

Town of Bedford
Planning Board Minutes
October 30, 2023

A meeting of the Bedford Planning Board was held on Monday, October 30, 2023, at the Bedford Meeting Room, 10 Meeting House Road, Bedford, NH. Present were Charlie Fairman (Chair), Chris Swiniarski (Alternate), Matt Sullivan (Member), Steve Clough (Member), Matt Nichols, (Secretary), Priscilla Malcolm (Member), John Nelson (Alternate), Logan Johnson (Alternate), Michael Strand (Town Council Alternate), Becky Hebert (Planning Director). Absent: Hal Newberry (Vice Chair), Phil Greazzo (Town Council).

I. Call to Order and Roll Call:

Chair Charlie Fairman called the meeting to order at 7:00 p.m., introduced the Board members and appointed Mr. Swiniarski to vote in the place of Vice Chair Newberry. Ms. Hebert reviewed the agenda and stated the Board has one item of new business that has been withdrawn by the applicant. This is an application for a Conditional Use Permit to allow a detached accessory apartment at 37 Strafford Lane, and it's an application of Peter and Amy Mularien. The new applications have been reviewed by staff and it is our opinion that the applications are complete. The abutters have been notified and it is staff's opinion that none of the applications pose a regional impact. I would recommend that the Board accept the applications as complete and the agenda for tonight's meeting.

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

II. Old Business & Continued Hearings: None

III. New Business:

1. **Peter and Amy Mularien (Owner & Applicant)** – Request for approval of a Conditional Use Permit to allow a detached accessory apartment at 37 Strafford Lane, Lot 19-42-1, Zoned R&A.
[Withdrawn by applicant]
2. **GD Holdings c/o Haigh Farr (Owner & Applicant)** – Request for Site Plan approval for a proposed 19,140 sq. ft. building expansion and associated parking improvements at the Haigh Farr facility located at 43 Harvey Road, Lot 35-98-7, Zoned PZ.

Mr. Brian Pratt presented the application: Good evening. Thank you. My name is Brian Pratt. I'm a civil engineer with Fuss & O'Neill in Manchester. I'm here to present to you today a site plan addition at 43 Harvey Road to the Hague fire facility. Up on the screen I have an aerial photo which kind of shows some of the improvements. We came here in 2005 originally and we got approval to build this first building here, which is on the south side of the property. Back in 2014

and then 2017, we came in for additional approvals for what they're calling Building B, is another addition to their facility. Business is good and they need some more space. So what we're here to present to you today is a building addition. It's that orange piece right there on the south side of the property. It's about 9,500 square foot footprint, 2 stories and it's just so that they can expand their operations. They need more space for their equipment and manufacturing and stuff like that. There are only about 3 employees difference addition to the facility. We're going basically over the existing parking lot, so the orange block is going over where we have existing parking and some utilities. There's a LN2 tank. There's a generator, that sort of stuff in that area. Also because we are going to be losing some parking spaces, we're going to be proceeding with construction on ... Back in 2017, we did get approval for an additional parking lot on the north side that we were going to leave as to be constructed if needed in the future. So as part of this application, we're also proposing to construct that area up on the north side on the right side of the screen there. I'll kind of walk through the plans quickly.

So these are just some existing conditions—plans showing how the site exists today. This is a demolition plan to show that we'll be removing all the pavement in that south side and reconfiguring it. And then this is an overview site plan, again, just showing that building addition on the left there, which is the south side of the property. The hatched gray area is the reconfigured pavement. And then on the top, this is the reconfigured pavement for those additional parking spaces. This is a blow up just showing... just going to sock up the pavement here. So everything up here remains the same. This is that building addition. We have some parking spaces all around the perimeter. We have an at-grade loading door, and then we have a loading dock with a four-foot dock and the overhead doors. There's a dumpster being relocated right there. We have an LN2 tank and a generator. We have a couple of doors. These are just kind of like service doors. The main entrance to the facility will still be around the corner. So one side emergency entry and one service door in the corner here.

Chair Fairman asked would you go through, while you're on this chart, how your tractor trailers are going to come in and back into that dock? Mr. Pratt replied sure, so this is only going to be for the single unit 40 so a 40-foot box truck. Full size tractor trailers aren't going to use this side. Chair Fairman said OK. Just box trucks. Mr. Pratt said yes, so mostly like FedEx deliveries and just smaller trucks and there's not really going to be a lot of deliveries in and out of here. We do have circulation plans in here showing how those can work. Also there's the LN2 delivery truck, which is about 30 feet long. That can make it turn around. We did catch up with the fire department and we cited the FDC on the front of the building so that they can get their fire truck into this parking lot up here attached to the FDC and then they can back out. So, the fire department doesn't need to make it all the way down into this section of the paved area.

On the north side, again, most of it is staying exactly how it exists today. This area we graded it, but we just didn't put in the gravels and the pavement. So, it's already graded. The landscaping is already complete around it, so we're just basically in-filling it with the gravel in the parking and just some minor island work up there. This is the grading plan, which shows how we're going to grade the paved areas to make sure the drainage still works. Like I mentioned, it's a little tricky because we have an at-grade loading door and then we have a loading dock directly next to it. So, we have this retaining wall that helps keep the elevations correct. And then for stormwater, there's an existing infiltration basin, which was constructed as part of the 2005 plan. We actually have a

reduction in impervious areas because we're going over an existing parking lot, so there's additional green space from what exists today and we're just doing some minor stormwater work. We did meet with the town engineer. We had a site walk with him and we've responded to his comments. I believe we've addressed them all, but I don't think we've gotten the final sign off or the stormwater permit just yet. Basically, we're just reconfiguring some of the collection, so there's a little swale that we're creating there. We're upgrading some of the rip rap just to make sure that it doesn't have any erosion issues. And then utilities in this area, all the utilities are internal. So, the building is going over where some of the utilities go in. So we just have to kind of rework the water and the electric and the gas in that area and then sewer is going to be routed internally as well. So no new utilities as part of this.

For the northern part, this was, like I said, part of the previous approval. We did receive an AOT Permit back in 2018 that this parking lot was designed as part of that approval. So the infiltration basin in the back was designed to take this flow. So no stormwater changes in this area. We're just using the existing facility.

We do have a few waivers. Do you want me to go through those now or do you have questions about anything I've talked about?

Chair Fairman said why don't we see if we have some general questions first, and then we'll get to the waivers. Board members, are there any questions or comments? I have just one. On paper it looks like this lot is getting pretty crowded and I was just wondering has the Fire Chief or fire department reviewed this latest addition and looked at the site and everything is cool with them? Mr. Pratt replied yes. We had a technical review. Chair Fairman said I thought you said that. I just wanted to make sure to clarify it. Mr. Pratt answered yes, exactly. Originally, they wanted to make sure the FDC, the fire department connection, wasn't down on this side of the building because they would have trouble. They can make it there, but they'd have to back up longer than they'd like to. So that's why we moved the FDC. Chair Fairman asked you don't have any major storage of chemicals that you use in manufacturing, do you? Mr. Pratt replied I don't believe so, no. Chairman Fairman said OK. Are there any other questions or comments from the Board? Alright. Why don't you go into your waivers. We'll get to the public later.

Mr. Pratt replied great. So we have three waivers. The first one is for parking. Per the LDCR, we would need 132 parking spaces. We have 123 proposed, and they have more parking than they need. Wetland delineation: we originally did the wetland delineation with the 2005 site plan in this area, and the wetlands are way down past the developed area. So, they're down at the total of the slope. It's kind of a ravine for Sebbins Brook. That wetland line hasn't changed. It's still quite a ways. We're not proposing any disturbances within 50 feet of it. So, we just are requesting a waiver to just use the existing reference plan and stamps because we're not disturbing anything beyond the existing disturbed areas. And then stamp requesting a waiver to not have the wetlands stamp because we'd have to have them re delineate. Those two are kind of related. And then we did request a waiver for the surveyor, but we are providing that plan. So, I don't think we need that one now, right, OK. Ms. Hebert replied I don't think so. So, that would be on your staff report Waiver #2. Part of that waiver involved a request to not provide an Existing Conditions Plan stamped by a licensed land surveyor, and they are providing that information, so that part of the waiver could be crossed out. Also the architecture ... Mr. Pratt said oh yeah. Do you want me to

go through that? Ms. Hebert said the architecture? Yes, please. Mr. Pratt replied sure. So, we did have an architect prepare some architectural elevations, which are shown on the screen. They are just matching the existing architecture out there. They're going with the stone, the masonry. There are some blue metal panels on the existing building, but we're doing all the stone and it's just going to match the existing architecture out there. I think it's an attractive building and we're going to just continue that theme. We do require an AOT permit from DES, which we did actually receive last week. The Town Stormwater Permit is pending final review from the town engineer, and we did receive comments from VHB. There were only a couple remaining which they're really minor at this point. We will work with Becky and all the other departments to address those. Chairman Fairman asked are there any questions or comments from the Board on the waivers or the architecture?

Ms. Johnson asked the 131 required spaces, is that because of the square footage of the building or? Mr. Pratt said yeah, so it's split up between manufacturing warehouse and research and development. And once we kind of break down the different areas you plug in the formula, it just spits out 131. I know that the Town had those determined by other towns' usages and parking experts, but they know how many they need for the facility they have. They have a lot more than they need. So they're comfortable with having slightly less than the Town's ordinance requires. Ms. Johnson asked when you had 100 previously before the addition, was that also a waiver or was that? Mr. Pratt replied yeah. I think we were required 76 with the 2018 plan and we had 51, something like that. And then we did that second that second phase. We left that as to be built in the future if needed, this area. It kind of works out nice that... oh, and we did merge the lots. These originally were two separate lots. We did go ahead and just complete that lot merger before we submitted the application. So, now it's just one lot. Ms. Johnson said thank you. Chair Fairman asked are there any other questions or comments? Does anybody in the public have any questions or comments of this applicant?

Mr. Strand said one question—just given the prior waiver and change to spaces required, what's the likelihood that you guys would need to expand further in the future? And is it worth considering making that expansion now instead of potentially having to do this again? Mr. Pratt answered they would have to purchase additional land in order to expand. It's pretty tight. There's not a lot of opportunities to go any further. We can't go any further south because of the brook. So yeah, we'd have to—there would be a major change. Mr. Strand said the 20 additional spaces should more than account for what you're looking for now and potentially in the future. Mr. Pratt said yeah, this will definitely cover the facility as presented. Mr. Strand said thanks.

Chair Fairman said just for the record, Everett Turnpike in this area has already been widened, and that's an entrance ramp there that we see. So there's no issue with any planned widening of the Everett Turnpike in this area. Has the company, nice flat roof, considered at all solar panels and why not? It's something to think about. We'd like to see them. We'd like to think that Bedford's doing its part and you've certainly got a nice area there with a lot of good sun. And I would think it'd be worth at least doing a financial analysis of it and see what it's worth. I won't hold this up for it, obviously, but I'd like to see you go through that. Thank you. If there are no other comments or questions by the Boards, I'm open to some waiver motions.

MOTION: Ms. Malcolm moves the Planning Board accept the following waivers of the Land Development Control Regulations to Sections 317.1.12, and 317.1.1, 317.1.4 and 322.2.1, as follows:

- 1. LDCR Section 317.1.12 & 317.1.1 to not update the wetlands delineation on the plan. The wetlands delineation was completed in 2005 and the application does not include encroachments into the 50-foot wetland setback and the proposed improvements do not extend beyond the previously disturbed areas on the property.**
- 2. LDCR Section 317.1.1 & 317.1.4, to not provide the wetland scientist stamp.**
- 3. LDCR Section 322.2.1, to provide 123 parking spaces where 131 would be required. The facility has 100 parking spaces today and the applicant has stated that the new addition will only add three new employees;**

Mr. Clough duly seconded the motion. Vote taken – all in favor. Unanimous. Motion carried.

DISCUSSION: Mr. Swiniarski asked wasn't it stated that they don't actually need the full request of Waiver #2? Is that right? Mr. Pratt replied yeah. We don't need the surveyor stamp waiver, just the wetlands stamp. Mr. Swiniarski continued because you're submitting a survey anyway? Mr. Pratt said yes. Mr. Swiniarski said if we could amend the motion to not waive the requirement for a surveyor stamp since it's going to be provided anyway? Ms. Malcolm said yes, I'll accept that. Mr. Clough agreed.

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

MOTION: Ms. Malcolm moves the Planning Board grant final Site Plan approval for the proposed building expansion for Haigh-Farr & G.D. Holdings, LLC (Owner), at 43 Harvey Road, Lots 35-98-7, Zoned PZ, as shown on the plans by Fuss & O'Neill, last revised October 16, 2023, in accordance with the following findings of fact:

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

This approval is granted with the following precedent conditions to be fulfilled within one year and prior to plan signature, or as otherwise noted:

- 1. The applicant shall address all outstanding technical comments to the satisfaction of the Planning Director and the Director of Public Works.**

2. **The applicant shall submit any outstanding engineering review fees to the Planning Department.**
3. **The applicant shall note all of the waivers on the plan and the date of Planning Board approval.**
4. **The owner shall sign the plans.**
5. **The Stormwater and Land Disturbance Management Permit shall be approved by DPW and the permit number noted on the plan.**
6. **The architectural building elevations shall be revised to include screening of any mechanical equipment that may be placed on the roof.**
7. **Prior to commencement of work, arrangements will be made with the Planning Department regarding payment and coordination of third-party inspections as needed.**
8. **Prior to commencement of work, a performance guarantee in an amount approved by the Town for onsite maintenance of erosion and sedimentation controls shall be placed on file.**
9. **Prior to commencement of work, the applicant will hold a preconstruction conference with the Planning Department, Public Works Department, and Building Department.**
10. **Prior to a building permit being issued, the Applicant shall provide retaining wall design drawings (stamped by a licensed structural engineer) to the Town for proposed retaining walls 4 feet high or greater.**
11. **Prior to an issuance of a certificate of occupancy, the sewer accessibility fee shall be paid.**
12. **Prior to issuance of a certificate of occupancy, all site improvements depicted on the plan shall be completed.**

Mr. Strand duly seconded the motion. Vote taken – all in favor. Unanimous. Motion carried.

Chair Fairman said I think we're done, Sir. Mr. Pratt said thank you very much.

IV. Concept Proposals and Other Business:

1. **TRC Investments-Three, LLC & West Street Keene, LLC (Owners & Applicants) – Request for review of a conceptual plan for a Site Plan and Subdivision to create three commercial condominium units and a proposed layout for a fast-food restaurant and a bank,**

both with drivethru service and associated site improvements, located at 26 & 28 South River Road, Lot 11-11 & 11-12, Zoned PZ.

Mr. Chris Riley presents: Good evening, Mr. Chairman, Members of the Board, good to see you. My name is Chris Riley. I'm the co-owner of the parcel that we'll discuss tonight. Didn't want to take up too much of the Board's time but seeing that this parcel hasn't been developed in over 40 years, we figured we'd come in for a concept just to get some ideas, your initial thoughts, before we go into a full design review and develop the parcel. We currently have two parcels here, 28 South River, which was owned by Mrs. Weld for years and years. Some of you might remember the old structure that was on that property. They tore that down a few years ago, redeveloped the site into the new building that is currently Restore Hyper Wellness. The abutting parcel, 26 South River Road, was owned by the Bellmore family for a number of years. It was their residence as well as where they conducted their family business. And when the Bellmore family decided to sell the property, we were interested in acquiring it to see what we could do to further redevelop existing parcels along South River Road.

My father Tom and I have lived in Bedford our whole lives. We've done a number of developments along South River Road in scale from Target and Lowe's all the way down to the Pressed Cafe that just went in. Obviously this Restore Hyper Wellness, and a number of other parcels right along the South River Road corridor, as well as some parcels along Route 101. So we do have vested interest in the Town of Bedford and it is our home. So we look at how we develop pretty carefully and want to do what we feel is the right thing for the Town.

You had a brief staff report basically going over the history as I just did, and what we're looking to do. I'm also here with Attorney John Levenstein. He'll be running point on most of the project from here. Steve Keach's office, Jason Lopez, will be the head engineer on the project. And as we get into full application and submittal, those will be the team players that will be presenting to you for the technical end of the subdivision. In speaking with John, we felt that the best way to accomplish the most effective and economically feasible means of developing the project was to create a land condominium of which we would take both parcels, do a consolidation of the parcels, creating one parcel with three units. Unit A would be the parcel on the uppermost corner, B in the back, and then unit C would be the existing Restore Hyper Wellness.

The parcel has access through an easement off of Colby Court, which gives us access to South River Road through a lighted, signalized intersection. Additionally, there are two existing curb cuts on South River Road that are currently unrestricted. So, the Restore Hyper Wellness enters and exits South River Road from the existing curb cut that is shown, and right here on your map. Additionally, there is an existing building and if you'd like me to pull up existing condition I can do that. But I think probably most of us are fairly familiar with this area. There's an existing multi story multifamily building currently on the site that sits right in this general area which also has unrestricted access to South River Road. Initially in our design and proposal, we are looking to limit one of the curb cuts to a right in and right only to avoid the current unrestricted movement that it can occur prior to the stacking lane on South River Road at the turn intersection onto Colby Court. We have secured a lease with the front parcel with Community Bank. They are a bank out of Western New York, and I do have some preliminary concepts. It's early on in the phase. Like I said, we're just in the leasing process, but they have committed to the

site, pending approval, to construct a single level bank consisting of approximately 2,000 square feet. The parcel that we'll delineate as parcel B, we do not have a tenant secured at this time. So we have a generic footprint for 3,500 square feet with a drive through use. The initial interest in the parcel has been from food use. Most of the food users in the market today are right around 2,000 to 2,500 square feet, but when Jason was doing a concept they said let's put a bigger facility out there just to see what we can do as far as infrastructure to see if we can meet it, which we can. We exceed parking as well as [inaudible] movement throughout the site. There's a couple items that we'd have to address in the technical process and design of the site. We do have some wetlands, a small finger that comes into the lower corner of the parcel that will be addressed. Again, if we modify the site, the building on the secondary site to a smaller, we may be able to go right around the wetlands and not need parking in that area. So again, we're at concept. It's early. We're trying to see what will work on the site.

So, Community Bank is looking to build a structure that utilizes some modern material as well as some traditional materials in a mix. If you know any of my other sites that we've done, we really put some emphasis internally on what the site looks like as a complete package. So, we've got Restore currently existing. There's obviously Bank of New Hampshire that was constructed a few years back also. We would want the architecture on the site to all blend. It doesn't have to be the same type of architecture, but we'd want to see some blending of materials. So, Community Bank now is throwing around some different ideas of just what may work on the site, and we're open to some suggestions that you might have on what you might like to see as far as architecture. But we're seeing a trend, like I said, of a little more modern design with the use of traditional element. So, single story, maybe some raised soffit areas, but we want to keep sight line to the back as well as the front, so nothing too high right on South River Road.

Ms. Malcolm said excuse me, Mr. Riley. Would you put that picture back up? Mr. Riley asked the concept picture? Ms. Malcolm said yes. The one on top, is that facing Route 3 or what is that? Where would we see that? Mr. Riley said I believe that's the south elevation on to South River Road. Ms. Malcolm continued so, that's what we see on South River Road? Mr. Riley clarified coming in from the intersection. Ms. Malcolm said thank you. Mr. Swiniarski said the lower one is on Route 3, right? Mr. Riley said yes. And then this is the drive through canopy here. So that would be on the Colby Court side. Ms. Malcolm said thank you.

Mr. Riley continued as I mentioned, we do have an easement on to Colby Court that was issued from the original owner of the plaza across the way where Boston Interiors, Panera, is located. So we do have the unrestricted access point here. This is part of their drainage system across the road. So these two areas in here would simply just be maintained, mowed, and kept as green space. So the site won't look fully paved. It will actually be fairly green as you're looking at it from the intersection. And initially we were going to sit the buildings further toward the road, but we thought it kind of sat better to have the buildings pushed back a little bit. So again, it's all early. It's all concept. We do have one tenant that would like to be on the site, pending approval. We do have one existing building on the site and it's just a matter to see what the Board would like to see done for development on the site or if they have any questions or input that we can get tonight so that we can take back to our team and see if we can accommodate those requests.

Chair Fairman said alright. Thank you, Chris. Are there any questions from the Board? Ms. Malcolm said Mr. Chairman, I have a question regarding these two curb cuts onto South River Road. You're going to maintain both of those curb cuts, I assume. Mr. Riley replied those are existing curb cuts, so... Ms. Malcolm asked what are you going to do for signage for those two? They're quite close together. Mr. Riley replied so we didn't utilize any signage for the Restore Hyper Wellness site. I believe we had a location on the site plan. We felt the building was close enough to the road. Probably agree with that. So the signage on the building more than covers designation, in our opinion. Our intent for this site would be to have signage on the corner, right in here, and you see the cursor moving right in there. So right on our property line, again, this isn't owned as part of the parcel. So, we would be limited to the spot right in here. Obviously right in, right out only for that curb cut, which is currently unrestricted. So, we are restricting the movement that currently exists so that we shouldn't have any issues with sight line visibility if you're taking a right in or right out. But those will be looked at by the engineer upon design. Ms. Malcolm asked how much distance is there between those two curb cuts? Mr. Riley replied I don't have the exact amount. If I had to guess, maybe 100 feet. Ms. Malcolm said OK. Thank you.

Ms. Hebert asked did you look at using the access drive to the west along the rear property line? It appears to be on the site. Mr. Riley replied it is, and initially we were looking at doing a larger scale medical building in the back. We had been approached to do something medical multi-story and we were going to, in order to meet the parking requirements, we looked at doing some employee parking up on there and having almost a catwalk. The elevation really doesn't work for bringing in a roadway or a driveway. You've got probably, again, don't hold me to the exact number, but an estimate—you've got 2, 4, 6, 8, 10, 12, almost 14 feet of elevation change. The site itself is very flat and if you've been over that way, you know what the site is. So, we can't really get up to that hill in order to bring a driveway down and still have enough buildable area to meet the requirements. So, right now it's looking like we've got the two curb cuts on South River Road and then that curb cut on Colby Court through the easement.

Mr. Swiniarski asked are you intending to do a full traffic study with the ultimate submission? Mr. Riley replied if that's the Board's pleasure. Chair Fairman said yes. Mr. Swiniarski said I think given the area, it's kind of a necessity. That would be my thought just because it's a crowded area and adding significant amount of users, I think.

Mr. Nelson said I think the restaurant that's selected could radically impact the traffic, right? There's some that I can think of that would be coming out the sides of it. There's others that would barely impact it. Mr. Riley said well, we've already put Pressed in town, so you know it won't be that traffic. So if anybody's been there, they know what the traffic is there, but yeah, the higher volume restaurants, obviously we'd want to make sure we can accommodate that. We do have a good amount of space internally on the site for queuing and stacking. I think all of us can remember when restaurants weren't open, what some of the drive through queues looked like. You'll never be able to queue for 50 cars, but if you can queue for 20 cars or 15 cars. I think it takes a lot of pressure off any streets and we don't have any queuing possibilities on South River that could impact South River Road, which is the main thoroughfare. So, we'll look at that, though, through traffic. It would be great if we can have that secondary user prior to full approval. If we don't, however, we'd probably be going to look in for a generic use food use, and in that case we could estimate conservatively for a higher volume versus a lower volume.

Mr. Sullivan asked should the restaurant tenant end up deciding to go with a smaller footprint, the 2,000 and 2,500 square foot that you mentioned, would that enable you to reduce the hard surface impact and potentially number of parking spots and things like that? Mr. Riley replied absolutely. What we would try to do, in talking with Jason, is initially we may be able to do something with engineered retainage so that we don't have any wetland impact. Right now it's minimal. I think the area in the parking lot is probably what 600 or 800 square feet if that, but it would help if we can get around that and reconfigure a little bit. So we would have no wetland impact—no need for zoning. No need for wetland and it would help with our drainage infiltration. We're going to investigate a number of different routes for drainage. Like I mentioned, there's a drainage system on the corner already, again not owned by us. So, that would be at the pleasure of an abutting tenant. But if not, we're looking at a subsurface drainage system with chambers designed to the site.

Mr. Sullivan said so I believe some of the abutters on Hall Road are still residential, correct? Mr. Riley said yeah, I think the majority of Hull Road. Becky, is that correct? We've got two businesses in the front: Bank of New Hampshire on one and then I'm not sure what's on the other side right now but the rest of them are residential. The residence that abuts this site and the Bank of New Hampshire site is still controlled by the Bellmore family. Ms. Hebert said I'll just add that the Town engineer did want you to further explore the option of using the signalized intersection that you share with the Service Credit Union, so maybe showing some conceptual grading plans or if it's not feasible, demonstrating why it's not an access point that could be utilized. Mr. Riley replied are you talking about maybe as a secondary access point, Becky? Just to see if we can get another point of access in addition to. Ms. Hebert said I think instead of the Colby Court access drive. Mr. Riley said from a development standpoint, on a commercial side, and again, some of you who know me know I'm pretty straightforward with answers, it's not a desirable site if you have to go that far up the road from the major retail point of view. Retailers want to be on South River Road and have quick lighted access to it. And in order to make the economics work, we have to see how we can accommodate that and still meet all the safety and all the traffic flow. I don't know if going all the way up to where Service Credit Union would still keep the site as desirable but it's worth investigating to see how we could access it potentially as another means to get in and out.

Ms. Hebert said it looks like Planning, from years ago, identified that site as the key location for a major commercial driveway that could be shared amongst several properties on file before it, so I would investigate it. There may be some changes to the median aisle that need to be made, or some additional improvements to make sure traffic continues to flow properly on Colby Court with the full access driveway at its current location. So, all things that would come out of a traffic study. Mr. Riley said yeah, and I think once we determine who the secondary or third user would be, is going to have a big impact on what the traffic will look like. Community Bank's site is a 2,000 square foot retail bank. I mean if we're not familiar with banks in Bedford at this point, right? Supermarkets and banks—we love them. But the bank doesn't generate very much traffic. So, it really is going to be reliant on that. And like I said, if we don't have a tenant by the time we go for a full submittal or approval, we would want to estimate conservatively that will be a high-volume use versus a low volume use.

Chair Fairman said Chris, I don't think you stated, the existing building, is it going to be torn down? Mr. Riley said yes. The existing building goes. Yeah. Yeah, that was their home for a long time. Chair Fairman said the second comment I have and I don't think there's anything to do, but originally we're doing the Bank of New Hampshire and the fitness center, we talked about the Bank of New Hampshire having a right to come across. Bank of New Hampshire, as you can see if you've ever used it, it is extremely tight. It would be really nice if there was anything that could be done working with them to improve the tightness in that lot and I don't know what the right of way through the Colby Court was or is. If it exists, but there was discussion about that. And I think that'd be good to hear, have some discussion and look at that. And make sure you come back to us with [inaudible] those discussions. Mr. Riley answered yeah. And I think if you recall, Charlie, and I know there was a couple other Board members who might have been on the Board when that approval came through. We were trying to be very accommodating with Bank of New Hampshire, initially, to try to meet as many of the Town's Master Plan comments which were about interconnectivity and smaller redeveloped lots on South River Road and we did the Master Plan back in, it might have been 08 or 10 when we did that one. But in any case, we had that shown on the plan and Bank of New Hampshire decided they didn't want it to the point where they wanted it taken out initially. And I think Becky might have said we want to leave it in, but you don't have to construct it or something along those lines. I'll have to look at the wording on it. So, we don't discourage the idea of interconnectivity, but we can't make the abutting tenant do something if they don't want to. Chair Fairman said OK. Thank you.

Mr. Riley said we've had a number of cars that come into Restore Hyper Wellness, especially when the bank first opened, thinking that was the entrance to the bank. You know, they're not as familiar with the whole road entrance point, so we're willing to work with an abutter, but again we can't make them do something. Ms. Hebert said it might help the applicant to hear if you're comfortable with the setback from the edge of pavement to the property line, because that is something that would require a waiver from the Performance Zone Landscaping and Pavement Setback Standards. It may impact the design. Chair Fairman asked are there any other questions, comments from the Board, recommendations for the developer on the Concept Review?

Mr. Swiniarski said in light of what Becky was saying, is there a landscape buffer of some sort proposed, right, for the... I guess that would be southern property line. Mr. Riley asked so down in this area here? Mr. Swiniarski said yeah. Mr. Riley replied there's a fence currently, so I mean there'll be some green space before the fence. Mr. Swiniarski asked how wide is that? Mr. Riley responded again; we're probably looking at about maybe 10 feet. Most of most of the area—when we get into these smaller, tighter lots in Town that we're trying to, and I'm sure the Board is going to see a bunch of them in the next five years, but you're trying to take older residential lots and the best way to do it is to combine them like we're trying to do, but that's not always what you can do. So, there tends to be a need for some type of waiver from a regulation. I think on the northerly side where pavement is hitting almost the property line, we've got that easement buffer already. So you're quite a number of feet from the roadway already. So, I think that'll have a nice presence as you drive in and nice presence from South River Road. But yeah, I mean the smaller lots and the tighter lots, you've got to be careful like Charlie mentioned. You can't put too much stuff on one site, but you need to have it work economically also. We can't do projects if they don't work financially. Mr. Swiniarski said yeah, understood. Mr. Riley said so, we'll be looking for some

waivers, but we'll try to limit them the best we can, when we apply for things we think are appropriate. Mr. Swiniarski said all right. Thank you.

Chair Fairman said I would expect the homeowners, who are pretty vocal on Hall Road will be in looking for some buffers along that area. Mr. Riley said the only site we touched, Mr. Chairman, is like I said, the piece that's controlled and owned by the Bellmore family still. And I think they might be in the house. So I think they're still utilizing the house. So other than that, we're abutted by South River Road, Colby Court, a wetland pocket in the other corner. But I would imagine the residents of Hall Road, if I lived on Hall Road, I want to know what's going on so I would come out.

Chair Fairman said yeah, big difference if you've got a restaurant and a lot of lights. Homeowners on that lot are going to be impacted by car lights and noise pretty bad. Mr. Riley said potentially, yes. It's all in consideration. Absolutely. And right now, again, concept is a restaurant. It's the highest use for the site. I always find it's easier to come in with the concept that says this could be the worst-case scenario as far as traffic, but we might be approached by a retail use. We might be approached by a bike store. We might be approached—it really hasn't gone to market per say. Everything that's come to us at this point has been word of mouth. So once it hits market, it opens it up to all kinds of different retail. It could be a small office. We just don't know that yet. But in the front, we do have, like I said, we do have commitment from... Chair Fairman said yeah, I understand. Just be sensitive to the neighbors, and particularly with lights and noise if it's a restaurant. That's all, because it will be quite an impact on them, I think—daytime traffic. Nighttime isn't so bad.

Ms. Hebert said right, right. You had three potential architectural facades for Community Bank. Did you want to hear if there was a preference for 1, 2 or 3? It makes my life easier if we get more feedback when you come for final plan. Mr. Nelson asked is there any kind of corporate look and feel that Community Bank has or has a preference of? Mr. Riley answered Community Bank is, they're a national organization based out of western New York. So they're not a New York City bank. They're what their name says. They're a community bank. I've enjoyed working with them so far. They're very receptive to what individual communities want to see for architecture. So, there's a trend in architecture throughout New England as well as throughout the Nation, to blend some modern with traditional elements. Obviously in New England, our traditional elements are gabled roofs and clapboard and the building materials a lot of us see at our homes. But we are seeing a kind of a deviation along South River Road away from that. I think, and again, it's personal preference but at Market and Main we've seen a mix of modern and traditional materials. I think that's coming out pretty good. So I think that's what they're attempting to do with these concepts, but they're early on and when they sent them to me and I apologize for getting them to Becky so late. But when they sent them over to me, they said here's something but we're open to anything. So, I guess we don't want it to look just like Restore Hyper Wellness. We don't want it to look just like Bank of New Hampshire. And we don't want it to look just like Service Credit Union. But if the Board has a preference on what they'd like to see, it is a pretty predominant corner as you come into it, and you're traveling right from Manchester into Bedford, that's the first corner you see. So, we're open to it.

Mr. Sullivan said I do appreciate that openness, because I remember—who was the bank that was in here—Citi, where they proposed and it was just very monolithic and box and gray. So, having something that incorporates a sense of community a little bit more, because I know those are things that you mentioned: the gables, things that we've talked about with Market and Main to incorporate. Try to get away from having South River Road look like any other Main Street in the US. So, having that type of touch is good to hear.

Chairman Fairman asked are there any other questions, comments, suggestions? Ms. Johnson asked can you toggle through the other two options? Mr. Riley replied sure. They're pretty similar, but I think this one just shows a peaked roof here on one side with some of the vertical clapboard. I think one of them was a little more modern. This one here, the brick type of look. It's probably a concrete product, but it has a brick type masonry type of look. This may be, and they didn't give me the schematic on it for the detail, but I have a feeling these are probably the metal panels, which would give it a little bit more—and then again the metal type of panels in a different color here. So, I think this would probably be a more modern approach. And this is kind of a combination of both, right? It loses the peak but it incorporates some of the clapboard vertically as well as the panel. So, I think the best example visually, and I'm a pretty visual person. I think these panels would be similar to like what you see at Mini Cooper across from Target and Lowes. They've got some use of the metal panels with some wood elements.

Ms. Malcolm asked could you go back to the first? That's it. Mr. Riley said so, that has the masonry, the wood component or the wood simulat components—probably a manufactured product that looks like wood and then some of a type of a panel. Mr. Swiniarski said that's a pretty good-looking bank. Ms. Malcolm said I like that peaked roof there. Mr. Riley said and again, I think once you enhance it with the landscaping around it, sidewalks, landscaping, it changes the look also. And as we get further down the road, our concepts will be more detailed.

Mr. Clough asked how many other of these Community Banks are in New Hampshire? Mr. Riley replied I think this is their first in New Hampshire. New Hampshire has been labeled as a target market and Bedford was their first Town of the target market state. So, we're becoming the banking capital of New Hampshire. I did go through the website. I always do research on any potential tenant because like I said, I live here just like you do. So, they are throughout the country. They have a good market share in a number of states, but New England has been their expansion area and New Hampshire in particular, and Bedford their location. They have a couple other locations happening as well. I can find out where for you. Mr. Clough asked so that's their brand, that little squiggle? Mr. Riley said they're coming up with new concepts for New Hampshire. They, like I said, they try to match the architecture based on what the demand is and the one that might be on the seacoast might look very different. Now they're branding—if you're referring to the Community Bank signage, that is their logo. That is their branding font. Mr. Clough asked throughout the country? Mr. Riley said yes. That's standard throughout the country. The logo is standard. The font is standard.

Chair Fairman asked is there anything else, folks? Mr. Nichols said I've been quiet through the whole thing, but I think it's pretty straightforward. I don't have any significant questions or comments. I think it's pretty well done up to this point. Mr. Sullivan said to be honest with you, I'm surprised it took this long to get a proposal for that lot, the Bellmore lot, in front of us with the

way that South River Road has been developing. I figured it would have been sooner than later, so I'm happy to see it coming up. Mr. Riley said they didn't want to sell it. That's really what it came down to. The Bellmore's controlled that corner for a long time and like I said, it was their family home. They were there before any of it. So yeah, it hasn't really been on the market, I think it's been like 50 years. I'm 50 and I don't remember anything else being there. Mr. Sullivan said yeah that location though, right on the light. Great spot. I'm sure that there would have been an offer at some point that they couldn't refuse. I didn't mean to go godfather on that one—that they'd entertain. Mr. Riley replied yeah. And like I said, it hasn't even hit the market yet and we already have one party that's committed and the other one, I think it'll go quick once we have a concept for them.

Mr. Nelson said I think the restaurant is the wild card. I mean, a bank has pretty set hours and pretty set traffic patterns. A restaurant can have hours that can be fairly widely ranging and traffic demand that can be pretty far, like we talked about. So, I think understanding as you firm up that and I think coming back for final approval without a specific tenant would be kind of an interesting discussion I think. Hopefully, it comes together where those things kind of align so that as we go through the final approval process, we have a good sense of the out and to Mr. Chairman's point, the hours, the operation, the light, the activity, the traffic—all of those things I think will be important for us to assess as you go through the final approvals. Mr. Riley said absolutely.

Ms. Johnson said I think I'm interested in seeing what you do with the wetlands. I know there's like a considerable setback that you need to be from the actual wetlands. So, I think it was that dashed line and it was like the bubble around it. It seemed like it impacted. Do you know if that's like can't construct anything in that bubble or...? Mr. Riley answered I think it would be more of a question for Jason Lopez, as he'll know all the requirements from the setback. I think we can do something with parking, but you can't do things with structure. Ms. Johnson replied OK, that's what I was thinking. The other comment that I don't know how the rest of the Board feels, but I do see there's a patio space there and I guess my concern would be like noise. If there was to be like outdoor music or that type of stuff because you are next to the residential so just concerned about that. Mr. Riley replied I would be very surprised if you see it as a sit-down casual restaurant, but more of a fast casual. We've gotten a phone call from a current food user that's in the direct area without a drive through that has interest in potentially relocating. Ms. Johnson said similar to what Pressed is but...? Mr. Riley replied yeah, Pressed is pretty different. That concept, we're working on another Pressed concept in another Town and they recognize what their volumes are now. So, that's a whole different—that's like putting a Chick-fil-A in. We looked at potentially doing a user like that on this site—a Chick-fil-A type of use, and that would be a one user site with 50 car stacking. It's just not the right use for the site and that's kind of, as the owner/developer, that's what I think of. What is the right use so that things work because if you don't have a site that's synergistic between your tenants, the landlord gets the phone calls. So, we really have to think of that. So, if it becomes a restaurant use, it would more be like a fast casual and then we would have to look at the volumes of that fast casual, right. The volume of a Taco Bell is very different than the volume of a Dunkin is very different than the volume of a Panera. And we have trip generation that can tell us how that's going to play out.

Mr. Strand said I think that would be probably my only question or open concern as well is both from a traffic pattern standpoint in that space and also in terms of commercial and consumer Town

needs. You might have better luck avoiding a drive through food service environment, but I realize it's kind of built for that. That'd be my personal preference is not to see more of that as well. And then to Logan's point, I think the wetland, I guess 600 by 800 does seem really small. That was going to be my question is how small is small. But I imagine you're going to do an environmental survey anyway, and you'll know how functional it is. And to me that'd be my primary question. What's the gradient? Is it a wetland that is practically filling up with water on a regular basis? And how that potentially affects around residences versus is it a wetland in name more than in terms of what's actually happening there I guess.

Chair Fairman said as you know this is kind of an extension of a row of fast-food restaurants on the Manchester side of the border. In that sense, it really doesn't go with what you see from there toward Bedford. It goes from what you see there toward Manchester. So, from where I sit, it would be nice if you found something beside a fast-food restaurant for that location. Now I understand it's yours to develop. What you have is what you have but I don't like the fact that we're kind of growing Manchester's row of fast-food restaurants into Bedford rather than that taking up in more Bedford-like businesses.

Mr. Riley said I can't divulge because of confidentiality who we're talking to. But most of the calls we've taken are with people who have expressed interest aren't facilities that you see around here right now. It's mostly stuff you'll see down in the Boston area that are looking to come north. A couple are familiar uses, but again, nobody's committed yet. Mr. Cloud asked so it could be a sit-down restaurant, or no? Mr. Riley replied no sit down at this point. No, they're all fast casual. A lot of a lot of the fast casual is going away from drive through believe it or not. It's going to be pickup windows. You order on the app and you pick up versus pulling in and going in to pick up. There's changes in the industry. Every industry has had changes I think in the last five years, but there are real changes in fast casual. And again we could be approached by a small medical use that wants to put a medical use on it. It's just at this point, we have to present something knowing that we're not just putting one use on the site and we want to be transparent with the Board on that to say hey, in order for the site to work, it's got to have at least 2 users on it in addition to the existing user. So, my approach is always project what would be the highest volume and then if you scale it back, it's a little easier.

Chairman Fairman said you mentioned the pickup. That's something that would come into play with your parking because that is today's world. The restaurants all have pickup windows. [crosstalk] I don't know that we address that in our parking requirements at this point, but it's something that needs to be looked at, I think, because every restaurant as locations close by, T-bones, for instance, has I don't know 6 or 8 pickup and only four or five handicap and you can never find a handicap spot there. It's a problem. Mr. Strand said I just park in the pickup and go in there anyway. Chair Fairman said and the people picking up have to park in the handicap zone. So at any rate, that's something to be considered too. Chris, do you need anything more from us?

Mr. Riley said no, this has been very helpful. I appreciate your time and hopefully you'll see us back with some full applications within the next few months. Thank you. The Board members said thank you.

V. Approval of Minutes of Previous Meetings: September 18, 2023 and October 16, 2023 meetings.

Chair Fairman asked are there any corrections or comments on those minutes? Mr. Nichols asked was the 18th the Workshop? Ms. Hebert replied the 18th was the Workshop and we've been postponing accepting the minutes because we were unable to have a voting quorum.

MOTION by Mr. Sullivan to accept the minutes for October 16, 2023 as submitted in today's agenda. Mr. Nichols duly seconded the motion. Vote taken – all in favor. Unanimous. Ms. Malcolm and Mr. Swiniarski abstained. Motion carried.

MOTION: Ms. Johnson moves the Planning Board accept the minutes for September 18, 2023. Mr. Strand seconded the motion. Vote taken – all in favor. Ms. Malcolm, Mr. Strand, and Mr. Swiniarski abstained. Motion carried.

IV. Communications to the Board

Ms. Hebert said we have the Housing Public Forum scheduled for November 14th. Please spread the word. We're hoping to have good attendance at the meeting. The meeting starts at 6:00 PM and it's being held in the high school cafeteria. As part of your Planning Board packet, I shared a graphic little invitation. We will be printing postcards. We have some out in the lobby of BCTV and we're just trying to spread the word. We need your help sharing that with your friends and family, colleagues and coworkers.

Mr. Swiniarski said sorry to interrupt. I was just wondering out of curiosity do you have any way of gauging your turnout on that at all? Ms. Hebert replied no. Mr. Swiniarski said yeah, I didn't think so. I don't have a solution. I only have the question, unfortunately. Ms. Hebert said well, it'll be an interesting meeting. It's interactive in nature. There'll be tables with different themes that people will walk through and be talking with consultants, giving feedback, answering questions. At the beginning of the meeting there'll be a brief presentation. The purpose of the meeting is to share the data that's been compiled about housing in Bedford to date as part of the housing study. And so it's really a fact-finding meeting and a meeting to share the results of all that information. So it should be interesting. You would not be coming to sit for an hour and listen to someone speak. It's going to be interactive, and I believe we're also going to have a table or a location where kids can hang out so you can bring your family. It's going to be a family-friendly event. Ms. Johnson asked do you know if anybody from the media is coming? Ms. Hebert said I believe BCTV will be coming.

Chair Fairman said really it's a question of getting the word out. I think people will show up if they know about it. I'm not sure that the word is out. Certainly, I've tried with Rotary to get the word out. Mr. Swiniarski asked is there any way to use the school system to get the word out as well? I mean they have a lot of reach to a lot of people. I don't know if there's any sort of relationship there, but that seems to be one avenue where they get a direct link to a lot of residents pretty quickly. Ms. Hebert said that's a good idea. Ms. Johnson suggested telling them to put it on Parent Square. Mr. Swiniarski said exactly! One of those nine emails I delete every day without reading. But everyone else reads them, right? The key is to put the word housing the as the first

or second word of the subject line and I think you'll get a response. Ms. Hebert said right but we do need your help spreading the word. So, if you have community organizations that you belong to, if you can share that invitation with their membership and continue to help spread the word, we'll be pushing that out over the next couple of weeks and we're getting down to the one-week window leading up to the event. So, we really do need to start spreading the word and encouraging people to attend.

Your next meeting will be on November 20th. Tonight's meeting was rescheduled from your usual date, the beginning of November, due to a conflict. So, you have a couple of weeks before your next regular meeting. There's no meeting on the 13th and the Monday, I think it's the 6th or 7th of November.

Thank you, Priscilla. Second.
So moved.
The second season. 2nd thank you.

V. Reports of Committees: None

VI. Adjournment:

MOTION by Ms. Malcolm to adjourn at 8:07 pm. Mr. Clough duly seconded the motion. Vote taken – all in favor. Motion carried.

The next meeting of the Planning Board is scheduled for November 20, 2023.

Respectfully submitted by
Sue Forcier