

**TOWN OF BEDFORD**  
**August 13, 2018**  
**PLANNING BOARD**  
**MINUTES**

A meeting of the Bedford Planning Board was held on Monday, August 13, 2018 at the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH. Present were: Jon Levenstein (Chairman), Hal Newberry (Vice Chairman), Karen McGinley (Secretary), Kelleigh Murphy (Town Council), Rick Sawyer (Town Manager), Rene Pincince, Mac McMahan, Charlie Fairman (Alternate), Matt 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. Town Councilor Chris Bandazian, Public Works Director Jeff Foote, regular member Randy Hawkins were absent. Councilor Murphy was voting in place of Councilor Bandazian, Mr. Fairman was appointed to vote in place of Mr. Hawkins, and Mr. Sullivan was appointed to vote in place of Mr. Foote. Mr. Connors reviewed the agenda.

II. Old Business – Continued Hearings: None

III. New Business:

1. Noah's Event Venue (Applicant), Rockwell Bedford, LLC (Owner) – Request to amend a condition of a final site plan approval granted by the Planning Board August 14, 2017 to construct an 8,057 square-foot banquet hall and meeting facility at 379 South River Road, Lot 35-3, Zoned PZ.
2. Melissa McNulty (Applicant), Dudek Realty Inc. (Owner) – Request for site plan approval to change the use of an existing 1,222 square-foot retail building to a hair salon at 133 Bedford Center Road, Lot 20-42, Zoned CO and R&A.
3. Arista Development, LLC (Applicant), Single Tree Acquisition, LLC (Owner) – Request for site plan approval to construct a 2,861 square-foot bank with drive-through service and associated site improvements at 91 South River Road, Lot 12-22, Zoned PZ.
4. Harvey Construction (Applicant), Harvey Road Commercial Property, LLC (Owner) – Request for site plan approval to construct a 20,000 square-foot industrial warehouse building with accessory office space at Harvey Road, Lot 35-98-48, Zoned PZ (*This application has been postponed to the September 10, 2018 Planning Board meeting*)

*at the request of the applicant).*

IV. Concept Proposals and Other Business: None

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

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

**1. Noah’s Event Venue (Applicant), Rockwell Bedford, LLC (Owner) – Request to amend a condition of a final site plan approval granted by the Planning Board August 14, 2017 to construct an 8,057 square-foot banquet hall and meeting facility at 379 South River Road, Lot 35-3, Zoned PZ.**

A staff report from Mark Connors, Assistant Planning Director, dated August 13, 2018 as follows:

***I. Project Statistics:***

*Applicant: Noah’s Event Venue*  
*Owner: Rockford Bedford, LLC*  
*Proposal: Request to amend a condition of final site plan approval*  
*Location: South River Road (Lot 35-3)*  
*Existing Zoning: “PZ” – Performance Zone*  
*Surrounding Uses: Residential, Office, and Warehouse*

***II. Background Information:***

*On August 14, 2017, the Planning Board granted site plan approval for an 8,181 square-foot, 250-seat event venue to be operated by Noah’s Event Venues, subject to several conditions including that the applicant complete off-site improvements to South River Road, including the construction of turning lanes, prior to the opening of the facility. On June 11, 2018 the Planning Board approved a sign waiver to allow Noah’s to display building signs with non-opaque backgrounds.*

***III. Waiver Request:***

*The applicant is requesting an amendment to Condition #19 of the August 24, 2017 Planning Board site plan approval. Condition #19 reads as follows:*

***19. Prior to issuance of a certificate of occupancy, all off-site improvements depicted on the plan shall be completed to the satisfaction of the Town and the NH Department of Transportation.***

*The off-site improvement plan includes the addition of left-turn lanes to South River Road on both the north and southbound approaches to improve access to the Noah's facility and to Harvey Road, which is located directly across South River Road from the Noah's driveway.*

*The applicant has encountered several issues in the relocation of utility poles along South River Road (see letter from Chris Winkle of Noah's Event Venue). The relocation of the poles is necessary to allow the wider roadway width at the intersection. According to the applicant, the poles were relocated by the utility companies prior to obtaining NHDOT approval. NHDOT rejected the pole locations as they conflicted with the approved engineering plans. Most recently, the utility companies and NHDOT have come to an agreement for the placement of the poles, however the project is now a few months behind schedule.*

*Noah's had scheduled several events for August and September, anticipating that the work would be completed by that date and the facility would be open. The applicant has agreed to cancel booked events scheduled for those months, but is requesting an exception to allow two weddings scheduled for August to go forward prior to the completion of the off-site improvements to South River Road. The weddings are scheduled for August 15 and August 18. The August 15 event is scheduled for 6:30-8 pm and will include 30 guests while the August 18 event will include 200 guests and would run from 5-10 pm.*

*The applicant is requesting that access to the facility for the two weddings in August be provided via the driveway on Technology Drive through the Calamar site. NHDOT will not allow access to the facility from South River Road prior to the completion of the off-site improvements, even on a temporary basis (see e-mail from Brian Desfosses, NHDOT Asst. District Engineer).*

*Noah's possesses an easement to allow cross-access between their facility and the Maple Ridge Estates senior apartments to the east. The Planning Board approved the site plan for the apartments and commercial use in 2015 with the understanding the development would function as an inter-connected mixed-use site and the access easements were required as a condition of approval.*

*The applicant has included several mitigation measures as part of its request, including; providing parking attendants at the South River Road entrance and on the Maple Ridge Estates site to direct guests and insure safety through the duration of the events, and providing temporary signage in front of the location directing guests to Technology Drive and on South River Road directing guests to the entrance.*

*Noah's should also communicate the traffic patterns clearly to the parties who have booked the weddings so that they may inform their guests. All signage shall be installed the day of the event and be removed immediately following the events. The applicant should also obtain written permission from the Maple Ridge Estates property ownership or management to allow attendants to be stationed on that property during the events, and provide that documentation to the Planning Department.*

#### **IV. Draft Motions:**

***I move that the Planning Board approve an amendment to Condition #19 of the August 14, 2017 site plan approval for Noah's Event Venue at South River Road, Lot 35-3, to read as follows:***

***19. Prior to issuance of a certificate of occupancy, all off-site improvements depicted on the plan shall be completed to the satisfaction of the Town and the NH Department of Transportation. The applicant may hold two wedding events on August 15, 2018 and August 18, 2018 prior to the completion of the off-site improvements, subject to the following stipulations:***

- i. All on-site improvements are completed to the satisfaction of the Planning Department.*
- ii. Temporary signage shall be placed in front of the site, at South River Road on the approaches to Technology Drive and on Technology Drive informing event visitors of the traffic pattern to the site. All temporary signage shall be installed and removed the day of the events.*
- iii. A Bedford Police detail shall be stationed at the front of the property during the events and the South River Road driveway shall be blocked off from traffic.*
- iv. Parking attendants shall be stationed on the Maple Ridge Estates property through the duration of the events to facilitate safe traffic flow. The applicant shall provide Planning staff written permission from the Maple Ridge Estates management/ownership to allow attendants to be stationed on their property.*
- v. The temporary Assembly permit shall only be valid for the two events on August 15 and August 18 and will expire after the August 18, 2018 event.*
- vi. All other conditions of the August 14, 2017 Planning Board approval shall remain in full effect.*

Councilor Murphy stated Mr. Chairman, as a professional courtesy since I own an event venue; I am going to recuse myself from hearing and voting on this application.

Chris Winkle of Noah's Event Venue was present to address this application to amend a condition of final site plan approval.

Mr. Winkle stated thanks for seeing us again. As you could see in your packet, and I am sure you have seen the letters and the report, that we have run into some snags. Part of our original conditions was that Condition #19 for the road improvements be completed as part of our Certificate of Occupancy. What we are at right now is we have been struggling with the utility companies on here. We have been coordinating with the utility company since October of last year in order to get the utilities moved, and what ended up happening is they were supposed to have them done by March and we have still been fighting with them since March. Back in May they actually relocated them but they skipped steps and they didn't match the approved New Hampshire DOT plans, so when they went out there, they drilled them, they put them in where they wanted to put them in, and DOT came out there and denied them their locations. In some cases they have 8 feet between the edge of pavement and that is like the minimum standard. There is more right-of-way so they were supposed to put them out further but they decided to put them where they wanted and they were actually within the 8 feet so obviously DOT couldn't certify them. What happens is they left a few poles because we brought that up and that got

brought up by DOT they stopped doing any work and then have been battling it out with DOT for several months on whose fault it was and that we had certified it. Well, at the same point they had told all the people that they could relocate their utilities to the new pole locations so everybody has moved them to the new pole locations, which are not the right pole locations, so now we have to get them all relocated again and get everybody off from them and get them back on again. So this has just been going on and on and on and on. And because they left the poles where they were at before, we couldn't do our road improvements. So we are at the point where we have had events booked and have been on them to get that done and it has put us to the point that we can't get them done without having those poles relocated.

Mr. Winkle continued as of last week they relocated the one pole that was left that was in the middle of the drive link, so we can actually start our road construction now, and we are planning on starting that next week and we will have that done in three to four weeks. We are feeling good about that part and then they can relocate their poles out further as they go. It is to the point for us that we just keep battling a battle we can't win. I kind of tried to stay to my letter; we have already paid them to relocate the poles once, they are actually after us to pay for them again, so we are struggling with that one right now a little bit too because it shouldn't be our responsibility because they told everybody to do it. That is coming in a chain reaction for everybody. We will be able to start the road and get that stuff moving hopefully, next week is our plan, weather permitting and everything along that line.

Mr. Winkle stated we have two events this week on Wednesday and Saturday. Wednesday is a small 30-person event, so it is pretty small for 1.5 hours, so it won't take that long to get through that and not that much traffic. The event on the weekend is a 200-person event, so obviously we are going to have a little bit more. When we book the events like that, it is booked from noon to midnight but the event really doesn't actually start until like 5:00 p.m., so it is like 5:00 p.m. to 10:30 p.m. is what the event is, which is a small amount time. Between noon and 5:00 p.m. is set up time and all that kind of stuff.

Mr. Winkle continued what you had approved previously kind of helps us out a little bit is that there is actually an access easement coming across our property from South River Road all the way over to Technology Drive, through the Calamar Maple Ridge place, that gives us full access to use that as an entrance so what we are coming to you for a proposal to remove #19 from our conditional of approval so we can get approval, have our two events, and be able to have those two events so we can have those this week. We have cancelled all of our other events; we only have one other event that is scheduled for the end of September, which we are hoping that we can meet, and that is the Rotary Club from around here, so since it considers a lot of political positions and a lot of businesses around here, we would like to be able to keep that one so we are really pushing it to try to make everything happen by that date so we can keep that one. We are asking for you to just let us have these two events this week so that we can continue on with this. We have coordinated with Calamar, so they are being a good neighbor. Part of our agreement, that you will see in your packet, is the plan that is posted and we have made signage so obviously we are sitting here in the middle and what we are going to do is block off our front entrance. I have a 2-foot x 3-foot A-frame sign made up that says Noah's Event traffic use Technology Drive and has an arrow pointing to Technology Drive going both ways. We are going to do the same thing at the top of the hill that is about halfway up there forewarning them again that it is

closed and to use Technology Drive. We are going to have signs at Technology Drive, it is going to point over and it says Noah's Event traffic showing them where to go there, and then we will have one at the entrance down there at Maple Ridge. We have also agreed with Calamar to have three personnel to direct traffic there so that we can make sure everything goes smoothly. As you probably remember, we always want to be a good neighbor and we remember the things from our initial meeting that we had some residents that were concerned about that traffic through that easement before when we had to take it out, so we have talked to them and everything so we will have three guys there just to make sure that they are watching the traffic coming in and out, our traffic is going where it is supposed to be, but if somebody is backing out of the parking spot or the garage or something along that line that both traffic know that somebody is coming, to stop, go, whatever, so we can minimize that as little as possible.

Chairman Levenstein asked for questions from the Board.

Mr. Fairman asked the attendants will be there at the conclusion of the event as well as the beginning? Mr. Winkle replied throughout the event, yes. Mr. Fairman asked is your parking lot going to be ready for parking? Mr. Winkle replied that was the next thing I was going to complete. We are done with all of our stuff for Certificate of Occupancy so we have already gotten a Fire sign-off, Wayne Richardson was out there today to double check everything, we have a couple of little things for him and he's coming back out tomorrow, Mark is coming back out tomorrow to go through the parking lot, landscaping and all of the site stuff, so the parking lot is done, it is completely striped, even the entrance is striped, and all that kind of stuff. Sidewalks were final poured today so we all the sidewalks are in now. Between the two we will be cleaning up all of the landscape stuff that was near the sidewalks and driveways and stuff where all the vehicles were and everything like that that is left.

Ms. McGinley asked you own this site now? Mr. Winkle replied yes.

Mr. Sullivan asked the 200-party event on Saturday is a wedding? Mr. Winkle replied yes. Mr. Sullivan asked is there any chance that the party is going to be using bussing or group transportation or is it going to be all cars and individuals? Mr. Winkle replied I don't know 100 percent, but I am pretty sure it is all cars and individuals. What we will do is, with your approval here tonight, we actually have talked about that and we will notify everybody and make sure that they notify their wedding people that are coming that that is the entrance they are going to use.

Chairman Levenstein stated we do have an email from Calamar that will be in the file as part of the record. Essentially they are agreeing to allow it through their lot. I believe they want you to get some insurance. Mr. Winkle responded he has that already. I got it today.

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

Town Manager Sawyer asked have you seen the staff report from Mr. Connors? The conditions in there have one thing that I don't think you mentioned, and I just wanted to make sure that you are okay with and that is the police officer. Mr. Winkle responded I was going to ask you if we actually really needed that if we have it blocked off or not. We have already talked to them today but they are not sure that they can staff that. We were kind of talking about it and had

already talked to them and it sounded like they might not be able to staff it, so we thought if we barricaded that off, is that good enough for the Board with our signage. Mr. Connors responded you are going to have to have someone out there just in case people go there by accident. Not necessarily a police detail but at least an attendant out front. Mr. Winkle responded yes, we can probably easily do an attendant out there instead.

Vice Chairman Newberry asked could you just detail how you are going to block off the South River Road entrance? Mr. Winkle replied right now we have orange cones but we also have saw horses going across there and caution tape. Vice Chairman Newberry asked so it will look pretty obvious that it is blocked off? Mr. Winkle replied yes; and then we will have that sign. The sign is one of those big huge A-frame signs and it will be sitting right in the middle of the driveway too, so they will see that at the same point. Town Manager Sawyer stated this evening it was just one side of the driveway that was blocked off. I know you have contractors going in now, but you will have both sides fully blocked off for the events? Mr. Winkle replied yes, both sides will be fully blocked off.

Town Manager Sawyer stated just to speak to the details; as you know, all of the construction going on, not just in Bedford but in the region, most of the officers who want details are getting them regularly and probably don't want one on a Saturday evening and I can understand that.

Mr. McMahan stated I think it is admirable what you are doing so the couple can have their wedding. Mr. Winkle replied thank you; we appreciate that.

Mr. Winkle asked if we still run into problems with the utility company, can we come back for a September event or something along that line? Would the Board consider that or not? Chairman Levenstein replied if you have to come back, come back. Mr. Winkle responded okay. We are just worried that we heard they are going on strike and winter is coming.

**MOTION by Town Manager Sawyer that the Planning Board amend Condition #19 of the August 14, 2017 site plan approval for Noah's Event Venue at South River Road, Lot 35-3, to read as follows:**

- 19. Prior to issuance of a certificate of occupancy, all off-site improvements depicted on the plan shall be completed to the satisfaction of the Town and the NH Department of Transportation. The applicant may hold two wedding events on August 15, 2018 and August 18, 2018 prior to the completion of the off-site improvements, subject to the following stipulations:**
  - i. All on-site improvements are completed to the satisfaction of the Planning Department.**
  - ii. Temporary signage shall be placed in front of the site, at South River Road on the approaches to Technology Drive and on Technology Drive informing event visitors of the traffic pattern to the site. All temporary signage shall be installed and removed the day of the events.**
  - iii. A parking lot attendant shall be stationed at the front of the property during the events and the South River Road driveway shall be**

- blocked off from traffic.**
- iv. Parking attendants shall be stationed on the Maple Ridge Estates property through the duration of the events to facilitate safe traffic flow. The applicant shall provide Planning staff written permission from the Maple Ridge Estates management/ownership to allow attendants to be stationed on their property.**
  - v. The temporary Assembly permit shall only be valid for the two events on August 15 and August 18 and will expire after the August 18, 2018 event.**
  - vi. All other conditions of the August 14, 2017 Planning Board approval shall remain in full effect.**

**Ms. McGinley duly seconded the motion. Vote taken - all in favor. Motion carried.**

Councilor Murphy returned to the meeting.

- 2. Melissa McNulty (Applicant), Dudek Realty Inc. (Owner) – Request for site plan approval to change the use of an existing 1,222 square-foot retail building to a hair salon at 133 Bedford Center Road, Lot 20-42, Zoned CO and R&A.**

A staff report from Mark Connors, Assistant Planning Director, dated August 13, 2018 as follows

***I. Project Statistics:***

*Applicant: Melissa McNulty*  
*Owners: Dudek Realty Inc.*  
*Proposal: Change of Use*  
*Location: 133 Bedford Center Road (Lot 20-42)*  
*Zoning: "CO" – Commercial*  
*Surrounding Uses: Residential, commercial, warehouse*

***II. Background Information:***

*This parcel includes a 1,222 square-foot one-story commercial building that dates to 1940. It most recently housed the Bedford Quilt Shop, but has been vacant for some time. The parcel is 0.43 acres and includes head-in parking directly off of Bedford Center Road. An asphalt driveway at one time extended to a partially subterranean garage in the structure, but the asphalt has deteriorated significantly. This application was originally scheduled for the June 11, 2018 meeting but was postponed at the request of the applicant.*

***III. Project Description:***

*The applicant is seeking site plan approval from the Planning Board to convert the existing structure to a four-seat hair salon. Under the Town's Land Development Control Regulations, the parking requirement for a hair salon is slightly less than for a general retail use – a hair salon requires 3.52 spaces per 1,000 square-feet versus 4 spaces required for a general retail*

use. The applicant is proposing 10 spaces, with six spaces and one accessible space located along the Bedford Center Road frontage and three employee spaces provided off of the driveway to the side and rear of the structure. The applicant is proposing four hair stations with four employees for the salon, so 10 spaces seems appropriate to handle both customer and employee parking.

<u>Hair Salon Parking Requirement</u>	<u>Required Spaces</u>	<u>Provided</u>
<u>Spaces</u>		
3.52 spaces per 1,000 sq. ft. (3.52 x 1.22)	4 spaces	10 spaces

The applicant originally requested maintaining the existing driveway in its present condition. The driveway is badly deteriorated with most of the asphalt broken or missing. In speaking with staff, the applicant has agreed to repave the driveway and the three proposed parking spaces for employee use, although the plan still shows the driveway maintained in its current state and the employee parking provided on gravel surface spaces. Staff would recommend that the applicant revise the plan to show the driveway and employee parking spaces paved with a drainage memo submitted to ensure the site accounts for the increase in impervious surface (Condition #3).

The parking on the site is head-in parking directly off of the public right-of-way. Bedford's current regulations require parking to be located off of internal driveways (Section 321.2.1 of the LDCR) and be set back at least 30-feet from any lot line (Section 322.1.9). The applicant will be making the parking more conforming with the Town requirements by removing two spaces from the front parking area and by providing three new spaces off of the driveway in a location where they would be compliant with existing regulations. The applicant will also be providing a paved or concrete walkway in front of the parking spaces to improve pedestrian access from this area to the structure. Staff would recommend that the driveway parking include signage limiting their use to employees only (Condition #4).

The use utilizes an on-site well and septic system. A new septic system will need to be installed to account for the hair salon use, which requires significantly more septic use than a general retail use (staff also understands the existing system is failing). The applicant has submitted a septic plan showing the new system installed on the rear of the property. In order to accommodate a septic system at that location, the existing well will need to be decommissioned since the 75-foot protective well radius encroaches into the septic location. The applicant shows a new well being installed along the far southwest portion of the parcel. The protective well radii extends on to the Town's right of way and two abutting properties. The applicant will need to move the well location at least 50-feet from the right-of-way or provide a well radii release to the Town (Condition #6). The applicant will also need to record easements from the two abutting property owners to permit the protective well radii to extend on to those properties (Condition #6). Finally, the applicant will need to revise the plan to show the full extent of the encroachment on to neighboring properties (Condition #7).

The plan notes that the use will operate 9 a.m. to 9 p.m., Tuesday through Saturday. Since there are abutting residential properties, staff would recommend that exterior lighting be turned off by 9:30 p.m. (Condition #8). The plan also notes that all trash will be stored internal to the building

*in the garage. The structure currently includes exterior spotlight-style lighting that is not conforming with the Town's current requirements requiring fully downcast lights. Staff would recommend that the applicant provide a lighting plan conforming with the Town's exterior lighting regulations as a condition of approval (Condition #8). No changes are proposed to the exterior of the building.*

*The applicant is not proposing any landscaping improvements, though the site already includes several trees and plantings, which provide some screening for the site, and will need to be properly maintained (Condition #9). Staff would recommend that the plan be revised to remove the pavement along both sides of the front parking area (where existing spaces are being removed) and to add landscaping in those areas with additional plantings (Condition #10).*

*Bedford Center Road is part of the Town's Road Improvement Program, and uses which generate additional traffic are subject to a Rational Nexus Roadway Contribution Fee. According to the ITE 9<sup>th</sup> Edition, the AM and PM peak hour trip generation rates for hair salons are less than for the parcel's previous use (specialty retail locations). Accordingly, no roadway contribution is necessary for this application.*

#### **IV. Waivers:**

*The applicant is requesting the following waivers of the Land Development Control Regulations (see letter from Jeffrey Green):*

- 1. Section 321.2.1 requiring parking to be located off of internal driveways.*
- 2. Section 322.1.9 requiring parking to be located at least 30-feet from any lot boundaries.*

*Staff does not object to the Planning Board granting waivers from Sections 321.2.1 and 322.1.9 of the LDCR, as the parking alignment represents an existing condition, and because the applicant will be making improvements to make the parking areas more conforming with the Town's current requirements and to improve pedestrian access from the parking areas to the structure.*

#### **V. Draft Motions:**

*The Planning Board needs to vote on whether or not to grant the waivers from Sections 321.2.1 and 322.1.9 of the Land Development Control Regulations as previously described.*

*The Planning Staff recommends that the Planning Board grant final approval of the site plan to change of use of 133 Bedford Center Road, Lot 20-42, Zoned CO, to a hair salon as described in the application by Melissa McNulty and on the plans by Jeffrey L Green Land Surveying Services, last revised May 24, 2018, with the following conditions to be fulfilled within one year and prior to plan signature, and the other conditions to be fulfilled as noted:*

- 1. The Planning Director shall determine that the Applicant has addressed all remaining technical review comments to the Town's satisfaction.*
- 2. The applicant shall note all of the waivers on the plan and the date of Planning Board approval.*
- 3. The applicant shall revise the plan to show the driveway and employee parking*

- areas paved with asphalt. A drainage memorandum shall be submitted showing that the driveway improvements meet the Town's stormwater requirements.*
- 4. The applicant shall revise the plan to include signage limiting the driveway parking to employees only.*
  - 5. The proposed well location shall be relocated to a minimum distance of 50 feet from the public right-of-way or a well radii release shall be provided to the Town.*
  - 6. The applicant shall provide easements from any property owners on to which the protective well radii encroaches. The easement language shall be to the satisfaction of the Planning Director.*
  - 7. The applicant shall revise the plan to show the full extent of the 75-foot protective well radii encroachment on to neighboring properties.*
  - 8. The applicant shall provide the Planning Department a lighting plan to replace all existing exterior lighting with downcast lighting that meets the Town's current requirements. All exterior lights, aside from what is necessary for site security, shall be turned off by 9:30 p.m.*
  - 9. A note shall be added to the plan stating that existing landscaping on the property shall be retained and maintained in good condition by the applicant.*
  - 10. The applicant shall revise the plan to replace asphalt on both ends of the front parking area with landscaped areas and additional plantings. The landscape plan shall be to the satisfaction of the Planning Director.*
  - 11. State septic and water supply approvals shall be obtained and permit numbers noted on the plan.*
  - 12. A note shall be added to the plan stating that future modifications to the building or site will need to be reviewed by the Planning Board.*
  - 13. Prior to issuance of a certificate of occupancy, a new septic system shall be installed capable of handling the new use and the existing well shall be decommissioned.*
  - 14. Prior to issuance of a certificate of occupancy, the applicant shall restripe the front parking area such the markings align with the updated site plan.*
  - 15. Prior to issuance of a certificate of occupancy, all improvements depicted on the plan shall be completed.*

Jeffrey Green from Jeffrey L. Green Land Surveying Services was present to address this request for site plan approval on behalf of the applicant. Also present was Applicant Melissa McNulty.

Mr. Green stated what we are doing is taking an existing building at 133 Bedford Center Road and we are wishing for a change of use to change it to a hair salon. We are proposing that the footprint of the building would stay the same, the parking is in front of the building along Bedford Center Road and we are proposing to keep that parking there with some minor changes. We went through the parking requirements and what we are proposing is a little less than what was actually existing, we have twice the parking that is required, so the parking wasn't really an issue. We do want to move a few spots to the back area for employee parking to try to alleviate some of the issues up on the side of Bedford Center Road. The leach field would be updated to meet the requirements of a 4-person salon and what they are looking for is four seats. Again, the size of the building won't change but the requirement for use puts us into a different category than what is currently approved at that location, so we will be doing that also. In order to make

this requirement work, we would also have to move the existing well to a new location and give up some well releases and easements on that, and all of that we would be able to do. Then the lighting is also an issue that came up that we had already talked about doing some type of down-lighting to replace all of the old fixtures that are there. Basically we are currently trying to bring everything up to standards to the best we can to the new requirements. That is what we have at this time.

Chairman Levenstein asked for questions from the Board.

Ms. McGinley asked how many chairs will you have and if you are full all hours in the day, how much traffic would you anticipate? Mr. Green replied I don't know if I totally figured that all out. If you have four employees with four clients and my client is here. Ms. McNulty replied one stylist will probably do about six or seven clients a day or maybe eight depending on how long their shift is. Mr. Green stated six per four stylists is 24 cars a day basically if it is a full schedule. Ms. McGinley asked and your parking will allow that? Mr. Green replied yes because you would only be getting like four at a time. If you have four employees and four people coming in for appointments, the requirement for the hair salon 3.82 spaces is all we are required to have and we are proposing as follows: General retail spaces was required to have five parking spaces. The proposed hair salon is actually only required by the standards for 3.52 spaces. We figured that out and we are actually proposing nine spaces so we would have twice what is required. If you take four employees and four people coming, that would mean no more than eight at any one time. You might have a couple that come earlier and later. Mr. Connors stated I think you have ten spaces if you include the handicap. Councilor Murphy stated the report says ten spaces. I have a follow-up question on that. So you have four employees who are going to need parking and then potentially four clients, plus another potential four clients, because as an appointment is ending presumably you are going to have people waiting for their next appoint. Ms. McNulty responded but we want to put the employee parking down below so the employees won't park there. Mr. Green stated we did have 12 spaces and they are asking me to take two away and put landscaping in their place, so we will have ten left. Like I said, we went by the requirement where we only have 4.52, so the others are more than required, and also at any one time there should only be four employees and four people there. There is a time where occasionally there may be one person coming a little early and then leaving, but I think normally the shifts don't overlap as much as you clean up from one and then the next one comes, so there is a little bit of time in between anyway. So I still don't see a lot of conflict with that, but we do have the extra spaces for that purpose.

Chairman Levenstein asked you have looked at all of the conditions that the staff had in their report? Mr. Green replied yes. Chairman Levenstein asked you are okay with all of those? Mr. Green replied yes we are. We have gone over them several times, and I think all of the conditions are done together so we agree with them.

Vice Chairman Newberry stated other than a sign for employee parking I didn't see anything about your signage. Mr. Green responded there is currently one sign on the building now, it is on the peak of the front of the building, and basically that is all we are asking for is to keep that same thing and under the same requirements that the Town requires for size. So we are not trying to relocate it to any other location. Vice Chairman Newberry asked is that illuminated?

Mr. Green replied it is at this time and that would be part of the same thing. All the lighting would be changed to lighting that would meet the Town requirements. Vice Chairman Newberry asked it is external lighting? Mr. Green replied yes. Right now there are two spotlights that shine onto it. Mr. Connors stated that would be fine as long it is facing downward. Mr. Green replied yes, versus a lighted face. It is just a sign with two lights that will light it up when they are open. Vice Chairman Newberry stated thank you.

Town Manager Sawyer stated the waivers are both dealing with the existing pavement and parking, not the new parking in the back. Is that correct? Mr. Green replied yes; one of the waivers I understand is that we have to be 30 feet away from and that you want the parking more toward the rear of the building but because we have existing parking there now, we are asking for a waiver to allow us to maintain that. We have eliminated two of spots and in exchange we are putting three employee parking spots down and that does meet the requirement for new ones, so one waiver is to allow us to have the front and the other is to not be 30 feet back.

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

Mr. Pincince stated in the report the hours of operation were 9:00 a.m. to 9:30 p.m. but the staff recommended that the lights be shut off out of respect for the residential abutters. Councilor Murphy stated that is Condition #8.

**MOTION by Councilor Murphy that the Planning Board grant the two waivers as follows:**

- 1. Section 321.2.1, requiring parking to be located off of internal driveways.**
- 2. Section 322.1.9, requiring parking to be located at least 30-feet from any lot boundaries.**

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

**MOTION by Councilor Murphy that the Planning Board grant final approval of the site plan to change of use of 133 Bedford Center Road, Lot 20-42, Zoned CO, to a hair salon as described in the application by Melissa McNulty and on the plans by Jeffrey L. Green Land Surveying Services, last revised May 24, 2018, with and pursuant to the following conditions to be fulfilled within one year and prior to plan signature, and the other conditions to be fulfilled as noted:**

- 1. The Planning Director shall determine that the Applicant has addressed all remaining technical review comments to the Town's satisfaction.**
- 2. The applicant shall note all of the waivers on the plan and the date of Planning Board approval.**
- 3. The applicant shall revise the plan to show the driveway and employee parking areas paved with asphalt. A drainage memorandum shall be submitted showing that the driveway improvements meet the Town's stormwater requirements.**
- 4. The applicant shall revise the plan to include signage limiting the driveway parking to employees only.**
- 5. The proposed well location shall be relocated to a minimum distance of 50**

feet from the public right-of-way or a well radii release shall be provided to the Town.

6. The applicant shall provide easements from any property owners on to which the protective well radii encroaches. The easement language shall be to the satisfaction of the Planning Director.
7. The applicant shall revise the plan to show the full extent of the 75-foot protective well radii encroachment on to neighboring properties.
8. The applicant shall provide the Planning Department a lighting plan to replace all existing exterior lighting with downcast lighting that meets the Town's current requirements. All exterior lights, aside from what is necessary for site security, shall be turned off by 9:30 p.m.
9. A note shall be added to the plan stating that existing landscaping on the property shall be retained and maintained in good condition by the applicant.
10. The applicant shall revise the plan to replace asphalt on both ends of the front parking area with landscaped areas and additional plantings. The landscape plan shall be to the satisfaction of the Planning Director.
11. State septic and water supply approvals shall be obtained and permit numbers noted on the plan.
12. A note shall be added to the plan stating that future modifications to the building or site will need to be reviewed by the Planning Board.
13. Prior to issuance of a certificate of occupancy, a new septic system shall be installed capable of handling the new use and the existing well shall be decommissioned.
14. Prior to issuance of a certificate of occupancy, the applicant shall restripe the front parking area such the markings align with the updated site plan.
15. Prior to issuance of a certificate of occupancy, all improvements depicted on the plan shall be completed.

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

Chairman Levenstein asked Mr. Connors, how come in one spot it said that it is zoned R&A and Commercial and in here it says zoned Commercial? Mr. Connors replied I think there is a tiny bit on the end that is residential. Chairman Levenstein asked but that is not going to affect anything though? Mr. Connors replied no. Town Manager Sawyer stated the commercial uses are in the Commercial Zone.

**3. Arista Development, LLC (Applicant), Single Tree Acquisition, LLC (Owner) – Request for site plan approval to construct a 2,861 square-foot bank with drive-through service and associated site improvements at 91 South River Road, Lot 12-22, Zoned PZ.**

A staff report from Mark Connors, Assistant Planning Director, dated August 13, 2018 as follows:

**I. Project Statistics:**

*Applicant: Arista Development, LLC*

*Owners: Single Tree Acquisition, LLC*  
*Proposal: Request for final site plan approval of a 2,861 square-foot bank with drive-through service and associated site improvements*  
*Location: 91 South River Road*  
*Existing Zoning: “PZ” –Performance Zone*  
*Surrounding Uses: Retail, restaurant, office*

## **II. Background Information:**

*Lot 12-22 is located along South River Road directly in front of the Bedford Mall. The parcel is 0.95 acres in size. On June 1, 1980, the Planning Board granted final site plan approval for a 1,500 square-foot bank with several drive-through aisles and 21 parking spaces. In 1986, the Planning Board approved a 500 square-foot addition to the bank. In June 1993, the Planning Board waived the site plan review process to allow the then Planning Director to approve an expansion of the drive-through canopy for the bank.*

*On November 18, 1996, the Planning Board approved a change of use of 1,435 square-feet from a bank use to an office use to allow Citizens Bank to lease out most of the interior of the facility to an office user and use the facility only as a drive-through branch. The bank was originally operated by BankEast in the 1980s, then by First NH Bank, and finally by Citizens Bank.*

*Citizens Bank operates the site today as a drive-through only facility and the office space appears to be vacant. A larger Citizens Bank with lobby service operates across the street at 106 South River Road.*

## **III. Project Description:**

*The applicant proposes to demolish the existing office/bank building and construct a new larger 2,861 square-foot bank at the site. The bank will include drive-through ATM service, but will not include drive-through bank teller service. The building will be set back approximately 80 feet from South River Road with parking flanking its west and south sides.*

### *Parking and Traffic Access*

*Bedford requires a minimum of 11 parking spaces for this use. The applicant is proposing 25 parking spaces. The current use includes 20 parking spaces, with most of those perpendicular spaces located directly along the access driveway for the Bedford mall property.*

*The current plan calls for a curved left-in and left-out driveway with a traffic island between the entrance and exit lanes. The crosswalk is not protected by the traffic island and runs directly adjacent to the travel lanes for approximately 60 feet. South River Road includes continuous sidewalks along its northbound lanes all the way from the Manchester city line to Hawthorne Drive.*

*Ideally, Staff would like to see the sidewalk and crosswalk redesigned such that the sidewalk runs parallel to the driveway and curves interior to the site before crossing the driveway such that it passes through the traffic island). This would provide a true refuge for pedestrians and is more consistent with how other left-in and left-out only driveways have been designed along*

*the corridor in recent years, including the northern entrance/exit for the Goffe Mill Shopping Center.*

*The plan shows a concrete walkway extending from the South River Road sidewalk to the bank on the northern portion of the site to facilitate pedestrian access. The applicant has submitted a trip generation memo showing that increased traffic generated from the site will be modest. However, due to the minor increase in traffic, a Fair Share Roadway Contribution of \$6,695 will be due to the Town for the South River Road improvement project (Condition #9).*

*One change from the existing traffic pattern of the site will be that access from the Bedford Mall property will be for both entering and exiting traffic. The current bank only allow exiting traffic to access the driveway. Staff believes that the design of the driveway, including a hard right turn, will discourage cut-through traffic on the site. Additionally, the entrance should represent a safety improvement by allowing additional traffic to enter through the signalized intersection for the Bedford Mall.*

#### Architecture

*The architectural plan shows a Colonial style building with a peaked architectural shingle roof, fiber cement clapboard siding, and a stone veneer base. The siding is grey, with white siding, and a green canopy for the ATM drive-through lane. The applicant has worked with Planning staff to make some modifications to the architecture, including the addition of window grills. The architectural plan includes a note that the building mechanicals will be housed on the rear of the building in a flat roof area that will be screened from public view by a sloped roof and a parapet wall. In staff's opinion, the proposed architecture is attractive and consistent with the Town's architectural guidelines for commercial sites.*

#### Landscaping & Lighting

*The plan shows landscaping concentrated along the front and rear portions of the site. A row of arborvitae which screens the site from the Outback Restaurant to the north will also be preserved. The applicant is requesting waivers from most of the Performance Zone landscaping requirements, including for a reduced Street Tree Landscape Strips, Front Landscape Strip, Side and Rear Landscape Strips, and Exterior Pavement Landscape Strips. The site is encumbered by a parking and access easement for the Bedford Mall which takes up over 35 percent of the site. The site is also reasonably small at 0.96 acres, and it can be difficult for small sites to meet the Performance Zone landscape requirements.*

*For those reasons, staff does not generally object to the waivers, but would recommend that one additional tree be added to the front of the site and one additional tree to the rear of the site (Condition #5). There are currently only two trees located within the front and street tree landscape strip areas. An additional tree in the rear will help screen the site from the Bedford Mall driveway.*

*A dumpster is proposed for the southeast corner of the site. The applicant is providing the required number of plantings to help screen the area and the dumpster will be located within a full 8-foot tall cedar enclosure. However, the applicant is requesting a waiver to allow the enclosure to be placed within 30 feet of the lot boundaries. The dumpster enclosure will be*

*located seven feet from the side property boundary and eight feet from the rear boundary. Due to the constraints of the site, staff does not object to the waiver request.*

*Most of the exterior lighting for the site will be provided via building mounted lights that will be fully downcast to meet the Town's requirements. Three pole-mounted lights will be located in the front and along the southern portions of the site adjacent to the parking areas. The applicant is requesting a waiver to allow a portion of the exterior lighting to spill over on to the parcel to the south. This area is parking lot for the Bedford Mall property. No light will spill over into the right-of-way or the other abutting properties. Due to the intensely developed nature of the area, staff does not object to the waiver request.*

#### Stormwater

*The site will capture and partially treat stormwater through a closed drainage system and underground chamber systems. The applicant has provided a stormwater report that was reviewed by the Town's consulting engineer (see memo from VHB) and only minor comments remain outstanding. Under post-development conditions, there is no increase in the rate of stormwater flow to any of the discharge points.*

#### **IV. Waiver Requests:**

*The applicant is requesting six waivers from the Zoning Ordinance and one from the Land Development Control Regulations (please see waiver request letter submitted by Chris Rice of TF Moran). The First six waivers are from requirements of the Zoning Ordinance, while the final request is from the LDCR:*

- 1. Section 275-63-E(2), to provide a reduced Street Tree Landscape Strip.*
- 2. Section 275-63 E(3), to allow parking with the Front Landscape Strip and to include no trees.*
- 3. Section 275-63 E(4), to not provide the required 10' Side & Rear Landscape Strips.*
- 4. Section 275-63 E(5), to provide reduced Exterior Pavement Landscape Strips.*
- 5. Section 275-69, to allow exterior lighting of up to 0.4 foot candles to spill on to the neighboring property to the south.*
- 6. Section 275, Attachment 3, Table of Dimensional Standards, to allow impervious coverage of 79 percent, where 75 percent is required.*
- 7. Section 327.2.1 of the LDCR, to allow a dumpster to be located seven and eight feet from the property boundaries where 30 feet is required.*

*For the reasons previously stated in this report, Staff has no objection to granting the waivers from the landscaping, lighting and dumpster setback requirements, provided that supplementary landscaping is added (Condition #5). For Waiver #6 (impervious coverage), the applicant notes the impervious surface coverage of the site is currently not conforming with the 75 percent requirement and that approximately 35 percent of the site is encumbered by the easement for the Bedford Mall parking and access. Staff would note that the applicant is proposing more than double the parking that is required under the Town requirements (25 spaces vs. the required 11). The Board does have the option of requiring the applicant to replace some parking with landscaped areas, to make the site conforming, or at least more conforming, with the impervious*

*surface requirement.*

***V. Staff Recommendations:***

***The Planning Board needs to vote on whether or not to grant the waivers from Sections 275-63-E, Subsections 2, 3, 4, and 5, Section 275-69, Section 275 Attachment 3 of the Zoning Ordinance and Section 327.2.1 of the Land Development Control Regulations.***

***Planning staff recommends that the Planning Board grant final approval of the site plan for a 2,861 square-foot bank at 91 South River Road, Lot 12-22, in accordance with engineering plans prepared by TFMoran, last revised July 25, 2018, and the architectural plans by Lorigan Architects, last revised July 23, 2018, with the following conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions of approval 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. In the event that the Planning Board approves the waivers, the plan shall be updated to list any waivers granted as approved.*
- 3. The Applicant shall submit any outstanding engineering review fees, if any, to the Planning Department*
- 4. If feasible, the Applicant shall revise the design of the pedestrian crossing for the driveway such that the crossing occurs more interior to the site and through the traffic island.*
- 5. The Applicant shall revise the landscape plan to provide two additional trees, with one in the front of the property and the other on the rear of the property.*
- 6. The Applicant shall revise the lighting plan to show the height of the pole-mounted exterior lights.*
- 7. Prior to the commencement of work, arrangements shall be made with the Planning Department regarding payment and coordination of third party inspections.*
- 8. Prior to commencement of work, a pre-construction meeting shall be held with the Planning Department, Department of Public Works and the Building Department.*
- 9. Prior to commencement of work, the Fair Share Roadway Contribution of \$6,695 shall be paid to the Planning Department.*
- 10. 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.*
- 11. Prior to the issuance of a certificate of occupancy for the building, the sewer accessibility fee shall be paid.*
- 12. Prior to the issuance of a certificate of occupancy for the building, all site improvements depicted on the plan shall be completed.*

Chris Rice of T.F. Moran, Doug Benoit of Arista, and Bill Lorigan of Lorigan Architects were present to address this request for site plan approval on behalf of the Applicant.

Ms. Rice stated we are here tonight to request final site plan approval for a proposed 2,861

square foot bank with associated site improvements. Posted is the existing property that we are talking about, which is the existing Citizens Bank, to give you an idea of what currently sits out there today. Again, the existing bank is about 2,000 square feet and it currently has three drive-thru windows and an ATM pick-up window. There are 20 parking spaces on site. Seven of them are as shown on the screen and there are 13 kind of off the Bedford Mall access drive and there is an asphalt walkway to get from those spaces to the building. Right now this is an exit only from the bank onto the Bedford Mall property.

Ms. Rice continued what we are proposing is to demolish the existing bank and construct a new bank that is slightly larger, 2,861 square feet, it will still have access right-in/right-out from Route 3 but the one access change that we have proposed is a full access to allow patrons that are on the Bedford Mall property to come onto the site without having to go to the traffic signal and then make a right-hand turn into the site. We did have discussions with staff and there was a concern about potential cut-thru traffic, but given the orientation of the site, it really doesn't provide a shorter route for many people to go through the parking as opposed to just going to the light if they were trying to do that movement. The proposed building, just so that you know, is about ten feet further from the road than the existing building and we have 25 parking spaces on site, which is the number really that the bank feels they need. Actually originally our plan had four or five more parking spaces with some additional spaces located along the front here, but in discussions with staff to try to improve some of the landscape waivers that we were already requesting, we eliminated those spaces, but I could tell you based on the project that they just did down in Rhode Island, they do need in excess of 20 spaces and that is primarily because of how the business has changed. The banks used to be predominantly more drive-thru or teller service, this bank will not have any teller service as they are trying to encourage everybody to go inside to do their banking. There is only an ATM pick-up window for just a drive-up ATM.

Mr. Rice stated we do have a couple of waiver requests and I will bring up an overall aerial that kind of gives you an idea. This is just basically kind of superimposing the site onto the existing so you can kind of see where we have increased the landscape area. You can see in the front that the pavement came to within I think it is 5 feet from the edge of the sidewalk to the pavement in this location. There is about 6 to 7 feet of landscaping on the side and this black line right here is the property line so the pavement on that side goes right up to the property line. It is also important to note that part of this property, about a little over a third of the site, is an access parking easement for the Bedford Mall property, so everything to the right of this line is an access and parking easement that is for the Bedford Mall but we have a very small lot size. It is a little under an acre and that is a little over 0.3 acres for that access easement.

Ms. Rice stated some of the waivers that we are requesting are four that have to do with landscaping. Those are Section 275-63 E(2), to provide a reduced Street Tree Landscape Strip; Section 275-63 E(3), to allow parking with the Front Landscape Strip and to include no trees; Section 275-63 E(4), to not provide the required 10' Side & Rear Landscape Strips; and Section 275-63 E(5), to provide reduced Exterior Pavement Landscape Strips. We feel these are reasonable requests given the small lot size and that the site is encumbered by a large easement to the right-hand side of the property. It is important to note that if you took that easement area out, we would meet the open space. If you just took our lot as up to that spot, we would have 30 percent open space. It is also important to note that in the past, I think it was back in 1988, that

the widening easement was given for the widening of South River Road, which was approximately 2,800 square feet. We are short on the impervious by about 1,200 square feet and that is one of the waivers we are asking for. Just on the landscape waivers we have increased it from approximately 5 feet in the front to 11 feet at the pinch point and then it really opens up here in the front to meet the requirement. In the side and the rear we are providing 6 feet at the south property line where there is no buffer right now and we are providing 9 to 17 feet along the top property line.

Mr. Rice continued then for the exterior pavement, again, we have added landscaping in all of the areas that we could. We also have, as I noted, a waiver request for the amount of open space. Section 275, Attachment 3, Table of Dimensional Standards, to allow impervious coverage of 79 percent, where 75 percent is required, and that is the 5<sup>th</sup> waiver. You are required to have 75 percent impervious, we are at 79 percent, the existing is 76 percent, but, again, on a relatively small lot size three percent is not a lot of space. It equates to three to four parking spaces, but, again, we meet the requirement if you deduct out some of the other things that have already been taking off site over the years being the widening easement, the access easement for the parking, and then also one of the comments that we have addressed from staff was to provide a sidewalk access from Route 3 down to the building. That also added a little bit of additional impervious space.

Mr. Rice stated the second to last waiver we are asking for is just for the lighting standards, which is Section 275-69, to allow exterior lighting of up to 0.4 foot candles to spill on to the neighboring property to the south. We do have a little bit in excess of the 0.2 foot candles at the property line, it gets up as high as 0.4 but everything that we are bordering is commercial spaces and it is really probably providing more safety and security than to reduce the lighting levels in those areas.

Mr. Rice stated with the traffic we have submitted a memorandum that staff has reviewed and we have reviewed all of the conditions of approval. The only one that I have spoken to Mr. Connors about that I don't think we can really address the way that everybody would like us to is the issue of the crosswalk. The comment was really to try to get the crosswalk to bend into the site and then cross, and the reason that we can't do that is because we can't meet ADA requirements for the walkway from here down to the building if we do that. Right now this is kind of the existing situation that is there, we have widened the throat a little bit, but we have provided this island in the middle of the drive aisle that doesn't exist today, so that will provide a natural barrier if somebody needed to stop as people are coming in and out.

Mr. Rice stated the other waiver is from Section 327.2.1 of the LDCR, to allow a dumpster to be located 7 and 8 feet from the property boundaries where 30 feet is required. As you can see on the posted plan, there is really not any other better location onsite to put the dumpster. We have heavily screened it and provided the dumpster enclosure. Chairman Levenstein asked who owns the property right below that? Is that part of the Bedford Mall? Mr. Rice replied this is part of the Bedford Mall property. This is just an excess parking area that is attached to the Bedford Mall property and then the drive aisle getting to the signalized intersection is right here. This is just like a double-bay parking area, but I have rarely seen any cars in that area.

Chairman Levenstein asked what about utilities? Mr. Rice replied we are using existing water, sewer, we are just retying into the service and existing electric. There is no gas service proposed because we really can't get it to the site, so everything for them is going to be done electric, and that is mainly because of the moratorium on South River Road, and the gas line in the Bedford Mall property is way over kind of near the front of the Kohl's building, which is a couple hundred feet through the Bedford Mall parking lot, but they will work with what they have.

Chairman Levenstein asked the mechanicals are on the roof? Mr. Rice replied yes. I will turn it over to Mr. Lorigan and he can give you a quick rundown on the architecture and then we can answer any questions you might have.

Mr. Lorigan stated we have a single story wood frame building. We always like to use durable materials so on the exterior of the building around the base of the building I have cultured stone veneer and then above that is cementitious clapboards rather than wood. I have samples here to show the Board. There were some concerns about HVAC equipment. If you look at the rooftop in the posted east elevation, on the floor plan the equipment is in the upper right-hand corner of the building. So if we look at the roof plan, you can see it as shown. It is a flat area that is screened from the surrounding abutters. All you really see is just a clapboard wall and sloping roof up to it. Ms. McGinley asked is it set down such that if you are on South River Road, you would see the mechanicals? Mr. Lorigan replied not at all. Shown is the back side of the building and right along here is that screen wall, so over here there is a lower roof and they are hidden behind that roof also. This is the main road in front of the building, so you don't see any of the mechanical at all. With the roof we are going to be using architectural dark gray shingles, it is called slate gray, it is a heavier shingle, and I think it will really help pop the building. We have one main entrance as shown. The interior of the building hasn't been designed yet but typically at the main entrance there will be a vestibule that would have an ATM or two ATM's and then it would open up into a lobby and then be a typical bank layout with offices on one side and tellers up the other side. In the back of the building will be all of the services that you need, which are toilet rooms, storage and things like that.

Chairman Levenstein asked the colors in the renderings are the colors? The gray? Mr. Lorigan replied yes. Chairman Levenstein asked and the green awning is over the ATM? Mr. Lorigan replied that is correct. That will be a fabric awning. Chairman Levenstein asked the signs are above the main entrance and then facing South River Road? Mr. Lorigan replied that is correct, and those meet the zoning requirements of 16 square feet. Vice Chairman Newberry asked do you have a free standing sign also? Mr. Rice replied yes. There is one at the main entrance. We don't have a detail for the main entrance monument sign. Chairman Levenstein asked that being where? Mr. Rice replied off from Route 3. Mr. Lorigan stated it is located as shown on the screen. Mr. Rice stated I think we left it with staff because a design wasn't done at the time, but we would conform to all the regulations or have to come back.

Mr. Pincince stated as there are no abutters here tonight, I assume that the Bedford Mall ownership is aware of your plans. Mr. Benoit replied we have reached out to the Bedford Mall ownership; we haven't heard back from them. I assume they have received notification as an abutter. Mr. Connors stated they were notified as part of the application. Ms. McGinley stated the one concern when I first glanced at this is the road that is on the Bedford Mall property and

that access continues. The reports show that.

Mr. Fairman stated I have a question about right-in/right-out. What signage is there for that? Right now people turn left to go into that entrance. Mr. Rice responded I don't think there is any signage needed out there because the median is there, so all you can do is make the right-in/right-out. Mr. Fairman asked is there a median in that area? Ms. Hebert replied yes.

Town Manager Sawyer stated just because it is probably one of the highest complaints we get is the turning radiuses in the Starbucks on the other side of the driveway. Can you just speak to your turning radius that is here, both for the entrance, which appears like it is better now than under the current condition for turning in? Mr. Rice responded yes it is. If you tried to make the right-hand turn, I can bring back the other plan, but it is a sharp right to then get into the drive aisle. Town Manager Sawyer stated and then also just turning into the drive-thru as well to make sure we are covering that ground. Mr. Rice responded yes. I have looked at all of the turning radiuses and they are all in excess of what is needed. I think we have a 30-foot radius at the main entrance around the front. I will bring up the site plan. Vice Chairman Newberry stated it looks like 38 feet. Mr. Rice stated off the main road it is a 26-foot radius both sides. We have a 12 and a 25 around the drive-thru. This is just providing a bypass lane in case somebody has to T-back to use the ATM pickup window. Town Manager Sawyer asked do you think somebody coming from the Staples or Kohl's side can make the turn in and use the drive-thru? Mr. Rice replied yes I think they can. I would be happy to put a template on and I can share it with staff. Town Manager Sawyer responded I think it would be good to have it in the file just because of the number of complaints we get about the other side of the mall parking lot. As you know, there was a rock at the Starbuck's entrance for a while that has gotten moved by cars hitting it several times, and I believe they finally removed it, and I know staff has been working with the property owners to try and get that addressed. Councilor Murphy stated they removed it. Ms. Hebert stated we have been talking with the ownership but it is a common complaint, and if you are not paying attention and you take the turn, it is very easy to hit the curb. Mr. Sullivan stated a common complaint of drivers and a common point of entertainment for the employees. Town Manager Sawyer stated I am just putting on the record that you are comfortable as the designer that it is going to work. Mr. Rice stated I will provide a template to staff just so they can see.

Chairman Levenstein asked for comments or questions from the audience. There was no one in the audience to speak.

**MOTION by Town Manager Sawyer that the Planning Board grant the following waivers as follows:**

**Zoning ordinance:**

- 1. Section 275-63 E(2), to provide a reduced Street Tree Landscape Strip.**
- 2. Section 275-63 E(3), to allow parking with the Front Landscape Strip and to include no trees.**
- 3. Section 275-63 E(4), to not provide the required 10' Side & Rear Landscape Strips.**
- 4. Section 275-63 E(5), to provide reduced Exterior Pavement Landscape Strips.**

5. **Section 275-69, to allow exterior lighting of up to 0.4 foot candles to spill on to the neighboring property to the south.**
6. **Section 275, Attachment 3, Table of Dimensional Standards, to allow impervious coverage of 79 percent, where 75 percent is required.**  
**Land Development Control Regulations:**
7. **Section 327.2.1 to allow a dumpster to be located seven and eight feet from the property boundaries where 30 feet is required.**

**Due to the nature of the site as a redevelopment site and the explanations provided by the applicant, Councilor Murphy duly seconded the motion. Vote taken - all in favor. Motion carried.**

**MOTION by Town Manager Sawyer that the Planning Board grant final approval of the site plan for a 2,861 square-foot bank at 91 South River Road, Lot 12-22, in accordance with engineering plans prepared by T. F. Moran, last revised July 25, 2018, and the architectural plans by Lorigan Architects, last revised July 23, 2018, with the following conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions of approval 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. **In the event that the Planning Board approves the waivers, the plan shall be updated to list any waivers granted as approved.**
3. **The Applicant shall submit any outstanding engineering review fees, if any, to the Planning Department**
4. **If feasible, the Applicant shall revise the design of the pedestrian crossing for the driveway such that the crossing occurs more interior to the site and through the traffic island.**
5. **The Applicant shall revise the landscape plan to provide two additional trees, with one in the front of the property and the other on the rear of the property.**
6. **The Applicant shall revise the lighting plan to show the height of the pole-mounted exterior lights.**
7. **Prior to the commencement of work, arrangements shall be made with the Planning Department regarding payment and coordination of third party inspections.**
8. **Prior to commencement of work, a pre-construction meeting shall be held with the Planning Department, Department of Public Works and the Building Department.**
9. **Prior to commencement of work, the Fair Share Roadway Contribution of \$6,695 shall be paid to the Planning Department.**
10. **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.**
11. **Prior to the issuance of a certificate of occupancy for the building, the sewer accessibility fee shall be paid.**

**12. Prior to the issuance of a certificate of occupancy for the building, all site improvements depicted on the plan shall be completed.**

**Ms. McGinley duly seconded the motion. Vote taken - all in favor. Motion carried.**

Chairman Levenstein asked what bank is going in there? Mr. Benoit replied Citizens Bank. Mr. Fairman asked are they closing the one across the road? Mr. Benoit replied I believe so. Town Manager Sawyer asked do you have a schedule for when this construction is happening? Will it be six months or a year? Mr. Benoit replied as soon as we get approval. It's always a question about whether you want to start construction in the winter or you want to wait until spring. We are probably close enough that we can get it in the ground and have a shell before winter hits, so we will probably be starting this fall.

V. Approval of Minutes of Previous Meetings:

Amendment: Chairman Levenstein was not present so he didn't call the meeting to order. It should be changed to Acting Chairman Newberry.

**MOTION by Councilor Murphy to approve the minutes of the July 16, 2018 Planning Board meeting as amended. Mr. Pincince duly seconded the motion. Vote taken; motion carried, with Chairman Levenstein and Mr. Sullivan abstained.**

VI. Communications to the Board:

Ms. Hebert stated we have a couple of Master Plan announcements. The Think Tank will be holding their kick-off meeting on August 15<sup>th</sup> at 5:00 p.m. in the Bedford Library's McAllister Room. A date has been set for the community kick-off meeting, which is the big public event, it is the public start of the Master Plan process and that is set for September 13<sup>th</sup> at 6:30 p.m. and the Manchester Country Club has generously donated some space for that event. We will send out advertisement and if you can share that with your friends and folks who might be interested in attending, that would be great. We also have a project website launched, a Facebook page and a Twitter account so we will be sending out some information about how to access the online engagement, and I hope that you can share that with your friends as well any contacts that might be interested in following the project.

Town Manager Sawyer stated if you want to find the Master Plan Facebook page you can search 'Blueprint Bedford.' Ms. Hebert stated yes, the project has been branded 'Blueprint Bedford' and we have a great logo. Mr. Connors pulled up the Master Plan Facebook page on the screen. Ms. Hebert stated it is a fun logo and that is kind of the tagline for the Facebook page and the online engagement. 'Blueprint Bedford – Preserve the Past, Envision the Future' Ms. McGinley stated I know there are going to be differences between how the last Master Plan committee worked and this one will and I think it has to do with just the changes in not only the market but the professionals that do this. Can you describe some of those for people that are listening and how the public engagement will be? Ms. Hebert replied the public engagement strategy is really the bulk of the Think Tank's first meeting to review the public engagement strategy, make changes or suggestions to it and kick that off. This project is a little different from the Master

Plan from 10 years ago because we have more tools for online engagement that are also mixed in with traditional engagement like the community kick-off meeting. There will be ways for people to be engaged and follow the project online and get updates on what is happening and what is happening next and then there are also going to be kind of equally mixed in with this online engagement platform ways for people to participate in person and face-to-face. Mr. Connors stated the website is easy to find, which is [Blueprintbedford.com](http://Blueprintbedford.com) but it was just launched last week so it is a work in progress. We expect to be updating it in the next couple of weeks.

Ms. McGinley asked what effort have we made or will our experts make in engaging millennials? We have a lot of millennials that are adults here in Bedford who are not going to pull up this Town's website. Ms. Hebert replied we do have the Facebook and Twitter account, which I hope will help spread the word to people of all ages, but I think that is something that the Think Tank really needs to focus on of how do we reach out to these folks who are harder to get to meetings or harder to grab their attention. Ms. McGinley stated I have two millennial daughters that live in Bedford, and they are not going to even know about this if we don't do it in a more millennial way. I don't know what that is, so I assume that our experts will help us with that. Ms. Hebert responded I think our experts really celebrate the process and that was something that the selection committee liked about this group. They celebrate the public process, the visioning process, getting the word out. We wanted the image to be fun and interesting and not something that looked like the Town seal; not that the Town seal isn't lovely, but the first graphic we looked at kind of looked like a patch or our Town seal, which we thought would be hard to advertise or promote as being a project that you really want to follow and stay in contact with. We love this 'Blueprint Bedford' logo, and I think it will help us entice people to be involved if they maybe haven't been involved in the past and help to entice millennials to be involved and follow the project. Ms. McGinley stated the reason why I ask that is because I was on the last Master Plan committee and so much has changed in media and outreach to reach the millennials who are a part of our adult group now so that they know what is going on and hopefully engage them. Ms. Hebert stated personally I think it is also meeting them where they are at, so going to places where they may be socializing or hanging out. Maybe it is at the Farmers' Market or Whole Foods or places that they may frequent in Bedford. This is the engagement HQ website and if you scroll down, you can see there are ways to follow the project. The website hasn't been populated yet with some of the engagement tools, so there will be other options to tell us what you think and click here, leave comments, there will be other tools integrated into the website to hopefully solicit comments and feedback about the project and keep people informed. We will send a website link out to everyone.

Ms. McGinley asked how are we doing with the Master Plan committee? Ms. Hebert replied we are doing great. We have 15 members. Ms. McGinley asked how is the arrangement of them in terms of representation? Ms. Hebert replied I believe it was maybe a month ago the Board appointed the Master Plan Committee and the makeup is diverse. It is split male and female, so I would say we have about equal members of male and female and then there are varying ages and folks represent different interests in Bedford. We are calling it the Think Tank because Master Plan Committee is old school. Something else to emphasize is the Think Tank is one way to be involved in the process but it is not the only way. If you have friends who are interested in being involved, bring them to the community kick-off meeting, have them contact us because there are a lot of ways to stay involved in the project, to contribute to the project even if you are not on the

Think Tank, and in November there will be a 4-day planning event and we will have focus groups and a community design charrette and we will need a lot of volunteers to pull that off. I think anyone who is interested in the process if they can reach out to us, we will talk with them and find a way for them to help contribute. I also wanted to say as I just thought of this, the Bedford Historical Society nicely provided us with a historical timeline of Bedford's development, which was great. It was an item that was on the consultant's wish list for information they wanted from us, and without going through Bedford's history, Mr. Connors and I weren't well versed in the early eras of Bedford's development, and the Historical Society had a member who was very interested in helping out and put together a multi-page listing of historical events and Bedford's overall development. It was great to have that volunteer. Ms. McGinley stated I think that is a really a good thing to do because the younger people that live here I don't think realize how rural the Town was. When I moved here in 1985 there were a lot of dirt roads and you don't see those anymore. We are much more metropolitan, if you can use that word, than we were when I moved here. Vice Chairman Newberry stated I would just comment that I think this logo and the tag line is a really good start at creating the idea in town that this isn't just a another stodgy effort but that it has some forward thinking and thinking that I think should help quite a bit in creating interest and participation. I like it a lot. Councilor Murphy stated looking at their master plans they look phenomenal, they jump right off the page at you, they are not at all boring, their graphics are really good, and it looks amazing. Ms. McGinley stated it is a better representation than pages and pages of text.

Mr. Connors stated as far as updates on construction projects this month, we are going out for the inspections for Noah's tomorrow so hopefully we can get that done and have some weddings over there this week. Town Manager Sawyer stated there was steel going up at Trader Joe's today. Mr. Pincince stated Bed, Bath & Beyond started demolition of the façade of the building. There is a big hole in the front of the building.

Chairman Levenstein asked did we approve architecture for REI yet? Ms. Hebert replied we did approve it; we did not approve the cinema but we have approved REI. It is all considered one building but the architecture the Board approved was just for the REI unit, so they would come back for the smaller retail spaces and the cinema. Chairman Levenstein stated but they can't build the building until they come back. Ms. Hebert responded that is correct.

VII. Reports of Committees: None

VIII. Adjournment:

**MOTION by Town Manager Sawyer to adjourn at 8:00 p.m. Councilor Murphy duly seconded the motion. Vote taken – all in favor. Motion carried.**

Respectfully submitted by  
Valerie J. Emmons