

TOWN OF BEDFORD
March 26, 2018
PLANNING BOARD
MINUTES

A meeting of the Bedford Planning Board was held on Monday, March 26, 2018 at the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH. Present were: Jon Levenstein (Chairman), Hal Newberry (Vice Chairman), Chris Bandazian (Town Council), Kelleigh Murphy (Town Council Alternate), Rick Sawyer (Town Manager), Mac McMahan, Rene Pincince, Charlie Fairman (Alternate), Matthew Sullivan (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. Jeff Foote, Karen McGinley, Randy Hawkins, and Monique Rice were absent. Mr. Fairman was appointed to vote in place of Mr. Foote and Mr. Sullivan was appointed to vote in place of Mr. Hawkins. Mr. Connors reviewed the agenda.

II. Old Business – Continued Hearings: None

III. New Business:

1. GD Holdings, LLC (Owner) – Request for approval of a site plan amendment to permit changes to the Phase 2 plan for a 39,810 square-foot Haigh Farr research, manufacturing, and warehousing facility at 43 and 43B Harvey Road, Lots 35-98-7 and 35-98-34, Zoned PZ.
2. West Street Keene, LLC c/o Riley Enterprises (Owner) – Request for site plan approval for a 3,024 square-foot restaurant and associated access, parking and site improvements at 28 South River Road, Lot 11-12, Zoned PZ (*This application has been postponed to the April 9, 2018 Planning Board meeting at the request of the applicant*).

IV. Concept Proposals and Other Business: None

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

MOTION by Councilor Bandazian to approve the agenda as presented. Mr. Pincince duly seconded the motion. Vote taken – all in favor. Motion carried.

Chairman Levenstein introduced new Planning Board members Kelleigh Murphy and Matthew Sullivan.

1. GD Holdings, LLC (Owner) – Request for approval of a site plan amendment to permit changes to the Phase 2 plan for a 39,810 square-foot Haigh Farr research, manufacturing, and warehousing facility at 43 and 43B Harvey Road, Lots 35-98-7 and 35-98-34, Zoned PZ.

A staff report from Mark Connors, Assistant Planning Director, dated March 26, 2018 as follows:

I. Project Statistics:

Owners: G.D. Holdings, LLC
Applicant: G.D. Holdings, LLC
Proposal: Site plan amendment to permit changes to the Phase 2 plan for the Haigh-Farr research and development facility
Location: 43 and 43B Harvey Road, Lots 35-98-34 and 35-98-7
Existing Zoning: "PZ" – Performance Zone
Surrounding Uses: Commercial – Manufacturing, Research & Development Office, Light Industrial

II. Background Information:

On July 14, 2014 the Planning Board reviewed a concept for the phased expansion of the Haigh Farr manufacturing and research and development facility on Harvey Road. On August 11, 2014, the Planning Board approved the site plan to allow the phased expansion of the facility. The two phases of the project were as follows:

- Phase 1 included the construction of a 2,400 square-foot building and a nine-lot parking facility on Lot 35-98-34 with an access driveway linking the site to an existing driveway on Lot 35-98-7 where a larger company facility is located.*
- Phase 2 included the redevelopment of Lot 35-98-34 to include a much larger 40,000 square foot research and development facility for Haigh Farr with 51 parking spaces, an access driveway off Harvey Road, and exterior loading and storage areas.*

On August 1, 2014 the Bedford Town Council formally discontinued a portion of Harvey Road that included a former cul-de-sac fronting the facility.

III. Project Description:

The applicant has revised the Phase 2 plan for the site. The updated plan is not vastly different from the approved plan - changes to the footprint and size of the building are relatively minor - however there are some significant site changes proposed which require Planning Board approval, including:

- *The addition of an interior connector crossing both lots and linking the Haigh Farr facilities on Lot 35-98-34 and Lot 35-98-7;*
- *Changes to the site parking to include 46 parking spaces and 30 future parking spaces from 51 spaces and seven future spaces in the previous plan;*
- *Significant changes to the loading area of the facility, and;*
- *A series of less significant changes to the site drainage, exterior storage areas, architecture, and landscaping.*

For the Board's reference, copies of the previously approved Phase 2 site plan are included in the Planning Board packets. The use is permitted in the Performance Zone and is consistent with the purposes of the zone.

Access, Traffic, Circulation & Parking

The driveway characteristics of the Phase 2 plan are very similar to the previously approved plan with a new curb cut provided for the new building off Harvey Road and a connector driveway linking to the company facility on Lot 98-35-7. Since the lots will not be merged, the applicant will need to record easements for cross access and maintenance as part of the site plan approval (Condition #9).

The applicant is proposing 46 parking spaces (including four handicap accessible spaces), down from 51 spaces in the original plan, and 30 future parking spaces, up from seven previously. The applicant is requesting a waiver from the Town's parking requirements (Section 322.2.1 of the LDCR) for reduced parking as 72 spaces are required by Town standards (Waiver #4). The applicant notes that only 20 additional employees are projected from the expansion with most workers of the existing Haigh Farr facility relocated to the new facility. Thirty additional future parking are included on the plan and may be constructed based on the needs of the facility in future years. As such, staff does not object to the waiver.

The applicant has submitted an updated Traffic Impact Memo indicating that the use will generate approximately 384 average weekday trips, with 65 trips in the AM peak hour and 55 trips in the PM peak hour. This is slightly reduced from, but consistent with, the estimated traffic generation from the previous Phase 2 plan. VHB has reviewed the memo and concurs with the applicant's engineer that the use will not materially affect the traffic flow characteristics of Harvey Road and Autumn Lane and their respective intersections with South River Road.

Harvey Road is part of the Town's Road Improvement Program and as part of the 2014 site plan approval the Planning Board required the applicant to pay the rational nexus payment of \$10,386 prior to pulling a building permit for the Phase 2 improvements. Since the rational nexus calculation was based on the frontage of lot, the amount of the payment is unchanged from the 2014 approval and the condition remains in effect (Condition #14).

Architecture

The building will be clad in split face concrete blocks in various neutral tones designed to evoke masonry materials. Parts of the structure will also include metal siding in blue that will help accent the dominant concrete facades. The least visible western façade and interior connector will also be clad with this siding material. The structure itself includes varying roof heights and

exterior colors, which should help to break up the massing of the building. Rooftop mechanicals will be located in the center of the building screened by the second story elements of the building. The architecture, building materials, and window materials will be designed to match the existing Haigh Farr facility to the south and is consistent with the design in the original site plan approval. The renderings show a sign mounted to the building and the applicant will need to apply to the Building Department for a sign permit. In staff's opinion, the proposed architecture is attractive and appropriate for an industrial/research and development use.

Interior Connector

One unique feature of the plan and a change from the original application is a proposed interior connector spanning the lot line between Lots 35-98-34 and 35-98-7 linking the Haigh Farr facilities. Staff would typically require an applicant to merge the lots to suit the improvement so the connector building is not spanning lot lines. However in this case, the applicant is requesting to keep the lots separate in order to allow the user additional flexibility in the future. This would require a waiver from the Zoning Ordinance to allow no side setback on Lots 35-98-34 and 35-98-7 where the connector is located (Waiver #2).

The applicant will need to work with the Building Department to construct the connector in accordance with building codes. The Building Department has informed staff that the applicant will need to install a party wall at the property line where fire resistance is shared by buildings on both sides of the wall. In the event that one of the parcels changes ownership, the applicant has agreed to remove the interior connector. The applicant will need to revise the deeds for both Lots 35-98-34 and 35-98-7 to formalize this requirement (Condition #10).

Landscaping, Lighting

The applicant proposes landscaping primarily centered along the front and north sides of the property. The plan shows maple, oak, ash and lilac trees supplemented by shrubbery and groundcover plantings. The area designated as the future parking area on the north side of parcel will be loamed and seeded until such a time as the parking area is constructed. The plan notes that the wooded areas on the easternmost portions of the lot (fronting the F.E. Everett Turnpike) will be protected and preserved. Therefore, the new building will be much less visible, if at all, from the turnpike than the existing Haigh Farr facility directly to the south.

The applicant is requesting a waiver from the side landscape strip requirement (Art. 275-63C[4] of the Zoning Ordinance) for reduced plantings, including along the northern property boundary with Lot 35-98-33 (Waiver #5). This waiver was granted as part of the 2014 Planning Board approval. However, the lot loading, refuse, exterior storage areas, and nitrogen tanks are located along the north side of the property and the applicant is also requesting a waiver from Section 323.3.1 to not fully screen ground utilities (Waiver #7). Staff does not object to granting the waiver for reduced side landscape strips, but would recommend that the applicant supplement the landscaping along the northern property boundary somewhat to provide more screening from the parcel to the north where the Bay State Farm Direct Flowers facility is located (Condition #11).

The applicant has submitted a lighting plan (Sheet C5 of the plan) and is requesting a waiver from Section 327.1.3 of the Land Development Control Regulations to allow exterior light

spillover from Lot 35-98-34 to Lot 35-98-7 (Waiver #6). Due to the campus-like nature of this project, staff does not object to the waiver. The lighting plan is otherwise consistent with the Town's requirements.

Stormwater & Utilities

The applicant proposes three bioretention areas to collect and treat stormwater situated on the front and rear portions of the parcel. A rain garden constructed as part of the Phase 1 improvements will remain. Though the location of the basins has changed slightly, the stormwater treatment plan is similar to the approved plan in 2014. The applicant has submitted a revised stormwater management report indicating that peak stormwater flows during 25-year storm events will not exceed pre-development conditions. VHB reviewed the report and only a single minor comment is outstanding.

The applicant is requesting a waiver from Section 323.3.1 of the LDCR (Waiver #7) to allow only partial screening of the generator and a liquid nitrogen tank stored on the north side of the structure (a privacy fence will extend six feet while the tank will measure eight feet and the generator 12 feet). As noted already, staff does not object to the waiver so long as the applicant supplements landscaping along the northern property line.

The parcel will utilize the same utilities available to the existing building on the site including public water and sewer. The applicant has requested a waiver from Section 326.3.1 of the LDCR requiring new utilities to be placed underground to allow a new utility pole in line with the existing overhead line (Waiver #8). The applicant has indicated that they hope to simply relocate the existing utility pole in the front setback and are requesting the waiver as a safeguard in case that option is unavailable. Staff would prefer no additional poles at the site but does not object to the waiver so long as it is the only reasonable alternative for extending utilities and would request the applicant provide written confirmation stating as such from Eversource (Condition #13). Utility service from the line to the building will be provided underground consistent with Town requirements.

IV. Waiver Requests:

The applicant is requesting the following waivers of the Zoning Ordinance and Land Development Control Regulations for which the Board will need to take action (please see attached letter from Amy Sanders of CLD/Fuss & O'Neil):

- 1. LDCR Section 325.9 to allow 1-foot of cover over a drainage pipe at one location where 3-feet is required. The applicant requests this waiver to allow reduced cover for a culvert linking the stormwater collection areas on both sides of the proposed driveway. This waiver was granted as part of the 2014 Planning Board approval with the understanding that the areas of reduced cover are fully located within the property boundaries and thus are the complete maintenance responsibility of the owner. Because the proposed culvert is also located fully within the property boundary and is solely the maintenance responsibility of the owner, staff does not object to the waiver for the same reasons.*
- 2. Article 275-62A(1) Dimensional Performance Standards and Table 3 to allow a zero-foot side structural setback on both Lots 35-98-34 and 35-98-7 for the purpose of allowing a*

connector building to cross the lot lines. Staff does not object for reasons stated in report.

3. *LDCR Section 317 Requirements for Final Application Phase Submittals to allow the applicant to show only a portion of Lot 35-98-7. The proposed improvements to Lot 35-98-7 are minimal as they relate only to the construction of the connector structure and utility and stormwater connections. As such, staff does not object to the waiver.*
4. *LDCR Section 322.2.1 to allow 46 parking spaces on Lot 35-98-34 where 72 spaces are required. Staff does not object for reasons stated in staff report.*
5. *Article 275-63C(4) Minimum Landscape Performance Standards for reduced side landscape strips. Staff does not object for reasons stated in staff report.*
6. *LDCR Section 327.1.3 to allow exterior lighting to spillover from Lot 35-98-34 to Lot 35-98-7. Staff does not object for reasons stated in staff report.*
7. *LDCR Section 323.1 to allow only partial screening of a liquid nitrogen tank and generator. Staff recognizes the challenge of fully screening utility features customary to an industrial use. Staff does not object to the waiver so long as the applicant increase landscaping along the northern property boundary.*
8. *LDCR Section 326.3.1 to allow an additional utility pole within the existing overhead line area. Staff does not object for reasons stated in staff report.*

V. Staff Recommendations:

The Planning Board needs to vote on whether or not to grant the waivers from the Zoning Ordinance, for Articles 275-62A(1), and 275-63C, and from the Bedford Land Development Control Regulations for Sections 325.9, 317, 322.2.1, 327.1.3, 323.1, and 326.3.1 as previously described.

The Planning Staff recommends that the Planning Board grant final approval for a site plan amendment to permit changes to the Phase 2 expansion plan for Haigh-Farr, G.D. Holdings, LLC (Owner), at 43 and 43B Harvey Road, Lots 35-98-34 and 35-98-7, Zoned PZ, as shown on the plans by CLD, last revised March 7, 2018, with the following precedent conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions to be fulfilled as noted:

1. *A performance guarantee in an amount approved by the Town for onsite maintenance of erosion and sedimentation controls shall be placed on file.*
2. *Arrangements will be made with the Planning Department regarding payment and coordination of third party inspections.*
3. *The applicant shall address all outstanding technical comments to the satisfaction of the Planning Director and the Director of Public Works*
4. *The applicant shall submit any outstanding engineering review fees, if any, to the Planning Department.*
5. *The applicant shall note all of the waivers on the plan and the date of Planning Board approval.*

6. *The owner shall sign the plans.*
7. *The NHDES Alteration of Terrain Permit shall be obtained and the approval number noted on the plan.*
8. *A letter from Manchester Water Works stating they will be able to serve this project shall be submitted to the Planning Department.*
9. *The applicant shall record easements regarding cross access and maintenance between Lots 35-98-34 and 35-98-7. The easement language shall be to the satisfaction of the Planning Department.*
10. *The applicant shall revise the deed language to Lots 35-98-34 and 35-98-7 to require the complete removal of the connector building spanning the lot boundaries prior to a property transfer of one of the parcels. Should both parcels be transferred to the same owner, removal of the connector shall not be required.*
11. *The applicant shall revise the landscape plan to provide a minimum of eight additional evergreen trees along the north side of the parcel in order to supplement screening of the site from the parcel to the north.*
12. *In the event that an additional utility pole is added to Lot 35-98-34 in line with the existing overhead lines along Harvey Road, the applicant shall provide written confirmation from Eversource that the additional pole offered the only reasonable alternative for extending utilities to the site.*
13. *Prior to commencement of work, the applicant will hold a preconstruction conference with the Planning Department, Public Works Department, and Building Department.*
14. *Prior to issuance of a building permit for the Phase 2 building, payment of the \$10,386 Harvey Road fair share contribution shall be made to the Planning Department.*
15. *Prior to an issuance of a certificate of occupancy, the sewer accessibility fee shall be paid.*
16. *Prior to issuance of a certificate of occupancy, all site improvements depicted on the plan shall be completed.*

Amy Sanders of CLD/Fuss & O'Neil, Christina O'Brien of Market Square Architects, and owner Norene Farr were present to address this application for a site plan amendment.

Ms. Sanders stated this application for site plan amendment is for Lots 35-98-34 and 35-98-7 located on the southern end of Harvey Road near where it intersects with Autumn Lane. The majority of improvements will occur on Lot 34, although there will be some on Lot 7. The improvements on Lot 7 are limited to an interior connection corridor and drainage connection. The lots are bordered on the west side by the FE Everett turnpike and Route 3 on the east. We are proposing 46 parking spaces (including four handicap accessible spaces), down from 51 spaces in the original plan, which was approved in 2014, and 30 future parking spaces, up from seven previously, of which one would be a handicap space. A waiver would be required for the parking requirements from Section 322.2.1 of the Bedford Land Development Control Regulations for reduced parking as 72 spaces are required by Town standards. We are proposing three handicap parking spaces as well. There will only be 20 additional employees from the

expansion with most workers of the existing Haigh Farr facility relocated to the new facility. Thirty additional future parking are included on the plan and may be constructed based on the needs of the facility in future years.

A copy of the site plan was posted on the screen. Ms. Sanders continued you can see the existing building, which is in the darker brown, and because we are proposing an interior connection corridor, we would need a waiver for the setback on the side as the corridor is crossing property lines. We are proposing a new driveway off from Harvey road that will be controlled by a 34-foot cantilevered slide gate, and the other building also has a similar gate. Sidewalks will be constructed from the existing sidewalk to the northerly parking area, with another sidewalk to access the door on the south side of the building and one to connect to the interior connection corridor door. The loading dock and circulation for the loading dock is on the northwest side of the building, and there are also two overhead garage doors. The site will be designed to accommodate B-67 vehicles as shown on the plan. Also, there is proposed outdoor storage on the north side of the building for two dumpsters, liquid nitrogen storage tanks and the generator. The dumpsters will have traditional screening, and we are requesting a waiver to allow reduced screening height for the generator (12 feet) and the nitrogen storage tank (8 feet). A row of bollards will be installed on the north side of the fence and additional plantings have been proposed to help with screening. Sewer, water and gas will be extended into the new building although we need to provide new electrical and telecommunications. There is an existing utility pole as shown on the plan and we will be adding a new pole. Once the building is up and running the existing utility pole will be removed. We are requesting a waiver for the new utility pole. The lighting plan was posted on the screen. We are proposing wall mounted and pole mounted fixtures of LED cutoffs to provide perimeter lighting around the building for security. Security cameras will be installed and they require adequate lighting. We are requesting a waiver to allow exterior light overspill along the southerly property line to allow for additional light for the security cameras.

With regard to drainage, there is a municipal pipe that crosses Harvey Road and passes through the properties and discharges toward Stebbins Brook on the west side of the building. The drainage pipe carries runoff from the east side of Harvey Road and the properties adjacent to it and also from the northerly properties and westerly of Harvey Road and the runoff from existing pavement runs over land to a bioretention area designed to infiltrate runoff. The new pavement and sidewalk runoff will flow over land to a sedimentation forebay and when it reaches a certain elevation, it will overflow into a bioretention area. The driveway culvert requires a waiver, which we have requested, to reduce coverage over the pipe to 1 foot. This culvert pipe will be constructed entirely on the applicant's property and will be maintained by the owner, and it will be enclosed with concrete. Drainage has been designed to meet Town and State Alteration of Terrain and that permit has been granted. Landscaping has been designed to meet the intent of the regulations. A description of the landscape areas and plantings were reviewed with the Board. We are requesting a waiver of the northerly side landscape strip. With the current trees and our planting trees on part of the future parking area, we feel that there is adequate landscaping to screen the area.

Chairman Levenstein asked did you consider consolidating the lots? Ms. Sanders replied that had been considered but the owner felt it was better for their business to keep the lots separate

and provide the necessary agreements to allow for the connector crossing and sewer connection crossing.

Mr. Pincince asked are the retention areas designed to accommodate the construction of the future parking spaces? Ms. Sanders replied yes; they have been designed as if the 30 spaces were already built.

Town Manager Sawyer asked why can't you use the existing pole? Is EverSource saying you can't? Ms. Sanders replied it is my understanding there is already a riser on that utility pole and they can't keep the 2,400 square foot portion of the building energized while they make these connections. Town Manager Sawyer stated I thought the 2,400 square foot building was fed by the southerly pole.

Town Manager Sawyer asked is the drainage easement located near the 2,400 square foot building a public easement? Ms. Sanders replied I don't know. Town Manager Sawyer stated it used to be. If it is public, I see it is public in the previously approved plans, it does take all of the street drainage and I am going to guess the easement would require Town approval to allow you to build over the top of it. Ms. Hebert stated it is labeled drainage easement to the Town of Bedford to the very far left. That is not totally clear. Town Manager Sawyer stated I only noticed it tonight. I see you are sleeving underneath the building and it would make it challenging if the Town needs to get in there. Chairman Levenstein stated on Sheet 7D it talks about storm drainage easement. Town Manager Sawyer stated maybe staff can think of another condition to be added to the motion for that.

Mr. Fairman stated during a site visit I noticed the building on 41 Harvey Road is 43A and the other is numbered 43B. Are you going to keep it that way or renumber to 43A and B? Ms. Sanders replied I believe that came from the Fire Department. Due to fire concerns they wanted to renumber it to 41. Mr. Fairman asked will there be any signage required due to the renumbering? Ms. Sanders replied on the building but not on the land. There will be a second sign on the second building.

Mr. McMahan asked did the Fire Department look at the corridor and did the Chief say they have enough room to maneuver? Mr. Connors replied that the Fire Department reviewed the plans and did not note any concerns about accessing the site. The applicant provided turning movement radii for trucks in the plans. As for the interior connector, the applicant will have to work with the Building and Fire Departments to ensure it meets all building codes.

Mr. McMahan asked once the additional parking spaces are constructed, do you believe you will have enough room to handle snow removal? Ms. Sanders replied we show some additional snow storage areas mainly along the perimeters as shown on the plan. It all comes down to how they feel they need to manage their spaces and storage, and if there is not enough room for snow storage, it will have to be removed from the property.

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

Christina O'Brien of Market Square Architects posted and reviewed the elevations of the

proposed building. Ms. O'Brien stated all colors and finishes were designed to match and look similar to the existing building. The blue panel is an insulated panel similar to the one on the existing building. The bands of grays and browns are shown on split-face concrete block, similar to the colors and textures of the existing building as well. You can see the two sections of 2-stories and the center portion of 1-story. The mechanical equipment will be screened by the two higher portions of the building and the windows are designed to reflect, similar to the existing building. The new sign will be mounted on the east elevation of the new building and will be very similar to the Haige-Farr sign currently on the existing building.

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

MOTION by Councilor Bandazian that the Planning Board grant the following waivers from the Bedford Land Development Control Regulations and Zoning Ordinance:

- 1. LDCR Section 325.9 to allow 1-foot of cover over a drainage pipe at one location where 3-feet is required.**
- 2. Article 275-62A(1) Dimensional Performance Standards and Table 3 to allow a zero-foot side structural setback on both Lots 35-98-34 and 35-98-7 for the purpose of allowing a connector building to cross the lot lines.**
- 3. LDCR Section 317 Requirements for Final Application Phase Submittals to allow the applicant to show only a portion of Lot 35-98-7.**
- 4. LDCR Section 322.2.1 to allow 46 parking spaces on Lot 35-98-34 where 72 spaces are required.**
- 5. Article 275-63C(4) Minimum Landscape Performance Standards for reduced side landscape strips.**
- 6. LDCR Section 327.1.3 to allow exterior lighting to spillover from Lot 35-98-34 to Lot 35-98-7.**
- 7. LDCR Section 323.1 to allow only partial screening of a liquid nitrogen tank and generator.**
- 8. LDCR Section 326.3.1 to allow an additional utility pole within the existing overhead line area.**

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

MOTION by Councilor Bandazian that the Planning Board grant final approval for a site plan amendment to permit changes to the Phase 2 expansion plan for Haigh-Farr, G.D. Holdings, LLC (Owner), at 43 and 43B Harvey Road, Lots 35-98-34 and 35-98-7, Zoned PZ, as shown on the plans by CLD, last revised March 7, 2018, with the following precedent conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions to be fulfilled as noted:

- 1. A performance guarantee in an amount approved by the Town for onsite maintenance of erosion and sedimentation controls shall be placed on file.**
- 2. Arrangements will be made with the Planning Department regarding payment and coordination of third party inspections.**
- 3. The applicant shall address all outstanding technical comments to the satisfaction of the Planning Director and the Director of Public Works**

- 4. The applicant shall submit any outstanding engineering review fees, if any, to the Planning Department.**
- 5. The applicant shall note all of the waivers on the plan and the date of Planning Board approval.**
- 6. The owner shall sign the plans.**
- 7. The NHDES Alteration of Terrain Permit shall be obtained and the approval number noted on the plan.**
- 8. A letter from Manchester Water Works stating they will be able to serve this project shall be submitted to the Planning Department.**
- 9. The applicant shall record easements regarding cross access and maintenance between Lots 35-98-34 and 35-98-7. The easement language shall be to the satisfaction of the Planning Department.**
- 10. The applicant shall revise the deed language to Lots 35-98-34 and 35-98-7 to require the complete removal of the connector building spanning the lot boundaries prior to a property transfer of one of the parcels. Should both parcels be transferred to the same owner, removal of the connector shall not be required.**
- 11. The applicant shall revise the landscape plan to provide a minimum of eight additional evergreen trees along the north side of the parcel in order to supplement screening of the site from the parcel to the north.**
- 12. In the event that an additional utility pole is added to Lot 35-98-34 in line with the existing overhead lines along Harvey Road, the applicant shall provide written confirmation from Eversource that the additional pole offered the only reasonable alternative for extending utilities to the site.**
- 13. Prior to commencement of work, the applicant will hold a preconstruction conference with the Planning Department, Public Works Department, and Building Department.**
- 14. Prior to issuance of a building permit for the Phase 2 building, payment of the \$10,386 Harvey Road fair share contribution shall be made to the Planning Department.**
- 15. Prior to an issuance of a certificate of occupancy, the sewer accessibility fee shall be paid.**
- 16. Prior to issuance of a certificate of occupancy, all site improvements depicted on the plan shall be completed.**

Councilor Bandazian asked is the performance guarantee for onsite erosion and sedimentation a permanent condition or temporary for only during construction? If it is not temporary, should they not be including a maintenance plan for those features? Ms. Hebert replied it is for construction. We could include a condition but this is intended to be a temporary performance guarantee to stabilize the site if construction stops. It is standard for us to get this and then release it once a Certificate of Occupancy has been issued or the site has been stabilized.

Councilor Bandazian asked what would trigger requiring construction of the additional parking? Ms. Hebert replied for a site like this it would be the owner's initiative. The type of use of research and development within the building there is a lot of open space within the building, similar to a warehousing use. If a different company were to come in, they may have additional

workers that may require that parking to be constructed. Councilor Bandazian asked if the Town felt it was needed by this owner, would that be a site plan violation? Ms. Hebert replied we don't feel it is worded that way. Town Manager Sawyer stated there is a note at the end that they will be constructed as needed by the applicant or by request of the Planning Director. I don't see why that couldn't be added to the motion. Ms. Hebert responded we could add that.

Town Manager Sawyer asked should we have a long-term maintenance plan for the bioretention basins? Councilor Bandazian responded yes, I think we should. I recall that we had a similar type of condition at the Land Rover site. Ms. Hebert stated it is not our current common practice but you can ask for it. Ms. Sanders stated we have to maintain copies of a yearly inspection report and those could be forwarded to the Town if need be.

Councilor Bandazian added the following conditions to his motion.

- 17. The owner shall provide to the Planning Department an annual report regarding the maintenance and performance of the stormwater treatment facilities on the properties.**
- 18. A note shall be added to the plan indicating that the 30 future parking spaces shall be constructed as needed or at the direction of the Planning Director.**
- 19. The applicant shall obtain all necessary approvals for the interior corridor connector from the Town of Bedford.**

Vice Chairman Newberry duly seconded the amended motion. Vote taken - all in favor. Motion carried.

- 2. West Street Keene, LLC c/o Riley Enterprises (Owner) – Request for site plan approval for a 3,024 square-foot restaurant and associated access, parking and site improvements at 28 South River Road, Lot 11-12, Zoned PZ. (This application has been postponed to the April 9, 2018 Planning Board meeting at the request of the applicant).**

V. Approval of Minutes of Previous Meetings:

Amendment: Page 13; change Vice Chairman Newberry making the motion to Mr. Fairman.

MOTION by Councilor Bandazian to approve the minutes of the March 12, 2018 Planning Board meeting as amended. Mr. Pincince duly seconded the motion. Vote taken; motion carried, with Town Manager Sawyer abstaining.

III. Communications to the Board:

Ms. Hebert stated there is a public informational meeting for the FE Everett turnpike widening project. The State is in the process of preliminary engineering and environmental review of a widening project from Nashua to Bedford, and they have scheduled three public informational meetings. There will be one held in Bedford on March 29th in this room from 5:00 p.m. to 7:00

p.m. with an open house forum where you can walk around to look at plans and a presentation on the project is at 7:00 p.m.

Ms. Hebert stated I wanted to let the Board know that we have received notice that an appeal has been filed on the Board's decision to approve the proposed cell tower at 5 Wallace Road, and we are working with the Town's attorney to defend the Board's decision on this application. If you remember, this is also an application that was appealed at the Zoning Board level, so we have those two in court right now. I will provide updates on that process as soon as we have them.

Ms. Hebert stated the RFP for the Master Plan has been issued and we are expecting proposals on Friday. We have proposed a selection committee made up of three Planning Board members. Vice Chairman Newberry, Chairman Levenstein and Ms. McGinley have all volunteered to serve on the selection committee, and Councilor Murphy and Councilor Bandazian as Town Council reps. Staff would participate in the selection process but would not vote on the final selection of the successful candidate.

Mr. Fairman stated when I was down on Harvey Road today by Harvey Construction, the street was only one lane because of vehicles parking on the road. I bring it up out of concern for fire and other issues down there. I know they have some construction going on but it really looked like quite a problem. Ms. Hebert responded we will certainly take a look at that. I think Mr. Connors was actually out there today. Mr. Connors stated I noticed the same thing. We are working on it. They have an application to expand their parking at the administrative level so that should take care of some of that.

Mr. Pincince asked are there any update on the Market & Main project? Ms. Hebert responded we have been notified that Hutter Construction has remobilized onsite, they are resuming their construction meetings weekly and we expect to see a lot more activity on the property.

Mr. Fairman asked on the widening of FE Everett turnpike; as you know there is a lot of river property north of I-293 in that area and I think it would be nice for the Town to eventually use that area for recreation. I am wondering about the Town trying to get the State, when they widen the FE Everett turnpike north of I-293 and that little bit of area by Market & Main, trying to get a walking tunnel through that area with access to some place like Market & Main or behind Whole Foods or in that area when they do that. It is just something I will bring up to think about as part of the Master Plan but obviously now is the time to bring it up with the State if we want to get that into the plans. Ms. Hebert responded absolutely. Mr. Fairman stated I just think it might be a nice area to walk through from these areas. Ms. Hebert stated Mr. Fairman, I agree that connection would be fabulous, and I hope to hear more about that as we begin the Master Plan discussion process and think about how we can improve bicycle and pedestrian amenities in town. Vice Chairman Newberry asked Ms. Hebert, is there a good way to promote that to the State? Ms. Hebert replied I think attending this informational meeting this week would be an important step in that process and getting a sense of the scope of what the FE Everett turnpike widening project is and if this is an area that is going to be affected by the widening or not, then I think just voicing our concerns and letting them know connections to the riverfront are important.

Vice Chairman Newberry asked that doesn't need to be done in a formal manner necessarily? Ms. Hebert replied I don't have a lot of information on the FE Everett turnpike widening except what is on the back of this informational brochure. I am expecting to go to the meeting and learn about what the scope of the work is and exactly what that means for Bedford. Town Manager Sawyer may have had some additional discussions with the DOT on this project, but I am really at the beginning stages of learning what the scope is and how it affects Bedford. Town Manager Sawyer stated I think we are all at the beginning stages on this. I believe these are the first meetings that have been held anywhere on this, and it is a project that is pretty far out in the 10-year plan, but may have been accelerated with the increase in tolls from a couple of years ago. I have not been sitting in on the 10-year plan meetings where I have heard this talked about anytime recently anyway. Mr. Pincince stated there has also been discussion at the Southern NH Planning Commission about this project moving up in terms of funding. I agree with you that it is out there a ways.

VII. Reports of Committees: None

VIII. Adjournment:

MOTION by Vice Chairman Newberry to adjourn at 7:50 p.m. Mr. Pincince duly seconded the motion. Vote taken – all in favor. Motion carried.

Respectfully submitted by
Valerie J. Emmons