

TOWN OF BEDFORD
February 12, 2018
PLANNING BOARD
MINUTES

A meeting of the Bedford Planning Board was held on Monday, February 12, 2018 at the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH. Present were: Jon Levenstein (Chairman), Hal Newberry (Vice Chairman), Karen McGinley (Secretary), Chris Bandazian (Town Council), Melissa Stevens (Town Council Alternate), Rick Sawyer (Town Manager), Charlie Fairman (Alternate), Rene Pincince (Alternate), Becky Hebert (Planning Director), and Mark Connors (Assistant Planning Director)

I. Call to Order and Roll Call:

Chairman Levenstein called the meeting to order at 7:00 p.m. Mr. McMahan, Mr. Hawkins and Mr. Foote were absent. Mr. Pincince and Mr. Fairman were appointed to vote in place of Mr. Foote and Mr. Hawkins. Mr. Connors reviewed the agenda.

II. Old Business – Continued Hearings: None

III. New Business:

1. ER, Bedford, LLC c/o Encore Retail, LLC (Owner) – Request for final approval to subdivide a portion of Lot 12-33 to create a new 2.27 acre parcel at the proposed ‘Market & Main’ mixed-use site, 125 South River Road, Zoned PZ.
2. Kevin Doherty (Owner) – Request for final approval of a subdivision of one parcel into seven residential lots off of North Amherst Road (parcel is located between 231 and 251 North Amherst Road), Lot 19-39, Zoned R&A.

IV. Concept Proposals and Other Business:

3. The Planning Board will discuss preparations for the comprehensive update of the 2020 Bedford Master Plan.

Mr. Connors stated all the new applications have been reviewed by staff and are complete, the abutters have been notified, and it is the opinion of Planning Staff that none of these applications pose a regional impact. Staff would recommend that the Board accept the new applications as complete.

MOTION by Vice Chairman Newberry to approve the agenda as presented and that the applications are complete. Ms. McGinley duly seconded the motion. Vote taken – all in favor. Motion carried.

- 1. ER, Bedford, LLC c/o Encore Retail, LLC (Owner) – Request for final approval to subdivide a portion of Lot 12-33 to create a new 2.27 acre parcel at the proposed ‘Market & Main’ mixed-use site, 125 South River Road, Zoned PZ.**

A staff report from Becky Hebert, Planning Director, dated February 12, 2018 as follows:

I. Project Statistics:

Owners: ER Bedford, LLC c/o Encore Retail, LLC
Proposal: Subdivision to create one new lease lot
Location: 125 South River Road
Existing Zoning: “PZ” – Performance Zone
Surrounding Uses: Retail, Office & Restaurant

II. Project Description:

The purpose of this plan is to subdivide the existing lot (Lot 12-33) at 125 South River Road to create one new lease lot for the proposed office building at the Market and Main development. The primary reason for the subdivision is to create a separate lot for leasing and financing purposes. The Planning Board has approved a similar lease lot arrangement for the Carrabba’s restaurant, which also located at the Market and Main site. It is not uncommon for larger commercial developments to be subdivided in this manner, the Wayfarer site and Bedford Hills mixed use development have also been subdivided for financing purposes. These lots do not typically meet the town’s minimum dimensional standards for lot area, setbacks and frontage and usually require several waivers.

The property is approximately 15.41 acres. Below is a listing of the proposed lot sizes in acres:

<u>Lot</u>	<u>Existing</u>	<u>Proposed</u>	<u>Location</u>
12-33	15.41	13.14	Market & Main Site
12-33--2	---	2.27	Lease Lot

III. Waiver Requests:

The applicant is requesting the following waivers from the Zoning Ordinance and Land Development Control Regulations for which the Board will need to take action (see attached letter from TF Moran):

- 1. Zoning Ordinance Article 275-62 and Table 3 the Table of Performance Dimensional Standards to allow a lease lot to be created without meeting the minimum frontage, lot size, minimum structure setback and impervious coverage requirements.*
- 2. Land Development Control Regulation Section 231.1.2 Lot areas and dimensions to allow creation of a lease lot without frontage.*

3. *Land Development Control Regulation Section 231.1.4 to allow the lease lot to be created without access through their own frontage.*
4. *Land Development Control Regulation Section 231.1.5 to allow a lease lot to be created without frontage on an existing or proposed public street.*
5. *Land Development Control Regulation Section 218.1.11 to not provide a topographic subdivision plan.*
6. *Land Development Control Regulation Section 218.1.27 to not show the existing site improvements on the subdivision plan.*

The Planning Department has no objection to any of the requested waivers.

IV. Staff Recommendations:

The Planning Board needs to vote on whether or not to grant the waivers from the Zoning Ordinance Article 275-62 Table 3 and the Land Development Control Regulations, for Sections 231.1.2, 231.1.4, 218.1.1, 218.1.27 and 231.1.5 as previously described.

The Planning Staff recommends that the Planning Board grant final approval of the subdivision of ER Bedford, LLC c/o Encore Retail, LLC (Owner), 125 South River Road, Lot 12-33, Zoned PZ as shown on plans by TF Moran last revised January 23, 2018, with the following precedent conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions of approval to be fulfilled as noted:

1. *Any waivers granted by the Planning Board shall be noted on the plans.*
2. *Prior to the plan being recorded all required easement and declaration documents shall be submitted to and approved by the Planning Department and recorded with the plan. All recording fees shall be submitted to the Planning Department at the time of recording.*

Ms. McGinley recused herself from the review, deliberations and vote on this application from ER, Bedford, LLC c/o Encore Retail, LLC.

Chris Rice, T. F. Moran, was present to address this application on behalf of the applicant, ER, Bedford, LLC c/o Encore Retail, LLC.

Mr. Rice stated as the Chairman noted, we are proposing to subdivide one new lease lot from the proposed office building, which is the area shown in blue on the screen. The total existing acreage of the site is approximately 15.1 acres and we are proposing to subdivide off a 2.27-acre parcel, which would leave about 13.1 acres for the remainder parcel. The purpose of the new lease lot is really for financing purposes, and a couple of the tenants that they have been talking to would like to own the property. I mentioned to Ms. Hebert that I believe the declaration of covenants that have already been recorded deal with the cross-access and utilities for the project, so all of that documentation is already in place and recorded.

Mr. Rice continued we do have a couple of waivers that we have requested, and I am happy to run through them individually if you want. Chairman Levenstein responded please go through

them. Mr. Rice stated one is from the Zoning Ordinance Article 275-62 and Table 3 of the Table Performance Dimensional Standards to allow a lease lot without meeting the minimum lot size, frontage, structure setbacks, and impervious coverage and the rest are from the Bedford Land Development Control Regulations Section 231.1.2, Lot Areas and Dimensions to allow no frontage, Section 231.1.4 to allow a lease lot without access through their own frontage, Section 231.1.5 to allow a lease lot with no frontage on a public street, Section 218.1.11 to not provide a topographic subdivision plan, and Section 218.1.27 to not show all site improvements on the subdivision plan. The last two, the topographic and the site improvements, that information is already on file with the Town from the overall site plan package and the others are pretty standard for a lease lot subdivision.

Mr. Rice stated just to give you an update on timing; Building A, which is the Trader Joe's located as shown, and Building B are slated to start I say imminently, but it could be the next couple of weeks to a month. I believe they installed the grease traps for Building A last week, but the intent is for those buildings to be open late fall of this year. Building D, which is as shown on the screen, east of Carrabba's, Building D, F and REI would start early to mid-summer with an opening of next spring, and they are just waiting on the cinema lease signature before they can pull the trigger on the remaining portions of the development, which is really the remainder of Building C. I would be happy to answer any questions you might have.

Mr. Pincince stated the area that is shaded, can you refresh my memory as to what the intended use was for that lot. Mr. Rice replied that is a 4-story office building. And to point out that area that is shown in white is an existing lease lot for the existing Carrabba's restaurant.

Mr. Fairman stated you don't show any waiver on parking. Does this lot standalone alright on parking and do we need to have that? Mr. Rice replied the parking for the site is shared parking and it is all based on the shared parking analysis, which takes into account all of the uses on the property. Ms. Hebert stated the parking is covered in the site plan approval and the development of the site. Mr. Fairman asked if this was communicated to somebody and they wanted to buy it separately, would that be able to work with the shared parking? Ms. Hebert replied sure. That is where the declaration of easements and access comes into play. It kind of sets out parameters that this lot would benefit from the access, the parking and all of the other amenities on site.

Mr. Fairman stated you show the street also included in that lease. Does that complicate snow removal and other access? Mr. Rice replied no. It is just the area that they would technically be leasing or owning, but again, all of the maintenance for the site is all done as one property. Again, the declaration kind of ties all of that in together. Mr. Fairman stated thank you.

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

MOTION by Councilor Bandazian that the Planning Board grant the waivers from the Zoning Ordinance Article 275-62 Table 3, Table of Performance Dimensional Standards, to allow a lease lot to be created without meeting the minimum frontage, lot size, minimum structure setback, and impervious coverage requirements, and the Land Development Control Regulations for Sections 231.1.2, lot areas and dimensions to allow creation of a lease lot without frontage, 231.1.4, to allow the

lease lot to be created without access through their own frontage, 218.1.1, to not provide a topographic subdivision plan, 218.1.27, to not show the existing site improvements on the subdivision plan, and 231.1.5, to allow a lease lot to be created without frontage on an existing or proposed public street, for the reason that these sections have either already been fulfilled or are contemplated in the original approval. Town Manager Sawyer duly seconded the motion. Vote taken - all in favor. Motion carried.

MOTION by Councilor Bandazian that the Planning Board grant final approval of the subdivision of ER Bedford, LLC c/o Encore Retail, LLC (Owner), 125 South River Road, Lot 12-33, Zoned PZ as shown on plans by T. F. Moran last revised January 23, 2018, with the following precedent conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions of approval to be fulfilled as noted:

- 1. Any waivers granted by the Planning Board shall be noted on the plans.**
- 2. Prior to the plan being recorded all required easement and declaration documents shall be submitted to and approved by the Planning Department and recorded with the plan. All recording fees shall be submitted to the Planning Department at the time of recording.**

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

Ms. McGinley returned to the meeting.

- 2. Kevin Doherty (Owner) – Request for final approval of a subdivision of one parcel into seven residential lots off of North Amherst Road (parcel is located between 231 and 251 North Amherst Road), Lot 19-39, Zoned R&A.**

A staff report from Mark Connors, Assistant Planning Director, dated February 12, 2018 as follows:

I. Project Statistics:

Owners: Kevin Doherty
Proposal: Subdivision of Lot 19-39 to create seven new residential lots
Location: North Amherst Road (parcel is undeveloped and located between 231 and 251 North Amherst Road)
Existing Zoning: "R&A" Residential and Agricultural
Surrounding Uses: Single-family homes, commercial business

II. Background Information:

Lot 19-39 is a 16.43-acre parcel with approximately 317-feet of frontage along North Amherst Road. The property has been before the Planning Board several times in recent years. On April 11, 2016, the Planning Board approved a lot line adjustment conveying a 1.8 acre tract from Lot 19-39 to Lot 19-38 (231 North Amherst Road). On September 12, 2016, the Planning Board approved a lot line adjustment conveying a small tract from Lot 19-39 to Lot 19-42-10 (41 Stafford Lane) to account for a swimming pool encroachment. On May 22, 2017, the Planning

Board approved a subdivision of the property to create two residential lots of 13.3 acres and 3.3 acres respectively with a shared driveway. The property owner has indicated difficulty in selling the lots, necessitating the current application before the Board.

III. Project Description:

Parcel 19-39 is currently forested and undeveloped apart from the presence of stonewalls and the remnants of an old logging road on the northern periphery of the parcel. The parcel is located along the north side of North Amherst Road adjacent to the Rick Wenzel Oil business between West Drive and Hardy Road. There are no wetlands on the property apart from a very small part of a complex that extends on to its extreme northwest corner. McQuade Brook and Wheeler Pond are located a short distance (approximately 100 to 200 feet) west of the parcel. The lot slopes uphill as it extends to north and east away from North Amherst Road and Wheeler Pond. Elevations range from 302' at its extreme southwest corner to 392' near its extreme northwest corner.

The applicant proposes to subdivide Lot 19-39 into seven residential lots served by a public road, a cul-de-sac of approximately 1,000 feet. This application is for a traditional subdivision where the lots comply with the Town's minimum lot size and frontage requirements.

The proposed lots will range in size from 1.51 acres to 3.23 acres. The Residential and Agricultural Zone employs soils-based lot sizing requirements for residential uses with a 1.5-acre minimum lot size enforced. The soils of the parcel are adequate to support seven lots, with only the northernmost lots requiring somewhat oversized parcels. All of the parcels will be served by onsite private septic and well systems. The size and frontages for all of the proposed lots are included below:

Parcel	Acreage	Frontage
<i>Lot 19-39</i>	<i>1.86 acres</i>	<i>760'</i>
<i>Lot 19-39-1</i>	<i>1.6 acres</i>	<i>465'</i>
<i>Lot 19-39-2</i>	<i>2.88 acres</i>	<i>154'</i>
<i>Lot 19-39-3</i>	<i>3.23 acres</i>	<i>159'</i>
<i>Lot 19-39-4</i>	<i>2.46 acres</i>	<i>152'</i>
<i>Lot 19-39-5</i>	<i>1.65 acres</i>	<i>167'</i>
<i>Lot 19-39-6</i>	<i>1.51 acres</i>	<i>443'</i>

The applicant has worked with Planning and Department of Public Works staff to design the proposed cul-de-sac largely in conformance with the Town's Road Construction Standards. The road grade will not exceed 3 percent at its approach to North Amherst Road. It will reach a maximum grade of 9 percent and a maximum elevation of 341' (from a low point of 316' near North Amherst Road) before declining somewhat in elevation as it reaches the cul-de-sac itself. Earlier iterations of the plan included an open drainage system, but staff expressed concerns regarding the grading of swales along the roadway and potential traffic safety issues. The applicant amended the plans to include a closed drainage system with sloped granite curbing. This design requires a waiver from the Town's Road Construction Standards (see Waiver Requests section), however staff believes it is the preferable alternative in this case.

The road will be 24-feet wide and the cul-de-sac meets the Town's standards for width and turning radii. The plans show the road being constructed to a 30 mile-per-hour design speed. Bedford requires rural roads of this nature be designed to a 35 mile-per-hour design speed (though the posted speed limit may be different). Due to the nature of the roadway, staff does not object to it being constructed to a 30 mile-per-hour design speed, however the applicant must obtain the approval of the Bedford Chief of Police for the modification in the design speed, as required in the Bedford Road Construction Standards (Condition #6).

The applicant proposes to name the roadway Wheeler Farm Road and the proposed street numbers are noted on the plan. The Fire Department has reviewed the plans and has indicated the street name and numbering is satisfactory from the perspective of emergency response. The plans show a dumpster encroaching on to the parcel from the abutting commercial business to the east that will need to be relocated off the parcel before the plans are signed (Condition #7).

The applicant has provided sight distance profiles for the driveways showing the driveway apron locations meet Town standards. Wheeler Farm Road also meets the Town's 400-foot sight distance requirement provided that the front of Lot 19-39 remains free of landscaping or other visual obstructions (an easement will prevent the property owner from making improvements to the area and provide the Town access for maintenance purposes). A sight easement was recorded on the neighboring lot to the west (Lot 28-39) to preserve sight distance further west as part of the Planning Board's two-lot subdivision approval in May 2017.

The plan shows a number of slope easements, including on Lots 19-39-1, 19-39-2 and 19-39-3. The applicant has submitted draft easement language restricting the property owners from making improvements to the areas encumbered by the easements and providing the Town access to enter the areas for maintenance and improvement purposes. The Planning Department will need to approve the final easement language and record the easements in concert with the subdivision plan (Condition #4). Finally, a slope easement on Lot 19-39-4 will benefit the driveway access for Lot 19-39-3.

Development of the parcel will necessitate the removal of an existing stonewall that runs along North Amherst Road. Section 231.19 of the Land Development Control Regulations encourages the preservation of features which add value to a subdivision, and staff would recommend that the applicant update the plan to show the wall rebuilt within Lot 19-39, outside the public right-of-way and the maintenance responsibility of the property owner, but viewable from the road (Condition #11).

An abutting property owner has expressed some concern to staff regarding the subdivision's potential impact on his water supply. The Planning Board has the option of tabling the application and requiring the applicant to submit a Groundwater Impact Statement as it has in some past applications, most recently for the Huntington Ridge subdivision. Due to the reasonably small nature of this development and the size and orientation of the lots involved, staff believes it is unlikely that the development will measurably impact the wells of abutting property owners.

Traffic

The applicant submitted a Traffic Statement outlining trip generation characteristics for the proposed subdivision and potential trip assignments to local roadway intersections. The applicant estimates 70 daily trips generated from the development, based on standardized ITE rates. Trip generation is estimated to be reasonably evenly distributed on the existing roadway network, with most trips utilizing the Hardy Road/Route 101 signalized intersection and the North Amherst Road/Wallace Road four-way stop. VHB reviewed the information submitted by the applicant, did not take any issue with its findings, and concluded that the development will be a low traffic generator with no measurable impact to the capacity or operations of the existing roadway network in the area.

Utilities

The plan shows proposed underground utilities extending up the east side of the road within the right-of-way but near the property boundaries consistent with Town standards. The applicant is requesting a waiver from the Town's requirement that all utilities in new subdivisions be placed underground (Section 237.1 of the Land Development Control Regulations) to allow a new utility pole near the intersection of North Amherst Road and Wheeler Pond Road. The applicant notes that the existing overhead utility lines are on the south side of North Amherst Road and placing a pole on the north side of the road would allow extension of utility service to the development without disturbing the pavement of North Amherst Road. Provided the location of the pole and since it does not interfere with sight distance, staff does not object to the waiver. However, the plan should include a note that all other utility connections will be placed underground (Condition #8).

Stormwater

The applicant submitted a stormwater report that was reviewed by the Department of Public Works and VHB (see memo by Mark Verostick). The applicant proposes a closed drainage system with runoff directed to a drainage basin for treatment located along the North Amherst Road right-of-way. A rain garden is also proposed on Lot 19-39-1 to treat runoff generated in areas surrounding the cul-de-sac itself on the northern side of the development. The applicant has provided staff with confirmation from NHDES that the area of disturbance from the subdivision is under the threshold for requirement of a NHDES Alteration of Terrain permit.

Maintenance of the rain garden will become the responsibility of the property owner of Lot 19-39-1. The applicant will need to provide the Planning Department deed language for the parcel requiring maintenance and upkeep of the rain garden by the property owner (Condition #10). The applicant has provided the Planning Department draft easement language to allow the Town access to the rain garden if necessary that will need to be approved and recorded with the subdivision plan (Condition #4). The Department of Public Works has agreed to assume maintenance responsibility of the drainage basin along the North Amherst Road right-of-way provided that the applicant submits an operations and maintenance manual (Condition #9). Finalized easement language for the area of Lot 19-39 housing the stormwater basin will need to be approved by the Planning Department and recorded with the subdivision plan (Condition #4).

The drainage basin relies in part on infiltration to reduce peak flow rates from the development to pre-development conditions. The applicant will need to confirm infiltration at the bottom of

the basin prior to plan signature, as noted in the VHB memo. There are a handful of other outstanding technical comments in the VHB memo, largely related to stormwater, that will have to be addressed by the applicant prior to plan signature (Condition #1).

IV. Waiver Requests:

The applicant is requesting waivers from the following sections of the Land Development Control Regulations (see attached letter from Earl Sandford):

- 1.) Appendix A – Bedford Road Construction Standards, 3.A.1 – Rural Section, to utilize a closed drainage system with sloped granite curbing in lieu of an open drainage system*
- 2.) Appendix A – Bedford Road Construction Standards, 3.A.1 – Rural Section, to construct the road to a 30 mile-per-hour design speed, instead of to the required 35 mile-per-hour speed.*
- 3.) Section 237.1 requiring underground utilities, to allow a new utility pole at the intersection of North Amherst Road and Wheeler Farm Road.*

Based on the reasons outlined in the staff report, staff does not object to granting the waiver requests described above.

V. Staff Recommendations:

The Planning Board will need to vote on whether or not to grant the waivers from the Bedford Land Development Control Regulations, for Section 237.1 to allow a new utility pole, and for Appendix A, Bedford Road Construction Standards, 3.A.1 to allow a closed drainage system and a road constructed to a 30 mile-per-hour design speed.

The Planning Staff recommends that the Planning Board grant final approval of the subdivision of Lot 19-39 on North Amherst Road from one lot to as shown on plans by Sandford Surveying and Engineering, last revised January 17, 2018, with the following precedent conditions to be fulfilled within one year and prior to plan signature and the other conditions to be fulfilled as noted:

- 1. The Director of Public Works and the Planning Director shall determine that the Applicant has addressed all remaining technical review comments to the Town's satisfaction.*
- 2. The Applicant shall submit any outstanding engineering review fees, if any, to the Department of Public Works.*
- 3. All recording fees shall be borne by the applicant and submitted to the Planning Department at the time of recording.*
- 4. In the event that the Planning Board approves the requested waivers, the plan shall be updated to list the waivers as well as the date of Planning Board approval.*
- 5. All requisite easement documents shall be reviewed and approved by the Planning Department and submitted to be recorded simultaneously with the subdivision plan.*
- 6. NHDES State Subdivision approval shall be obtained and the permit number noted on the plan.*
- 7. The applicant shall provide the Planning Department documentation indicating the Police Chief does not object to the roadway being constructed to a 30 mile-per-hour*

- design speed.*
8. *The dumpster encroaching on Lot 19-39 shall be relocated off of the site.*
 9. *The plan shall be updated to note that all utility connections, apart from the utility pole at North Amherst Road, will be placed underground.*
 10. *The applicant shall provide an operations and maintenance manual to the Department of Public Works for all stormwater treatment facilities.*
 11. *The applicant shall provide the Planning Department deed language for Lot 19-39-1 requiring the property owner to maintain the rain garden located on the parcel in working order.*
 12. *The applicant shall revise the plan to show the stonewall at the base of the proposed road relocated on to Lot 19-39 outside the public right-of-way.*
 13. *The applicant shall revise the plan to include evergreen trees and plantings to screen the stormwater basin from the abutting property to the west. The landscaping plan shall be to the satisfaction of the Planning Director.*
 14. *The applicant shall provide a performance guarantee in an amount and form acceptable to the Director of Public Works, for the completion of all proposed roadway and infrastructure construction in accordance with the provisions of Section 240 of the Land Development Control Regulations. A cost estimate shall be prepared by the Town's engineering consultant and approved by the Director of Public Works. In addition to all of the public improvements, the guarantee shall include the cost to set all boundary monumentation, including right of way monumentation and individual lot monumentation.*
 15. *The Applicant shall provide a check for road inspection fees and testing analysis in an amount to be determined by the Director of Public Works.*
 16. *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.*
 17. *Prior to any construction occurring on the site, the applicant shall schedule a pre-construction meeting with the Planning Department and the Department of Public Works.*
 18. *Prior to any construction occurring on the site, the applicant shall provide a certificate of insurance in accordance with Section 240.4 of the Land Development Control Regulations.*
 19. *Prior to any construction occurring within the public right-of-way, the applicant shall apply for a street opening permit from the Public Works Department.*
 20. *Prior to any inspections of dwellings being performed, the road must meet NFPA 241 Section 7.5.5 access roadways. The road shall have an all-weather surface (compacted road subgrade) capable of supporting firefighting apparatus. Prior to issuance of any certificate of occupancy, the entire road must have base coat applied and be approved by the Director of Public Works.*
 21. *Prior to a certificate of occupancy being issued for each lot, a letter shall be submitted to the Planning Department by a licensed land surveyor certifying that all boundary monumentation has been set as noted on the plan.*
 22. *Prior to release of the performance guarantee for the development, as-built plans stamped by a licensed land surveyor shall be provided in accordance with Section 245 of the Land Development Control Regulations.*
 23. *Prior to the acceptance of the street, the applicant shall provide a warranty deed for the*

road right-of-way in a form acceptable to the Planning Director and Public Works Director.

Earl Sandford, Sandford Surveying and Engineering, was present to address this application on behalf of the applicant, Kevin Doherty (Owner), who is requesting final approval of a subdivision of one parcel into seven residential lots. Mr. Doherty was also present.

Mr. Sandford stated we have an 18 acre parcel off from North Amherst Road. You saw maybe a couple of years ago where we proposed a 2-lot frontage subdivision that didn't pan out, so we have come back with a proposed road of approximately 1,000 feet to the end of the cul-de-sac to serve the seven proposed lots. We had two or three meetings with staff ahead of time to collaborate, and we had some questions about how to design the road. One of the things unique about this is that it will have granite curbing as a rural road and beyond the granite curbing is an 8-foot grassed shoulder. It will actually have a bit of a boulevard look, but that is sort of the design that was agreed upon in the pre-application meetings with staff. So we proceeded to design, including drainage at the very beginning of the road, there is going to be a fairly good sized drainage basin and then at the end of the cul-de-sac there is going to be a rain garden or bioretention area that handles the drainage and maintains the requirements that Alteration of Terrain would have. This was slightly under the 100,000 square feet that triggers New Hampshire DES Alteration of Terrain permitting. We are under that but we still use their same criteria for both treatment of stormwater coming off the road and for detention to assure that we wouldn't increase flows off from the property. Basically you can see the layout as shown on the screen. We did acquire a site easement and one of the reasons we hadn't gone for a road earlier was because we didn't think we could get sight distance, but we gained an easement from the neighbor to facilitate the 400 foot sight line from the proposed road opening, so that was one of the things that made this possible. I can now go through the waivers.

Mr. Sandford stated I can now go through the waivers all from the Bedford Land Development Control Regulations. The first one is from Appendix A – Bedford Road Construction Standards, 3.A.1 – Rural Section, to utilize a closed drainage system with sloped granite curbing in lieu of an open drainage system. From what I just mentioned, we are going to a closed drainage system with curbing where there isn't a rural curbing section. The waiver is just to say okay, we are rural but we are going to use curbing and a closed drainage system. The second waiver request is from Appendix A – Bedford Road Construction Standards, 3.A.1 – Rural Section, to construct the road to a 30 mile-per-hour design speed, instead of to the required 35 mile-per-hour speed. My understanding is ever since the Town has made a townwide speed limit of 30 miles-per-hour, unless otherwise posted, this has been a common waiver that we have gotten and it just makes for the road to fit the existing terrain a little better than having to go design to a 35 miles-per-hour design. Again, by observation you can see that by the time you come up over the hill you are coming up and then you are getting to the cul-de-sac. It is not a long distance where you are going to have speed, where people are going to be coming in at 35 and then having to slow down. If anything, in many cases, people won't even make it up to 35 miles-per-hour, or 30 miles-per-hour, as they come in and get into their lot or go to the end of the cul-de-sac. I think that is a reasonable request. The third waiver request is from Section 237.1 requiring underground utilities, to allow a new utility pole at the intersection of North Amherst Road and Wheeler Farm Road. The place where the pole would be is as shown on the posted plan. We

have a pole across the road, so we are just going to put a companion pole to that to bring the utilities across the line and then we will drop down and go underground for the whole subdivision from here.

Mr. Sandford stated I have gone through the list and I am in agreement with all of the conditions of approval, but I think we would want to work out a little bit of the sequence. We had talked about doing test pits during the construction of the road and also doing the test pits for the pond as we are digging it. One of the comments was to have that done before signing of the plan and then another comment said tie it to the construction. We would like to tie it to the construction. I think it is the more feasible way and get the plan recorded and that is part of the work. In talking with Mr. Foote, they found if you just randomly do probes you often miss what is really there, so we are expecting the main discovery will be during the excavation and then we will deal with it. We have a contingency plan if we do end up with a high water table, which we don't expect to. We went down 7-8 feet and there was no water table, it was very good, excessively drained soil, typical of that neighborhood. It is gravel, a gravel operation was across the street, so we are not expecting to hit water, but in the event that we do, we have a contingency written on the plan where the pond would have to be modified with a clay barrier and some underdrains. I think we are well covered for this project to get off the ground and have a successful project. I would glad to answer any questions.

Ms. Hebert stated the DPW Director Mr. Foote is not here tonight, but I did want to say that he did work closely with Mr. Sandford and Mr. Doherty in designing the road and had requested that the drainage system be closed with granite curbing because of the steepness of the road. It does get to about a 9 percent grade at one location and then levels out as you head towards the cul-de-sac.

Vice Chairman Newberry stated staff in their report noted in Condition 12 some stone wall along North Amherst Road where Wheeler Farm Road will start, but I noticed there also appears to be some stone wall further up the proposed road. It doesn't appear that staff's memo directly addresses that one. Is there or can there be a plan to reconstruct that stone wall also at some appropriate side of the road? Mr. Sandford replied one of the features we had to avoid guardrail was to clear the area where there might be potential for guardrail just 8 feet beyond the curb to the right-of-way, which is about 13 feet, I believe, and then we are going to do a 4-foot retaining wall at that point. So the intent is to repurpose any of those stones for walls on site. We also have for the sight distance for this lot as shown; it required us to cut the embankment back a little, so we also have a 4-foot retaining wall here and would be an excellent place to repurpose those stones. As to the ones on the road per the staff comment, which is the one we were addressing in our plan, was to repurpose them as the property line, along the property line, as shown. We don't want to put them in here because that is a tight sight line, and if we are clearing this to allow a good clear distance all the way down to Hardy Road, good sight distance, and although we are going 2 feet above to account for snow, if you put a wall there and then the stones on the wall, there may be issues. I think there was about 75 feet to be repurposed and we thought the best place would be visible as we clear this area to see the wall running along the edge of the property line.

Mr. Pincince asked has the Fire Department seen this as well for the turnaround at the cul-de-

sac? Mr. Connors replied they have. They worked with the applicant on the design of the road as well as the addressing for the lots. Ms. Hebert stated the radius of the cul-de-sac meets all Bedford standards, so there is no waiver request for the dimensional requirements for the cul-de-sac. Ms. McGinley stated you show in this picture that is posted on the screen now that it shows a full cul-de-sac without an island in the middle. Is there is a plan that reflects different than that? Which one are you going to do? Mr. Sandford replied there is. Ms. McGinley stated I think for aesthetic purposes it is nice to have a little island there but I don't know what the Fire Department now requires. Mr. Sandford stated we do have an island; it is just that we didn't show it on that. The first one was less detailed. Ms. McGinley asked Ms. Hebert, the Fire Department is fine with that? Ms. Hebert replied yes they are. Ms. McGinley stated I think they do look nice. Ms. Hebert stated the first plan you were looking at just showed the property boundaries and this plan here shows the roadway and the cul-de-sac. Mr. Sandford responded right. You will have a green island with a curbing in the inside, but it is fairly flat, and it is one that if a truck were to go up and over it, it wouldn't be a major thing other than maybe getting a little rut in the loam and the graphic posted also is better detailed showing that 4-foot retaining wall. We are actually terracing. Ms. McGinley stated I did see that plan but I just wanted to clarify it

Town Manager Sawyer asked did Mr. Foote talk to you about any concerns with the retaining wall system there holding up a road? Mr. Sandford replied yes; keep it out of my right-of-way was his comment. Town Manager Sawyer stated it is in an easement area it looks like. Mr. Sandford replied it is in an easement area. You have the rain garden; even though the Town has an easement, the right to go in and change it, we put wording in the deed for this party that they are responsible to maintain that as a rain garden, but one of the key things is keeping the overflow from getting blocked up with brush and debris, so we have added that in a detailed way and obviously we want to keep the plants healthy, so that was part of the corner where we provided language to staff as to how we would do that. Ms. McGinley asked will you also be asking that homeowner to maintain the wall that Town Manager Sawyer just spoke about? Mr. Sandford replied I think it is considered landscaping for that lot, so we haven't put that language in the deed but that was the presumption to get it out and this becomes part of the landscaping of the lot. Ms. McGinley stated having worked in this area, it is best to put it in the deed. Town Manager Sawyer stated it appears to all be in the slope easement, which I am assuming is to the Town, so my concern is it may be out of the right-of-way but I am not sure what the arrangement has been for the maintenance of that. If it is in the easement, I am assuming we are going to be responsible for it. Ms. McGinley responded not necessarily. Town Manager Sawyer stated I know. Ms. McGinley stated if the Town would prefer that someone else maintain it but we have a right to repair it if they don't, that probably would be the best thing for the Town. Mr. Sandford stated that is our position exactly. Ms. McGinley stated and the homeowner might like that also because they have control to keep it maintained and that may not be on the list for the Town because the homeowner can do it.

Town Manager Sawyer stated I think my only other comment is, Mr. Doherty, just looking at the VHB comments and things like this retaining wall, that you work with a road contractor that is familiar with Bedford standards and construction processes. I think if you do, those VHB comments can easily be addressed. Mr. Doherty responded okay.

Chairman Levenstein asked for comments or questions from the audience.

Richard Wenzel, Rick Wenzel Oil Company, stated we are a 24-hour oil company that specializes in delivering oil, propane, 24-hour burner service, installations, and things like that. We are an abutter to the property of the three lots next to it. We are the old Don Wheeler Construction property. We are a non-conforming existing commercial business in a residential area that we realize. We are not in opposition of the development of this property. As a matter of fact, Mr. Doherty and I had a conversation about the fact that I need to move my dumpster off the property, I think it is one of the conditions, which I talked to Mr. Connors about the other day, which is no problem. We have already made arrangements to make sure that is taken care of as soon as the snow is all done. The only concern we have, with being a 24-hour business, is any future problems we may have with the abutters that would be coming in. Being a 24-hour business there may be a truck that goes in and out at any given hour of the day, especially this last January was a perfect example of that, there will be lights, security; we hope to, with Board approval, and that is the only thing we are concerned about is any opposition we may see in the future from the three immediate abutters that come to the property. We just wanted it to be noted that that is our only concern with it. There is a pole barn right in the middle of that property that you can see right there that is in a huge state of disrepair that we would like to enlarge and make a place where we can put all of our equipment in under cover, out of sight, so people don't see it and have it in a safe spot. So those are just the kind of ideas that we are hoping to get approved in the future, and that is our only concern that we just wanted the Board to be aware of so that there are no surprises for us as well as you in the future. We are here to work with you guys, not against anybody. Like I said, it is something that we just wanted to express to the Board. Thank you. Chairman Levenstein stated thank you.

Mr. Fairman asked are there any suggestions for additional landscaping along the border to isolate the business from the houses around it? Mr. Sandford replied after that comment we sat down and we drew in evergreens in this area shown to, it is actually a 2-way street; protect them from looking at the pond. The intent is to make this very pasture-like, make it a good visual for the subdivision, but regardless, we will provide the screening so that they won't be able to see this way and these buildings are in somewhat of disrepair so we are also looking to cut to screen off a visual. Mr. Fairman asked how about for the Wenzel property on the other side? Mr. Sandford replied there is an abundance of existing vegetation through there that we are just going to maintain. Mr. Fairman stated thank you.

MOTION by Town Manager Sawyer that the Planning Board grant the waivers from the Bedford Land Development Control Regulations, for Section 237.1 and Section 232.1.10, to allow a new utility pole and the closed drainage system and the 30 miles-per-hour design speed. Councilor Bandazian duly seconded the motion. Vote taken - all in favor. Motion carried.

Town Manager Sawyer stated I would like to ask a question about the conditions. Was there a need to change anything based on the comments we heard tonight? Mr. Connors replied my only comment would be on the stone wall that DPW has requested be outside the right-of-way. Town Manager Sawyer stated Mr. Sandford mentioned that one thing was written two different ways and I couldn't catch it in the condition as to which one. Mr. Connors asked are you referring to

the VHB comments? Mr. Sandford stated I think it was yours that said before signing and, again, does that signing mean the signing of the Mylar or is that a signing of the acceptance of the road. I was a little confused there. If it is the signing for the acceptance of the road, absolutely. Mr. Connors stated the only issue we were concerned about is that I think you had a note that if the water table is too high, you would turn it into a rain garden. Mr. Sandford stated and that was probably overstated because there would be a bioretention area; we wouldn't be putting the plants in it per say but we would be putting the underdrains so that the water table was not an issue. So it would be the same design as the rain garden, except for the plants, and the bottom would be the same. There would be no difference in the shape, it would just mean you would have to dig an extra 4 feet down, fill a couple feet of stone and have a filter material compost and then bring it back to the actual bottom of the pond and then you are creating by virtue of the stone and pipe underneath, you are taking away the groundwater issue. We have done that on several projects recently successfully. Mr. Connors stated my concern was DPW said they didn't want to maintain a rain garden; they are okay with a basin, but not a rain garden. Mr. Sandford stated I would change the name to bioretention. It is a filtered detention pond, but I know of one that is 10 years old in Milford and there has never been any maintenance and it is working beautifully. It is just a matter of getting the underdrains under there so you are not ending up with a wet pond. That is basically what we want. Ms. McGinley asked and is this at the beginning and at the end of the project? Mr. Sandford replied just at the beginning. The end has the underdrains. The end had a water table issue, so we immediately went to the design with the stone underneath to take care of the water table issue, and then the composted bio-filter is constructed so it gets the treatment and then you also have detention within the pool area created by the rain garden or bioretention area. Ms. McGinley asked and who is going to maintain that? Mr. Sandford replied that is the one that we had in the language for the lot owner as an amenity to that lot. Ms. McGinley asked and you call that a bioretention area? Mr. Sandford replied we called it a rain garden; they are almost synonymous. The rain garden implies more plantings in it; I guess that is the differentiation. Ms. McGinley asked and that is just on that one lot? Both the retention area and the stone walls? Mr. Sandford replied that is correct; yes.

MOTION by Ms. McGinley that the Planning Board grant final approval of the subdivision of Lot 19-39 on North Amherst Road from one lot into seven lots as shown on plans by Sandford Surveying and Engineering, last revised January 17, 2018, with the following precedent conditions to be fulfilled within one year and prior to plan signature and the other conditions to be fulfilled as noted:

- 1. The Director of Public Works and the Planning Director shall determine that the Applicant has addressed all remaining technical review comments to the Town's satisfaction.**
- 2. The Applicant shall submit any outstanding engineering review fees, if any, to the Department of Public Works.**
- 3. All recording fees shall be borne by the applicant and submitted to the Planning Department at the time of recording.**
- 4. In the event that the Planning Board approves the requested waivers, the plan shall be updated to list the waivers as well as the date of Planning Board approval.**
- 5. All requisite easement documents shall be reviewed and approved by the**

- Planning Department and submitted to be recorded simultaneously with the subdivision plan.**
- 6. NHDES State Subdivision approval shall be obtained and the permit number noted on the plan.**
 - 7. The applicant shall provide the Planning Department documentation indicating the Police Chief does not object to the roadway being constructed to a 30 mile-per-hour design speed.**
 - 8. The dumpster encroaching on Lot 19-39 shall be relocated off of the site.**
 - 9. The plan shall be updated to note that all utility connections, apart from the utility pole at North Amherst Road, will be placed underground.**
 - 10. The applicant shall provide an operations and maintenance manual to the Department of Public Works for all stormwater treatment facilities.**
 - 11. The applicant shall provide the Planning Department deed language for Lot 19-39-1 requiring the property owner to maintain the rain garden located on the parcel in working order.**
 - 12. The applicant shall revise the plan to show the stonewall at the base of the proposed road relocated on to Lot 19-39 outside the public right-of-way.**
 - 13. The applicant shall revise the plan to include evergreen trees and plantings to screen the stormwater basin from the abutting property to the west. The landscaping plan shall be to the satisfaction of the Planning Director.**
 - 14. The applicant shall provide a performance guarantee in an amount and form acceptable to the Director of Public Works, for the completion of all proposed roadway and infrastructure construction in accordance with the provisions of Section 240 of the Land Development Control Regulations. A cost estimate shall be prepared by the Town's engineering consultant and approved by the Director of Public Works. In addition to all of the public improvements, the guarantee shall include the cost to set all boundary monumentation, including right of way monumentation and individual lot monumentation.**
 - 15. The Applicant shall provide a check for road inspection fees and testing analysis in an amount to be determined by the Director of Public Works.**
 - 16. 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.**
 - 17. Prior to any construction occurring on the site, the applicant shall schedule a pre-construction meeting with the Planning Department and the Department of Public Works.**
 - 18. Prior to any construction occurring on the site, the applicant shall provide a certificate of insurance in accordance with Section 240.4 of the Land Development Control Regulations.**
 - 19. Prior to any construction occurring within the public right-of-way, the applicant shall apply for a street opening permit from the Public Works Department.**
 - 20. Prior to any inspections of dwellings being performed, the road must meet NFPA 241 Section 7.5.5 access roadways. The road shall have an all-weather surface (compacted road subgrade) capable of supporting firefighting**

apparatus. Prior to issuance of any certificate of occupancy, the entire road must have base coat applied and be approved by the Director of Public Works.

- 21. Prior to a certificate of occupancy being issued for each lot, a letter shall be submitted to the Planning Department by a licensed land surveyor certifying that all boundary monumentation has been set as noted on the plan.**
- 22. Prior to release of the performance guarantee for the development, as-built plans stamped by a licensed land surveyor shall be provided in accordance with Section 245 of the Land Development Control Regulations.**
- 23. Prior to the acceptance of the street, the applicant shall provide a warranty deed for the road right-of-way in a form acceptable to the Planning Director and Public Works Director.**
- 24. The bioretention rain garden on Lot 19-39-1 shall be maintained by the owner of said lot, with the obligation for such maintenance shall be contained in a recorded deed.**

Town Manager Sawyer stated I think Condition 24 is already covered in Condition 11. Mr. Sandford stated we did a sample deed with the language. Ms. McGinley stated I didn't think Condition 11 was specific enough. Ms. Hebert stated that is specific to maintain Lot 39-1 and I think we are talking about the one closer to North Amherst Road. Ms. McGinley responded I wouldn't think the person who owned that back lot would be maintaining the one on North Amherst Road. Mr. Sandford responded no, the Town will be responsible for the one at the corner. That is the big one that is collecting the lion's share of all of the drainage, so that was what came out in that discussion with staff. Ms. Hebert asked that was the one for the test pit? Mr. Sandford replied correct. Town Manager Sawyer stated it is up to you. Ms. McGinley stated I would like it to be more specific and required to be stated in the deed. Ms. Hebert responded okay. Ms. McGinley stated so if we want to add that one to Condition 11. Town Manager Sawyer stated Condition 11 currently says they have to supply a deed to the Planning Department, the property owner must maintain the rain garden on the parcel in working order. Ms. McGinley stated but it doesn't say that it is in the deed. I will remove Condition 24 and modify Condition 11.

Ms. McGinley moved to remove Condition 24, as previously stated, and modify Condition 11 to read as follows:

- 11. The applicant shall provide the Planning Department with deed language for Lot 19-39-1 requiring the property owner to maintain the rain garden and stone walls located on said lot in working order.**

Vice Chairman Newberry asked isn't that the stone retaining wall? It looks like there is a stonewall on the back of the lot also. I think the discussion earlier was in regard to the retaining stonework around the end of the cul-de-sac. Ms. McGinley asked how would you describe the walls? Mr. Sandford replied I think if you put retaining, that will distinguish them from the boundary wall, which is at the rear of the property.

Ms. McGinley moved to further modify Condition 11 as follows:

11. The applicant shall provide the Planning Department with deed language for Lot 19-39-1 requiring the property owner to maintain the rain garden and to maintain the 3 retaining walls located along the cul-de-sac in working order. Town Manager Sawyer duly seconded the modified motion. Vote taken on the motion as modified. With all members voting in the affirmative, the motion carried.

3. The Planning Board will discuss preparations for the comprehensive update of the 2010 Bedford Master Plan.

A staff report from Becky Hebert, Planning Director and Mark Connors, Assistant Planning Director, dated February 12, 2018 as follows:

The Town is about to begin the process of updating its Master Plan. The first town-wide Master Plan was adopted in 1962 and was later updated in 1980, 1990, 2000 and 2010. The Master Plan provides the community a unique opportunity to assess current conditions, developing trends, and existing Town regulations and practices to ensure that they are supportive of the community's long-term vision for Bedford. This effort will include a comprehensive public outreach effort with opportunities for residents to provide their input through a number of different platforms. The document will help guide decisions over a 10-year period related to planning and zoning, and serve as an important resource for residents, policymakers, and Town government on all levels.

In New Hampshire, the master plan, unlike the zoning ordinance and other town regulatory documents, is advisory in nature and is not a legal document. However, a community is required to adopt one in order to exercise most basic land use controls, including to institute zoning and historic district ordinances. Though communities enjoy great autonomy in designing and crafting their master plans, NH state law (RSA 674:2 I) provides the document must at minimum include the following two chapters:

- *Vision Chapter*
“This section shall contain a set of statements which articulate the desires of the citizens affected by the master plan, not only for their locality but for the region and the whole state. It shall contain a set of guiding principles and priorities to implement that vision.”
- *Land Use Chapter*
“This section shall translate the vision statements into physical terms. Based on a study of population, economic activity, and natural, historic, and cultural resources, it shall show existing conditions and the proposed location, extent, and intensity of future land use.”

Staff is in the process of drafting a Request for Proposals (RFP) for the Master Plan and will email a draft for your review and comment. The RFP will specifically emphasize the desire for

an innovative and creative approach to public engagement and plan implementation. Staff would like to see the outcome be a graphically interesting and accessible document that is utilized not just by staff and the Town's various Boards and Committees, but also by the larger community. Staff is suggesting the following elements be included the 2020 Master Plan:

Master Plan Sections/Chapters:

- *Executive Summary*
- *Public Involvement and Engagement Plan*
- *Vision, Goals and Objectives*
- *Land Use*
- *Community Design*
- *Housing*
- *Economic Development*
- *Transportation*
- *Energy and Sustainability*
- *Recreation*
- *Natural and Historic Resources*
- *Implementation Plan*

The Planning Board will also need to form a Master Plan Steering Committee to review the proposals, interview the selected teams, and ultimately to select or recommend the chosen consultant team. This group will also meet periodically throughout the process to guide the consultant's work. We anticipate issuing the RFP in early February and to provide firms approximately one month to submit proposals. It is anticipated that the selected consultant firm should be chosen by mid- to late-March. The entire Master Plan effort should take approximately 18 months and be complete by October 2019.

The 2010 Master Plan Steering Committee was made up of 11 individuals, including representatives from the Planning Board, Town Council, Conservation Commission, Historic District Commission and citizen representatives. The Board should discuss the makeup of the Committee at its meeting. Staff would recommend keeping the committee to not more than 12 members and offers the following Committee makeup as a recommendation:

Master Plan Steering Committee:

1. *Planning Board, Chairman*
2. *Planning Board Rep*
3. *Planning Board Rep*
4. *Town Council Rep*

5. *Energy Committee Rep*
6. *Historic District Commission Rep*
7. *Conservation Commission Rep*
8. *Recreation Advisory Committee Rep*
9. *Citizen Rep (representative of families)*
10. *Citizen Rep (representative of seniors)*
11. *Citizen Rep (representative of millennials)*
12. *Citizen Rep (representative of the business community)*

Ms. Hebert stated we talked about the Master Plan at the workshop in September but we wanted to give you an update on where we are at, and I have a schedule moving forward and want to talk about some of the things that the Board will need to think about as we begin the Master Plan update process.

Ms. Hebert stated for some background: I think it is interesting that Bedford's first townwide Master Plan was adopted in 1962 and it was later updated in 1980, and the Town has been great about updating this document every 10 years. We are looking at updating the 2010 Master Plan to be the 2020 Master Plan document. We anticipate the process taking about 18 months. We are working on an RFP and we hope to have it issued within the next two weeks. We anticipate about a four to six week period where we will be soliciting proposals, and once we have received proposals, ideally we would have a subcommittee that would be formed to review proposals and potentially interview top candidates and select a top consultant.

Ms. Hebert continued from staff's perspective we are looking at emphasizing the desire for an innovative approach to this Master Plan update where the strong emphasis on a public engagement plan implementation and creating a document that is graphically pleasing, interesting and accessible. We would like to have something that can be used and be engaging, not something that just gets shelved and pulled out as a reference from time to time. I think every Master Plan strives for this particular goal, especially the public engagement process, but with the development of social media over the past 10 years, I think that we do have a new opportunity to look at public engagement in a new way. It will be interesting to see what types of proposals we get to engage people online or via surveys or in mediums that allow people to participate in the process without necessarily attending public meetings.

Mr. Pincince asked so the RFP process is going to ask those that are interested to come up with a plan? Ms. Hebert replied yes. The RFP gets published out on several websites and it is soliciting proposals from teams of consultants. There would be a lead consultant that would ideally put together a team of professionals that could answer all the chapters of the Master Plan. Right now we are suggesting that there be 12 sections to the Master Plan. An executive summary, public involvement and engagement plan, vision goals and objectives section, a land use section, community design, housing, economic development, transportation, energy and sustainability, recreation, natural historic resources, and an implementation plan. We would like to also ask the Board about whether or not we feel a community facilities section should be

included. The Town is in the process of developing a Master Plan for all of its facilities so we didn't want to duplicate that effort, but that is a section that is in the current 2010 Master Plan and we may want to keep it for continuity. And we would also like the Board to consider the makeup of the Master Plan steering committee at tonight's meeting. We would like to start looking for volunteers who might be interested in serving on the steering committee and bringing a slate of volunteers back to the Board for approval or acceptance. In the 2010 Master Plan the steering committee was made up of 11 individuals including representatives from the Planning Board, Town Council, Conservation Commission, Historic District Commission, and citizen representatives. We are suggesting a steering committee with 12 members with a similar makeup. Three Planning Board members, a Town Council rep, an Energy Commission rep, Historic District Commission rep, a Conservation Commission rep, a Recreation Advisory Committee rep, and four citizen reps, ideally someone that could represent the families of Bedford, someone that could represent members of the senior population, someone who could represent millennials, and someone from the business community. So we were trying to pull together a broad group of interests, and the age-friendly discussion that we had with Southern NH Planning Commission a few weeks ago is something that we would like to highlight in the Master Plan and I think the idea of pulling together people that represent different age groups from Bedford could add to the conversation as we start the process.

Mr. Fairman asked how does the school system tie into the Master Plan and should we not perhaps have a representative, depending on the answer to that, from the school system on the steering committee? Ms. Hebert responded that is a great thought. I think in our current Master Plan the schools are kind of integrated into the community facilities chapter. We can certainly add to the steering committee. We can ask the School Board how they feel about having someone involved in the process too. Chairman Levenstein stated I think we tried that the last time and we didn't get a response. Vice Chairman Newberry stated I think they respectfully declined or something. Mr. Fairman stated maybe there is somebody, not on the School Board necessarily, that could represent the schools. I don't know. It just seems like the Master Plan for this Town without including the schools is not going to be very inclusive. That is such a big part of this Town now. Ms. Hebert responded it is. Mr. Fairman stated 10 years ago I guess the high school was about to come online when the last plan was built or was in the planning stages. Ms. Hebert stated I think we were thinking someone that represented families would be in that age bracket where they have children in the school system. Ms. McGinley stated I don't like that description. We all have families. I knew what you were going for because I saw the rest of them. Ms. Hebert stated maybe school age, maybe a citizen representative with school age children. Ms. McGinley stated I think it is a good idea. My kids all went to the Bedford schools but West was the Bedford school, so you have a different makeup of the schools now. Think of a better way to describe that. I think you would have people volunteer for that that have no kids. Mr. Fairman stated you could have a teacher represent the school system. It doesn't have to be a School Board member is my point. I think any educator involved in the school system could represent that part. Ms. McGinley stated I am not sure someone who works for the school has the same goals as the parents who send their kids to the schools. Chairman Levenstein stated they would have to be a resident of Bedford. Mr. Fairman stated yes, somebody to represent Bedford that is involved with the schools somehow, not just a parent. Ms. Hebert stated maybe make an addition to the committee with someone who represents the school system and clarify that a representative of families would be of families with school aged children. Chairman

Levenstein stated I think we even tried to get students involved last time. Ms. McGinley stated I think with the social media that we have now maybe that could be a path, which is what Ms. Hebert has spoken about. Chairman Jon Levenstein was on the last Master Plan committee and we had meetings on Saturdays for people to come and we had little sticky things to put on what they liked and that was prior to all the social media, and I think we will have an opportunity to get more thorough comments from more people and a more wide range of people with the social media that we have. Chairman Levenstein stated I think we even had a poll. Ms. McGinley stated we did.

Councilor Bandazian stated I think it is very important somehow to not get things skewed by who happens to respond. I look at our age-friendly ranking of interests and recreation came ahead of housing and medical care. I don't think that is what concerns seniors the most in our community. It is housing, medical care and money. To me that is somewhat skewed by who the respondents happen to be. Mr. Pincince stated I think the Southern NH Planning Commission had some symposium over at the library and there was an age-friendly discussion. The people that were there were all slanted to what can the Town of Bedford do for us in terms of providing recreation or activities. To your point, I think that you would want someone that is more globally involved. Councilor Bandazian stated or a broader sampling. That is just an example, but you can cut through any age demographic, and we need to be careful about getting a broad enough sampling and a broad enough response. Mr. Pincince stated that is how I talked about the school department. If you have a school teacher, she is probably going to be more interested in speaking from a labor standpoint. But someone that flies at 20,000 feet and just looks at the broad landscape of the education in Town might be somebody that would be more appropriate. Ms. McGinley stated they would have to be a Bedford resident though. Vice Chairman Newberry stated we might be able to work something into the RFP that an expectation is that the effort will have a way of drawing in a whole spectrum of the Town. Ms. Hebert stated to provide broad and complete input for the plan. Right now we weren't anticipating listing a statistically accurate survey as one of the requirements for the plan, which I think Town Manager Sawyer did in the 2010 update with UNH. How important do you think it would be to add something like that? That is really the only way you know you are getting a solid slice of the population. But I think when the survey was done by UNH, no one was incredibly surprised with the results. Am I correct? Town Manager Sawyer stated I certainly wasn't. I think they were very similar to the public comments we got in our forums and the paper surveys that were filled out as well. I think it just reinforced the ideas that we had and it helped us justify that we were on the right path because we had the scientific study, but we also had a grant that was specific to do that and allowed us to do it in that manner. Ms. Hebert stated because it was an expensive effort. Town Manager Sawyer stated it was \$10,000 or \$15,000.

Mr. Fairman stated there is no section on the Master Plan for public safety, and I also wonder on the committee, for a better term I will call it highways and byways rather than public works, nobody representing that side of the Town and so on. Now we could have a Planning Board member represent that part. Ms. Hebert responded I think Planning staff does too and we do the transportation section, we would be bringing in DPW and broadening that, but they may not want to sit on the steering committee. Mr. Fairman asked don't you think it should be in the Master Plan? Where would you put public safety? I don't think any of these sections necessarily picks it up. Ms. Hebert replied community facilities. We would add a community

facilities section. Chairman Levenstein stated I am not sure what you mean by public safety. Mr. Fairman replied a whole bunch of things. Chairman Levenstein stated I think a lot of those things are already dealt with in the Master Plan. The facilities are dealt with in the Master Plan, but how many policemen we have and things like that I don't think are. Town Manager Sawyer stated I think you will see it as a theme throughout most Master Plans that there are broad statements in the vision typically about having a safe community that is vibrant and thriving and none of those things would be possible if it is not a safe community. Mr. Fairman stated in today's world I just think that public safety also gets into cybersecurity and a whole bunch of things that we didn't necessarily think about 10 years ago that we may want to make sure gets into the Master Plan at some point. How are we protecting public records that are here for all of us and all of that. I think it is where we are going today. Town Manager Sawyer stated typically this is more of a policy level document that says the Town should go out and do cybersecurity, not tell you how to do that. Mr. Fairman stated I understand that. Ms. McGinley stated have an item for the future. Town Manager Sawyer stated it would become part of the implementation plan. You are right. Mr. Fairman stated if it doesn't say something about cybersecurity in the 10-year Master Plan, we haven't done our job; I will put it that way. Ms. Hebert stated and those are types of comments that would come out of a visioning session as we were developing kind of those broad goals, those broad statements.

Chairman Levenstein stated I think as far as getting people to serve on the steering committee, it is probably better to have people on the Planning Board reach out to people to serve than opposed to you would want somebody who has a school-aged child to serve on the steering committee and putting it in the Bedford Bulletin. Again, you are not necessarily going to get somebody who is going to be real helpful on the steering committee. Ms. McGinley stated or to really have the time commitment. During the last one my kids were in high school and that was fine. We don't leave out that age group but there will be a lot of opportunity, especially because of social media, of having input so that everyone has input, not just the steering committee. Chairman Levenstein responded right; you don't want this thing written by 12 people or 12 people guiding the community into the future. Ms. McGinley stated and the opportunity to have more data directly from the Bedford residents to us is going to happen just because of the change in technology.

Councilor Stevens stated Ms. Hebert, I am wondering if we are going to specify that families means people with school-aged children that we might want to include people who have children who are in college or just graduated college because I do think there are enough people there that are not seniors but yet they don't have an interest in the school system quite so much anymore. Ms. Hebert responded sure. Kind of that mid-age group. Councilor Stevens replied yes. Ms. McGinley stated and given your description they would have more recent familiarity with the schools. Ms. Hebert stated and maybe some time in town too. That is not critically important. It is good to get new voices. Councilor Stevens stated sure, and there are probably folks who are looking to stay here for the next 30 years or so too, so they are interested in what happens in the future years.

Ms. McGinley stated for people listening tonight, I do want to say that the development along South River Road that has occurred was greatly influenced by the decisions made by our Master Plan committee and then the Planning Board in our decisions of the ability of businesses to do

what has been done on the development of South River Road. It is that kind of thing that you will see come out of the Master Plan from 2020 to 2030.

Ms. Hebert stated I can send an email out to the Board with a list of steering committee members and kind of a summary of what the volunteer time commitment might be, and then the Board can go out and maybe take a week to try and find some people who might be interested in helping out in the process. You could then email their names to me and we can try to pull together a list through our own connections before we put an advertisement in the paper or on the Town's website.

Ms. McGinley stated I have a question. The committee that chooses the outside professionals to assist in the Master Plan, is that going to be a smaller committee than the full committee, which it was before? Ms. Hebert replied it was a smaller committee. Sure, we can have a smaller committee. Ms. McGinley stated and it could even include more people from the Planning Board than will be on the Master Plan committee because we are more familiar with what is going on. Town Manager Sawyer stated I think we had five the last time. Ms. McGinley stated so you could volunteer for that and not be on the Master Plan committee. Town Manager Sawyer stated I think the last time it was the Town Council rep, the Planning Board Chairman, the Planning Director, and a couple of citizens. Chairman Levenstein stated and a finance rep. Town Manager Sawyer stated possibly. It gets a little challenging to schedule 12 or 13 people to see three, four, five or six presentations, so that smaller group I would agree would be better for the selection committee. I am sure Ms. Hebert can put together a recommendation for the chair or something to appoint the selection committee. I recommend maybe a Historic District Commission rep or Historical Society. Our Historic District is somewhat small now and maybe not representative of the historical issues townwide. To me it could be an either or, somebody that might be in both groups, I guess potentially.

Mr. Fairman asked are there any various committees that have been assigned by the Town Council or whoever that we ought to charge to make sure they get their work done in time for this plan? For instance the cell tower committee. I don't know what other committee have been formed over the last several years. I am just wondering about giving them a deadline so that their work can be incorporated into the Master Plan. Ms. McGinley stated that is a very good point. Town Manager Sawyer stated the only one that has been charged with a timeframe or response is the telecommunications group and their work would be happening in time to be integrated into this document. I think you would be all set with that group as currently established. Mr. Fairman stated I know the facilities will be. I don't know if there are other ones that we ought to say if they don't have a time commitment, we could give them one and say this is when we need you to finish your work. Town Manager Sawyer responded I am not currently aware of another one. Obviously there are other issues going on in Town like the water contamination issue. That is a pretty major issue in the community that will be ongoing throughout probably this Master Plan period, but that will be critical for this Master Plan committee to hear about water contamination and so forth.

V. Approval of Minutes of Previous Meetings:

MOTION by Councilor Bandazian to approve the minutes of the January 22, 2018 Planning Board Executive Session as submitted. Town Manager Sawyer duly seconded the motion. Vote taken - all in favor. Motion carried.

MOTION by Town Manager Sawyer to approve the minutes of the January 22, 2018 Planning Board meeting as submitted. Mr. Pincince duly seconded the motion. Vote taken - all in favor. Motion carried.

VI. Communications to the Board:

Ms. Hebert stated the DOT will be holding a public information meeting tomorrow night, Tuesday, February 13, 2018, at 6:30 p.m. at BCTV in this room. This is to discuss the replacement and rehabilitation of the Route 101 bridge over Pulpit Brook. This is the bridge crossing just to the east of Twin Brook on the Amherst town line. Anyone who might be interested should stop by. They will have an open house from 6:30 p.m. to 7:00 p.m. and then a presentation at 7:00 p.m. Town Manager Sawyer stated if you are watching and live on Twin Brook Lane or you know somebody that lives on Twin Brook Lane, I would encourage you to attend this meeting or tell your friends to attend. It is my understanding from DOT that the last time we met a couple of years ago in this room that there was going to be a left-turn lane on Route 101 into Twin Brook Lane that is part of our 2002 Route 101 corridor Master Plan that has since been removed from the project, which is shocking to me because the testimony they heard here two years ago was a turn lane was probably more important than anything they might be doing with that bridge because it is very scary to make left-hand turns, as you probably all know on Route 101 in that area given the speed of the vehicles going by you as you are sitting in that middle lane. You had testimony a couple of years ago where people said they would drive to Amherst and turn at a more defined intersection and come back to be able to go to Twin Brook. I am just shocked that they are not continuing to include that left-hand turn lane in the project. It was, in my opinion, a top priority in the letter that was sent from the Town back in 2011 when we were first asked to put priorities of the Route 101 safety improvements, which was from Bedford all the way out to Wilton, the number one project was that left-hand turn pocket into Twin Brook Lane to be part of that safety improvement. I get that the bridge is not part of the Route 101 safety elements, but they are being done in the same area of the highway and it doesn't make any sense for them not to include that as part of the project. Ms. McGinley asked that was a decision of the State? Town Manager Sawyer replied that is my understanding. I don't have all of the reasoning justifications and all of that, and unfortunately I will be at another meeting, but Ms. Hebert and the Town engineer will both be representing the Town staff anyway at that meeting. Ms. Hebert stated I am planning to attend and speak in support of the left-turn pocket. It is in the corridor plan. Councilor Bandazian stated a fatal accident involving a State Representative only a few years ago about 1.5 miles down the road and the State very quickly put in a left-turn pocket, and hopefully we don't have to learn that lesson again the hard way.

VII. Reports of Committees: None

VIII. Adjournment:

MOTION by Ms. McGinley to adjourn at 8:05 p.m. Mr. Pincince duly seconded the motion. Vote taken – all in favor. Motion carried.

Respectfully submitted by
Valerie J. Emmons