

**TOWN OF BEDFORD
November 23, 2020
PLANNING BOARD
MINUTES**

A remote Zoom platform meeting of the Bedford Planning Board was held on Monday, November 23, 2020. Members who were present remotely: Kelleigh Murphy (Acting Chairman), Hal Newberry (Secretary), Bill Duschatko (Town Council), Rick Sawyer (Town Manager), Jeff Foote (Public Works Director), Mac McMahon, Steve Clough, Charlie Fairman (Alternate), Matt Sullivan (Alternate), John Quintal (Alternate), Becky Hebert (Planning Director), Mark Connors (Assistant Planning Director).

Absent was Jon Levenstein. Priscilla Malcolm joined the meeting late.

Due to the Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Planning Board is using the Zoom platform to conduct this meeting electronically. Please note that there is no physical location for this meeting and the BCTV building is closed to the public.

The Town of Bedford is providing public access to the Zoom meeting live on BCTV, streaming at www.Bedfordnh.org/393/BCTV, and by calling into the meeting. Please email planning@bedfordnh.org or call 603-472-5243 to receive the call-in information.

Planning staff will also be accepting questions and comments by email at planning@bedfordnh.org. Please notify staff by email if there are technological issues with the audio transmission during the meeting.

I. Call to Order and Roll Call:

Acting Chairman Murphy called the remote meeting to order at 7:00 p.m.

Ms. Murphy: Thank you. Good evening and welcome to the November 23, 2020 meeting of the Bedford Planning Board. My name is Kelleigh Murphy and I will be chairing this evening's meeting. Jon Levenstein was unable to attend tonight. I'm going to introduce all board members and ask them to identify anyone who may also be in attendance with them at home in accordance with the right to know law as this meeting

is being held by Zoom. I am home by myself in my home office but my children are here with me. Harold Newberry?

Mr. Newberry: Good evening. I'm using a headset and there's no one in the room with me. Over.

Ms. Murphy: Mac McMahan?

Mr. McMahan: Home and alone.

Ms. Murphy: Councilor Bill Duschatko?

Mr. Duschatko: Home and alone.

Ms. Murphy: Jeff Foote?

Mr. Foote: I'm in my office and alone.

Ms. Murphy: Priscilla Malcolm is not here with us this evening. Stephen Clough?

Mr. Clough: Home and alone.

Ms. Murphy: Rick Sawyer?

Mr. Sawyer: At the town office building and alone.

Ms. Murphy: Matt Sullivan?

Mr. Sullivan: I am home and alone.

Ms. Murphy: Charlie Fairman?

Mr. Fairman: I'm home and alone.

Ms. Murphy: John Quintal?

Mr. Quintal: I am home and alone.

Ms. Murphy: Okay, I'm going to appoint in Jon's absence Matt Sullivan to vote as a regular member and in Priscilla's absence I am going to appoint Charlie Fairman to vote as a regular member.

Mr. Sullivan: Thank you.

Mr. Fairman: Thank you.

Ms. Murphy: Becky, could you read the statement regarding tonight's electronic meeting?

Ms. Hebert: Sure. For the record, I'm in my home office in my house alone. Due to the Coronavirus crisis and in accordance with Governor Sununu's Emergency Order number 12 and pursuant to Executive Order 2020-4, the planning board is authorized to meet electronically. This meeting is being conducted using the Zoom platform. All members of the board have the ability to communicate with each other during the meeting and the public has access to listen and participate by dialing 929-205-6099 and entering the meeting ID number 95225021724 and the passcode 911457.

Instructions regarding remote access to this meeting have been available in advance by contacting the Planning Department. There is no physical location for the meeting which is permissible pursuant to the governor's emergency order. The Town of Bedford is providing public access to the Zoom meeting by telephone and the meeting is also

being broadcast live on BCTV channel 22. Members of the public may email staff during the meeting at planning@bedfordnh.org to ask questions during the meeting or to notify us of technological issues.

If you've joined the meeting using Zoom, you may also ask questions when the chair opens the hearing for public comment. All votes tonight will be taken as a roll call vote. If there are technological issues during the meeting, the chair will recess the meeting and we will try to correct the problem. If the issue continues, the application will be postponed and the meeting will be adjourned. Thank you.

Ms. Murphy: Thank you. Mark, can you review the Planning Board agenda, please?

Mr. Connors: Sure. There are three applications tonight. The first application is a request for approval to operate a personal fitness training business as a level two home occupation at 41 Seabee Street in the general residential district. The second application is a request for approval of a lot line adjustment between two parcels at 37 Back River Road and 41 Back River Road in the R&A district. The third application is a request for approval of a site plan to construct a 2,480 square foot bank with drive-through service facilities and associated site improvements at 32 South River Road and 4 Hull Road in the Performance Zone.

All three of those applications have been reviewed by staff and staff recommend that the board find the applications to be complete. The abutters have been notified. Staff would recommend that the Planning Board accept the agenda and in so doing adopt the staff recommendations. The applications are complete and do not pose a regional impact.

Ms. Murphy: Is there a motion to accept the agenda?

**MOTION: MOTION BY MR. FAIRMAN TO ACCEPT THE AGENDA AS COMPLETE.
SECONDED BY MR. SULLIVAN. ROLL CALL VOTE:**

Ms. Murphy: Motion by Charlie, seconded by Matt. By a roll call vote, Harold Newberry?

Mr. Newberry: Aye.

Ms. Murphy: Mac McMahan?

Mr. McMahan: Aye.

Ms. Murphy: Councilor Duschatko?

Mr. Duschatko: Aye.

Ms. Murphy: Jeff Foote?

Mr. Foote: Aye.

Ms. Murphy: Stephen Clough?

Mr. Clough: Aye.

Ms. Murphy: Rick Sawyer?

Mr. Sawyer: Aye.

Ms. Murphy: Matt Sullivan?

Mr. Sullivan: Aye.

Ms. Murphy: Charlie Fairman?

Mr. Fairman: Aye.

ALL IN FAVOR. MOTION PASSES.

Ms. Murphy: The ayes have it. The agenda is approved and so I want to introduce the first item on tonight's agenda, which is the home occupation application. I believe that Mary Wiseman is the applicant and will be representing herself and so I'll have you briefly introduce the application and tell us a little bit about it.

II. OLD BUSINESS & CONTINUED HEARINGS: NONE.

III. NEW BUSINESS:

1. **Mary Wiseman (Applicant), Mary & Deborah Ann Wiseman (Owners) – Request for approval to operate a personal fitness training business as a Level II Home Occupation at 41 Seabee Street, Lot 45-49, Zoned GR.**

Mary Wiseman: Hi, everybody. My name is Mary Wiseman, and I'm the owner-operator of FitWise Personal Training. I'm located at 1750 Elm Street in Manchester. At this time, I've been there for about five to six years. Prior to that, I was in the Waumbec Mill in Manchester. Right now at 1750, I'm in a shared facility, which is an open gym facility, which is used by the tenants in the building and I operate my business out of that facility. What I'm looking to do is relocate the business to my home.

It's a one on one personal training business. I only see one client at a time. I don't do any classes of any type. My hours are limited. I've downsized considerably over the years. It's just myself working as a trainer. Nobody else working for me. I operate with about, I'd say, 20 clients per week at this point. My schedule runs roughly Monday, Wednesday, and Friday from 7:00 AM until about 12:00, 12:30 noon, Tuesdays and Thursdays roughly from 7:00 AM until 6:00, 6:30 PM.

At this point, one of my main reasons for wanting to relocate is because of the shared space. My clients have showed a lot of concern with the ongoing COVID virus and that since it is a shared space, they're just a little concerned. Obviously, we want to keep it more of a private studio, keep things safe. So that's my main reason for looking to open the facility at my house.

Ms. Murphy: Mac, you're sharing your screen right now.

Mr. McMahan: Yes. Mary, the business would be operated out of the garage. Am I right?

Ms. Wiseman: Yes, it is.

Mr. McMahan: Okay.

Ms. Murphy: At this point, if there's nothing else that the applicant is wanting to add, I'm going to open it up to board member questions. Hal, did you have any questions?

Mr. Newberry: I did not. Thank you.

Ms. Murphy: Mac, do you have any questions?

Mr. McMahan: I have no questions at this time.

Ms. Murphy: Councilor Duschatko, questions?

Mr. Duschatko: I have no questions.

Ms. Murphy: Jeff Foote?

Mr. Foote: No questions.

Ms. Murphy: Stephen Clough?

Mr. Clough: No questions.

Ms. Murphy: Rick Sawyer?

Mr. Sawyer: I'm all set, thank you.

Ms. Murphy: Matt Sullivan?

Mr. Sullivan: No questions.

Ms. Murphy: Charlie Fairman?

Mr. Fairman: Yes, I do have a question. Mary, are there any state licensing or certification or safety inspection requirements for a commercial fitness center?

Ms. Wiseman: To my knowledge, all I've had to do in the past, quite honestly, is maintain my personal training and CPR certification.

Mr. Fairman: There's no safety inspection that the equipment is in good order and installed correctly?

Ms. Wiseman: No. That's something that I continue to do on my own, quite honestly, is I would have, basically, an equipment adjuster come in and look at those things. Usually, once a year, is what I've done. Over the past two years, the equipment that I've been using is not owned by me so that has been out of my hands but when I owned it in the past, that's how I would handle it.

Mr. Fairman: Is the equipment you're going to be using now, you're going to own it I assume?

Ms. Wiseman: I will. Yes, that'll be brand new equipment, and it's limited also because of the size of the space.

Mr. Fairman: Sure. That's all I have now. Thank you.

Ms. Murphy: Thank you. John?

Mr. Quintal: No questions.

Ms. Murphy: Okay, so we've tackled questions from the board at this point because I have no questions. I'm going to open a public hearing at this point and ask members of the public if they'd like to speak to the application. Becky, do you want to explain how members of the public can speak during the meeting?

Ms. Hebert: Sure. If you joined the meeting tonight and using zoom and you dialed in, you can hit *9 and that will raise your hand on our Zoom screen. We'll see that you'd like to speak. If you joined using the computer software, you can raise your hand and that will notify us that you'd like to speak. We will check the County email address to see if anyone has submitted any comments by email. Kelleigh has not received any comments by email for this application.

Ms. Murphy: Okay, I don't see anyone that's indicated that they want to speak to this particular application. I'm going to move through to closing the public hearing at this point. I guess I'll ask planning staff in particular because it was a short presentation, if you have any further comments or concerns or questions for the applicant?

Ms. Hebert: I don't have any other comments. Mary, have you reviewed the staff report and the conditions in the staff report?

Ms. Murphy: Mary, you're on mute.

Ms. Wiseman: Which staff report is that? I'm sorry.

Ms. Murphy: There is a report that was prepared in conjunction with your application by Planning Board staff and there are a number of conditions that are listed in that report. So, the question is, have you had an opportunity to review those and do you understand them and are you in agreement with them?

Ms. Wiseman: Yes.

Ms. Murphy: Okay, do I have any board member who'd like to make a motion on this application?

Mr. Newberry: Madam Chair, I think there was some traffic from Mark late today with a letter from an abutter in support of this application, over.

Ms. Murphy: Mark.

Mr. Connors: Yes, there was one email that came in in support of the application and it's brief so I can just read it in if you'd like. It says, "To Whom It May Concern, we want to write in support the recent application as presented to you from Mary Wiseman for approval to operate a personal fitness training business as a level two Home Occupation at 41 Seabee Street by our neighbors Marianne and Debra Ann. We support this application. Traffic would be minimal and insignificant from this business and by no means impacts the quality of life in our neighborhood. Marianne and Debra Ann are respectful neighbors and citizens of our community and we're proud to support them as our neighbor and as a small business." Submitted by Thomas and Selma Deyak.

Ms. Murphy: Thank you and thank you, Harold, for that catch. At this point, I'm going to ask if there's any motion that the board would like to make.

MOTION: MR. SULLIVAN MADE A MOTION THAT THE PLANNING BOARD GRANT APPROVAL OF THE LEVEL 2 HOME OCCUPATION FOR A PERSONAL TRAINING BUSINESS AT 41 SEABEE STREET, LOT 45-49 AS OUTLINED IN THE APPLICATION SUBMITTED BY MARY WISEMAN RECEIVED OCTOBER 9, 2020, SUBJECT TO THE

FOLLOWING CONDITIONS ONE THROUGH THREE AS LISTED IN THE STAFF REPORT FOR TODAY, NEVEMBER 23, 2020, AS FOLLOWS:

1. The Planning Director shall have the authority to issue an order for the applicant to return to the Planning Board for any unresolved complaints. At such time, the Board may revoke the approval.
2. The business shall be limited to one-on-one client sessions with no classes or group activities conducted on site.
3. A certificate of compliance for the business shall be issued by the Building Department prior to the start of operation.

Ms. Murphy: Do I have a second?
SECONDED BY MR. NEWBERRY.

Ms. Murphy: Motion by Matt Sullivan, seconded by Hal Newberry by way of roll call vote, Hal?

Mr. Newberry: Aye.

Ms. Murphy: Mac.

Mr. McMahan: Aye.

Ms. Murphy: Councilor Duschatko?

Mr. Duschatko: Aye.

Ms. Murphy: Jeff.

Mr. Foote: Aye.

Ms. Murphy: Steve.

Mr. Clough: Aye.

Ms. Murphy: Rick.

Mr. Sawyer: Aye.

Ms. Murphy: Matt.

Mr. Sullivan: Aye.

Ms. Murphy: Charlie.

Mr. Fairman: Aye.

ALL IN FAVOR. MOTION PASSES.

Ms. Murphy: The ayes have it and the application is granted. Thank you, Mary, for being here with us this evening, you can actually leave the Zoom meeting at this point, if you'd like to.

Ms. Wiseman: Thank you, all, very much. Goodnight.

2. **Seventh Day Adventist Church (Owner) – Request for approval of a lot line adjustment between two parcels at 37 Back River Road and 41 Back River Road, Lots 22-41 and 22-42, Zoned R&A.**

Ms. Murphy: I'm going to introduce the second item on tonight's agenda. It is the back-river road lot line adjustment. Timothy Peloquin of Promised Land Survey, LLC will be representing the applicant and presenting the application.

Mr. Peloquin: Yes, I am here. You want me to start?

Ms. Murphy: Take it away whenever you're ready.

Mr. Peloquin: Great. Good evening, Tim Peloquin, the company's Promised Land Survey. I've been in business about 23 years but I haven't often come before your board, so good to see you, all, tonight. This is, from my perspective, a simple lot line adjustment between two parcels. The lot is a Seventh Day Adventist church on Back River Road. It's an old building. Then there's a school next door that was used as a daycare. I think that's currently vacant and not being used as a daycare at this time, to my knowledge last I checked. Basically, the church is looking to change their lot lines. These are very old lots of record and they're looking to take their church property and expand it from, let's call it 1.2 acres, approximately to 4.3 acres approximately. I'm just rounding up the numbers.

So, they're taking a 1.2 acre piece and making it a 4.3 and I'll tell you the reason in a minute why their intention is to do that. Then, secondly, they're looking to adjust their line from their old school building to a 1.5 acre parcel. That would have the allotted frontage on Back River Road and the minimum lot size based on the acreage. Now that current lot sits on four and a half acres and we're proposing to make it exactly 1.5 acres. It puts all the improvements of both buildings, parking, wells, sheds, pavement, et cetera, on each of these lots entirely. If you notice on the, the building at number 37 Back River Road, there is a little bit of an encroachment of pavement and a shed. That's about the only encroachment on that old lot line that runs to the westerly side of the existing church building. The church is in meeting out there with them, and this would be a separate site plan application potentially could come to you all a little bit later. This was pre-COVID that we actually talked to them but post COVID they'll still keep going to church, I sure hope. They're looking to expand the parking lot in the back. They were very limited on parking. Of course, nowadays that wouldn't be the case. Their parking was very, very limited in the back for the operation that they were having. So, they were looking to expand where their shed is on the westerly property line that encroaches over the other lot line.

They were looking to expand parking in that direction in the future. They wanted to button this up between their two parcels. One key part of this is I will be asking for a waiver that's coming, for high-intensity soil survey. I would tell you the wetland is to the rear of the parcel. There's no wetland that affects either of these parcels that I have

identified. We have not done a wetland survey but I'm asking for a waiver for wetlands, soils, and soils being high intensity soils, and lot sizing as a result, just because both lots are preexisting, both lots have approved septic designs currently on each parcel in 2000 and 2001 respectively and they are operable and functioning as is.

Typically, a high-intensity soil survey and lot sizing subsequently is for purposes of proving that the soils are capable of holding septic. It's some mathematical formula that was done years ago. I can't really explain all the ins and outs of high intensity soils but its purpose, by and large, is for septic systems. Seeing both septic systems are ample and working on both parcels and without generating more costs for my client, we thought it was very viable to ask for a waiver on those three items. That's one peculiar part of the application but nonetheless one that we're asking for.

As part of that, though, we did introduce what's called the FCS soil conservation service soils and it's on sheet one. I should also say there's two sheets. Sheet one is a topographic plan and sheet two is the lot one adjustment plan which is the plan intended to be recorded upon approval of the board. That's the long iteration. I'll be glad to pause and try to answer any questions the board would have, or perhaps members of the public. Thank you.

Ms. Murphy: I'll take, actually, before we get to members of the public board member questions first, starting with Hal.

Mr. Newberry: Good evening. I see the staff memo notes that both sites are supplied water by wells. Can you just indicate where those are? I think the staff has noted that the plan needs to be updated to show that the clearance around each of those wells is within its own lot. Over.

Mr. Peloquin: Yes. If I can answer that and I'll jump right in to say I didn't see that comment. Rightfully so, what the DES is going to require for subdivision approval, which has been asked that we get granted as part of this application, we basically have to show a 75-foot radius can sit on both of these lots, for it would be a future well location. Should there need to be a new well dug it would need to be dug within the property limits outside of the septic area and no more than 10 feet over a lot line, is what DES would require. So, 75-foot well radius and proposed future well will be added to both lots easily.

Ms. Murphy: Any follow up?

Mr. Newberry: Your assertion is that both of those lots can meet that requirement? Over.

Mr. Peloquin: Yes.

Mr. Newberry: Thank you.

Ms. Murphy: Mac.

Mr. McMahan: Absent any comments from the director of Department of Public Works, no questions.

Mr. Murphy: Bill.

Mr. Duschatko: No, questions.

Ms. Murphy: Jeff.

Mr. Foote: No questions.

Ms. Murphy: Steve.

Mr. Clough: No questions.

Ms. Murphy: Rick.

Mr. Sawyer: Yes, I have a question. Tim, I'm assuming you've seen the staff report and the recommendation on needing to do lot sizing by soil calculations by soil type for lot 41. Obviously, that would require wetlands mapping for lot 41 as well. You understand that condition and I'm assuming you haven't been able to do those calculations since the staff report came out?

Mr. Peloquin: That is correct. Also, there's a waiver that was generated well before the staff report that we requested that. We do show typography, we show NRCS soils. One thing I do want to say at least from my experience is the one-and-a-half-acre lot, we'll do a high intensity soil survey, we'll do a wetland survey, but that lot area will not change one iota. I can say that as a professional and in my experience in lot sizing. So, there won't be any change but there'll be an additional cost, probably \$1,500 to my client. I personally see it as unnecessary. But if the board deems that it's required then we'll gladly do it. But I'm asking a waiver.

Ms. Hebert: The issue for staff is that the lot sizing by soil type in a residential and agricultural district is the zoning requirements. So as a one and a half acre, the lot is becoming smaller, you do need the surveyor to prove that even if he's confident it is meeting the zoning requirements.

It is a zoning requirement and if for some reason he was unable to meet that it would be a variance with the Zoning Board not necessarily just a waiver with the Planning Board to not provide a lot sizing or to have undersized lot. It's a technical issue. I agree with Mr. Peloquin that it will likely check out but it is something that we need to see for that small lot that's becoming smaller as a result of the lot line adjustment.

Mr. Peloquin: If I can just jump in for a second. Becky just gave me the light bulb moment in that I did not know it was in the zoning. I did not check that. I didn't see that. So, you're 100% right and tear up my waiver request as a result of this.

Ms. Murphy: Well, that was easy. Rick, did you have a follow up?

Mr. Sawyer: Yes, I think just for Becky, I feel like we have been able to waive that for lots that are getting bigger in the past. Lot 42 is getting bigger and I feel like that has been waived in the past but we have not waived it to lots that are getting smaller.

Ms. Hebert: Yes. The staff condition is lot sizing by soil types for the lot that is getting smaller.

Mr. Sawyer: I would continue to support that waiver for the lot that's getting larger.

Ms. Hebert: Yes, I agree the lot that's getting larger we can waive that and that would not becoming less conforming so I see no issues with that waiver.

Mr. Sawyer: Madam Chairman, just to point out, Ms. Malcolm has joined the meeting but probably shouldn't be voting on this application because I think she came through part way through.

Ms. Murphy: Agreed. We'll reconfigure for the next application. Matt Sullivan, do you have any questions?

Mr. Sullivan: No questions at this time.

Ms. Murphy: Charlie.

Mr. Fairman: A question for Becky. If we approve these waivers and then they come in later as indicated for new parking lot and so on, the waivers would have to be approved again, right? For instance, the wetland mapping, if they come in and look to do paving and I'd want to make sure that we had the wetlands mapped so that if by approving a waiver now it doesn't approve them for the next site plan, right?

Ms. Hebert: That's correct, Charlie. The waivers are only associated with this application which is the lot line adjustment. If they expanded the church facilities in the future, that would be a new application before the Planning Board and would require new waivers.

Mr. Fairman: Thank you very much. Just what I thought. That's all I had, Madam Chair.

Ms. Murphy: Thank you. John.

Mr. Quintal: I have no questions.

Ms. Murphy: At this point, I'm going to ask for public input and I'm going to open the public hearing. Is there any member of the public on this call that wants to comment on this particular application? I don't see any hands or any gestures or symbols to indicate that anyone wants to speak. Mark, can you tell us if there were written comments that were submitted in conjunction with this?

Mr. Connors: Yes, we have not received any written comments on this application.

Ms. Murphy: That being the case, I'm going to close the public hearing at this time and ask any board member if they've got follow up questions. If not, I'll take a motion on the application.

Mr. Sawyer: Chairman, I'll make a motion on the waivers, if that's all right.

Ms. Murphy: That'd be great. Thank you.

Mr. Sawyer: I'm going to take the first one by itself and then do the second and third ones together.

MOTION: MR. SAWYER MADE A MOTION THAT THE PLANNING BOARD GRANT A WAIVER, THE SECTION 218.1.12 HIGH-INTENSITY SOIL MAPPING AS BOTH LOTS CURRENTLY HAVE SEPTIC SYSTEMS AND THE INFORMATION IS NOT NEEDED FOR THE LOT LINE RELOCATION.

Ms. Murphy: Do I have a second?

Mr. Duschatko: Second.

Ms. Murphy: Motion by Rick Sawyer, seconded by Bill Duschatko any discussion?

Mr. Newberry: Just a quick question. Do we need to specify for lot 22-41? Over.

Mr. Sawyer: That's why I was taking these separately. For me, that was waiving for the entire plan set, both lots.

Ms. Murphy: Okay, any other questions? Being that I have a motion and a second by way of roll call in the first waiver request, Hal.

Mr. Newberry: Aye.

Ms. Murphy: Mac.

Mr. McMahan: Aye.

Ms. Murphy: Bill.

Mr. Duschatko: Aye.

Ms. Murphy: Jeff.

Mr. Foote: Aye.

Ms. Murphy: Steve.

Mr. Clough: Aye.

Ms. Murphy: Rick.

Mr. Sawyer: Aye.

Ms. Murphy: Matt.

Mr. Sullivan: Aye.

Ms. Murphy: Charlie.

Mr. Fairman: Aye.

ALL IN FAVOR. MOTION PASSES.

Ms. Murphy: The ayes have it. The first waiver as read passes. Rick, did you want to make the motion on two and three?

Mr. Sawyer: Yes, thank you.

MOTION: MR. SAWYER MADE A MOTION THAT WE GRANT THE WAIVER FOR LOT 22-42 ONLY FOR SECTION 218.1.13 WETLANDS MAPPING AND SECTION 231.2.1 FOR MINIMUM LOT SIZE BY SOIL TYPE BECAUSE LOT 42 IS GETTING LARGER AND THE ADDITIONAL INFORMATION IS NOT NEED TO INCREASE THE LOT SIZE FOR A LOT LINE RELOCATION.

Ms. Murphy: Do I have a second?

SECONDED BY MR. DUSCHATKO.

Ms. Murphy: Motion by Rick, seconded by Bill. Any discussion? Okay, by way of roll call vote, Hal?

Mr. Newberry: Aye.

Ms. Murphy: Mac?

Mr. McMahan: Aye.

Ms. Murphy: Bill?

Mr. Duschatko: Aye.

Ms. Murphy: Jeff?

Mr. Foote: Aye.

Ms. Murphy: Steve?

Mr. Clough: Aye.

Ms. Murphy: Rick?

Mr. Sawyer: Aye.

Ms. Murphy: Matt?

Mr. Sullivan: Aye.

Ms. Murphy: Charlie?

Mr. Fairman: Aye.

ALL IN FAVOR. MOTION PASSES.

Ms. Murphy: Okay, the ayes have it and the waiver requests are granted. Do I have a motion on the application?

Mr. Sawyer: Madam Chairman, I'll be glad to continue.

MOTION: MR. SAWYER MADE A MOTION THAT THE PLANNING BOARD GRANT FINAL APPROVAL OF THE LOT LINE RELOCATION ADJUSTMENT BETWEEN 37 AND 41 BACK RIVER ROAD, LOTS 22-41 AND 22-42 OWNED BY SEVENTH DAY ADVENTIST CHURCH, AS SHOWN ON THE PLANS BY PROMISED LAND SURVEY LAST REVISED OCTOBER 27, 2020, WITH THE FOLLOWING CONDITIONS TO BE FULFILLED WITHIN ONE YEAR AND PRIOR TO PLAN SIGNATURE, AND THEY ARE CONDITIONS ONE THROUGH SEVEN ON THE STAFF REPORT, AS FOLLOWS:

1. The Planning Director and Public Works Director shall determine that the Applicant has addressed all technical review comments to the Town's satisfaction.
2. All recording fees shall be submitted to the Planning Department at the time of recording.
3. If the requested waivers are approved by the Planning Board, the plan shall be revised to note the waivers and the date of approval.
4. The Applicant shall obtain NHDES Subdivision Approval for Lot 22-41.
5. The plan shall be revised to show the 75-foot protective well radii and the proposed Phase II improvements for Kellogg Center on Lot 22-41.

6. The applicant shall provide the soil calculations and wetland mapping for Lot 22-41 to validate that the parcel meets the Town's minimum lot size by soil type requirements.
7. A letter shall be submitted to the Planning Department by a Licensed Land Surveyor certifying that all boundary monumentation has been set as noted on the approved plan, or the boundary monumentation may be set and shown on the plan.

Ms. Murphy: Do I have a second?

MR. DUSCHATKO SECONDED.

Ms. Murphy: Okay, motion by Rick seconded by Bill. Any discussion? By way of roll call vote, Hal?

Ms. Newberry: Aye.

Ms. Murphy: Mac?

Mr. McMahan: Aye.

Ms. Murphy: Bill?

Mr. Duschatko: Aye.

Ms. Murphy: Jeff?

Mr. Foote: Aye.

Ms. Murphy: Steve?

Mr. Clough: Aye.

Ms. Murphy: Rick?

Mr. Sawyer: Aye.

Ms. Murphy: Matt?

Mr. Sullivan: Aye.

Ms. Murphy: Charlie?

Mr. Fairman: Aye.

ALL IN FAVOR. MOTION PASSES.

Ms. Murphy: Okay, the ayes have it. The application is granted and the applicants can leave the meeting at this point.

Mr. Peloquin: Okay, thank you so much for your time. Have a good night.

Ms. Murphy: Thank you.

3. **Bank of New Hampshire (Owner) – Request for approval of a site plan to construct a 2,480 square-foot bank with drive-through service facilities and associated site improvements at 32 South River Road and 4 Hull Road, Lots 11-13 and 11-14, Zoned PZ.**

Ms. Murphy: Our third and final agenda item this evening is Bank of New Hampshire's site plan application, Bill Davidson of Hoyle, Tanner is with us and will be presenting this application. Bill, go right ahead. Actually, before you start, let me just jump in and do some basic housekeeping. Priscilla Malcolm has joined this meeting. Charlie had previously been appointed to vote as a regular member in your place. Charlie, I'm going to have you as an alternate on this application. Priscilla, you're going to be the voting member.

Ms. Malcolm: Thank you.

Mr. Davidson: All right, good evening. My name is Bill Davidson from Hoyle Tanner. We're here to represent NES group as the applicant and Bank of New Hampshire as the owner. There is representatives from both that are on this call as well as the building architect. I can go a little bit through the project. The purpose of the project is to redevelop two properties. Its lot 11-13 and lot 11-14. These are on Hull Road. Thank you, Mark. These properties front on US Route 3 and Hull Road. To the north is an existing piece that I think a foundation was just poured on that piece. It's in the performance zone and those two lots total are about 0.53 acres. Mark, can I share my screen just so I can show a little exhibit?

Mr. Connors: I think we can give you control, Bill, so we'll leave the plans up on our screen and I can give you access. Just bear with me one second here. You should be able to control the screen now, Bill.

Mr. Davidson: Okay, this is the proposed site plan. This is on C5. Can everybody see my mouse or my hand here? Okay, good. This is a 2,480 square foot proposed building with three drive-throughs on the west side. Circulation would come in off Hull Road. It's one way with angled parking for handicap in the front of the building wrapped around three drive-throughs in this location here. We also have six other parking spaces in this location here, which will probably most likely be for employee parking and such. The bank will probably talk at some point once we get to the point where there's questions or whatever.

Right now with the COVID situation and even before that, most of the banking now is going through drive-throughs. I'm fairly old school myself and used to going into banks but quite honestly, in the last probably four or five years it's rare that I go into the bank, besides maybe for home equity wise or things like that. Most of its done through the drive-through so this is a big component of their operation. We have proposed signs shown out in this location here, some connectivity, sidewalk connectivity in this location here, out to the existing sidewalk on South River Road. It's worth noting, too, that with both Becky and Mark, we've had numerous Zoom meetings like this, and gone through the plan.

This plan that we have before you has gone through quite a few iterations to get to this point. We have seen the staff memo, as well as the third-party engineer review by BHP. We do have some waivers that are listed in the staff memo that we're looking for. Most of them refer to the landscaping, which I'll go to. This is our landscaping plan and we have quite a few landscape features here. We have a total of in the bottom left-hand corner, there's a proposed planting list. I hope everybody has had an option or had a chance to look at the plans that we have here.

I know that we submitted them a while ago, but there's about 43 trees that are located on the site now, 78 shrubs, and there's about 123 plants that we've planted. It's a pretty heavily landscaped area. Obviously, it is a smaller site. That's why we're asking for some of the waivers and the lots in this area tend to be smaller but we feel we're definitely meeting the intent of the ordinance with the amount of landscaping that we've put on this plan. I'll go up to the previous plan. This is the lighting plan that shows the light pole locations that we have and we're meeting all the requirements there. This is a drainage plan that we have.

We have an infiltration storm water chamber system, which collects all the runoff from the site, puts it into the ground. There's also in this location here an overflow weir if there is a storm that exceeds the capacity of the chamber system and flows out into Hull Road. New sewer and water and gas lines connectivity. I wish I could share what I have on my screen because we have a colored up rendering that shows all the landscaping in the green space but I think everybody gets the gist of the project. I think that's all that I had. I know there's probably going to be some questions. Again, between myself, NES and Bank of New Hampshire, I'm sure we'll be able to answer any of the questions that you have.

Ms. Murphy: Thank you. I do anticipate them. Questions, Hal? Hal, are you there?

Mr. Newberry: Yes. Microphone challenge. Signage, I didn't see anything in the plan on what your signage plan looks like. Over.

Mr. Davidson: Yes, it'll be coordinated with the owner and it'll meet the Bedford land development control regulations.

Mr. Newberry: Do you anticipate that sign will indicate where your entrance is? Over.

Mr. Davidson: Well, we only have the access on Hull Road. I don't know. I'm not even sure what that would be/ like turn right here? I don't understand.

Mr. Newberry: Just something to indicate where the entrance to your facility is, which may not be immediately obvious at least for the first trip. Over.

Mr. Davidson: We could certainly put some thought to that when we come back with the final design. We had talked about that a little bit with Becky and Mark as well.

Mr. Connors: Hal, there is a sign pointed out at the bottom right corner of the plan that's been shared right now.

Mr. Newberry: Thanks, Mark. I'll take a look. I thought I missed it. Thanks.

Ms. Murphy: Thanks, Matt. In the interest of complying with RSA 91, I have grown to watching the meeting from my home office now that they're all under the age of 10. Mac, you have questions.

Mr. McMahan: Yes, thank you. It should be a good addition to the town. Still we have concerns shared by staff, turn radius sizes and lane. DHV also. It is heartening to see that you have an abutter that is willing to work for you. From what I read and understand that it sounds like it will be a win-win situation for both of you to be able to get together and to have an agreement. I'll assume that it'll be discussed later. I will reserve further questions till then. Thank you, sir.

Ms. Murphy: Thanks, Mac. Bill.

Mr. Duschatko: Just, basically, the same comment that Mac just made regarding the other abutter. I'd like to see that put together. I assume that's a subject for another meeting.

Ms. Murphy: Agreed. Jeff?

Mr. Foote: Thank you. I think this is a nice use of these two sites. To go back to the turning radius, is there any opportunity to move the whole site plan down five feet to improve those radiuses and then also create an opportunity for that property that was noted by an abutter?

Mr. Davidson: That's a good question, Jeff. If you can still see my cursor. This area here is where the cross easement is. In the first meeting that we had with Becky and Mark, they suggested that we reach out to Tom Riley, who owns the piece to the north, which we did. He was adamant that that location that we're talking about for this cross section couldn't be relocated, because he had parking and drainage and other things in that area. Because, originally, the bank would love to have access out onto the South River Road, but that access was there used to be on this property, but that was removed quite a while ago.

When I had talked with Tom Riley, he had told me about how this piece to the north and then there's one other portion to the north from that which is the Bellmore property. Then I believe it's the Colby Court, is that what the court is up above? There was talk of interconnecting between all three of those to get to Colby Court and for whatever reason that all fell apart. We talked about relocating the easement in this location here and I thought that it would be good for the bank because now the bank would have access out onto route three incoming and outgoing and--

Mr. Foote: Bill, your hand is showing up on the screen.

Mr. Davidson: Sorry, for that. Is that better? Can you see that?

Mr. Foote: Yes.

Mr. Davidson: All I had to do is right click. This is the area here where this radius is where the interconnection easement is, and it doesn't really work because of the building location. We had suggested over in this location here to the west originally where we would connect through this area, which Tom said wouldn't work for his site.

He also didn't want our site coming through his site and using his driveway to go out onto Route 3. We were, I think, at an impasse. I talked to him a second time and told him what we were thinking.

Basically, we came to the conclusion that that interconnection between the two where it's shown right now doesn't help either property owner. Then I just recently saw a letter from an abutter, well, from Chris Riley. I don't know for sure but I believe it's his son, who wrote a letter about the interconnectivity and how it would be great to connect them. I'm not sure I answered your question completely, but that's a little bit of history of the due diligence that we did.

Mr. Foote: I just think that he moved the whole site down I think he could make that interconnection work.

Mr. Davidson: We've looked at this site. This site has been moved back and forth. The problem is coming in off of Hull Road making that first initial turn gets tight. The more we bring the site to the south, the tighter it would get. We did look at this quite a bit. This is probably the sixth or seventh iteration that we've had to this site.

Mr. Foote: I guess, I have no other questions at this time, but interconnectivity between and throughout this border has always been important to public works. So thank you for your input.

Ms. Murphy: Thanks, Jeff. If something else comes back along the way, just feel free to chime back in. Priscilla?

Ms. Malcolm: No questions at this time. Thank you.

Ms. Murphy: Steve.

Mr. Clough: I was just wondering about so this is drive through only. There's nobody coming in and out of the bank?

Mr. Davidson: No, there is people being able to go into the bank. You can go into the bank, correct.

Mr. Clough: Because this looks really tight in my mind, and I read the staff report it just looks tight. I'm not sure there are enough parking spaces to accommodate at a busy hour, accommodate both bank staff and the bank customers. That's really the main concern I have.

Mr. Davidson: Thanks, Steve. We did look at the parking. Per the regulations in Bedford, we need to have 10 spaces. We actually have 11 spaces, two of those being handicapped in the front.

Ms. Murphy: How many staff members can you anticipate at a given time?

Mr. Davidson: That is a great question. I'd rather have somebody from the bank answer that if there is someone on here that can do that.

Mr. Fishman: I can speak for the bank, Craig Fishman from NES Group. It could be four to five people at a time perhaps when it gets real busy.

Ms. Murphy: Thank you.

Ms. Shapley: This is Sidney Shapley from Bank of Hampshire. I apologize I had a little trouble unmuting. We do plan to have four to five people on the site at all times. We originally had 13 parking spaces, and we were asked to eliminate two.

Ms. Murphy: Four to five people leaves six to seven open parking spaces and from a personal standpoint I'm actually not sure that I've ever seen seven different people in a bank since 2005.

Mr. Fishman: Correct. Again, we could also lose one of the handicapped spaces because I believe we only need one handicapped space for this site. Is that correct, Bill?

Mr. Davidson: That is correct.

Mr. Clough: Yes. I guess I would leave it up to staff. They're the professionals. They know what they're doing. It's just my light comment. I just see it as the end of a perfect storm type of thing.

Ms. Murphy: Becky, do you have any opinions or thoughts on the second handicapped space?

Ms. Hebert: I would leave it up to the bank if they wanted to provide two handicapped spaces for convenience for their customers. They're primarily drive-through at this point. Their demand trickles throughout the day, so it's not like a restaurant where they have peak hour and they have a lot of people showing up all at once to stand in line for a teller. I would leave it to the bank.

Ms. Murphy: Steve, did you have any other follow-up questions or were you all set?

Mr. Clough: I'm all set as long as staff is comfortable with it and I'm comfortable with the owner's regrouping a handicapped space if that's their preference. That's all I have. I just thought it looked tight. That's all.

Ms. Murphy: Sorry, Becky. Go ahead.

Ms. Hebert: Sorry. It just struck me. The issue was moving a handicapped space. If they do have an employee who needs to utilize that space, it doesn't need a big sign for their customers. But they're meeting the code with one handicapped space.

Ms. Murphy: Rick, did you have any questions?

Mr. Sawyer: I think a little of a question, but more of a statement that I totally agree with all the concerns raised in the staff report, and would love to see the applicant work with the Riley family to see if any of those concerns can be addressed by working together on both sites before we take action. I don't think we've ever been asked to reduce the width of drive-through lanes and things like that.

They need a little bit more from the applicant on the drive-through and the queuing. What are VHB's recommendations or questions? I think item number seven was to show the number of vehicles that could fit in the queue lanes before it would cause congestion and the circulation pattern. I just have real concerns that you get a couple of cars in the drive-through and the entire circulation pattern for the site falls apart. I'll have to understand that a little bit better before I'd be ready to vote.

Mr. Davidson: If you like, I can address a little bit of the queuing in the drive-through or do you want to just keep going with the questions?

Ms. Murphy: No. It would be nice actually if you could take a minute to address that. I assume that you took a look at the lanes and speak to why there's three instead of two.

Mr. Davidson: Sure. I'm on Hull Road with my mouse. The circulation would come in this location here. Obviously, people could park in front of the building here. They would continue around this building. Its 14-foot wide. Once it gets into this location behind, it tapers out so that we have two 9-foot lanes here so that there is a little bit of a slip or a bypass lane for people to get around. There's three drive-through windows. I'll take a little of a spiel and then, hopefully, Sidney can jump in. Typically, the ATM is located up against the building in this location here. Then there is two other locations here for the drive-throughs. The 9-foot lanes, that's what the bank finds to be typical that they have.

I know Bedford calls or is looking for 11, but majority of the time that drive-throughs are built now for the banks, they're at nine. There's actually some that are a little bit reduced from 9 feet and they're at eight, six. With the way they do their business and COVID and the way things are going right now, the majority of the banking is done through the drive-through. You have three cars here. Basically, we had taken a look at this. There would probably be seven cars stacked up into this location where my mouse is, and still allow a vehicle to get around in this location. Seven cars in a bank drive-through would be a lot. Hopefully, Craig or Sidney can jump in now.

Ms. Shapley: Thanks. I can just speak to why we are looking for the three drive-through lanes. Any of the new banking offices that we build today we are doing with three drive-through lanes, and also any that we remodel. We are finishing our second remodel of existing offices as we speak today. We have three drive-through lanes in each of those, and they're located in Gilford, New Hampshire. The bank is primarily seeing a switch to drive-through traffic versus lobby traffic. That was happening before COVID, but has certainly increased since COVID.

We find that as people learned to use the tube system, et cetera, they do find the convenience of the drive-through to be superior to coming into the banking office unless they're looking for something that can't be done at drive-through such as mortgage application. We also do it as a safety precaution. We're putting all of our ATMs now through the wall of the building versus having it in a drive-through lane. Unless you're in banking you probably don't realize that when cards are captured into an ATM system or something is jammed or receipt paper runs out that a bank employee is dispatched to go out to that area and work on the ATM.

You can imagine how this is when you're doing that between drive-through lanes. Through the years as things improve and designs are done in a better way, we have discovered that it is far safer for the employees to be able to service the ATM through the safety of the wall of the building. In addition to that, we don't put anybody in the

situation of having a bank truck outside full of money with people filling the ATMs that have guns on them should there ever be any type of robbery attempt. All of it can be done inside, again, from the safety of the building.

For our business, it is important that we maintain the two drive-through lanes for regular business and the drive-through ATM as people have become increasingly uncomfortable with leaving the safety of their vehicle to use an ATM in a vestibule. You'll find that around the state, any new bank buildings that are being created do operate in this manner unless they are strictly a bank that looks at commercial business.

Mr. McMahan: Kelleigh, I have a follow-up question from me.

Ms. Murphy: Go right ahead.

Mr. McMahan: As you stated here four to five people, I don't understand your business. This is not a criticism, but you have three lanes, you have four people inside. If all three of those need help, you have one person left over. In your experience, has that ever occurred that you're going to have a log jam at that particular area because of the number of people? Or are folks so skilled with ATMs or are the other two lanes going there for business that can be transacted very quickly that you feel comfortable that you need three?

Ms. Shapley: Thank you, Mac, for the question. I do feel comfortable that we need three. Yes, I do think that people are very good at using the ATM machines. They've adapted quite well to that. It's important to keep in mind that banks don't only cash checks and take deposits. We also do mortgages, and commercial lending, and wealth management, and municipal government banking. Those are the types of business partners that may also have offices within this building. Those four to five employees that would be inside the building are not necessarily dedicated to running the drive-through area. They're also responsible for other aspects of the banking business.

Mr. McMahan: Okay, thank you.

Ms. Shapley: Sure.

Ms. Murphy: Thank you. Matt?

Mr. Sullivan: No Questions.

Ms. Murphy: Charlie?

Mr. Fairman: Thank you. Madam Chairman. I do have a couple questions, a couple of more comments and questions. Excuse me. One, Bank of New Hampshire is known throughout the state for the very attractive facilities they have, and I'm familiar with several of them in the lakes region. I'm concerned that with the smallness of this in one, you're not going to be able to do that. I know your buildings all look great, but I'm very concerned that the tightness that this isn't going to allow you to be as attractive as your norm.

Second comment I have is, Citizens bank just a little over a year ago intentionally did away with drive-ups in Bedford and built a new bank with only an ATM, no other drive-ups. It's an interesting difference of the banking view between what Citizen's doing,

trying to force their people into the lobbies into the bank and what Bank of New Hampshire is doing to build more and more drive-throughs. It's an interesting dichotomy to me.

The final question, if you build a new bank in Bedford are you closing the existing one?

Mr. Davidson: Yes. Our plan is to relocate from our current location, which also has three drive-through lanes, to the location proposed here. I would just also add that Citizens bank is a very large regional bank, and as an independent mutual bank we do tend to do things quite differently. When you do think about people who are handicapped or parents with young children or people who cannot leave someone in their car, it is actually quite an inconvenience to not have a drive-through available to them. I'm rather proud of the fact that we set ourselves apart in that aspect.

Mr. Fairman: Right. I understand the convenience of a drive-through, it just surprises me the difference. It's unfortunate you're going to move the bank. The location of the present bank in New Hampshire is so convenient to Amherst and most of Bedford. Now you're taking it and putting it at a site that not nearly as convenient for our community and our surrounding communities. I think it's unfortunate you're abandoning that very beautiful job he did with that barn, but obviously, there's nothing we can do about that. I just think it's unfortunate that you're doing that because it's a great location for the town of Bedford, and for surrounding towns like Amherst and Milford and Points West. That's all I have madam chair.

Ms. Murphy: I can offer, this is a comment not a question and John, I'll get to you in just a second. If I can offer just an opposing viewpoint that. I think the current location for me, it takes a long time to get there, and I live in Bedford. It takes a long time to get down to 101 to that Plaza. I know that this issue has come up before the planning board on at least two prior occasions. One with the initial application and one when the bank came back again, I want to say maybe three years ago. There were significant, if I understand correctly, signage issues with the route 101 location. Where they couldn't get a second sign and they couldn't get enough visibility at that location that they could get people that understood where the bank was if you were driving down route 101 as a commuter or at pass-through traffic or even if you were local.

I've got to think that this is a much more favorable location given the proximity to Manchester and the fact that there are only other, unless I'm mistaken, Manchester branch is way up off of exit nine near the Puritan. So at this way, they're at least covering both ends of Manchester and covering a large portion of Bedford, I think, in a way that is more accessible to the highway. So that being said, John, did you have any questions?

Mr. Quintal: Yes. Just a brief one. If we can go back to the parking lot design. Life safety, we're talking about turning radius and stuff. Has this been run past the fire department already?

Mr. Davidson: It has not. That is a comment that they have for staff. We still need to talk to the fire department, correct.

Mr. Quintal: Okay. That's all I have.

Ms. Murphy: Then just to circle back again, Jeff, I didn't know, does anyone have a follow-up based on everybody else's questions?

Ms. Malcolm: I do.

Ms. Murphy: Okay. Priscilla, go ahead.

Ms. Malcolm: This is a small lot and you're going to landscape it beautifully. Where are you going to put snow without damaging that landscaping?

Mr. Davidson: Most of the snow storage is going to be in this area here. There's a row of trees along the side here but we're going to put the snow storage all the way to the West of the property.

Ms. Malcolm: Okay. Thank you.

Ms. Murphy: Rick, you are up.

Mr. Sawyer: Yes, I was hoping you could talk a little bit more about the turning movements and what vehicles can make these maneuvers. Can UPS, FedEx, and Amazon come into the site or not? What size vehicle can make these turning movements? Then what I neglected to say earlier too was, I think there was a staff comment about a walkway along the entire Southside of the building to be able to-- For people parking in the West, to be able to get onto that walkway to the building. I would encourage that. Then the last thing is, I know I've looked at your interior floor plans, and obviously you have a secure side of the building and a not secure. ATM is currently pretty much as far to the North end of the building as possible. If it could be shifted to the South where the break room currently is, you might be able to get another additional car in the ATM cue lane to help out. I know that we've totally messed up the interior lay currently, I just put that out there if there's a possibility.

Mr. Davidson: Sure. Thanks, Rick. The vehicles that would come in off of Hull road, obviously passenger, UPS vehicles, Brink's trucks, that type of thing would be able to come around this location here and work their way around. The sidewalk that you mentioned, there was talk with Becky and Mark of extending the sidewalk. Can everybody see my cursor again?

Mr. Sawyer: Yes.

Mr. Davidson: Okay. Thank you. In this location, to the west side of the building, we were going to extend that through and then there was talk of striping this as a crosswalk to come across there. The issue that we had, we discussed it with the bank, was typically well, for one thing, we have a bunch of landscaping and this kind of deter that. The other thing is if we put a striping in here, it's almost a liability where you're crossing the lanes of the drive-through and really didn't want the pedestrians to go in that location. In the ATM in this location here, I wasn't looking at the interior, but when we talked about queuing, Rick, I was actually was thinking the same thing that you were talking about. I don't know anything about the internal workings for the building, so I would leave that to the architect and the bank.

Mr. Sawyer: Follow up the sidewalk connection, I'm not suggesting it should striped crosswalk to basically for the parking spaces, but having the sidewalk there would allow the pedestrians to not have to go out into really is what the entry-exit driveway is. Right there where everybody's making that hard right-hand turn. It would allow them to stay out of that and just get up to the walkway. I think it's a safer situation, not a less safe.

Mr. Davidson: Maybe we could talk with the bank and possibly bring it down here and sweep it so that it's in the middle between the drive-through and where people are turning in. So maybe have it come out at this point here.

Mr. Sawyer: Obviously it's up to the board and I feel like it could be handled by staff if it became a condition.

Ms. Murphy: Does anyone else have any follow-up questions?

Mr. Sullivan: A couple of quick comments Madam chair.

Ms. Murphy: Go right ahead.

Mr. Sullivan: I'd just like to agree with, Rick and staff point of getting resolved the, what appears to me to be a timing issue with the conversation with the abutter to the north. I think it was stated earlier that there wasn't any agreement there in a conversation, but then I think there've been some subsequent letters that indicate there may still be some opportunity there. I would like to make sure that that has been fully explored before we approve or disapprove or move forward with the application. I think that a few directional signs within the site might be warranted also, so that people know to keep left if they want the ATM. Those kinds of directional signs within the facility. Over.

Mr. McMahan: Yes, Madam Chair, I have another one if I may?

Ms. Murphy: Go right ahead, Mac.

Mr. McMahan: I will be reluctant to vote on this without knowing what the fire chief says? I don't know if you want to make that a condition. There seems to be a lot of conversation by the traffic reviewer and, by staff about whether or not the foot going into the sock is too big. There isn't enough wiggle room through the toes.

Ms. Murphy: Becky.

Ms. Hebert: I did get comments from Captain about your plan and he does not have concerns with the circulation around the building. For their purposes, they will pull in and block that circulation one-way circulation around the building. Everybody has to drive around the building to exit the site, but we did get comments back from the fire department and I feel comfortable saying that they don't have issues with the circulation on site.

Ms. Murphy: Becky, you froze for a minute. If I can just react, correct me if I'm wrong. Thatcher Plant contacted you and said that he doesn't have any objection to the circulation. Those are the comments that you received from the fire department and you don't anticipate an issue with respect to that. Okay.

Mr. McMahan: Thank you.

Ms. Murphy: Does anyone else have any follow up questions? Oh go ahead, Bill.

Mr. Davidson: I'm sorry, Kelleigh. This is Bill again, I just wanted to add that we can look at the interconnection, here again. I know that the letter from Chris Riley was different than the conversation I'd had with Tom. We could look at that. I think from the bank's perspective, this area here that I have the mouse, would be where we would hope to have a connection that works for our site, and we can talk to them about that and see what their issues are with parking or drainage and see where that goes. If there isn't a resolution that works for both parties, I guess we'll have to talk about that then.

Mr. Davidson: Again, Craig, I did speak to Tom Riley Friday, late afternoon about the connectivity to the site and I did propose next to the dumpster area and he said that really was not going to work for him. Then he offered it maybe we should redesign the entire site. We have spoken to him four or five times about the connectivity, and where he wants to have it where it was previously approved, it just does not work for our site. It's not that we have not spoken to them and tried to work with them. Just our only locations possible says it doesn't work for them.

Ms. Murphy: At this point, I'm going to go ahead and, Jeff, you just unmuted. Before I go in a different direction, I feel like you might have a question or two.

Mr. Foote: I'm not working for anybody. I don't understand why the existing cross-connection location doesn't work.

Ms. Murphy: He asked you to tell him why the existing cross-connection location doesn't work.

Mr. Davidson: Because if it's right in this area here where there's 200-foot radius, so right here, this curb line to the north on Riley's is actually on our property. There's an easement for that but it was approved, this curb line is all on our property. What happens is, his driveway, the other side of his curbing is in this location here and if someone was coming around this way, there's not enough swing, not enough area to make this corner. We did look at that originally, and Jeff, you had a good suggestion of sliding the whole slate to the south and then what happens is you make this turning movement get pinched. It's basically you're pinched on this side, or on this side, so you can't make that turning movement in this location.

Mr. Foote: Are you being pinched by a setback, is that why the driveway is being pinched?

Mr. Davidson: No, it's not that. It's a turning radius of the actual vehicle crossing over into the other lane.

Mr. Davidson: When you turn here, if we were to slide this five feet, this whole parking and everything would slide five feet and you would get pinched, just like you were talking about on the north side, you would be crossing over, and you'd actually be, when you come around here with a vehicle, a larger truck, one of the Brink's vehicles or whatever, this vehicle, within this parking space, the end of the vehicle would stick out into the lane into the turning radius of the vehicle.

Mr. Foote: All right, I have queried you enough on that, thank you very much. The only other thing about the lane at the drive-through, I wouldn't have any heartburn by increasing those by a foot or two, and you'll lose set back on the rear of the lawn. That should make them open that up a little bit. I think it would help people exiting the bank as well. Thank you.

Mr. Davidson: If I can speak to the width of the drive-through aisles. Typically they're nine feet. When you have a customer come into the drive-through aisle, if it's bigger than nine feet, they drive in the middle and they do not get close enough to the ATM or the pneumatic tubes, what happens is that they stick way out the window or they have to open up their car door and get out of the car and do the transaction in the drive-through aisle.

We did take a look at some other drive-throughs in Bedford, and most of them are either eight-foot six or eight feet wide, at the other banks, and in my 26 years of designing bank facilities, we've always kept to nine feet because we feel that is a very comfortable drive-through aisle that works for the customer and plenty of room to bring a large SUV truck through without any issues.

Mr. Foote: I appreciate the example, I'm also bank that's located in Concord behind Target and driving on the curbing because it's tight in there. So that's just practical experience on my end.

Mr. Davidson: That's actually a good point, Jeff, we can take a look at that and maybe at least the two that are up against the bank there, make those 10 feet wide and maybe have the one on the end, let's keep that a 9, as long as we'd have to slide the parking in that aisle out to the West a little bit, which would get us into the setback, but that's kind of what you were leading to if we were able to do that?

Mr. Foote: It would make it more palatable for me, yes.

Ms. Murphy: Jeff. Did you have anything else?

Mr. Foote: No. Thank you, but thank you.

Ms. Murphy: We may have additional comments from members of the Planning Board but before we get there, we have yet to open this up for public hearing. I'd like to do that now, and ask anyone on the call if they're here and they'd like to make public comment to so indicate at best time by using the virtual raise your hand feature or by waving at the camera. I don't see anyone. I'm sorry, Mike, your turn, go right ahead.

Mr. Jutras: Hi, can you hear me?

Ms. Murphy: Yes, sir.

Mr. Jutras: Thanks for not letting my hand go. I have a couple of questions. If we can go back to the layout, please. To the plan, Bill?

Ms. Murphy: Mike. There you go.

Mr. Jutras: Bill, I live on Hull Road. My name is Mike Jujeurs. I live at 9 Hull Road. I'm curious about, you had mentioned at the far end, where the employees are going to be parking, that there's trees there. There are no trees there now and my concern is there's

all the snow that's going to come in as you're entering into the bank, going around to the front of South River Road, around the back, where is all this snow going to go? You're saying up here?

Mr. Davidson: Yes. I don't think that I have control of-- On the west hand side, on our landscaping plan, we have a row of trees that are going to be planted there. They don't exist right now, Mike. There's also going to be a vinyl stockade fence. I think Mark's going to the landscaping plan. Just hold on, just one more plan after this. This is the landscaping plan. There'll be all the way to the-- Mike, are you right next door or are you further down the street?

Mr. Jutras: I'm at the end of the road.

Mr. Davidson: Okay, on the west property line, there'll be a vinyl stockade fence, and then there'll be a zigzag row of evergreen trees, and then the snow storage is going to be up against that on the backside of the curb.

Mr. Jutras: There's going to be a curve there then?

Mr. Davidson: Yes.

Mr. Jutras: Secondly, I'm really concerned with the front on South River Road and Hull road, you're going to have a sign up here. My concern is our traffic is impaired a little bit, especially when people take off from Coving Court coming down, heading south. They don't think twice about somebody else might be pulling out. I'm concerned that the sign's going to be large. The one that was up there from the last company, it just appeared a little bit, not bad, but I'm concerned that you people might put yours out further.

Mr. Davidson: So understandable. Mike, if you will look, there's an ellipse in the right-hand corner that's basically the sign with a ring of trees and shrubs around it. Just to the North of that, if you see, there's a rectangle with two small squares in it. That's the existing sign that's there right now. Our sign is going to be basically in line with that a little bit to the South and a little bit further away from South River Road. It's basically going to be the same, but it should impede a little bit less if that answers your question.

Mr. Jutras: My real biggest concern is the entrance and the exiting. I'm concerned with that development you're going to have people exiting, and if you're going to have shrubs there or anything it's going-- and the snowplow plows snow there, we have 11 cars on this road, believe it or not only with five houses. We know it's going up so we're going to be careful, but someone coming out of the bank may not be as careful as us. We may not see them, they may not see us. I'm worried about any kind of impairment that's going to be developed in the left side of where the entrance is. That's really my biggest, biggest concern.

Mr. Davidson: I understand that. I think that would have to be something that the bank would need to address or maintenance when they do that. It's a pretty typical item on sites of this nature. They would have to talk to us. It sounds to me like what you're

concerned about is a big pile of snow there where nobody can see coming in or out, and you have to keep inching out, is that?

Mr. Jutras: Yes, the road is narrow. I'm sure it's regulation but it's narrow. We have a tendency of going down there. Now, we all have to be aware. I'm wondering if there also could be a sign put there that says, "No right turn," because people coming out may not remember that it's a dead-end and decide to hoop a right. We have six children that play out there. Unfortunately, they play on the street because it's almost been a dead end. It's been a dead-end for so long that that's what they do. Is it possible to get a sign out there that says, "No right turn?"

Mr. Davidson: We can talk with the bank and see if they want to do that.

Mr. Jutras: The town has nothing to say about that?

Ms. Murphy: Rick, do you want to comment?

Mr. Sawyer: Obviously, the Planning Board could put that restriction on it, but I would not support it as that would mean, Mike, you couldn't use this bank and go home. You'd have to go out on the South River Road to come back home sometime. A sign that said, "Right turn for residents only," or something like that. Our opinion on signage like this often is that it's not seen and not helpful, and typically, not obeyed.

Mr. Jutras: I'm sorry, I don't understand. How would it affect me? I'm talking about having it inside the area of the bank, as people are exiting, let's say, the ATM and they're coming out. They can take their left, which is fine, but to take a right, they have no need to because it's a dead end.

Mr. Sawyer: If you or any of your neighbors at number seven or number six, wanted to use this bank and then go home, you're saying you couldn't make the turn you'd have to go out to South River Road, do a U-turn and come back. I don't think a lot of people are going to do it, but I certainly understand your concern and why you're bringing it up.

Mr. Davidson: The height of the visibility coming out it won't be impaired at all by us, so that we, as well as the patrons of the bank don't have any kind of accidents or anything like that?

Mr. Davidson: Is that for me, Mike?

Mr. Jutras: Anybody.

Mr. Davidson: There's some landscaping in that area, but there's nothing to block the view. It should be no different. There was basically two driveways there before. I don't think it will be any different situation than that.

Mr. Jutras: Thank you, you all have a nice Thanksgiving.

Ms. Murphy: Thank you, Mike. You too. Is there any other member of the public on the Zoom call that wishes to comment on the application at this time? Seeing no one, Mark, can you let us know if we've received comments?

Mr. Connors: Yes, we just got an email from Karen Abbott, who said, "Is it possible to see where the abutter driveway is coming to play with the entrance/exit you're

proposing?" Her second question is, "What kind of landscaping is proposed to block headlights on vehicles going to the drive-through?" Both the plans. This is the existing conditions plan. You can see the abutter driveway is on Hull Road. The driveway the bank is proposing would lineup just to the right of the house at 4 Hull Road. It'd be a bit to the East of the driveway across the road at 3 Hull Road. Mike, do you want to speak to the landscaping to block headlights on vehicles going to the drive-through? I'm sorry, Bill.

Mr. Davidson: Sure, Sydney, are you still on? What are the hours of operation? I don't think there's going to be a lot of times when there's a lot of night traffic, but we do have a couple trees there. I think her concern was exiting the actual driveway. There's no screening for when they're leaving the site. There's not a lot of activity at night unless I'm mistaken, Sydney.

Mr. Shapley: No, you're correct. Our hours end at 5:30 in the evening. During the winter there'll be that hour, hour and a half, but really I think minimal impact.

Mr. Davidson: From a neighbor's standpoint, if it's residential neighbors, the bank is actually a good neighbor because they're gone at nighttime and nobody is visiting that site and it's heavily landscaped and attractive building.

Mr. Fairman: You do have ATM traffic in the evening though. Don't forget that.

Mr. Davidson: That's true.

Mr. Fairman: If it's a person right across the street on lights, you might want to look at whether or not there's actually some minimal landscaping that could help her in front of her property, block out the lights of traffic coming out at night. Looking at the driveway lineup, can't see whether or not a shrub or two over there would help.

Mr. Davidson: Sure, we can do that. Who's talking there?

Ms. Murphy: That's Charlie Fairman and he's a member of the planning board. Just as a technical consideration I think we've covered public comment at this point. I'm going to go ahead and close the public hearing and turn back to planning board member comments. That was Charlie Fairman, who is an alternate member of the planning board. Go ahead, Bill.

Mr. Davidson: I just wanted to say thanks for that comment. That's actually a good comment. I just wasn't sure who talked.

Ms. Murphy: That was Charlie. Are there any other members of the planning board, now that we've had a chance to hear from the public who have additional questions or comments they want to share? Being done, we haven't-- oh, I'm sorry, Mac, you just lit up.

Mr. McMahan: Yes, thank you. Just going back to Mr. Jujeurs and his concern, I assume, sir, you are looking for line of sight problems because you're departing your home and you're going out to the main road, is that correct?

Mr. Connors: You're muted Mr. Jutras.

Mr. Jutras: I'm sorry, I didn't get the full jist of the question.

Mr. McMahan: Yes, sir. If I understood what you're saying, is you're concerned about a possible conflict in traffic, as you're departing your home and you're going out to the main road, and that conflict would occur when people are leaving the bank. Is that correct?

Mr. Jutras: 100%, yes.

Mr. McMahan: So a question for you and for the bank representative, if trees grow to a point where it blocks the line of sight, or if you have your people inadvertently stack snow so high that there is a line of sight problem, and he came to you as the manager, would you be willing to be able to take action so that safety could prevail? You're muted.

Ms. Shapley: Sorry, I thought I un-muted. Absolutely, we actually have snow removed from our banking office sites on a regular basis. We will have employees there as well, and the safety of our employees is very important to us. If there was any sight line vision impairment whatsoever to pull out onto that road, we would absolutely take care of that immediately.

Mr. McMahan: Does that satisfy you for good neighbors cooperating?

Mr. Jutras: Thank you, Mac, yes it does.

Mr. McMahan: That's all I had.

Ms. Murphy: Thank you. To get into the-- Rick, are you raising your hand?

Mr. Sawyer: Yes, just last one for me. For the bank, the dumpster, do you really perceive the need for a dumpster on the site? The staff report talks about having an empty dock off hours of the bank. We had concerns with that when there's been residential abutters, does that means they come off way early in the morning? If you don't need a dumpster, it'd be great to just remove it.

Ms. Shapley: It's certainly something that we can look at, most of our banking offices do have at least a small dumpster on it. Otherwise, our cleaners are responsible for taking the garbage off-site with them, which can create additional issues.

Mr. Sawyer: Understood.

Ms. Murphy: I want to talk about the waivers. There's a total of seven waiver requests that are enumerated in the staff report of which four are zoning waiver requests, and three are land development control waiver requests. I don't know what the will of the board is, if it's to take them in block or to take them as a whole, but I will entertain a motion on those requests.

Mr. Connors: Do you mind if I just jump in briefly Kelly?

Ms. Murphy: Please do.

Mr. Connors: Just on the public comments, I want to make sure everyone had a chance to read Chris Riley's comments that came in last week. They're included in the planning board package. I just want to mention that. Hopefully you all had a chance to read this. That was part of why we restructured the staff recommendation as we did, because from his comments, it's clear that Riley's are willing to work with the applicant. Speaking to

the abutter some of them are concerned about having just a single access on Hull Road. If the two property owners are willing to work together, there are some possibilities, like a shared driveway off of South River road, and some other options just to maximize the space and improve the design. The staff recommendation is to postpone any decision until the property owners have a chance to confer and potentially make some design changes. There are also draft motions.

Ms. Murphy: Let me ask the natural follow-up, how do you envision this proceeding?

Mr. Connors: You have two options. You could postpone action on the application and ask the applicant to come back. Well, the earliest we could get them back would be the December 21st meeting. See if they have a chance to talk to the abutting property owner and make some changes to the design. The other option is you're comfortable with the application you could entertain those motions on the waivers in the site plan.

Ms. Murphy: What is the will of the board? Bill.

Mr. Davidson: Just one comment. There seem to be some confusion on the parties between Tom Riley and his comments of working with Bill and Chris Riley's, have confused me. I understand the last letter from Chris is seeming a lot more open than we were led to believe previous conversations with Tom may have been. I just think it might be a little premature not to follow through and get a total resolution of whether we can make something work between the two of them or not.

Ms. Murphy: I'm personally comfortable taking up a vote, but I'm going to defer to the majority. Why don't we go in order just to log everybody's thoughts on this? I think that it's going to be more organized than asking people to jump in. Hal, where are you?

Mr. Newberry: I would support confirmation that there is no geometry between the two sites that could possibly work. I don't think it's something that would require a deferral of this that would push it too far. I would support just the confirmation that there is no geometry that will work, over.

Ms. Murphy: Hal, as a follow up, you're in favor of pushing the votes on these issues until the December 21st meeting?

Mr. Newberry: I do.

Ms. Murphy: Mac?

Mr. McMahan: Yes, I think with the advantage of being able to have the connectivity would be to the benefit of that entire area. I would agree with Hal.

Ms. Murphy: Steve, Bill I'm just skipping you because you already weighed in.

Mr. Clough: I tend to agree with Mac and Hal on this. I think the inner connectivity is very important.

Ms. Murphy: Priscilla?

Ms. Malcolm: I would just assume, wait for the resolution also. It'd be nice if the neighbors could get along.

Ms. Murphy: That's a majority. At this point, I'm going to say, can somebody make a motion. Rick, go ahead.

Mr. Sawyer: Just to put my comments in there and not to give staff any more work, I think this is a case where a facilitated discussion with staff in the abutter and the applicant would probably go a long way to just relay the planning board comments directly. Sorry to say that staff, but I would love for you to jump in and be involved in that.

MOTION: Mr. Sawyer made a motion that we table the application for the Bank of New Hampshire, for their request for approval of a site plan to construct a 2,480 square foot bank with drive-through service and facilities located at 32 South River Road and Hull Road, lots 11-13 and 11-14 in the performance zone until the December 21st, 2020 meeting, and that this would serve as notice for that meeting.

Seconded by Mr. Duschatko.

Ms. Murphy: Motion by Rick, seconded by Bill. Before I take a roll call vote on that. If I can just add if there are any other items that came up tonight in the questions if we can just address those along the way, so that board members feel more comfortable and the public has just more concrete options to weigh in on for that December meeting. I think that that would be very helpful. By way of roll call, vote on the motion to table until the December 21st meeting? Hal?

Mr. Newberry: Aye.

Ms. Murphy: Mac?

Mr. McMahan: Aye.

Ms. Murphy: Bill?

Mr. Duschatko: Aye.

Ms. Murphy: Jeff?

Mr. Foote: Aye.

Ms. Murphy: Priscilla?

Ms. Malcolm: Aye.

Ms. Murphy: Steve?

Mr. Clough: Aye.

Ms. Murphy: Rick?

Mr. Sawyer: Aye.

Ms. Murphy: Matt?

Mr. Sullivan: Aye.

ALL IN FAVOR. MOTION PASSES.

Ms. Murphy: The ayes have it. We are tabling until the December 21st meeting. I want to thank everybody on behalf of Bank of New Hampshire and the property owner for taking the time to discuss this evening, and we will see you back on December 21st.

Mr. Newberry: Madame Chair, quick comment.

Ms. Murphy: Yes.

Mr. Newberry: If the applicant could also, when they come back, plan to review the location of the requested waivers, I think would be helpful, also. Over.

Ms. Murphy: Okay.

Mr. Duschatko: We can do that. Thank you very much for your time.

Ms. Murphy: Thank you.

Ms. Hebert: One more note that this postponement announcement of the meeting will serve as notice to the abutters.

Ms. Murphy: Okay.

Mr. Newberry: One more comment.

Ms. Murphy: Yes.

Mr. Newberry: Would it be possible to show more definitively on the northerly lot where their driveway is and the limits of it? I know it wasn't amply clear on where their building is, and where their sign is, to show that.

Mr. Davidson: Yes, what I'll do is I'll put a little worksheet with an overlay of their site plan on it.

Mr. Newberry: That would help. Thank you.

Mr. Jutras: Is it still going to be the same ID meeting?

Ms. Murphy: No, Mike. There will be a separate invitation sent out for the meeting. I'm assuming that that will be published as part of the agenda on the town's website, and you'll be able to click through from that link.

Mr. Jutras: Thank you.

Ms. Hebert: Mike, please reach out to staff. We don't publish the Zoom links online, but if you reach out to us ahead of the meeting, we'll share that link with you, so you can join the meeting.

Mr. Jutras: I have Mr. Connors' telephone number. I will.

Ms. Hebert: Okay, terrific. Thank you.

Ms. Murphy: Okay, and before we let everyone go, is there anything else that people want to see addressed in this? It's probably best to bring it up now, as opposed to waiting until December. Okay. I think we've covered it, and we're good.

Mr. Davidson: Thank you very much.

IV. Concept proposals and Other Business: None

Ms. Murphy: So, that takes care of the agenda items for this evening, and we will be moving on to communications from staff.

V.Minutes:

Mr. Newberry: I think we have some meeting minutes to approve, Kelleigh, the October 12th and 13th minutes.

Ms. Murphy: Yes, so I missed that and skipped right to staff communications, but I hear you. Is there a motion to approve the meeting minutes of October 12th and 13th of 2020?

MOTION: Motion by Chairman Murphy, moved by Mr. McMahan to approve the meeting minutes of October 12th and 13th, 2020.

SECONDED by Ms. Malcolm.

Ms. Murphy: Motion by Mac. Second advised from Priscilla. Hal?

Mr. Newberry: Madame Chair, I have a correction on the October 13th.

Ms. Murphy: Okay, go ahead.

Mr. Newberry: If you go to page 26 on the October 13th, the first paragraph references condition 26. If you read the rest of the paragraph, and you read condition 25 and 26, I believe that first line referencing 26 should reference 25, not 26. Over.

Ms. Murphy: Okay. Any other corrections? Seeing none, do I have a motion to move the minutes as amended by Hal?

MOTION: Motion by Chairman Murphy, moved by Mr. Newberry to approve the meeting minutes as amended by Mr. Newberry.

SECONDED by Ms. Malcolm.

Ms. Murphy: By roll call, Hal?

Mr. Newberry: Aye.

Ms. Murphy: Mac?

Mr. McMahan: Aye.

Ms. Murphy: Bill?

Mr. Duschatko: Aye.

Ms. Murphy: Jeff?

Mr. Foote: Aye.

Ms. Murphy: Priscilla?

Ms. Malcolm: Aye.

Ms. Murphy: Steve?

Mr. Clough: Aye.

Ms. Murphy: Rick?

Mr. Sawyer: Aye.

Ms. Murphy: Matt?

Mr. Sullivan: Aye.

SEVEN AYE, ONE NAY, MR. NEWBERRY. MOTION PASSES.

Ms. Murphy: Okay. Motion passes.

Mr. Newberry: Madame Chair, just one minor item.

Ms. Murphy: Go right ahead.

Mr. Newberry I abstain in regard to the minutes for October 12th. Over.

Ms. Murphy: Okay, thank you. Now, for the moment I was clearly far too excited for, are there any communications from staff?

VII.Reports of Committees:

Ms. Hebert: I have no communications for the board tonight, other than I hope you have a very happy Thanksgiving during these difficult times. I hope you're all finding ways to celebrate.

VII.Adjournment:

Ms. Murphy: Thank you. Is there a motion to adjourn the meeting?

MOTION: Motion by Chairman Murphy to adjourn the meeting, moved by Mr. Sullivan.

SECONDED by Ms. Malcolm.

Ms. Murphy: Seconded by Priscilla. By roll call, Hal?

Mr. Newberry: Aye.

Ms. Murphy: Mac?

Mr. McMahan: Aye.

Ms. Murphy: Bill?

Mr. Duschatko: Aye.

Ms. Murphy: Jeff?

Mr. Foote: Aye.

Ms. Murphy: Priscilla?

Ms. Malcolm: Aye.

Ms. Murphy: Steve?

Mr. Clough: Aye.

Ms. Murphy: Rick?

Mr. Sawyer: Aye.

Ms. Murphy: And, Matt?

Mr. Sullivan: Aye.

ALL IN FAVOR. MOTION PASSES.

Ms. Murphy: Thank you for joining us this evening. I hope everyone has a happy and a safe Thanksgiving holiday.

Mr. Sullivan: Happy Thanksgiving.

Ms. Malcolm: Same to you.

The meeting adjourned at 8:45pm.

Respectfully submitted by:

GoTranscript

Edits: Christine Szostak