Hebert responded yes. Cluster developments, as Attorney Prolman explained, need to have certain minimum tract requirements in order to qualify for that type of development, including frontage on a Class V roadway, so the development is seeking a variance to provide the frontage on the Class V road. It is 150 feet and it can be comprised of sections 50 feet or more, and in this case, the development doesn't need that frontage requirement. The cluster development also needs to set aside a minimum of 25 percent of the land area as open space and I believe this proposal is

around 48 percent open space. The cluster development in Bedford cannot have more residential lots than what a conventional subdivision could have in a conventional layout. What that means is the developers design two subdivisions, they design a conventional layout, which is what the Kennedy Drive neighborhood is or any other non-cluster development in Bedford, and we review that and check to make sure it meets all of the Town standards, and that is one of the density requirements. The benefit of doing the cluster development really for the developer is sometimes a shorter roadway because cluster developments can have less frontage, the frontage requirement is more flexible and the lots can be clustered and a little bit smaller in size so you can fit more lots on a shorter section of road.

Vice Chairman Newberry stated is the wetland crossing just going to be a fill or is that going to involve some kind of drainage through there. Mr. Cole responded it will require some sort of drainage. With any wetland crossing nowadays there is typically a box culvert that is associated with it to try to minimize the impact to it. We will likely see some sort of drainage system similar to that but we haven't fully designed that crossing yet.

Vice Chairman Newberry stated on the top of wetlands, there is not a lot of detail there yet, but it looks like Lot 2 may have minimal buildability. Apparently there is some wetlands there impacting that. It may be too early in your planning to answer that fully, but just from what I see there, I am not sure you are going to have much buildable space on that lot as its proposed configuration.

Vice Chairman Newberry asked have you started talking with Public Works about the proposed upgrading of County Road, and as I understand it, that is to provide you with sufficient frontage so that you are not a land-locked parcel? Attorney Prolman responded that is correct; we have not started those discussions with Public Works. We did meet with Town Manager Sawyer and Ms. Hebert to review our path forward but that is certainly on our list of things to do to sit down with Public Works to see what they want.

Vice Chairman Newberry stated I understood you to say that there will be hydrants in the development. Have you started a conversation with the Fire Department yet? Mr. Cole responded we have not started the conversation with the Fire Department. The plan was to bring water out to the portion of Kennedy that would be connecting into, to try to bring water and a hydrant out as far as possible, but we have not started the conversations with the Fire Department yet. It will be on our list once we get into the full design of it.

Vice Chairman Newberry asked the topography through there is pretty even, there aren't any steep slopes or places where you are going to have to do cuts and fills? Mr. Cole responded the box culvert that I spoke about before, it is a fairly large structure, so there will be some fill required just to get up over the structure in the wetland crossing, but you are right it is fairly flat out there. It is a very nice grade; I can't imagine there being too many cuts or fills. Vice Chairman Newberry stated that is all I had.

Ms. Malcolm asked Lot 10, is that going to be an issue with Riddle Brook, is there going to be a wetland issue if we have a lot of water in the spring? Mr. Cole responded no, we are not expecting any wetland issue. The buffer does come onto Lot 10 a little bit, but the development

will likely be up in the front, we don't expect there to be an issue with Riddle Brook. Riddle Brook does have a flood zone associated with it, luckily for us that flood zone was studied by FEMA so we have exact elevations for what that flood zone is. In checking that after we read the staff report, we are significantly higher than the floor zone associated with Riddle Brook.

Mr. Sullivan asked is the cul-de-sac, if you haven't spoken to the Fire Department yet, will it also be suitable for school bus turnaround? Chairman Fairman stated I am a bus driver, so that is one of my questions there too. Talk to the bus company. People who live in cul-de-sacs don't like buses and trucks driving on their lawn when they come around. We also like to leave the center as a nice grass area when possible, not have to cut across that. Talk to the bus company, figure out what the size should be. We have roads that we can't go up and down because the cul-de-sacs aren't big enough. Even the little ones have to walk down to the end of the street. Attorney Prolman responded good comment; we will make sure. Mr. Cole stated we will touch base with them. Mr. Sullivan stated just because I drove up Kennedy earlier today and it absolutely dead ends, and if someone was in Lot 7, to have them walk all the way down to I believe Jefferson or even further to get a bus, that would be unacceptable for the kids. Mr. Cole stated I think this is an ideal situation. It provides the Town typical cul-de-sac, which is their preferable turnaround to a situation where it is an abrupt dead end. It is almost like it was stubbed for future development at some point. Chairman Fairman stated I think it was probably left that allowed because it is so close to Jefferson. The school buses come down Kennedy and go around the Jefferson loop and back out at this present time.

Attorney Prolman stated if I could have Mr. Cole speak to why we are coming from Kennedy as opposed to our other options because I do want folks to know that we looked at this seriously, and while neighbors may not be wild about our using Kennedy, it is really our only option. Mr. Cole stated we did assess all kind of touchdowns with the classified roadways. As you can imagine, County Road is Class V up to about this point here indicated on the screen, but extending County Road this far would include a significant wetland impact to Riddle Brook, a lot larger and possibly not permissible because of such a large wetland impact with such a small right-of-way that is there. I believe it is only a 40-foot right-of-way and it may even get smaller as you go over the brook. That is obviously a big issue, plus the connection to County Road would create a large dead end. In order to access the upland portion of our property, we would far exceed that 1,200 linear foot limit, and it would also leave this stub to Kennedy that would likely want to connect anyway. That connection to Kennedy Drive would happen regardless with a County Road extension. The roadway of Bow Lane connects to Chestnut was looked at as well, but unfortunately the right-of-way that is there is all wetlands, and I don't know if some of this Board does recall the development that was in there, but we don't have those plans on this plan, but the wetlands line up right in the middle of that right-of-way. In order for us to permit a wetland impact with New Hampshire DES, we have to look at the most limiting impact option and the most limiting impact option is coming off from Kennedy Drive. In your packet there was an old, old plan, there were a lot of scribbles on it, but it was the only one that we found, but we did find a plan that was on record that did show Kennedy Drive being extended and it was extended in a manner very similar to what is shown here.

Chairman Fairman stated I have one follow-up on one you talked about a little bit. When the high school was built, the Town tried to get a bond through to have a separate entrance to the

high school off from Wallace Road. I don't know that it came up County Road West or whether it came out through, but at any rate that bond was turned down because we were facing the high school bond, we just didn't want to add any more. I would like you to talk to the Town about that. I think that there is probably money in the infrastructure bill that can go after grants for a whole variety of reasons, and I bet there is something in there that the Town could go after some of the infrastructure bill money, and look at redoing County Road as a separate entrance to the high school, which would be a tremendous help, and also give you access, you would no longer have the long way to get their cul-de-sac because that would only then come off from County Road. I would like you to at least have a discussion about it. I don't know if it will go very far, but there is money out there today that wasn't available back then that the Town ought to look at. I understand the wetland issue, but perhaps that could be modified somehow so that we could reopen that old road and solve a couple of problems, one being the access to the high school. Attorney Prolman responded Mr. Chairman, we will have an answer for you. Chairman Fairman stated talk to Town Manager Sawyer and Mr. Foote about it, and I think that that infrastructure bill has a whole bunch of different things that you can go after money for. It is just the question of the Town filling out a grant and hopefully get it filled. It may take too long for this development, but I don't know, it is worth talking about. Attorney Prolman stated we can ask.

Chairman Fairman opened comments and questions from the audience.

Thomas Johnson, 14 Presidential Road, stated Presidential Road is a cul-de-sac that is off from Kennedy. I just wanted to point out a few things in the area, and I recommend that if you have time in that area to just driving it and checking it out because. Chairman Fairman stated I just want to remind everybody that this is the first review that we will have, with at least one more review of this project. The important thing to be talking about tonight is things you want the developer to consider going forward. Excuse me for interrupting. Mr. Johnson stated I want to talk a little bit about Kennedy. The neighborhood is over 40 years old, I don't know all the rules for what you have to do to pass muster to have a new development in, but I think if you went through it right now as it was built, it wouldn't pass muster. I think there are a couple of houses that are less than 35 feet from the road. As you enter it from Nashua Road, there is a very high hill on either side, so the road is squeezed down, and after that the wetlands shows up on the left. So the long and the short of it is a lot of the houses do not have much of a backyard. Children tend to play in the front yard, they tend to play in the road, so we all drive very carefully around the neighborhood but it is just the nature of it. There is no sidewalk, no shoulder and it is a safety concern. I think a lot of the people in the neighborhood are concerned about that. Also, there are a couple of houses right when you hit Hamilton first and then when you hit Presidential it changes to Kennedy, and as a matter of fact, the Smart's live on the right and then there is another neighbor that lives on the left, they have horrendous driveways where they have to back out where it is basically blind. If it turns into a pass-through neighborhood and people driving 40 MPH, they are going to get clipped. Again, if you are looking for something to do and you want to show up, pull in one of those driveways. It is 11 Hamilton and 12 Hamilton and back out. I think you should really consider whether the road needs to be regraded, but the problem is, I don't know how you regrade that road because the houses are so close and with those high hills on either side, I don't know how much latitude there is to take that really bad entrance and Hamilton out of that. In my opinion, there are two very big safety concerns. One is the Hamilton entrance and one is the children and having no sidewalk.

Mr. Johnson stated the other thing I wanted to talk about is what you brought up. Looking at the bigger picture there is a lot of building going on in that area between Wallace Road and between Nashua Road and Route 101 and County Road, and there is only one outlet and that is through Chestnut. I know there are the new apartments there and there is another new building going up next to it, so I don't even know if that is an apartment, but there is a third building going up next to the two apartments in there. Chairman Fairman stated that is all part of the apartments. There are three apartment buildings. Mr. Johnson stated I am imagining there is going to be a lot more parking spaces, maybe 200 or so, and then there are a lot of businesses below with parking spaces. It seems like there is going to be a lot of traffic coming in and out of that from Route 101. Right now the divider on Route 101 is removed so people coming from Bedford to Amherst can take a left into Chestnut. I am concerned that when those apartments get loaded with young people, and you know how they drive, either they are going to be taking illegal lefts, we're going to have an accident, and I just don't know how the State is going to handle that. It would be nice if we could have a light there but I know that is very difficult. Chairman Fairman stated sorry to interrupt you, but we went through, when those apartments were being reviewed, the traffic studies in detail and we can go through all of the numbers and show you all of the numbers turning left, turning right, turning in left, turning in right, so it has been looked at in a lot of detail, and I think everybody shares our concern that it is going to be worse than the studies show, but that is not really relevant to this development. Mr. Johnson stated relevant to us is if you have the extension in there and we are in the middle of that and there is a problem and the State want to put the divider and block a left turn in there, then it is going to put the Town in a bad place where they might consider just using Kennedy as another outlet for that whole interior area. That is a concern that I have. Chairman Fairman stated I understand, but that is not going to happen. I don't see those apartments are ever going to try to come down through this new development to get out there. That has all been approved the way it is and I don't see that changing. As they pointed out, that right-of-way is wetlands and it would be very difficult to be able to use it. Mr. Cole responded I think that is one of the benefits of this development that we are showing. It is not a conventional so you don't have the through-road that would connect Kennedy to Chestnut, but it does dead end at a proper cul-de-sac, so that connectivity to Chestnut would never be able to happen even if one of these lots were to sell, there is still the open space in between there, so this development prevents any connectivity between Chestnut and Kennedy, really removing that possible cut-through the gentleman was concerned about. Chairman Fairman stated thank you for pointing that out. Mr. Johnson stated I appreciate that. Again, we are concerned about just this development, the safety impact on that and anything more than that would definitely be completely untenable. Chairman Fairman responded I understand your point, Sir. I would like to point out that it is not a huge development. It is 14 homes; we can look as we get down the line about better signage on the road to keep traffic and make sure that those people coming out of there understand the traffic. There are kids in the street too, so they are going to understand those problems from those houses.

Phil Smart, 11 Hamilton Way, stated all of the traffic in the neighborhood goes by my house. They are asking to put 14 houses up in here, which will increase the traffic in our neighborhood by 30 percent, or just under 30 percent. That is 30 percent more cars going by my house, going by these people's houses and we have kids playing in the street. We have already come in here several months ago because we have a speeding problem in the neighborhood as it is, and we had

the speed limit dropped to 25 MPH, which probably slowed them down to 35 instead of 45, but it is still an issue. You put another 50 cars up there; this is a straight shot of over half a mile from the end of that cul-de-sac back out to Nashua Road. They are not going to be going slow, they are going to be driving through our neighborhood. They are talking about the value of the houses; nobody builds anything in Bedford for under a million dollars anymore. The inconvenience of these people is they are going to have to drive through this old neighborhood to get to their nice ritzy houses. Our concern is the traffic impact of this property and people speeding from there trying to get out of this place. We have talked about speed bumps and all kinds of stuff; nobody does speed bumps; nobody is going to do anything about that. They have also discussed this 1,200-foot limit of a cul-de-sac, and they are measuring it from Jefferson. Jefferson is a loop and it doesn't go anywhere. Why they are measuring it from there is a half mile from a main road to an accesspoint to this cul-de-sac, it is not 1,200 feet, it is a half mile, at least. I don't know how they arrive at that but it makes no sense to me whatsoever. As far as we are concerned, we would like to see this thing go out on County Road, they want to upgrade 50 feet of County Road to satisfy their frontage on a main road, it is not a main road, it is not a Class V road, it would be a patch of asphalt in the middle of nowhere that they are saying is frontage on a Class V road. That is garbage. I don't know why they can even think of that. There is a bridge across Riddle Brook right now that has been there for as long as I have been there, 40 years, it would cost money to upgrade it. The impact on the brook would be I don't think any more impact than the bridge that is there now, or very little. It would have to be upgraded, the roadway would have to be upgraded and all of that, but they would have an easier shot for the Fire Department certainly getting in from Wallace Road to that cul-de-sac than trying to get a half mile from Nashua Road up to that cul-de-sac. They are calling that a cul-de-sac and it is not a cul-de-sac, it is going to be connected into the other cul-de-sac. Like I said, our concern is we do not want, if they would consider us the road runs out of there somewhere else other than into our neighborhood because we don't want the traffic, we don't want the danger, we don't want out kids out in the street with people zipping by at 40 – 50 MPH because I have to get to work. Chairman Fairman stated thank you very much. I understand your concern. I am sure the developer will continue to look at all alternatives for that. Mr. Smart stated we would like to suggest you take the \$400,000 from the parking lot that nobody wants. You buy that piece of land for the Town and make it green space, which is really what it ought to be and has been for the 40 years that I have lived here.

Susan Fulenwider stated I don't live in Bedford but my family has been in Bedford probably 150 years. I own 257 Wallace Road. I live in Rye, NY, and mom Priscilla Curry just passed away. My brother and I are now owners of 257 Wallace Road, but as I said my family has been here a very, very long time. The farm has been in the French family since my great-great grandfather's days and my mom has taken care of this all of her life. Now it is up to my brother and I. She has protected her property since 1989 when she moved back to Bedford to the family homestead. The French and Dumas families also have a lot of history together. We have been connected through many, many years, specifically my grandfather and their dad, Jerry; their love of farm and cattle and I remember them both very well. We weren't looking to really do anything anytime soon but I got the letter in the mail, I came up and it just feels like we are sort of being pushed to the table. First it was Bow Lane now it is the Dumas'; I don't begrudge them for wanting to do something with their property. We provided a letter to the Board with some questions that we would like to have answered, and just so it can be on the record, I would like to

read it. I obviously get emotional because this is all pretty new to me. I would rather just read it so that I can get through it. “I live in Rye, my brother lives in Texas, so no, the two of us don’t live here but we have grown up at 257 Wallace Road our entire lives. As abutters of the proposed Dumas subdivision, other property and to residential lots for future homebuilding, we are seeking additional information with regard to the proposed development, we are seeking clarity on a number of issues including the location of the proposed stormwater management area. Having learned that the Dumas property is I a flood plain, we are concerned with potential water shed and overall stormwater management and the impact on 257 Wallace Road, including the growth of our wetlands. We don’t need any more wetlands because that would clearly reduce the size of our developable land. We request that the Dumas family provide plans for controlling the watershed. Additionally, the proposed accessroad to be built over the wetlands is a concern but people have already talked about that. Again, how those wetlands would be impacted and how the developer would ensure that it wouldn’t increase the size of our wetlands. Finally, we are concerned with the Dumas and Bow Lane project connections to Town water from the Bedford high school, and I know a lot of this has already been gone over, Bow Lane, it is all done, but we believe this would restrict or eliminate our potential future access to the Town water from the high school, which, again, would have an impact on our potential development options. I guess the question we have is, if there is extra capacity at the high school, how is it going to be allocated out. Is it just for Bow Lane, is it just for the Dumas development, can any developer come in and put a proposal to the Board and say I want a piece of, I don’t know that I have that much to trade, but it just seems like water and sewer access has been the key here. We are sitting on 17 acres of land; it is not all buildable but at some point something is going to happen there. I am not moving to New Hampshire long term. It breaks my heart but my mom is gone, so something is going to happen.

Ms. Fulenwider asked what size houses are they putting in? Even the two pieces by us they are like fans, it is almost like a tiny little part on the circle and then it fans out to the back of our property. Are these going to be 3-story homes, are they going to be geared toward the back of the property? The bigger the footprint of the house, the less ground to absorb the water. So there are a lot of questions we have. They can do what they need to do and I hear everybody else’s concerns also, but I feel like we have held onto our property for probably 150 years, please don’t make it any worse for us. That is all.

Chairman Fairman stated just a couple of comments to your questions. At final reviews we will begin to get into more of the flood plain and the watershed and all of that, that will all come out as we get into more details at that time. The question about the Town water and sewerage, I guess perhaps we can come up with answers to that relative to what the capacity is or is not for future development. I don’t know that there is any limit at this point. Attorney Prolman stated we have had preliminary talks, we have nothing in writing just yet, but we have initiated talks on the water and the sewer capacity. In going through this process we will answer all of the questions that we just heard as well as anything else from the Board. Chairman Fairman stated make sure that your water main down through your development is large enough so that if the residential homes wanted to expand that or the Town wanted to expand that water into their areas at some point, if we have large enough mains to do that.

Ms. Hebert stated a quick question about the water and sewer. You have had preliminary talks with the School District about the water and sewer or you have approval from the School District? Someone in the background responded we have approval.

Mr. Cole stated to help alleviate her concerns about the stormwater, it isn't designed right now but we do have to meet strict stormwater regulations, not only with your code but also with the State permits that we will have to be receiving. You will see a detailed stormwater report that makes sure that there are no downstream effects on any abutting land.

Knute Klefos, 25 Kennedy Drive, stated I am one of the abutters at the end of Kennedy Drive. I just wanted to go over a few things and make a few comments. A couple of people came up, I just want to support first what they were saying about that being a half mile shot and we just had the speed limit changed on that road. We have had a couple of real close accidents with children in the road, so increasing the traffic and the speed of the cars because they are going a longer distance, is a real big issue. I just wanted to kind of serve notice that this neighborhood collectively does not want access to this development and we will fight pretty hard against it. I think everybody is with me on this. This isn't going to be a layup for them at all. Okay?

Mr. Klefos stated the other thing is that the engineer was talking about that the land was level, it is not level on that lot. There is quite a big grade that goes down and then back up again. Being at the end of the road I know that property very well. Also, I have a question. What is the setback from County Road West from the development and how far does the Town own from that road? Does the Town own a swath of like 25 feet or what is that? Mr. Cole responded it is a varying width. To give you an average, maybe 40 feet, maybe less, but it is varying. Mr. Klefos asked and what is the setback from there? Fifty feet? Mr. Cole responded we have a 50-foot wooded buffer to any of the clustered lots, and then there is a building setback applied with the cluster lots, so in excess of 50 feet. Chairman Fairman asked do you understand what he said, Sir? Mr. Klefos responded okay. The other concern we really have collectively is this whole cluster housing because obviously they are trying to maximize their profits by putting more houses in. I don't know why we have to get away from the acre and a half that Bedford requires, which would limit the amount of houses that are being built, which would reduce the traffic as well. I would like to throw that out there. Also, your comment about the school and the accessroad to the school, the reason that was soundly defeated was because of traffic patterns, not budget. The neighborhoods all around the area are very concerned about that being a cut-through from people going from Route 101 and cutting the corner of Route 101 and avoiding all of those lights. Bringing that back up again is probably going to be a waste of time because that really got defeated badly. I just thought I would let you know that. Chairman Fairman stated thank you. I just think that is a better option. The way that the school is laid out and where this road would come into that school property, I don't see it being a cut-through if it was designed. I don't even know if it can be done. Mr. Klefos stated you are one opinion. There are a lot of people who live in the area that thought otherwise. Okay? I think that is it. Ms. Hebert stated on the right-of-way width, the Town does have a policy, as the Board knows, in the past we have required conveyance of right-of-way on from the parcel abutting the inadequate street that may be subject to development. The Town or the Board may want to consider asking for additional right-of-way to be conveyed to make County Road 50 feet as opposed to 40 feet for future improvements.

Councilor Greazzo asked can you also go into the lot size that the gentleman raised concerns over? How this is able to not be the 1.5-acre minimum? Ms. Hebert responded this is a development type that allows for smaller single family homes but the overall number of lots can't be more than what would be permitted under a conventional layout, which would be the 1.5-acre minimum. Did that answer your question? Councilor Greazzo responded it does, thank you.

Nick Blatsos, 11 Jefferson Road, stated I will keep this pretty brief because I agree with most of the comments you have all heard here already today. I may not look like it, I am a runner, so I actually run this route all the time going down to Hamilton and to correct some information, it is about 0.66 of a mile today from the end of Kennedy to the connection in Nashua Road. In addition to that, I have shared the same concerns over traffic with kids. You guys just recently agreed to lower the speed limit, that was very nice, but I don't want it to get worse again. I am also concerned that the smaller lot size is out of character with what we have in the neighborhood. I personally have the smallest lot at just over 1 acre. Those are my concerns. Chairman Fairman stated I have a question for you. Do you see many people on the trail? Mr. Blatsos replied yes, I see many people on the trail. The cross country team uses it as well. I use it, I run it, there are some of the kids that are here today, they use it as well, yes, it gets used.

Jamie Bourgeois, 224 Wallace Road, stated I am right on the corner of County Road West. I have seen at time cross country people come down that road. My family has grown up, they have known the Dumas family and I am not in denial that homes are going to be built, farm lands are going to go by. But my concern too is for County Road West if that is to be made a road, the safety concern between Wallace Road and there, would there be a thought process of adding sidewalks around these areas because I live on Wallace Road and people go like 50 MPH down my road. That is just a concern that I have if that is looked at as it being a main road onto Wallace Road is the possibility of other safety as sidewalks for my children to the runners that I see come out five or ten at a time and if I am sitting on my porch I say I hope they don't get hit because of the way people drive down that road.

Colleen Lankford, 6 Jefferson Road, stated I about the trail as well as I will about the new development as it is being built and once it is there. Getting back to the trail usage, my children, my son is 22, he walked to high school on that trail every day to get to school. It was the easiest way for him to get to school. I have now an upcoming 7th grader who is excited to follow in the footsteps of her brother and now being able to walk to school, the students, the boys and girls behind me, all walk to the Inside Scoop going to County Road so that is something that I have a concern about is once that is there, the kids going back and forth on that road using that trail. For me that is the one thing with the trail piece that I wanted to add. Thank you.

Jonathan Packard, 22 Kennedy Drive, stated I do have a number of safety and environmental questions, some of which have been touched on today. One of the things that I would also like to point out is the proximity of the cul-de-sac to the high school. If you look at that distance, it is very short and with the proposed path and then green space, what that I am sure will mean is, especially with traffic problems, that people will come to the end of Kennedy, because they do it now, a handful, and drop their kids off so that they can walk the path to the school. Not only are

we talking about added traffic of cluster housing that doesn't meet the 1.5-acre standard requirement, I know it is cluster, but given the proximity my concern is now we have people that are coming through because they are late, dropping off their kids that are then walking to the school. I think the other piece is if you just look at the land holistically and the volume of people in any given day throughout the entire year that are serviced in the building and the use of land, it just seems to me like the Town could do a lot better to think of additional use, whether it is green space, whether it is future use for the high school, than putting 14 houses there.

Lisa French-Olen, 239 Wallace Road, stated I am an abutter. I am going to be right next to Lots 10 and 9. Can you tell me how far back that is going to be from the brook, because I am right on the brook and I need to know if I am going to be looking right into someone's backyard, and I have lived there for 62 years. This is kind of unsettling. Chairman Fairman asked can the applicant answer that question of how far back? Mr. Cole responded I don't have a scale. I don't think this has scale abilities but it looks like 300 feet maybe from the backside of the lot, but we know that the development wouldn't be on the backside of the lot here, it would be closer to the roadway. You are talking about a significant distance. Ms. French-Olen stated you are pointing to my lot right there, and like I said, I have been there 62 years. Mr. Cole stated it would be a significant distance between the two.

Ms. French-Olen asked is there any other cluster housing like this in Bedford that we can look at? I have never heard this before. Is this a first? Ms. Hebert responded not, it is not a first. There are many cluster subdivisions in Bedford. Greenfield Farms is probably a well-known one. The Board recently approved a cluster subdivision on New Boston Road. Bedford Three Corners also. The Pulpit and the Preserve are also cluster subdivisions.

Chairman Fairman stated thank you very much for your comments tonight. Many of those will be taken into consideration by the developers, there have been some good comments. I certainly understand your concern about safety. One of the things that I know that our friend Mr. Foote would shoot me if he heard me say this, but there are places even in New Hampshire where they have speed bumps, and I wonder about a speed bump at the County Road where you are improving that a little bit. As I say, the Town plows hate them, but that might be a thought to look at and please bring it up with Mr. Foote. Attorney Prolman stated Mr. Chairman, we were thinking of something similar, such as a stop sign at County or at Jefferson. Chairman Fairman stated I thought there was a stop sign but when you have a stop sign and there is no traffic, but I think the idea of having a stop sign for pedestrian traffic might work, something along those lines. Attorney Prolman stated or a speed hump. There are options we can look at. Let me just say that we anticipated most of the comments and concerns. I have driven up and down Kennedy and Jefferson, it is an older neighborhood with a tight road we understand, but I would just say that the Dumas family certainly has the right to use their property, to develop their property, and doing this for a living I can assure the Board, I am sure you folks know that there is no land left that could be considered a layup. There are tough properties out there today. We will take in all of the comments and considerations and report back.

Chairman Fairman asked if the Board had further comments or questions.

Ms. Malcolm asked are you considering putting a sidewalk in from the cul-de-sac down to County Road, what you show as a green road on that map? Mr. Cole responded right now we have not considered a sidewalk. We will certainly work with DPW. With 14 lots, a sidewalk typically wouldn't be necessary, but we will certainly work with staff and DPW to come up with a roadway cross section that is suitable for the Town.

Chairman Fairman stated thank you for the applicant's time and people coming in to comment on this conceptual review.

Gentleman from the audience stated I would respectfully request that; this thing was set up and about three people were notified that this project was going to be proposed. I would respectfully request that the entire neighborhood of Presidential Estates be notified of any future meetings or proposals, anything to do with this project because it was only word-of-mouth that we even found out and you can see how many people are here from our neighborhood. We are very concerned about this, and we would like all to be notified when the next hearing happens. Chairman Fairman responded I will speak to staff about that. I don't know if that will be possible, but we can do what we can. Gentleman stated I appreciate it. Pamela Smart, 11 Hamilton Way, asked will you let someone know that is an abutter? Councilor Greazzo responded they are required to notice the abutters. Chairman Fairman stated abutters only is what we are required to notify. Ms. Smart asked if you ask, will you notify somebody that is not an abutter so we will know? Ms. Hebert responded State law in the Town's regulations dictate the process for subdivision review, and the certified notice goes out to the people who directly abut the development. We can talk with the developer if they are interested in expanding notification with regular mail about when the project may be coming before the Planning Board, but it is not required by our regulations or by State law. WE follow the process that we have with all applications before the Board. My recommendation to you and keep in touch with your neighbors, call the Planning Department and we can let you know what is on the agenda, and the applications are filed about six weeks in advance of the meeting, so there is ample time to stop by the Planning office and talk with us about the project. Unidentified members of the public continued to ask about being notified. As they were not at the mic or identified, their questions could not be clearly heard.

2. Discussion of Draft Land Development Control Regulation Amendments.

Ms. Harris stated at the fall workshop we had discussed some updates to the Land Development Control Regulations that I would like to go over today. One of them was the license landscape architect requirement. We had a presentation/discussion from a local landscape architect, discussed the possibility of adding it into our regulations that the landscape plans that you review be stamped by a New Hampshire licensed landscape architect. This was generally support by the Board.

Ms. Harris reviewed the draft amendments to the Land Development Control Regulations as follows:

- Include the addition of a definition in Section 102.5 – Term Definitions for a licensed landscape architect, being a person qualified in landscape design, who is certified and licensed under applicable laws of the State of New Hampshire.
- Update to Section 317.1.20, which currently has the requirement as stated Landscape Design Plans and Details, to require a landscape plan that delineates the arrangements, species and dimensions of all existing and proposed landscaping materials. The landscape plan shall be prepared and signed by a professional landscape architect who is licensed by the State of New Hampshire. The landscape plan shall be certified by the licensed landscape architect and include their State of New Hampshire license number.
- Update to Section 323.1 we would clarify in this paragraph that the landscape designs should be prepared and certified by a licensed landscape architect and include appropriate species that will survive and prosper in their proposed locations, provide screening, shade, parking lot areas and adjoining streetscapes, soften façade and side wall areas and provide three seasons of color throughout the site. The only change there being updating the requirement for a licensed landscape architect.
- Add Section 323.1.3 to allow the Board may require certificate of compliance signed and sealed by a licensed landscape architect, certifying that all plantings and landscape design installations have been installed per the approved landscape plan. Leaving this as an option for the Board so that those plans would be certified after construction that they were built to what they were designed to be.

Administrative Approval Change of Use Threshold

Ms. Harris stated there is also an amendment that was discussed quite a while back at what I think was the March 2019 workshop. This was changes to Section 340 under Administration and Enforcement. Staff had recommended at the time that the change for Changes in Use be updated to provide more flexibility and expedite the permitting process for administrative approval of Change of Use. It currently read so that the Planning Director is provided it is a permitted use within the zoning district and does not exceed an area of 33 percent of the total building or 5,000 square feet. We had proposed an update to eliminate the 33 percent of the total building and just have it be a straight 10,000 square feet threshold whereas they would need to come to the Planning Board rather than an administrative approval for a Change of Use. Just clarifying that any proposal that had major site changes, we would recommend that those go to the Planning Board either way. For example, we had 21 Commerce Park North come for a Change of Use approval in January and they had not site changes proposed or needed and the Board had asked about what the threshold for administrative approve for that type of project was. This change would allow something like that to be approved by the Planning Department rather than coming to the Planning Board. Ms. Hebert stated they typically don't require exterior improvements or if they do require exterior improvements, they are very minimal like adding a handicap parking space or restriping some parking spaces to freshen up the parking lot. The most common one we see is the conversion of professional office to medical office, so when someone has professional office space and they have a dentist or a medical professional that might want to take over that space, if it is greater than 5,000 square feet, it is a trip to the Planning Board, which can cause some delays and back in 2019 the Board talked about doing this as something that would be business friendly purely for those change of use applications, one tenant going to another tenant, but not significant changes to the building. Exterior improvements to the building and the

parking lot would need to come back to the Planning Board for review. Mr. Sullivan stated I remember a case and it was before Tucker's went it, it was the Outback Steakhouse came to us for paint changes approval, this would be similar to that, it would give the staff power to make those types of decisions. Ms. Hebert responded yes. Right now we review administratively any change of use that fall into this category, and some of the multi-tenant business parks around town will see spaces change up from professional office to hair salon to medical office to personal service use, and we do those changes administratively. It doesn't mean we don't review them, they still require a site plan be prepared, parking counts be updated, and that the owners demonstrate compliance, and then we get copies of those plans and distribute them to the various Town departments and we keep copies in our office for archival purposes. It still gets a thorough review, it just doesn't come to the Planning Board because other than the tenant change, there are no improvements that the Board would be reviewing.

Chairman Fairman stated I don't want to have a discussion on it tonight but maybe at the next workshop. The reason that we even have separation of professional and medical offices, why don't we combine them into one type and what are the rational for originally separating them. Maybe at next year's workshop we could put on back burner to at least think about it a little bit. Ms. Hebert responded we will definitely take a look at that. I often advise applicants to get it approved for both, and the quick answer is, is that medical office has a higher parking ratio, so you have to a few more parking spaces for medical office and a few more handicapped spaces for therapeutic medical services. Chairman Fairman stated I figured there was a reason. Ms. Hebert stated there is a minor difference, but there may be a way to blend those. We can look at what other communities do. Chairman Fairman stated maybe if that is the sole reason and that type of thing, maybe we ought to put something in here that allows you to approve it and if there is enough parking anyway and everything else. I just think it would be crazy to make somebody come in to the Planning Board to change from medical to professional and professional to medical. It doesn't seem sensible to me.

Chairman Fairman asked the Board for any questions or comments on this item.

Vice Chairman Newberry stated I have a question on the landscape architect certification of as built. The way we have that currently written that would have to be added as a condition of approval? For example, we had a huge landscape plan that were concerned would be executed as presented, we could add that the architect certifies the as built as a condition of approval. Ms. Harris responded yes. Ms. Hebert stated we left it flexible so the Board would not have to burden smaller applicants with that requirement, but if you had a large development come forward with a complex planting plan, the Board would have the option of requiring the certificate of compliance.

Mr. Swiniarski stated I think there is a typo or grammatical thing in the Change of Use amendment. Going back to what is in the staff report, on the third line you say 'provided it is a permitted use,' I think you are referring back to changes in uses, so you would really want to say 'they are' but sounds a little bit weird too. It would probably be clearer if you said 'provided the proposed use is a permitted use.' Ms. Harris responded sure. Mr. Swiniarski stated just so somebody is not squabbling over it later.

MOTION by Vice Chairman Newberry that the Planning Board schedule a public hearing for the consideration of the recommended amendments to the Bedford Land Development Control Regulations for the meeting of August 15, 2022, this motion will serve as public notice. Ms. Malcolm duly seconded the motion. Vote taken - all in favor. Motion carried.

3. Discussion of New Hampshire Department of Transportation Ten-Year Plan Update.

Ms. Hebert stated for an overview, Southern NH Planning Commission, our regional planning commission, is in the process of soliciting transportation projects for the New Hampshire Department of Transportation's 10-year plan. This process occurs every two years and we are soliciting or talking about projects for the fiscal year 2025 to 2034 NHDOT 10-year improvement plan. This is the plan that the DOT uses to prioritize and execute transportation improvement projects throughout the state. You can see on the list provided in your packets the specifically identifies projects within the Southern NH Planning Commission region that are in the current 10-year plan. Projects stay on the plan until they are implemented; occasionally they drop off the plan because they may be funded through other sources or they may become less of a priority for various reasons for communities. In Bedford right now we have six projects in the current 10-year plan and I will go through them.

- 1) **40664 - US Route 3 widening from Hawthorne Drive (north) to Manchester Airport Access Road.** Includes signalization at Hawthorne Drive (south) & Autumn Lane as recommended in the Route 3 Corridor Access Management Plan and the SNHPC Pettengill Road / Airport Access Road Transportation Study (Approximately 1.6 miles of roadway). Project also includes construction of sidewalk on one side of South River Road. \$25,251,537 with construction starting in 2026 - 2029.

This is the southern section of South River Road in Bedford. This section of South River Road is outside of what we call the urban compact, and it is maintained and managed by the State of New Hampshire. The Town upgraded the northern portion of South River Road several years ago and the very southern portion was upgraded with the assistance of a TIF District. This project has been priority #1 the last couple of rounds of the 10-year plan review for Bedford, it is approximately 1.6 miles of roadway and it includes the widening of South River Road, the installation of signals at the southerly Hawthorne Drive and South River Road intersection, and the intersection with Autumn Lane. These improvements were identified in a corridor study that was prepared by VHB, and the last couple of 10-year plan project solicitation rounds the Town has been working with Southern NH Planning Commission to bring this project up to full funding. I am happy to say that with the last 10-year plan, this project received full funding, so right now it is in the 10-year plan funded at about \$25 million with a construction start date of 2026 and construction occurring between 2026 and 2029.

Ms. Hebert stated tonight we are asking the Planning Board to talk about the 10-year plan projects and to discuss how you would prioritize these projects and forward a recommendation of your priority list to the Town Council. The final prioritization and recommendations are sent from the Town Council to Southern NH Planning Commission.

Ms. Hebert stated as I said, US Route 3 widening has consistently been #1 priority. Historically before that it was the Route 101 widening, which we are happy to say that that project was completed in 2020. You have the US Route 3 widening as priority #1.

- 2) **13692 D – Wilton to Bedford NH 101 Safety Improvements.** Implements traffic and safety improvements consistent with the recommendations of the 2002 Corridor Study. Increase funding to fully fund the improvements along the roadway segment from Wallace Road to Elk Drive in Bedford, with construction starting in 2023 - 2026. Total funding amount TBD.

In the current 10-year plan project we have project called the New Hampshire Route 101 Safety Improvements. This is a broad study; it looks at New Hampshire Route 101 from Bedford to Wilton. The Route 101 widening from the Route 114 intersection to Wallace Road was a recommendation of the Route 101 Safety Improvements and was pulled out as a separate project, but the State still has a project in their 10-year plan to implement much needed safety improvements along Route 101 from Wallace Road westerly to Wilton. This project is not funded; it doesn't include funds to implement all of the safety improvements along the corridor, so DOT is in the process of prioritizing sections of roadway where they would be implementing safety improvements. Of all of the roadway sections, Bedford has a section that in a prioritization study that DOT did, ranked third and staff is recommending that the Town advocate for additional funding to make sure that the safety improvements along this section of roadway, from Wallace Road to Elm Drive in Bedford, are fully funded in the next 10-year plan. This is recommended priority #2 and it represents an existing project as well as a project amendment to request additional funds. The exact amount of that funding hasn't yet been determined, and if the Planning Board and the Town Council agree with this recommendation, staff would work with Southern NH Planning Commission to develop a more firm number for exactly how much additional funding would be needed to implement the improvements along the Bedford section of roadway.

Ms. Malcolm asked what do they mean by safety improvements? What specifically are they talking about? Ms. Hebert responded that is a great question. They have not yet been designed, which is interesting. I have gone back and forth with the transportation planners at Southern NH Planning Commission on this. They would vary depending on what intersection you are discussing, so for Bedford's roadway section it might be having a continuous turn lane to serve a cluster of driveways. An example might be in front of the vet clinic going up towards the Bethany Covenant Church. We know from experience and reviewing the Penot's Bakery proposal that that section would benefit from a left-turn lane, but where you have several driveways clustered together, it may be a continuous left-turn lane that all of the properties could benefit from. Along other sections of roadway, it may be a signal, it may be a median or extending a median to block a left turn into a roadway or a driveway. Those safety improvements need to be designed and constructed, so this is a very broad project, but we feel it is worth advocating for improvements in Bedford because Route 101 continues to be something that we hear about from residents as being a concern. We heard about it during the Master Plan and we hear about it whenever we have a development proposal on Route 101; folks are

concerned about safety and specifically those left turning movements into full access driveways off from Route 101.

Chairman Fairman stated as you all know, the government passed this infrastructure and jobs bill, which is causing a lot of turmoil, I would say, in highway planning at this point. But one of the big areas for that plan is safety improvements, so I think that it is important that we keep this one on there because I think that a half dozen safety improvement things get funded in the near future. There are a whole bunch of other categories as well of stuff but that is one that I think that there will be money available. They are talking big dollars, as you know, available particularly relative to New Hampshire's highway budget in general. The money coming in on this is really pretty big.

Ms. Hebert stated there are a lot of funding sources for transportation improvements, and you are right, safety is a priority.

- 3) **New Project - NH Route 101 Multimodal Pathway westerly of Wallace Road.**
Construct a multimodal pathway along Route 101 from Wallace Road westerly to the town line. \$2,450,000.

Ms. Hebert stated this third ranked project would be a new project for Bedford. Staff is recommending that the Town advocate for a new project along Route 101 for a multimodal pathway, which basically a paved shared use path to connect the Bedford sidewalks on Route 101 at the Wallace Road intersection westerly to the Town line, ideally onto Wilton but we are talking about Bedford only at this point. This improvement was recommended in the 2002 corridor study and we have also heard concerns from residents during the Master Plan process that those sidewalks that are on the easterly section of Route 101 are popular and people would like to see some safe accommodation for pedestrians and cyclists on the westerly section of Route 101. It is recommended that a new project be added for a multimodal pathway along Route 101 from Wallace Road to the Town line.

Chairman Fairman asked multimodal is for pedestrians and bicycles or what is included? Ms. Hebert responded it would be pedestrians and bicycles and it has not yet been designed but it would be a pathway along one side of the highway. Chairman Fairman asked it would not be for motorcycles? Ms. Hebert responded no, it would be pedestrians and cyclists.

Mr. Quintal asked would the State then take by eminent domain or whatever, additional width of Route 101 toward Amherst? Because I know we have had some people come before the Planning Board that want to develop property along there, which could change everything for them. Ms. Hebert responded I think they would work primarily within the existing right-of-way, there may be sections where you would need to take additional right-of-way to accommodate grades, wetlands, pathways. The idea would need to be studied, and it would be a new project and by getting it in the 10-year plan it kind of says this is a priority for us and we want to study this and we want to advocate for this in the future. The Town has been advocating for improvements for Route 101 for about 20 years, so by getting it in the 10-year plan doesn't mean that it is going to be built within our lifetime, but we hope it is. I think getting it in the 10-year plan gets people focused on it, thinking about it and thinking about how it can happen.

Chairman Fairman stated putting that as our third priority right behind the safety, would make sense for the State to try to do them together. I don't think there is anything in the 10-year plan for widening Route 101 going toward Wilton. Is there? Ms. Hebert responded no. Chairman Fairman stated there should be but there isn't. Ms. Hebert stated we have talked about updating during the Master Plan discussions, about updating the Route 101 safety improvement study. There was a corridor study done about 20 years ago and it needs to be updated. The DOT is not taking corridor studies as new 10-year plan projects at this point. There is another funding source for corridor studies, so it is something that we should investigate and consider, but the 2002 corridor study served the Town well and prepared the Town for the Route 101 widening improvements that we have today.

Vice Chairman Newberry stated I think that part of advocating for that might also include that I think as you come Route 101, the closer you are to Manchester, the more volume you are going to see. There is probably data on that, and if there isn't I would be surprised if collected data didn't support that the closer you are to Manchester the more volume you are going to deal with and that may be a part of how the Town can advocate that section of Route 101 gets attention, maybe sooner than you get up to Wilton, I suspect the volume out there is not what we see. Priority #3 almost sounds like a part of priority #2, and I am wondering if maybe some of what is described in #3, might be incrementally done as a part of #2 projects. Maybe not get the whole thing in one bite, but to start, or at least develop a plan of design it and then actually execute one part, five years later execute the next part, kind of do it that way. I don't spend a lot of time on Route 101 but I do get out there different times of the day, different days of the week, and I am surprised at seeing a fair number of pedestrian using the walks that are there already between Wallace Road all the way down to the Fire Department. I have really been kind of surprised because I had always thought who would walk out here, but it does get a lot of traffic and the section from the little development by Chestnut, gets a lot of traffic from the schools. I see kids on that section of walk all of the time, they come across the intersection there at Wallace Road, and I see them walking further west pretty regularly. Those actually do get more use than you might think at a glance. Ms. Hebert stated they do. It is a huge safety improvement for anyone trying to navigate Route 101 on foot.

Ms. Malcolm stated I do think they need to put in left-turn lane from Wallace Road going up the hill where all of those businesses, the commercial establishments, because I don't think we should ever have to face that again where we have to approve or deny an applicant because they can't afford to put in a left-turn lane. The State should have that there already, and there are so many businesses already there, that just makes a heck of a lot of sense to me.

- 4) **24217 – Beals Road Bridge replacement.** Replacement of bridge over Baboosic Brook. \$1,119,458 with construction starting in 2023.
- 5) **21684 – Catesby Lane Bridge replacement.** Replacement of bridge over McQuade Brook. \$1,068,679 with construction in 2023 -2025.

Ms. Hebert stated projects #4 and #5 are bridge replacement projects. These are red listed bridges in Bedford, which is the Beals Road bridge replacement over Baboosic Brook. This is already funded in the 10-year plan and scheduled for construction in 2023. We may see this drop

off the list as we work through the 10-year process, but the recommendation is to keep it in Bedford's list of priorities as a current project. The same goes for Catesby Lane bridge, which is a bridge replacement over McQuade Brook, and is also scheduled for construction in 2023. Chairman Fairman asked is it unusual to have State funds for town roads? Ms. Hebert responded not for the bridges but it would be if it were just a road improvement. Vice Chairman Newberry asked are those bridges in dire need of repair? Ms. Hebert responded they are. I don't know the exact issue with Catesby Lane but it has been in the Town's 10-year plan and on the list of bridges to be replaced. Ms. Malcolm asked who red lists them? Ms. Hebert responded DOT rates the bridges for safety.

- 6) **16100 – F.E. Everett Turnpike open road tolling.** \$13,455,021 with construction in 2023 - 2024.
- 7) **13761(A-D) – F.E. Everett Turnpike widening from 2 to 3 lanes from Exit 8 to the I-293 Interchange in Bedford.** \$177,611,000 with construction in 2023 - 2028.

Ms. Hebert stated these last two projects they are in Bedford but they are more of a federal highway improvement project.

Ms. Hebert stated the open tolling is a good improvement for our first responders in Bedford because the toll booth on the FE Everett Turnpike is notorious for being a site for some pretty severe accidents, people approach it at high speeds and the open road tolling will be a big improvement.

Ms. Hebert stated the FE Everett Turnpike widening from 2 to 3 lanes from Exit 8 to the I-293 interchange in Bedford. That is also under construction now.

Ms. Hebert stated that is the list of Bedford projects and proposed new or modifications to Bedford projects. The Town Council would be looking for a formal motion from the Planning Board to forward the list of prioritized projects with your comments to Town Council. I am planning to attend the meeting this Wednesday night to share your comments and your feedback on that.

Chairman Fairman asked what about Route 114? We got a study on that, what did the study say and would it be in your plan. Ms. Hebert responded I think it was four years that we advocated for a corridor study along Route 114, this is one of the more congested areas of Bedford, a corridor study looking at Route 114 from the intersection with Route 101, along Route 114 to Henry Bridge Road in Goffstown, it was a joint corridor study between the Towns of Bedford and Goffstown. This is when DOT was accepting corridor studies into the 10-year plan. The project received funding and it has dropped off from the 10-year plan list because they have other ways of managing these corridor projects. But I did get an update from Southern NH Planning Commission and the DOT is in the process of kicking off that project and we are going to hear more about it. It is fully funded, they have selected a consultant and they are starting to roll out the work and start working on it. I imagine we will have some public participation effort from that consultant where they will engage Bedford and Goffstown on the corridor and the Town will become more involved as they start. Chairman Fairman asked we shouldn't have it

on the 10-year plan at this point? Ms. Hebert responded it is technically not a 10-year plan project anymore. Chairman Fairman asked should the actual widening of it be on there? We know it has to be done. Ms. Hebert responded that is a good question. My thought was to wait for the corridor study and then advocate for whatever findings come out of the corrido study. Vice Chairman Newberry asked would a corridor study include at least a preliminary design or is that just to assess the need, or both? Ms. Hebert responded probably concept designs. If there is widening or changes to the signalization coordination of the signals, they are looking at the entire corridor. Chairman Fairman stated that is a huge project, but it is definitely needed; that is a bottleneck there.

Chairman Fairman stated the other project wondered about and one you have heard me talk about before, is a Park and Ride. I don't even know if Park and Ride's belong in the 10-year highway plan or not, but if it is, then I think we should have one. There are a variety of locations, but I also have talked to the Southern NH Planning Commission a little bit about it and they said to send me back to you to talk about it, I didn't think the Town was advocating for it, but I think that we need to step up and advocate for a Park and Ride someplace, it doesn't have to be in Bedford. One of the areas I wonder about is Brown Avenue, but I also wonder about under the power lines at the intersection of Route 114 and Route 101, either side, I think that would be a good location for a Park and Ride, perhaps on the south side of the intersection where you come off from Constitution Drive. If the Park and Ride and appropriate for the 10-year plan, I think we ought to at least start talking about it. Ms. Hebert responded I can look into that. I don't believe it is a typical 10-year plan project. Chairman Fairman stated I expect not, but if it is not, we need to start advocating for one. It is going to be more of a problem when Market & Main really gets finished because there is still parking down in that area, along that way, who commute. If you ever look at Primary Plaza, all of the cars parked along the streetside, are commuters. It is definitely needed. There are other places that could be looked at, smaller lots perhaps that the State already owns, the one on Meeting House Road, one down on South River Road just the other side of the highway and where the road used to go, there is a small piece of land in front of that hotel. It would be a small one but it would be better than what we have. Those are my thoughts on other improvements that I think we should talk about.

MOTION by Ms. Malcolm that the Planning Board forward the Planning Board's recommendation of the 7 prioritized 10-year highway plan. Vice Chairman Newberry duly seconded the motion.

Vice Chairman Newberry asked do we need to be any more explicit in the motion? Like items #1 through #7 noted on the staff memo of July 18, 2022, and other business. A New Hampshire DOT 10-year transportation plan, including tonight's discussion.

Ms. Malcolm and Vice Chairman Newberry approved the amendment to the motion to adding the following verbiage: **prioritized highway projects #1 - #7, as listed on the Planning Board staff report dated July 17, 2022, the New Hampshire DOT 10-year Transportation Plan, to the Town Council as stated in the discussion of this meeting.**

Chairman Fairman called for a vote on the amended motion. With Councilor Greazzo voting in opposition, the motion carried.

4. Development Update.

Ms. Harris updated the Board with current and recently completed development.

- Olympus Way – 7-lot subdivision with private road off from Ministerial Road. They have recently issued the first building permit, you can see the house under construction in the photo and the stormwater improvements are complete, most of the road construction is in for the first lot. Posted is an overview of the plan that was approved in 2018. It is 7 lots coming off from Olympus Way. There was a lot adjustment and merger to create the 7 lots when they went in. Chairman Fairman asked if the plan for that to stay a public way. Ms. Hebert replied yes. Mr. Sullivan asked wasn't that bonded, part of the conditions? Ms. Hebert responded yes.
- Ms. Harris stated the other subdivision that we have under construction currently is Huntington Ridge, which is a 9-lot cluster residential subdivision off from Stoll Road and Route 101. This was approved in October of 2018 and the plan was recorded in November of 2019. Posted is a snapshot of the plan. Ms. Hebert stated this is a good example of, speaking of cluster subdivisions, of a cluster subdivision that is smaller number of units than like Greenfield Farms or the Bedford Three Corners.
- 29 Commerce Drive and is LSNE, which looks like they are going to be called PCI now, I think they have been acquired and they are going by LSNE/PCI until they make that transition, and we have exterior construction on the new building on what used to be a parking lot of this site. This is expected to be complete in late summer of this year and the interior will probably continue into next year. They included an elevated walkway from the existing building out on a frontage of 29 Commerce Drive and that elevated walkway is mostly complete right now.
- Wirebelt is under construction over at 17 Colby Court. They have done a lot of the paving and they are deep into the exterior and interior renovations, and not expected to be complete until 2023.
- The commercial building at 28 South River Road. This was approved for a change of use in February of 2022 from restaurant to personal service use. They are just about complete and expected that their new tenant, Hyper Wellness, should be opening this fall.
- With Bow Lane apartments the first building they are expecting to Certificate of Occupancy in August of this year. They are still working on buildings two and three over there off from Chestnut Drive.
- Market & Main the next phase has begun. This will include buildings C1, C2, D, F, G, and K and they have their construction zone fenced off and they are working on building C1 and shortly after that C2. Chairman Fairman asked they got both permits? Ms.

Hebert responded yes. I believe they are anticipating pulling the permit for the restaurant on the pad site Building G any day now.

Ms. Harris stated C1 is the picture you just saw and C2 is on the corner of Market & Main and building G is back on the corner of Main and Upjohn. It is my understanding that the improvements along Main will happen as these buildings phase through as well.

Mr. Sullivan stated I also saw, what I keep calling the Turkish bakery, they have had dumpsters out front, they have been clearing it out quite a bit in the past week, so it looks like there is some active progress on that building as well. Ms. Harris stated but not for a Turkish bakery any longer. Councilor Greazzo asked what is going in that? Ms. Harris responded it is industrial warehouse, I don't remember the name of the company. Ms. Hebert stated you will see an application.

Chairman Fairman stated two other businesses that are opening are TRM, their new big addition is complete and they did a beautiful job, and we knew they would. Some of the restaurants that are reopened, in new restaurants and old restaurants, Pressed Café is extremely busy, fast with sandwiches, Tucker's is where Outback used to be and it is continuing to happen in Bedford.

V. Approval of Minutes of Previous Meetings:

MOTION by Vice Chairman Newberry that the Planning Board approve the June 27, 2022 Planning Board minutes as written. Ms. Malcolm duly seconded the motion. Vote taken; motion carried, with Mr. Quintal abstained.

VI. Communications to the Board:

Ms. Harris stated the next meeting is August 15, 2022.

VII. Reports of Committees: None

VIII. Adjournment:

MOTION by Mr. Nelson to adjourn at 9:48pm. Mr. Swiniarski duly seconded the motion. Vote taken – all in favor. Motion carried.