

TOWN OF BEDFORD
August 31, 2020
PLANNING BOARD
MINUTES

A remote Zoom platform meeting of the Bedford Planning Board was held on Monday, August 31, 2020. Members who were present remotely: Kelleigh Murphy (Acting Chairman), Harold Newberry (Secretary), Bill Duschatko (Town Council), Rick Sawyer (Town Manager), Mac McMahon, Priscilla Malcolm, Steve Clough, Charlie Fairman (Alternate), Matt Sullivan (Alternate), John Quintal (Alternate), Becky Hebert (Planning Director), and Mark Connors (Assistant Planning Director)

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

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

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

I. Call to Order and Roll Call:

Acting Chairman Murphy called the remote meeting to order at 7:00 p.m. Chairman Jon Levenstein and Town Council Alternate Phil Greazzo were absent. Mr. Sullivan and Mr. Fairman were appointed to vote.

II. Old Business & Continued Hearings: None

III. New Business:

1. **Circle Drive Associates, LLC (Owner)** – Request for approval of a site plan and associated waiver requests for a proposed multi-family residential development to include a 142-unit workforce housing development, consisting of two four-story buildings, and a 96-unit elderly housing development (age 55 and over), consisting of one four-story building, and associated site improvements at South River Road across from Iron Horse Drive, Lots 35-98-5 and 35-98-40, Zoned PZ.

IV. Concept Proposals and Other Business: None

Mr. Connors stated staff would recommend that the Board find the application to be complete. The abutters have been notified, it is the opinion of staff that the application does not pose a regional impact. Staff would recommend that the Planning Board accept the agenda and in so doing, adopt the staff recommendations that the application is complete and does not pose a regional impact.

MOTION by Mr. Newberry to accept the agenda as read. Ms. Malcolm duly seconded the motion. On a unanimous roll call vote, the motion carried.

- 1. Circle Drive Associates, LLC (Owner) – Request for approval of a site plan and associated waiver requests for a proposed multi-family residential development to include a 142-unit workforce housing development, consisting of two four-story buildings, and a 96-unit elderly housing development (age 55 and over), consisting of one four-story building, and associated site improvements at South River Road across from Iron Horse Drive, Lots 35-98-5 and 35-98-40, Zoned PZ.**

Mark Woglom of Opechee Construction Corporation, Russ Thibeault of Applied Economic Research, Katie Weiss of Bedford Design Consultants, Stephen Pernaw of Stephen G. Pernaw & Co., Mark Fougere of Fougere Planning & Development, Inc., and Bob Smith, principal owner, were all present remotely via the Zoom platform.

Mr. Woglom stated thank you for having us tonight. The PowerPoint presentation was posted on the screen. Mr. Woglom stated I would like to give a description of the development and a little bit of site history. This is a site that is approximately 25 acres, it has been owned by the current ownership whose primary principals are Bob Smith and his son Rob Smith; Tom Riley is also going to be a principal in it. The site is just under 25 acres, it was originally intended to be potential expansion for their manufacturing business, which was subsequently sold, and since that time the property has been on the market with various different parties interested in it but nothing that really took. At this stage, the current ownership is proceeding to develop it as a mixed-use development.

Mr. Woglom stated there are a lot of varying natural features on this site. The primary natural feature is Sebbins Brook, which bisects the site. The site is a little bit of an odd shape given its topography and what have you. There are many different tiers to it. We are going to talk a little bit about why we think this is appropriate for a residential development, why we think this is a good use, but fundamentally this site is a little bit different than many of them given its topography and shape.

Mr. Woglom continued we are proposing a mixed-use project that would be done and we are asking for approval of the residential, which would be Phase 1 of that site. We ultimately will request that that be done in two phases, which I will describe a little bit more. The first phase of the residential development, which is on a portion of the site, would be 238 residences total, they would be located in three different buildings, one of the buildings would be an over-55 residential building with 96 units, and the other two buildings would be workforce housing

residential buildings with 142 units total, 71 units each. All of the buildings are a 50/50 mix of 1- and 2-bedroom units and all of the buildings have a full basement, which will be utilized for parking. That parking is nearly completely buried in the ground as a typical basement would be and that would be a heated and ventilated parking facility, which is a little bit atypical, where usually those are out in the weather. The fourth building that we would propose during this initial phase of residential development is a clubhouse building. That clubhouse building will have a patio with a pool around it, common meeting and gathering spaces, a billiard room, management offices, a fitness room, and a media room. Within the over-55 building we will have separate amenities within that building itself, to somewhat duplicate what would be the clubhouse building, with fitness room, game room, media room, and various gathering types of spaces within that space.

Mr. Woglom stated in terms of parking for the overall development, we are going to have 428 total parking spaces of which 168 are covered and located within the basement. On the residential portion that is a two parking spaces per unit ratio and on the elderly over-55 building that is a ratio of 1.5 spaces per unit where your ordinance specifies 1.25, and we believe that the over-55 building, which is not assisted living or nursing or anything of that nature, so we think the little bit higher parking ratio is appropriate from a marketing standpoint.

Mr. Woglom stated Phase 2 of this development would be a commercial development. At this juncture there are no proposed uses. There is a parcel of land that would lend itself well just inside the driveway, which you will see ultimately on some of the plans that we are proposing. That would come before you as a completely separate application at the stage that that commercial development would happen.

Mr. Woglom stated just to give you a little update on where we are in terms of the permitting process. Obviously, we are before you tonight for our initial Planning Board meeting, so we are considering that under review, and we have gone before the Bedford Zoning Board of Adjustment. There is a very small wetland on the site, about 2,500 square feet, that is completely isolated; that was actually permitted by the State last year, I believe, and recently we also needed to go before the Bedford Zoning Board of Adjustment to get a variance to fill that and that approval was granted, so that small isolated wetland fill is fully approved at this stage. We have submitted for a New Hampshire Alteration of Terrain permit, which is under State review, as well as a New Hampshire DOT driveway permit. We will also require DES Wastewater Discharge permit, which is under State review, and I further understand from the planning notes that we will need to have that reviewed by your local DPW as well. That is where we are at with the project at this stage.

Mr. Woglom stated what is shown on the screen is a Locust plan, and if you look at this yellow highlighted shaded area, this is the site in question, is really a great site for a mixed-use development of this sort. It has great highway access, as can be seen, this is the airport access road and we are located just north of that, we are right on the southern end of Bedford, close to the Merrimack town line, and as I am sure everybody is aware, that is an area that has a lot of different amenities to it, and since we have the Sebbins Brook Marketplace, which is located directly to the north, has amenities that will be great for pedestrian access for our residences and such. That gives you an idea of where this site is in relation to development around it.

Mr. Woglom stated we also have this 3-D aerial, which sort of gives you an idea of the scale of these buildings in relation to what this site is. As depicted on this plan, the darker green treed areas are actually undisturbed wooded areas on this site. It is extensive and you can see that further in some of the other plans that we are going to show you. We have intentionally left a significant wooded buffer around this for privacy of the residences and such. Shown now is a 2-dimensional view of the site. As I indicated, the site is about 24 acres; in this area on the northern end of the driveway there will be an access easement onto Sebbins Brook Marketplace. Sebbins Brook Marketplace has within it dining facilities, fitness facilities, personal services, that sort of thing, really a great amenity for people that live in close proximity. That easement will also provide a looped water connection, so that will be one of the two sources of water connection. That water line is existing and was run through Sebbins Brook Marketplace at the time that that was developed in anticipation of developing this. The same thing is that our gravity sewer will connect down in that area and there are easements for that. There will be an emergency vehicle access in the event that the primary drive into the site was obstructed for some reason. As you can see, all of the dark green around this site is our undisturbed vegetated area. A fair amount of it is slopes. Sebbins Brook basically bisects this site; it runs along the northerly property line, along this easterly line, down through the site, around Sebbins Brook Marketplace, and eventually crosses under our entrance drive here on the easterly portion of the site. In terms of green space, your ordinance requires that we have at least 25 percent green space and we are actually at 80 percent with this phase of the development, so we have substantially more green space than would be required under your ordinance.

Mr. Woglom stated the future commercial development would go along this southerly portion of the site. I think there is something in the order of magnitude of two or three acres down in that area and that is relatively level topography. It is possible that that would have some interconnections with the adjacent property owner to the south; we are proposing that there be a cross access easement somewhere off from this drive and we would consider that to be a floating easement at this stage, but we are certainly amenable to granting a cross access easement to that abutting property owner for our development for whatever they may do in the future. The FE Everett Turnpike is directly to the west. The closest portion of that is the highway northbound onramp on this portion, as shown on the screen, and there is, again, a substantial wooded buffer here. At our closest point I think we are 30 or 40 feet of wooded buffer in this corner of what would be the over-55 building, located to the south here, and beyond that the buffer is significant, as much as 100 feet of wooded buffer along that area. The over-55 building is the slightly larger L-shaped building as shown. Again, that will be 96 units with 142 parking spaces, 76 of which are covered. That building is about 141,000 square feet; that is four stories above the parking in the basement. We are proposing a trail system in and amongst these wooded areas. We have a detail within our detailed site plan but that wooded area doesn't depict very well on this plan but it goes all around the site through this wooded area and connects back in here, as well as the sidewalk system within the development itself. The two buildings that you see on the northerly end of the site are workforce residences. Twenty-five percent of those would fall under the specific guidelines of affordability. There would be 142 units within those buildings and 286 parking spaces, of which 102 are covered. This portion of the development is about 202,000 square feet in total. On the northerly end of the site you can see this little finger of right-of-way that is extending down from Harvey Road up on the north. Your Town Council

has voted to get rid of the cul-de-sac that was proposed as an interconnection. Really the topography across here is such that it is not practical to expand Harvey Road across there. Our development is completely outside of what the cul-de-sac would have been, however, it makes sense to get rid of that and the Town Council has done that subject to the approval of the development as proposed. That gives you a good overview of what we are planning for the site.

Mr. Woglom stated staff had asked us to do a couple of different iterations of what this site may look like as viewed from South River Road and the FE Everett Turnpike. Posted now would be a view of the driveway we are proposing, an attractive common entrance sign that would be in the landscaped island directly adjacent to that, and there will be no development on the northerly or the right-hand side as you enter into this access drive. Ultimately there would be some commercial development over on the left-hand side going up the drive but that gives you a little indication of what that might look like from that direction. Now looking at Slide #9, this is a depiction of the site as viewed from the FE Everett Turnpike. We have done our best to give you an indication of what that treeline would look like there. Obviously we don't have the actual trees that are there but we have done enough looking at those to get a sense of what their height is and what you might see, so it gives you some indication of the scale of those buildings located behind that from the FE Everett Turnpike.

Mr. Woglom stated I would like to now talk a little bit about the architecture. It is architecture very similar to a project that we did in Newburyport, MA, so we have sort of revised that for this workforce development. Everything you see there is sort of in a New England vernacular with varying facades. We tried to make this so it is not a monotonous affordable sort of project, and we are proposing to use all your good quality materials beyond what you might normally see in a workforce sort of project. The prominent material on the outside will be a fiber cement. You are going to see the various decks, architectural shingles, that sort of thing. One of the things that is a little bit unique about this development is the roofline itself. We are actually going to have a flat roof section beyond the pitched roof that you see in this rendering and that flat roof is recessed lower than the top of the pitched roof. What that does is give us the ability to put all of our rooftop equipment, air conditioning compressors, that sort thing, all of our roof penetrations will go through that flat roof portion. You will not see any roof penetrations through the pitched roof portion of the building. The interior of this building will, as I indicated, have garages on the basement level. On the left-hand side of this rendering you can just see the two garage doors that are an entrance and exit door into that basement garage for residents to access. These are 1- and 2-bedroom units; the 2-bedroom units are actually laid out well so that they work for a roommate sort of situation. Another thing that is a little bit unique in terms of what we are doing for quality construction here, we are proposing to build all of these floors out of poured concrete decks as opposed to wood framing, which is significantly quieter for the residents and gives some added ceiling height and stuff. So that is a little bit different than what you would see normally. We are proposing a very energy efficient building. We are proposing triple pane windows. One of the comments from staff was related to things that we would do in relation to the sides that face the highway for highway noise, and we are going to use high STC rated windows (STC-sound transmission coefficient) as windows are typically the weak point from external sound. There really are no other penetrations through the walls, so we believe that we will have quiet enjoyment there for the residents of these buildings. All of the buildings will be heated and cooled with low ambient heat pumps. These are units that are extremely quiet, the units will be

located on the roof, heat and cool, and we are doing some things that are a little unique in today's environment. Given Covid 19, the public at large is probably for many years to come going to be concerned about the environmental air quality, surfaces and that sort of thing, so we are going to have some unique features in here such as there will be electric doors at all of the public doors for people to get either from their automobiles, either outside or inside the building, directly into an elevator without ever having to touch a door. The elevators are going to have what are called RFID sensors so you actually won't even need to touch a button to go to your door, and there will be an electronic lock access to the doors. There is a lot of natural fresh air ventilation throughout these buildings, so something that is a little unique in the environment given today's standards.

Mr. Woglom stated going to the next couple of slides; we basically modeled this entire site to give a little bit of an idea of what these buildings might look like from various areas within the site. This rendering is a depiction of what it would look like just as you get to the top of the drive beyond the commercial development looking at what would be the end of the over-55 building there. The next view would be at the workforce residences, the two buildings that are mirror images of each other, and what you are looking at in the center of the screen would be the clubhouse, which has the pool out behind it. The next slide shows a depiction of what one of the buildings might look like from the parking lot. This one is actually a depiction of the over-55 building. That is basically a brief overview of the site plan. I am going to stop with the presentation and ask Steve Pernaw to go next and talk about traffic. I will be making a little bit more of a presentation at the end. I think as each individual consultant comes up and goes over any questions related to their presentation and when I jump back in, you can ask me questions that might be related to the site development. I will go over some of staff's concerns and that sort of thing.

Acting Chairman Murphy stated I think that makes sense, but I am just going to ask you to roadmap for me are you having each of the individuals I identified present separately and take questions separately, or did you have a different plan. Mr. Woglom replied I believe it would make the most sense to have Mr. Pernaw talk about traffic, we are going to have Ms. Weiss speak about the drainage and landscaping, and we are going to have Mr. Fougere speak about the fiscal impact. I think each of those items would be appropriate for question and answers after their individual presentation. And then for a roadmap, I think it would make sense for my portion to be done after I have finished mine. Acting Chairman Murphy responded thank you.

Mr. Pernaw stated our office prepared the traffic impact and site access for this project and that is dated June of this year. Following that, we did prepare a response to comments memo in August of this year. I will just give you a *Reader's Digest* version of what we did for the study and some of our findings and recommendations.

Mr. Pernaw stated we started with the all-important scope meeting with the Town and with the New Hampshire DOT and this was done in October of last year. The purpose of that was to identify the study area size, what the different entities were interested in studying when we do our traffic counts and how we would do our projections. That was established back in October; we went out and did our counts following that, but in preparation for that scope meeting, we just researched what DOT data might be out there, and you will see on the slide that the DOT has a

short-term station on Route 3 up over the FE Everett Turnpike and their last estimate was 14,000 cars a day in 2018. If you look at that DOT data, what you see is a very consistent 5:00pm – 6:00pm being the highest hour of the day, much higher than the morning peak hour. And in that scope meeting we were asked to do counts at five intersections, obviously including Iron Horse Drive, and do those counts during the morning peak and the evening peak, so under the existing traffic volumes you can see that we did the counts in October. Immediately north of the site the morning traffic volume, this would be northbound/southbound, was 928 vehicles. The evening was much higher and as we expected over 1,200. By conducting those counts we had a good handle on what existing conditions are in terms of traffic demand on the corridor. In our next step we then estimated how much traffic this particular residential development is going to generate, and these estimates that you see here are based on the ITE Trip Generation Manual. This is what the DOT looks for at the scope meeting, that we use the standard trip generation rates, and our estimate for the number of units that are being proposed would be 68 trips in the morning, that would typically be 7:00am – 8:00am or 8:00am – 9:00am in the morning, and then during the PM peak hour, 88 vehicle trips. Again, that is total in and out. Incidentally our projections or analysis suggests that a slight majority will travel to and from the south of the site. What that means is that left turn arrivals from Route 3 and right turn departures from the site driveway will be our predominant travel patterns. We go to the next slide and you will notice that we did projections for not only the opening year, which was specified as 2021, but we also did a 10-year projection to the year 2031. This is pretty standard practice for traffic studies in New Hampshire.

Mr. Pernaw stated if you have a chance, Figure #6 in the report summarizes those traffic projections for all of the study area projections, and just as a matter of comparison, I told you north of the site what the existing numbers were, this slide tells you that in the year 2031, if everything happens according to plan, Route 3 is going to carry over 1,200 cars during the morning peak hour and over 1,700 in the evening. What is important with respect to the proposed site driveway is the travel patterns at that intersection, and during that worse case PM peak hour expecting 23 vehicles to turn right into the site, 29 northbound vehicles turning left into the site, and while that is happening, approximately 36 cars exiting. What is not shown on this particular chart is that you did a comparison between the build and no-build projections. You are looking at about an increase on Route 3 of about 3 or 4 percent during those peak hour periods. I will just share with you the percentages of that order of magnitude, 3 or 4, are below what normally happens from one random weekday to another weekday. Just a short-term count that the DOT provided demonstrates that normal traffic variations from one day to the next vary by as much as 7 or 8 percent, so this development will certainly have an impact, it will increase volumes on the order of 3 to 4 percent but it is really nothing extraordinary. The Town already experiences greater increases just from a Tuesday to a Wednesday.

Mr. Pernaw continued the next section summarizes our technical analysis. When we look at the site driveway intersection, we are able to calculate a capacity for each applicable movement, compare to the volume and the good news is that in all cases through 2031 there is ample capacity to accommodate this level of site traffic that we are talking about. That was the good news. The bad news is not new news but everybody knows that to take a left-hand turn out of any driveway on the Route 3 corridor in the PM peak hour is going to involve long delays, and that is why that particular movement gets a level of service F rating. Again, it is pretty common

for all driveways on the corridor that operate under stop sign control. Right turn departures will operate at a much higher level, which means less delay. People turning to the right when they leave only have to look in one direction for that gap, and the northbound left-turn arrivals is the same situation, a much higher level of service. Going back to some good news, even though we do have delays, we know we are well below capacity and that means that the queue length estimates were really minimal so we are not expecting any kind of congestion or stacking. We do look at the need for auxiliary trail lanes out on Route 3 and what you will find in the tables in the report on Pages 25 and 26 is that even though the levels of site traffic are fairly low, enough through traffic on Route 3 where we know it is best to provide auxiliary turn lanes for those vehicles entering the site. We did look at the need for traffic signal control only because we saw that level of service F result for left turn departures and the answer is no, we are not even close to meeting a traffic signal warrant, so stop sign control is what is appropriate. Also, there is excellent sight distance looking in both directions. The next slide just summarizes the recommendations that came out of the study, and, again, these go to the New Hampshire DOT. This is their highway, they are going to make ultimate decisions, but what we are recommending to them and to the Town is to provide an exclusive right turn lane on Route 3 for those vehicles turning right into the site, in other words, get them out of the through lane, give them a separate lane for deceleration and turning. In the northbound direction with the amount of left turn arrivals we are expecting that should have an exclusive left turn pocket for that. One of the things that I was asked about is how much storage do we need in that left turn pocket because they will have to wait for a gap in that southbound flow, and the answer was that for the residential one vehicle would be sufficient storage, but as you heard earlier tonight, there is hopefully going to be a future commercial phase so we suggested to the developer to increase that storage length to perhaps four vehicles, quadruple it, just in anticipation of something that might happen in the future.

Mr. Pernaw stated recommendation #3 does not come from our traffic study. When we analyze the numbers for future projections for the year 2031, the answer we get in terms of exit lanes is that one approach lane is sufficient, one shared left-right lane. But, again, knowing there is a future phase that could come along, we like what we saw in Bedford Design's site plan where they had two exit lanes already shown, so we certainly endorse that. I have already said it, but a stop sign control is what is appropriate for the residential development. That recommendation will be revisited when that commercial project comes online. That summarizes our *Reader's Digest* version of the traffic study, and I would be more than happy to answer any questions that the Board may have.

Mr. Newberry stated I have a question on your traffic counts. Those were pre-Covid? I think you said they were in the fall. Mr. Pernaw replied yes, that was in October 2019.

Mr. Newberry stated a question regarding the left turn exit PM peak. Your projection is just a single car stack there? Mr. Pernaw replied yes, that is correct. If I go to the long range projections during the AM peak hour, which is when most will be exiting, it is 22 vehicles over a 60-minute period, so what the algorithms tells us is that a queue of one vehicle, either zero or one vehicle, would be the two most common occurrences. I know that there is always the possibility of two cars leaving closely at the same time, so the software is telling us one vehicle. I think in reality on occasion you could have two vehicles, one behind the other, when exiting left, but that

is from experience, not from the algorithms. Mr. Newberry asked but the intent is to have a four vehicle queue there? Mr. Pernaw replied the four vehicle queue that I had suggested a few minutes ago was for the northbound left turn lane. If you go to the PM peak hour because that is when most would be arriving. We are expecting 29, let us call that 30 in one hour, so every two minutes on average you would have one arrival. But, again, there is also the possibility that you could just have two come at the same time. We threw out the suggestion to increase that storage length to 100 feet, and, again, I don't know if that decision has been finalized. That was just our suggestion to give some wiggle room so that the left turn pocket doesn't have to be torn up in the future. I will say, by the way, we don't have a commercial development proposal to analyze so that was really based more on my engineering judgment than anything else.

Mr. McMahon stated that was one of the more succinct traffic study briefings I have heard. Thank you very much. Acting Chairman Murphy stated I agree. Ms. Malcolm stated nice presentation.

Councilor Duschatko stated I have a couple of comments and a question. If this is proposed as a mixed-use development over time, isn't it appropriate that we do consider traffic impact on a commercial addition in there? Secondly, I know this is on a 10-year plan for improvements of the Route 3 corridor that the State and Town are working on, has any consideration been given for that? I would hate to see it be put in place and then have to tear it up again because the State has a different plan. Mr. Pernaw responded I am not sure I am the best one to answer these questions but I will share with you my thoughts. In terms of future commercial development, I would need a definitive proposal, size of use, type of use, that type of thing, to really come up with any strong recommendations. But having said that, I have prepared a sketch for Bedford Design Consultants showing what I thought the offsite improvements should look like and the only variable in that whole concept design was storage length in that northbound left turn pocket. Everything else stays the same. The posted speed limit is the same, the decelerations requirements are the same, taper rates are the same, corner radii are the same. The only real variable is that how much storage do you want to provide in that left turn pocket. Like I said, I offered an opinion or a suggestion to increase it to four vehicles. Maybe the applicant will come back or maybe the Board will come back and ask for more length but that is my best advice on that. In terms of the 10-year plan and a future DOT project, I can tell you that the location of the drive, there is only one good location for this site driveway and that is directly across from Iron Horse Drive. Regardless of what the DOT might be planning in the future, I would almost call it etched in stone that the driveway should be right where it is. The reason why I say that is that there could be a future traffic signal if there was enough commercial development to generate enough traffic to meet one of these traffic signal warrants, that means that in all likelihood a signal would be installed, and rather than installing a signal just for this one site, it is best to line it up across from an existing intersection and help the people on Iron Horse Drive come and go as well. I cannot picture anything in a future highway plan from the DOT that would affect the conceptual design that you are looking at on this site plan tonight. Councilor Duschatko stated I don't disagree at all with your conclusion as far as signalization goes, but I think we should look ahead a little bit and say that if this becomes a requirement for that particular intersection for those very reasons. I will be happy to listen to your comments against that; I am just raising the question because we are really forced to look to the future because the site concept isn't complete.

Mr. Foote asked what is the differential in the access from the north and the south? You said it was slightly more access to the site from the south, what is the differential. Mr. Pernaw replied our estimate was 55 percent to and from the south and 45 percent to and from the north. Mr. Foote stated thank you.

Town Manager Sawyer stated I just want to ask Councilor Duschatko's question in a little different way and it may be Ms. Weiss that could answer it better based on her experience working with us in the past on the permitting for the driveway where it is and working with DOT. I believe the applicant provided all the right-of-way that was needed for the widening of South River Road at that time and where the culvert was based showed that South River Road couldn't be widened any further in this direction but just confirm that, and if additional right-of-way is needed for widening of the road, is that even available at this location. Ms. Weiss responded on our side of the road the right-of-way ends basically right where that deceleration lane to turn right turns into the site. That is right where the property line is, but with this property even if we do the commercial, we do not need to widen the road at all, we have all of the space that we need for the project. Does that answer your question? Town Manager Sawyer replied yes. I think the plan has always been that there would be two lanes southbound, two lanes northbound with a right turn lane into your site and that all the right-of-way is available for that cross section in front of your site. We are all hopeful that they won't be needing more than two lanes in either direction in any future project in this area, certainly that is not planned for at the moment.

Town Manager Sawyer stated my only other statement is given the level of service F leaving the site, I think it is critical that this site provide or give access to a signalized intersection one way or another. I understand they will grant a floating easement to the south and obviously any information we can get on the ability to connect that at some future date would be helpful.

Mr. Fairman stated the staff report talks about VHB's comments stated that the traffic deceleration lanes were designed for 35 mph traffic but the posted is 45. Have you taken that into account? It sounds like you perhaps have. Mr. Pernaw responded yes. I was surprised when I heard that comment and I went to a street view on Google and VHB is right, it is posted at 45 MPH. I will provide the extra deceleration length to Bedford Design Consultants so they can incorporate it. It adds somewhere between 100 and 200 additional feet, so the left turn lane and the right turn lane would be a little bit longer than the sketch I gave to them. I don't know if the Board has received anything but we will make sure that it is properly designed using the 45 MPH speed limit.

Mr. Fougere stated we worked on the fiscal impact report. What you have before you is a summary of our report outlining the various figures from either revenues or expenses. The first line is the estimated revenues of \$1,118,000 that we are expecting from this project at buildout. That is made up of two components with one being from property taxes and the other being from vehicle registrations. On the property tax that you can find in our outline details the various price points that are expected from the unit mix at the two complexes, either for the 1-bedrooms or 2-bedrooms on the top floor or the workforce units, which prices are dictated by statute, same with the elderly affordable units, and the elderly are actually dictated by Town zoning ordinance.

We took the summary of all those values and discounted them down to 86 percent. The Assessing Department does not do 100 percent evaluation based on the purchase price, he discounts it to approximately 90 percent and we went lower than that just to be conservative. Also, income coming into the community will be from vehicle registrations, which we are estimating at approximately \$61,000, totaling \$1,118,000 annually coming in at project buildout.

Mr. Fougere stated there are three departments that we looked at specifically with this use given the residential nature and those were police, fire and schools. One of the key metrics that we use to measure impacts for police and fire is emergency calls, and in our report we detailed various compatible projects that we looked at to estimate police and fire calls to this type of use. We are estimating 116 calls for the Police Department. We sat down with the Police Chief and staff and reviewed those findings with them and they were comfortable with the estimates and wanted us to carry the cost of a quarter of an officer to offset potential impacts on staffing levels in the future and that is what we did with \$25,000 for that. On the Fire Department side, we estimated emergency calls a total of 47 calls. That is broken into two numbers of 25 fire calls and 22 EMS calls. Again, we sat down with the Fire Chief and reviewed these findings. The Fire Chief has concerns about growing populations in the community, he feels he is understaffed, and wanted us to reflect that impact from our development. He is also looking to replace an aged ladder truck that is in company now. Looking at a relationship between the 4-story and 3-story buildings in the community and the staffing levels, we are carrying \$150,000 in costs, which is approximately 1 ¼ - 1 ⅓ cost of a firefighter's salary with benefits to cover any expenses there. We also carried \$15,000 of miscellaneous expenses for the community be it recreation, public health or some other costs that really don't bubble up in our review and to be conservative. On the school side, we met with the Superintendent and we did an analysis of two workforce housing developments to estimate school children. It is not apples-to-apples as this is a condominium, but since it is in the community we wanted to use those, and based on that data we are estimating 37 school children, 35 from the residential non-age restricted development and we are assigning two school children to the over-55 to be conservative. We believe this number is high, we do not expect that many school children living there. Those compatible projects have a significant amount of 2- and 3-bedroom units, over 90 percent of their mix, whereas only 50 percent of our bedroom mix is 2-bedroom and no 3-bedroom. Looking at some other methodologies we would be estimating 19 schoolchildren here and that is what we expect to see, however, from a cost perspective, we are being conservative and looking at the impact of 37 schoolchildren. When I sat down with the Superintendent that is what we discussed, and based on looking at a gross cost average based on the school budget, the high cost of education would be \$495,000, close to half a million a year. Looking at a more marginal approach, looking at the need for a couple more teachers, some set aside for special education and supplies, and that cost is \$237,000 a year. Looking at those two methodologies for the schools, we have a range of costs between \$427,000 a year and \$685,000 a year for a net positive fiscal impact ranging from \$432,629 up to \$691,000 a year. There will also be a one-time significant impact fee paid to the community of \$566,000. I would be happy to answer any questions. Obviously this is going to be a net gain to the community and obviously there will be spin offs on job creation both during construction and long term as far as maintenance of the buildings and then the people living there shopping locally and helping the local economy.

Mr. Newberry stated I have a quick question on the schools. The low number of \$237,000 is based on your projected actual of approximately 90 students? Mr. Fougere replied no; that is based on 37 schoolchildren. Mr. Newberry asked so then what is the high side based on? Mr. Fougere replied it is the same amount. On the school side, if you look at the gross budget of the community, the average cost per child ranges between \$12,900 per student to \$13,500 per student. So that gross average approach is more conservative and that is where that higher cost figure comes from. The lower cost figure comes from the cost of two new school teachers, which is \$160,000, special education costs of \$57,800 and school supplies at \$19,000. Mr. Newberry stated thank you.

Mr. McMahon stated how many more teachers did the Superintendent say he may need? Mr. Fougere replied two. Mr. McMahon stated thank you.

Councilor Duschatko asked your two new teachers and one in the special education area, where are they going to put them? Mr. Fougere replied the largest percentage of children would be, if you look at the breakout, in the elementary schools. Councilor Duschatko asked physically where would they go? Mr. Fougere asked do you mean which school? Councilor Duschatko stated there is no room in the schools. Mr. Fougere responded the Superintendent didn't have any concerns about capacity. Councilor Duschatko responded okay.

Councilor Duschatko asked have you ever done an analysis like this that has come out negative? Mr. Fougere replied for single family homes. Councilor Duschatko stated thank you.

Ms. Malcolm asked could you explain to me again the difference between the school's figures of \$237,000 and \$495,000? Mr. Fougere replied on the high side this actually started with past Superintendents before the existing one started. They look at the gross budget for the elementary, middle and high school, and if you look at the gross budget of those three segments of the school population, the costs range anywhere between \$12,900 per student on the high school side and \$13,553 on the elementary and middle school side. These numbers came from the Superintendent's office. So if you apply those costs to the 37 children, that is where that \$495,000 comes from. We are anticipating 13 elementary school, 14 middle school and 10 high school students from this development. Then on the low side, the cost of two teachers is \$160,000, special education is \$57,800 and supplies is \$19,000. Again, those figures are from the Superintendent's office.

Mr. Clough asked what is the cost of the Police? That is one extra policeman? Mr. Fougere replied it is $\frac{1}{4}$ of a salary of one officer. Mr. Clough asked and what is Fire? Mr. Fougere replied \$150,000. Mr. Clough asked you are talking two more firemen? Mr. Fougere replied 1 $\frac{1}{2}$; it will pay for one entirely. Mr. Clough asked didn't you say that they needed a ladder truck too? Mr. Fougere replied yes, but they need a ladder truck with or without this project. It is a situation that is existing and will need to be taken care of with or without this project. Mr. Clough asked so you are not going to allocate a percentage in for the cost of the ladder truck or a new fire station or a new police station? Mr. Fougere replied we haven't set aside that type of money. Typically, if you are going to be looking at those things, impact fees are charged and certainly we are paying a fair share of those. Mr. Clough stated I think the people of this town would want to know what the future costs are going to look like.

Mr. Clough asked so the left-hand column is average and the right-hand column is high-end? Mr. Fougere replied they are identical except for the schools. The school has two numbers because on the right side of the high end is the average per pupil cost of the gross budget and then on the low end it is more of a marginal approach as far as how many staffing people they feel they might need. Mr. Clough stated my former occupation was risk assessment and we always did a minimum, an average and a maximum and it kind of covered the uncertainty and it just looks like a very simplistic analysis to me. The miscellaneous Town is just one number based on water, sewer? Mr. Fougere replied not so much water and sewer because those are enterprise funds and any expenses will be carried through that analysis. It is just to cover any other costs that might occur in some other department. It is hard to cover every metric that might come down the line. If you look down the budget of various other Town departments, there really isn't a single one that is going to be a significant draw on any particular department because of this development, but I wanted to cover something so that is why that is in there. Even on the conservative side of close to \$700,000 in costs, we are still positive at \$432,000. Mr. Clough asked but the miscellaneous Town number is that arbitrary? Mr. Fougere replied it is an arbitrary number, it is a professional opinion. Mr. Clough stated thank you.

Mr. Fairman stated I have a comment not a question. To Councilor Duschatko's concern about space for the students. Of course they are not all in one school, but we also have to remember that our school is projected to continue the declining enrollment that we have had the last couple of years, particularly at the elementary school level. My question is from condos versus apartments and the number of students. I am wondering if anybody has any experience, because we don't have a lot here in Bedford, of condos like this and I am just wondering if anybody has any experience of the number of students when somebody is buying the property versus renting. I would think it might be higher, and I am just asking if there is any experience out there on that. Thank you. Mr. Fougere stated I didn't know if you were asking that of staff or of me. There are condos in Bedford but they don't have workforce housing in them. I tried to use the most like development in the community. We can certainly look at some other condominium developments in the community. There are some in the north end near the Manchester line that are condominiums, and I could certainly look at those and see what type of population there is in there to try to get a more apples-to-apples comparison if the Board is interested. Mr. Fairman responded I would be interested to see compared to the condo development here if we see how that goes rather than strictly comparing to apartment buildings. Let's see what other condos in town and in Manchester near Bedford do. Mr. Fougere responded I can certainly look at the condominiums in the community. I think those are more townhouses but I can certainly look at what those are. I don't believe there are any garden style condos in Bedford but there are some nearby. I won't use Manchester because it is a city, but I will try to find some like communities like Merrimack and maybe Amherst that have garden buildings and look at those too. I would be happy to do that. Mr. Fairman responded that you.

Mr. Quintal stated this has come up before with the Fire Department needing a new ladder truck. You are proposing a 4-story building, and I think the current vehicle that we have right now will only work on three levels, so why aren't we appropriating some additional funds for this? Mr. Woglom responded I believe the Fire Department has looked at this and they are comfortable with the height as proposed. I can't speak to what the ladder truck would make for a difference,

but of course there are certainly areas of this building even at the height that a ladder truck couldn't get to, but the building is completely code compliant with all of the Fire Department access with the equipment that they have at the height we have. They did ask us at the rear of the building where there is not vehicle access to have access to a relatively flat area that a personnel ladder could be put up and we have designed that based upon that request.

Ms. Weiss stated Bob Baskerville is here with me as well if you have any questions. I am going to try to answer some of the staff comments a little bit as I go through the presentation, and hopefully that will answer any questions you might have as you read through the staff comments.

Ms. Weiss continued the first picture we are going to look at is an overview of the site with utilities and drainage. In the image posted on the screen the water line is shown in blue. Starting at the entrance, right now the water line is stubbed to our property, so we are going to connect right there at the entrance, bring the water up around the loop, and then loop it over, as Mr. Woglom mentioned, before going onto Sebbins Brook Marketplace property to the north. We also are going to connect to all of the buildings with a domestic line and fire suppression lines; there are several hydrants throughout the site. In orange you can see the sewer line. The sewer line is gravity fed from all four buildings and it goes down the emergency access and connects to Sandu's property, Mike Sandu owns the marketplace property. We also have a sleeve under our first crossing. As you enter the site and come up the drive, we have our first wetland crossing, so right there we are going to put some sleeves in that are going to connect over to the end of the sidewalk. We are putting sleeves to put in force mains in the future. The commercial site will have to have a force main but then everything from this project is gravity fed from this portion of it. The red is the underground electric and that comes right off across the street with an overhead wire and then underground throughout the site.

Ms. Weiss stated we have already applied to Alteration of Terrain and best use management practices on the site. There are several different treatment facilities that we are using. I am just going to do the two main ones. The first one is a gravel wetland. We have five different gravel wetlands throughout the site, they are all located fairly close to where the water that is going in them has fallen onto the ground, so that is why there are so many smaller one. Each of the gravel wetlands is vegetated and removes phosphorous and nitrogen, which is a requirement now with your permits that you have in the Town of Bedford because you are an MS-4 community. There are actually two reasons why we chose gravel wetland instead of underground detention. The first one is in the back of the property here we have a relatively high water table as well as relatively high ledge. Several of the buildings are in some ledge areas so a gravel wetland is an easier way to treat the water than doing underground storage. The only place on the site that we do have underground storage is at the entrance. You can see the storm tech detention chambers. This is one of the few areas on the site where we do not have ledge, so we chose to do underground storage in this area, and then the other two treatments that we are using.

Ms. Weiss stated the next page is the landscaping. Shown here is an overview of the site. As you enter the site, there is a long entrance island filled with shrubs and perennials, the main entrance sign will be as shown, and we also show additional trees at the entrance at either side. Then as you go up the drive you will notice that we only have trees and shrubs on the right-hand side and there are a couple of reasons for this. The first reason is that you can see there is a

treeline that runs on the left side for the top half and we are expecting the trees to pretty much be right across the road there so there is not really room for trees. Then on the other section where there aren't any trees, if you have been out to the site and walked it, there is a big hill there, so to make this pad site level we are going to have to do some fill and it is going to be in that area, so putting any trees in now they are just going to come down later so that is one reason why we didn't put anything on the left side of the site. We also know that we will be extending the sidewalk. Right now the sidewalk ends right as you cross over the first crossing that we mentioned before, so eventually we are going to also put the sidewalk in, so we are waiting to do that until we know exactly where our entrances are going and what our site grading is going to look like.

Ms. Weiss stated all three of the buildings have very similar entrance designs. There are two ornamental trees right near the pavement section and then we have low shrubs and grasses and perennials that line the walkway up to the doors. There are trees located along the façade fronts and lots of different clusters of shrubs along the façade to break up the larger areas. Building #3 is seen at the bottom right and that shows the entrance. The top area is where the sign will be located, and there are shrubs and perennials on either side of the road to create a nice entrance as you enter there. We have added some screening between Building #3 and the parking lot that is for Building #1. Looking on Sheet #19 at the top we added in a bunch of taller evergreens that will grow pretty tall to help screen the building from the parking lot. Buildings #1 and #2 have pretty much mirrored landscape designs. We also added landscaping along the stairways and by the garage doors so that if there is any concrete showing there, those will be covered up. The clubhouse is also heavily landscaped. You can see that design at the top right blowup on the screen. You go across the street and then go to the gazebo plants and that design is also heavily planted. With the emergency access we haven't talked too much about that but this area is going to be grassed, we are going to have a geo-web pavement underneath that that is going to hold everything in place, so there will be a grassed area and on either side of the grassed area where the pavement is there is going to be a mountable curb. The mountable curb will make it look like you are just looking at a grassed area that is not drivable and we are going to have a 5-foot sidewalk that runs down the emergency access. Right at the crossing there will be a bench for people to sit and look out over the brook.

Ms. Weiss stated there is a note on the plan in the bottom left corner about putting some evergreens along the buffer that is existing there because I believe at some point this whole site was kind of clear cut so the growth isn't super old but it is pretty tall, and I would like to beef that up. One of the comments was how are we going to do that, and what I would like to do and what my thought is that we would like to use the State nursery where they sell plants and I would like to come up with a plan with staff for planting new trees based on square footage of how many plants we put in there in the buffer. Lastly is the walking trail. It is kind of hard to see on this plan, I don't actually think it is on here, but the trail runs along the whole property and we have several areas where there are benches to look out over the brook and there are several entrances. There is an entrance by the emergency access, by the pool, right behind Building #3, and then another entrance where the sidewalk ends down by the commercial property. So there is plenty of access to the trail for anybody who decides to walk in a complete circle. I am finished with my presentation.

Mr. Woglom stated if I could just expand on a couple of things that Ms. Weiss has mentioned and it dovetails in a little bit with staff comments. Staff had raised the comment relative to a sidewalk going all the way down the drive and getting over to Route 3 as well as plantings along the southerly side of that drive along the commercial development. I can tell you that ownership has no indication as to when the commercial development may happen, it could be in conjunction with the property to the south, it could be standalone, it is not a particularly big parcel of land. If you were to look at that in relation to say Sebbins Brook Marketplace, it is comparable in size in terms of the developable land there. I think it dovetails in with the traffic question related to what would we do with turn lanes, we really don't know when or what that development might be, and with that in mind, I think we would like to revise the plan to get plantings along that southerly side knowing that we may have to disturb them for a driveway entrance if that were to occur with commercial development there in the future. So I think you will see an amended plan with expansion of the sidewalk access as well as planting along that side. I think it also speaks to we don't want to overdo the driveway design attributable to an unknown commercial development on those. If I could also while we are doing landscaping, there was a staff comment relative to plantings on the rear of the building where the woodlands are. I think we could revise the plan to get something but there was a little bit of talk of trees or something of that nature. Really the woodlands are going to be in very close proximity to the building, so probably planting trees isn't the most appropriate thing as you are going to be looking out at a lot of trees in those areas. I just wanted to offer those comments up in relation to the landscaping before we took questions. That is all I have.

Mr. Newberry stated I have a comment and a couple of questions. I was going to ask a little bit, at least, of landscaping on the south side of the entrance drive, and it sounds like you are planning to revise that, which I would encourage and support, particularly since it is not clear when or what will be the ultimate development there.

Mr. Newberry asked I thought I understood it that the Fire Department has reviewed access to the rear of the buildings and they are comfortable with the current design there? Mr. Woglom replied that is correct.

Mr. Newberry asked is the assumption that the school bus will come onto the property, and if not, what would the plan be to safely allow the student residents access to school buses? Ms. Weiss replied there is a plan that we have attached to your packets in the pdf's. Mr. Woglom stated that would require that we pull up the pdf as it is not on the PowerPoint plan. The anticipation is that school buses would go up to the buildings themselves, and we have shown a plan depicting how they would be routed through the site. Mr. Fairman stated I worked for the school bus company so I have some familiarity and I cannot speak for them, but certainly they are going to not want to pick up students out on South River Road. However, they will require to come onto your property a safe place to turn around without backing and the safe place would not include going through open parking lots. You may want to get with the bus company before you finalize your site plan, so maybe before you start putting in your final driveways, for instance, I would suspect that they may like a turnaround like a cul-de-sac circle some place located where they could turnaround and have a bus stop for all the students to walk down to via a safe sidewalk. I can't speak for them but the only thing I can suggest is that you talk to them before you finalize things.

Mr. McMahon asked for the different utilities are you going to have stubs that will spill out into the property where commercial might be built? Ms. Weiss replied yes. We show stubs for water, and then the sewer for the force main, and then we also have electrical stubs going into the site. Mr. McMahon asked and telephone? Ms. Weiss replied yes.

Mr. McMahon stated just a quick word about the path that goes around it. It says that it is not going to be paved. Is that right? Ms. Weiss responded correct. Mr. McMahon asked and because of the flat area, may I assume that it would be ADA compatible? Ms. Weiss responded we are using the trail standard and this is the one that Concord uses for their trails. It is a clearing trail, it is about 5 feet wide and it is cut around 8 feet high. They cut the limbs and tree trunks but it is not ADA accessible. Mr. McMahon stated and you have a large population, we hope, of elderly people. Is there anything that you could do to address that? Ms. Weiss replied we could probably do portions of it ADA accessible but not the entire site though because we are going down by the brook. The emergency access could possibly be made ADA accessible; I will have to look at that. Mr. McMahon asked is there is a portion, as you said, that can be done, is there a strip where they could go and then come back and have it ADA accessible? Ms. Weiss replied possibly yes; I will have to take a look at it and see where that can go because I have the grading plan. Mr. McMahon stated that would be great if you could let us know at the next meeting. Ms. Hebert stated just to add to that, Ms. Weiss, the ADA accessibility standards for trails are different from sidewalks, so you may want to look at those standards and you can improve the trail so it is possible with a wheelchair or mobility device so that may be an option. You don't necessarily have to meet the same grades that you would with this. Ms. Weiss stated I will look into that. Councilor Duschatko stated in terms of the trail, there are new standards that have been put out by the Fish & Game service of New Hampshire that calls for some different trail construction based on their studies of the wildlife corridors and the wildlife in there. I know the wildlife had come up as a concern with the Conservation Commission, and I just think that some thought should be given to any trail design that would incorporate the recommended features from the Fish & Game Department. You might be able to get everybody on the same track here.

Councilor Duschatko stated going back to Mr. Fairman's question on the school buses. I had the same question on types of provision for transit services for this elderly housing, which is a major component of this type of thing. I do not particularly like the term elderly housing of age 55, but that is what you are calling it and you are making a big deal about it. How are you going to get public transit to that particular site and how are you going to support it and where is it going to go? Ms. Weiss stated I believe that is more of a question for Mr. Woglom. Mr. Woglom responded I don't think we have looked at it from a public transit standpoint, but we would be happy to review the public transit and see what the options are for whatever services might be available, whatever we can do to accommodate it. Councilor Duschatko stated I don't think you should just look at it; I think you have to have a solution for it. You are going to have people living there for 30 years and at some point they are going to require some access to perhaps public transit and I just think we should start looking at this down the road. There are a number of studies that have just come out and basically questioning the wisdom of having concentration of elderly projects without all of these other thoughts put into it and I just think everybody should start looking at this. Thank you. Ms. Hebert stated the use is classified as elderly

housing per our zoning standards and that is for either 55 and older or 62 and older, and the 55 and older category must provide services to accompany the development for the residents, so that is something that the applicant will need to get into more detail when you talk about the uses. Councilor Duschatko stated thank you, Ms. Hebert, I appreciate that. Mr. Woglom stated that was a staff comment that we just received and we will look at that.

Ms. Malcolm stated I also want to support Mr. Fairman on this bus business. I can't see the school bus stopping at Building #2, then stopping at Building #1 and that doesn't make any sense at all to me. I am sure that the kids could get together somewhere and there could be one stop and I don't see where you are going to do that. I hope you are going to review this bus access business.

Ms. Malcolm asked with this pedestrian trail, how close to the turnpike does that trail go? Ms. Weiss replied I would say the side that runs along the FE Everett Turnpike in some cases is maybe 50 feet away. When we went on our site walk, we walked to the left of the vernal pool area and we were about where the trail is going to be, so that is about how far we were away from the road. It is still a significant buffer in between. Mr. Woglom stated if you go back to the landscape plan, you can actually see the trail on there. Ms. Malcolm stated no, I was thinking more of children overlooking the turnpike rather than the turnpike overlooking the children.

Ms. Malcolm asked the access road into Sebbins Brook Marketplace is going to be 2-way? Ms. Weiss responded it is technically 1-way because it is only going to be used by the Fire Department, so it is going to be about 18 feet wide, enough for the truck to get down and then back. Ms. Malcolm stated this access road is not going to be used just by the Fire Department. If there is an accident out at the beginning of your development and nobody can get out of the development, they are going to have to use this access road and that is the people who live there. That is not just the Fire Department. Ms. Weiss responded then my answer would be currently it is 1-way right now because it is only about 18 feet wide. Ms. Malcolm stated but you won't be able to access it from the Sebbins Brook Marketplace. Is that right? Ms. Weiss replied you will be able to access it from the Sebbins Brook Marketplace, but it would only be 1-way at a time, so one car at a time. But we are putting in the floating easement access to the south of our property, so in the future if that gets developed, we can connect and that can also be another exit point. Ms. Malcolm stated that is down the road some and there is no guarantee that that is even going to happen.

Ms. Malcolm stated with regard to the sidewalk that is going to go out to Route 3, is that going to be on the side where the trees weren't? Ms. Weiss replied that's correct.

Mr. Clough stated Ms. Weiss mentioned the vernal pool. I am assuming that that is going to be filled. Is that correct? Ms. Weiss responded yes. Mr. Clough stated actually there is quite a lot of wetlands that are going to be filled or have already been filled. Ms. Weiss stated it is just that one. Mr. Clough stated since the beginning of the project there is quite a bit of filling. The area in front of the gazebo, is that a wooded area? Ms. Weiss replied yes; it is wooded right now and it is going to remain wooded; that is what we show. Mr. Clough asked what if you were to make that into a duck pond? Ms. Weiss replied there is ledge in the area, so right now that would mean cutting out all of the ledge. The pool itself is actually partially in the parking lot, so the

area that is the depression in the ledge where the vernal pool is would prevent that because we have to fill it in to put in the parking lot. Mr. Clough stated I was just thinking about mitigating by putting a duck pond in the area in front of the gazebo where there is currently woodland and it is not that hard to do. Ms. Weiss stated that will be a gravel wetland, which will support some wildlife. Mr. Clough stated gravel wetlands but they are pervious. Is that right? Ms. Weiss replied there is standing water in them, they become wetlands, so there will be wetland vegetation. Mr. Clough asked and that is where stormwater is going primarily? Ms. Weiss replied correct.

Mr. Clough stated my other question regarding wetlands is, when I walked the site, the upgradient beaver dam area, so when you walk into the site, there is a very big box culvert with a natural bottom, is that larger than the capacity that you are going to put in the culverts at the beaver dam? Ms. Weiss replied yes, and there is a reason for that because we wanted to maintain the hydrology on the site that it is there now. We wanted it to be as if the beaver dam was still there so that we could keep the north side of the water that is coming in through the box culvert a really nice and pristine area where the water backs up slightly, so it looks really pretty. So we wanted to maintain that and keep the hydrology the same on the site and that is why it looks different. Mr. Clough stated I am not totally convinced the 100-year or 500-year flood will wipe out the new culvert that you are putting in. You are putting in dual culverts there? Ms. Weiss responded no, it is just one closed bottom box culvert that is about 10 feet wide and 2.5 feet tall. Mr. Clough asked so your engineers are absolutely positive that that will handle a 100-year flood event? Ms. Weiss replied yes; we met all of the requirements that DES required for a stream crossing. Mr. Clough stated I have no further questions. Thank you.

Town Manager Sawyer stated I only have two comments that were raised in the staff report. One was the sidewalk all the way out to South River Road, and it sounds like the applicant is agreeing to do that now. I think it is critical that we do that at the start of the project. And the second comment was that staff raised a question about a playground for children on the site. I know you have a pool and a clubhouse, but is there any consideration for outdoor play amenities for children. Mr. Woglom responded at this juncture we have not anticipated doing that but we are amenable to finding a location for that. Town Manager Sawyer stated that is all I have. Thank you. Acting Chairman Murphy stated I would like to see that.

Acting Chairman Murphy stated Mr. Woglom, I know you indicated initially that you were going to do cleanup on the presentation and then take questions. I am not sure if you did that this last round or if you have additional comments you want to make. Mr. Woglom responded I was anticipating going through the waiver requests as well as the staff comments to complete our presentation. I am happy to do that. I can do that reasonably quickly if you would like. Acting Chairman Murphy replied yes.

Mr. Newberry stated I have a quick question following up on Town Manager Sawyer's question. Is the pool sized to accommodate a population like you anticipate there or is it simply a birdbath and is it chlorine or salt or what do you anticipate there? Mr. Woglom replied the pool is a size that it should be adequate for the number of people that are going to be in there. It is not a WMCA pool, per say, it is a place to go and cool off. The pool needs to follow the State Department of Health guidelines for a swimming pool, it will have a saltwater pool, which

actually the salt is a way of generating chlorine. You put the salt in and then there is a little machine that takes that sodium and then converts it to chlorine, so it will have all of the most modern treatment systems, auto feed chemicals, chlorination, it is a pretty involved system that we need to do for the State guidelines and for a public pool such as this there are standards to how it gets maintained. By law it can't simply be ignored. Mr. Newberry stated thank you. Councilor Duschatko asked what is the size of the pool? Mr. Woglom replied it is about 15 x 30 in round numbers. Councilor Duschatko stated that is pretty tiny for that population. Mr. Woglom stated well, you are not going to have the whole population there. It is very similar to what you would see in similar sized developments if I were to find them for you. Ms. Hebert asked will all three buildings have access to the pool or just the two workforce buildings? Mr. Woglom replied all three buildings have access to the pool, I would presume.

Acting Chairman Murphy stated now the applicant will review the waiver requests.

Mr. Woglom stated what I am going to go down through them. We submitted a very detailed response as part of our original application and I am certainly not going to go through that, it is about five pages long. Basically there are five waiver requests. Two of them are related to workforce housing, one there is a stipulation with your ordinance that is a relatively new portion of the ordinance that indicates that buildings should not have greater than 12 units and that also that workforce housing within the Performance Zone would not be allowed for a site that has frontage on Route 3 and the FE Everett Turnpike. We believe that those two waivers are appropriate for the following reasons: The first is that we believe it is consistent with the Performance Zone objectives that are outlined in your ordinance, residential is a stated and permitted use within the Performance Zone; we believe that the development that we are proposing would maximize the financial returns on infrastructure, which is a specific request within your Performance Zone, and it says that the Performance Zone should preserve financial features and minimize with minimal impact. We believe that these developments really are lower impact in terms of the amount of parking that will be visible. Almost any other commercial development is going to have a much greater paving to building ratio so there are a lot of taxes being paid on what is a building development with a minimal amount of paving surfaces. Your Master Plan specifically states the goal of obtaining workforce housing, and fundamentally the 12-unit buildings there are a number of features of this development that we think are beneficial that would not be possible with 12-unit buildings. We would have the underbuilding parking, by the time you bring stairwells and elevators and that sort of thing down to a building in a 12-unit building, you would have a negligible amount of parking underneath it, which would need to be expanded to the outside. When you do a 12-unit building, you really have a disproportionate amount of circulation, again, the elevators, stairwells and that sort thing for the number of units. Critical to workforce housing is the fact that it needs to be financially palatable, you simply can't do a workforce housing development without some eye towards costs because you are going to sell them below what the development cost is, so in order to do that you really need a larger building and get some economies of scale, but it does allow us to do some things within those buildings like enhanced architecture beyond what you would typically see for workforce housing. This development is relatively low impact when you look at the amount of impervious surface in relation to the overall site, and by doing this this way and consolidating it into a smaller massing, we are able to visibly isolate this from the neighboring uses so that people can have quiet enjoyment to their space. And basically the State law under workforce

housing requires reasonable and realistic opportunities for workforce development and we think that would be challenging, to say the least, with 12-unit buildings.

Mr. Woglom continued next, this waiver would be to allow elderly housing within the Performance Zone. Again, the housing that we are proposing here is over-55. We envision it being independent living, not something that would be assisted or nursing level of care, so generally the residents there would be self-supportive, although in having similar buildings within the same development allows for a great diversity of residents living in the same development. Obviously you are going to be less inclined to have kids within the school system with elderly or over-55 housing, and it also allows us to reduce the number of parking spaces because we simply don't need the same ratio. So we think those are appropriate for those reasons.

Mr. Woglom stated the next waiver is that half of the required parking should be covered. In this instance we are providing parking that is covered, heated, fully enclosed, and fully concealed. Obviously there is an expense to that that goes beyond putting a shed roof on something, but we fit the maximized number of parking spaces that could go under this building is what we have provided, we think it is a better aesthetic impact for it the way we are doing it and really a benefit to the residents.

Mr. Woglom stated lastly, to allow stormwater discharge to a steep sloped area. Sebbins Brook is really the low point of the property and we need to discharge to where the water is going to go. While the stormwater has been reviewed by your consulting engineers, VHB, and I know that we have done all of the pertinent things necessary to achieve that stormwater system in an engineering-appropriate fashion. That is what we have for waiver requests.

Mr. Woglom continued then I am going to briefly go down through some of the staff comments that we just received today. We have the phasing plan; we will indicate phasing plans so that the two workforce buildings could be built independently of the over-55 building. I spoke a little bit already about highway sound abatement so that is something that we will address and we can make a note to the plan relative to the types of windows that we would be using. I have addressed the 12 units per building in the waiver requests. We will review the elderly support services, as some of your staff has indicated and we have Board members' questions on that, so we will address those and provide you more details on what we are doing there, including public access. I have described the clubhouse amenities that it has in it. Staff had a comment about a gazebo that we were planning in front of that front wooded yard area and whether a gazebo was an appropriate use. We would be happy to review that with staff and see if there isn't something that could be an alternative use that would be a benefit to the residents. We have discussed the sidewalk and the trees along the entry drive, which will be improved. There was a comment that maybe it would be possible to put in a pedestrian bridge to Harvey Road and Autumn Drive. We believe that that simply just would not be practical from a financial perspective for this development. Staff indicated that the architecture they believe was appropriate but they would like to see some subtle enhancements to that. We would be happy to sit with staff and see what we could do to make some enhancements. There was a question about the gravel wetlands and whether there could be something to screen those or consider alternative means of storage. We are happy to take a look at both of those and see what we can come up with and we will get back

to you with that. There was a request for utility sleeves at the box culvert. I understand the goal there. The concern was that if those utilities failed sometime in the future, how would we get access to them. I have never put an 8-inch water line in a sleeve but certainly we understand the concern and we will come up with some engineering solution that is appropriate that addresses that concern. Lastly, to make sure that we had added accessible pathways to waste disposal areas, which we will certainly include and/or revise. That is what I have to finalize our presentation.

Mr. Woglom stated to summarize, we really feel that we have a development here that we are hoping when we are all done that the Town can be proud. We think we have something that is a relatively low impact development for the site, we think that it is something that is financially feasible within this economy, which is certainly challenging from a commercial development standpoint. We thank you very much for your time and are happy to take any additional questions you might have.

Acting Chairman Murphy stated I am going run through the members one more time just to give the Planning Board members an opportunity to ask questions specific to the waivers or to any other questions that they choose to raise in tonight's meeting.

Mr. Newberry stated I have a comment on the waivers. I think some of those are significant requests, but based on the plans and information that I see to date and considering some of the challenges of this particular site, I don't really have any major objection to any of the anticipated waiver requests.

Mr. McMahon stated on the waiver request about abutting Route 3, we obviously have a zoning ordinance against that. I am looking forward to other submissions that you may want to use as an example, and I know there was some discussion where there are a lot of trees that are already there and planning more trees as it abuts may not be appropriate, but anything that you may want to consider as far as shrubbery goes so you could make the lower level of the buildings almost invisible might be helpful. The other thing I have, and it has to do with the elderly and something just to consider. There may be people older than 55, I know you are going to have some balconies and is there any way for the senior housing that they could have balconies that would be accessible by wheelchair so that if they are homebound a lot, that they could at least go out and get fresh air and see the world other than through glass. You have no need to comply with that because obviously you would have to think about it, but it may be something. The other one is the underground parking. Is there going to be any numbered slots or will it be first-come first-serve? Mr. Woglom stated we anticipate that all of the parking spaces under the building would be dedicated to an individual resident, so once you drove in there you would know exactly where your space is and exactly where you were going. To address the issue of ADA access on balconies; there is a whole body of law under the building codes that dictates that residential buildings have units that are of varying degrees of accessibility within the units, so we would have to do some that are fully accessible, some that are convertible and some that have a basic level of accessibility. Those are the three ranges of units that are required under the building code, so we will be required to have something that would have a deck that would have the same degree of accessibility in the accessible unit. There is a mix of units there. There are some that have decks, there are some that have what are called Juliet balconies where you can

open up a window but not go onto a deck and there are some without. We have a variety of mix both for marketing purposes and aesthetic purposes. They will be fully compliant. Mr. McMahon asked could you tell us how many of the senior apartments would have balconies? Would it be more than the other apartments or less? Mr. Woglom responded it is commensurate in terms of quantity. I don't know the number off the top of my head; I would have to pull the plan out. We can have that for you for the next Planning Board meeting. Mr. McMahon stated that is great. I appreciate that very much.

Mr. McMahon stated when it comes time for garbage and for snow removal and for maintenance of the trail, once these are sold out, will there be a homeowner's organization that would take care of all of that. Mr. Woglom replied yes. Mr. McMahon stated thank you for your time. Nice presentation. Councilor Duschatko stated I would just like to follow-up on that. I assume the accessibility apartments will be distributed throughout the development and not just concentrated on the elderly side. Mr. Woglom responded that is correct.

Councilor Duschatko asked why do we have to have an elderly designated building? Why can't we just have everybody mixed so we have some integration and not build two communities, one elderly and one non-elderly? Is there a marketing problem with that or is it a legal problem? Bob Smith responded there is the federal requirement that you maintain elderly separate from the other. I can't tell you exactly why but it has something to do with discrimination. That is all I know, and that is why we established two separate buildings. Councilor Duschatko stated I can't think of anything more discriminatory than separating them. Mr. Woglom stated there is certainly no restriction on somebody who is over 55 going into the workforce housing building, and there is a marketing aspect of the over-55 because there are people who would prefer to live in a building where there are not younger people who might be more active and noisy, so there is a little more quiet enjoyment. There is a market aspect to it as well. Councilor Duschatko stated thank you. Acting Chairman Murphy stated it is a HUD requirement, and it is specific to how buildings need to be designed and constructed to be more accessible and amenable to an older population as opposed to a younger population. If you take a look at that law and some of the linked federal legislation to it, I think that is going to answer your question. Councilor Duschatko stated I will do that. I disagree with that horribly, but that is okay.

Mr. Foote stated I have a question for Ms. Hebert. Some of the applicant's representatives mentioned the Master Plan. Could you remind me on the Master Plan where the signalized intersections are going to be in that segment of South River Road? Ms. Hebert responded when you mention the Master Plan, it is the South River Road corridor plan, not the Town's overriding Master Plan that we have been talking about the past couple of months. The South River Road corridor study identified the Autumn Lane intersection with South River Road as the next signalized intersection. This parcel makes up two properties right now and the property that is to the north for the accessible to that signalized intersection via Harvey Road. That study is somewhat dated and has been up for debate. The Board would really need to consider the use and the merits of whether or not a signal would be needed at this intersection when that time comes and think very carefully if it would consider signalizing this intersection versus the one that was scheduled to be improved with a signal because that signalized intersection would be affording all of Harvey Road access to a super intersection. Does that answer your question? Mr. Foote replied it does. I mentioned this at the previous Planning Board meeting where I had

concerns relative to safety and access to South River Road and the population that is going to be in this subdivision, and I really believe that it would be much safer if this project accessed through Autumn Lane or Harvey Road to a signalized intersection not only for vehicles but also pedestrians. As I think I saw in the current plan, the applicant is willing to extend the sidewalk down to South River Road, however, it is going to terminate there. I guess there is a sidewalk on the opposite side of South River Road, I am being told, but a way for anybody to recreate and to access the opposite, I am not sure there is going to be a proposed sidewalk, but I am sure that if this project accesses South River Road from Autumn Lane, at that point a signalized intersection would include a crosswalk. So, again, my concern as it was the last time this came before us, was access to the project to the site for vehicles and pedestrians and it remains today. Thank you.

Ms. Malcolm asked are sprinkler systems required within each unit? Mr. Woglom replied they will be fully sprinkled. I did see something in your zoning ordinance which spoke to it. It is a little bit atypical that that is in a zoning ordinance, that is my recollection, but they will be fully sprinkled within the units, throughout the buildings. Ms. Malcolm stated thank you.

Mr. Clough stated I am a little confused on the wetlands. Ms. Weiss said there would be five and then Mr. Woglom said that that will be subject to change in your closing comments. Could you clarify? Mr. Woglom responded staff had a comment that aesthetics and there might be alternatives to either screen those gravel wetlands or do something different with them. We are going review that, but as currently proposed, there are the five gravel wetlands. We understand the aesthetic thing and we will work to screen those. I don't know exactly what that will be, but we understand the concern and we are happy to work on that.

Mr. Clough stated and then the waiver for the steep grade discharge. What does that involve? Ms. Weiss responded because we have to discharge to Sebbins Brook because it is the lowest point on the site, all of the pipes that discharge out have to discharge to the brook. The brook is incised, which means that it is down low at the bottom of a steep slope, so we have to discharge to the brook, and to get there we have to discharge to those steep slopes to get to the brook; it is like a catch 22. What we have done is we have lowered the pipes down as far as we can so that they are actually coming out of the sides of the slopes but there still are a few cases, which I believe there are two, where there are some steep slopes still, but out of the six or seven points that we discharge out, only two of them are within the steep slope area. Mr. Clough asked does that include snow melt? Ms. Weiss responded no. Because the snow melt is not a point source discharge, it is not concentrated. The snow melt would be gradual so that is not included in this. Mr. Clough stated I have no further questions.

Town Manager Sawyer stated I certainly want to echo the staff comments on architectural detail. I think staff has an excellent handle on what the Board typically looks for, and I do believe they have some good recommendations that I would encourage you to listen to.

Town Manager Sawyer stated on your waiver request letter of August 18th, Item #4 said that you are being required to provide a fair share roadway contribution, and I don't believe that to be correct given that it is a State road. There wouldn't be any contribution allowed to be requested under State law.

Town Manager Sawyer stated the last item for me is the waiver for covered parking. In the past when the Board has talked about this, we have always had a pretty strong presentation from the application as to why carports couldn't be the solution. I wonder if you could speak to carports in your design, if there are spots where they could go and why you chose not to go that route to meet the requirement. Mr. Woglom responded I can't speak to the roadway because that wasn't something that I was particularly involved with. You could put carports out there but it would be a zoo of carports, and we just think that we have something here where we have got a much better amenity with the parking beneath the building and we understand that the waiver request is something that has been granted in the past. And from a marketing perspective, we think we would have more than enough covered parking to address the concerns. If we were to eliminate the underground parking, we would really have a sea of carports, and from an aesthetic standpoint, we didn't want that. Town Manager Sawyer stated I am just following up; I am not suggesting at all that you eliminate your underground parking, my biggest concern is with the elderly covered spaces. There are 20 missing spaces, I believe you need 96 on your elderly and you have 76 for your elderly site, so I was talking about carports potentially for those 20 missing on the elderly site only. Mr. Woglom responded for the next meeting I will have those numbers for you on the elderly site that your parking ratio only requires 1.25, so I think we are much closer from a ratio perspective of getting half of them on the elderly site, in terms of one per unit. I will have to dig those numbers up; I don't have them right off the top of my head. Town Manager Sawyer stated I am all set.

Mr. Sullivan stated there were two things that kind of caught my attention in the waiver requests and both were with regard to the workforce housing waivers, as well as the residential waivers in the district. While I understand the purpose of the Performance Zone is to A) attract environmentally acceptable commercial, industrial, recreation, institutional, and residential uses, if you actually look at the permitted uses, Section 275-61, there is actually, not that I can see and please correct me if I am wrong, any definition of allowed residential use within the district, which is why the Planning Board has had to provide waivers in the past for other residential projects, namely behind Whole Foods. The second piece that caught my attention was referencing the relative newness of the density requirement of workforce housing within the Performance Zone, and, yes, while it is new, I don't think that discounts the seriousness of that restriction and the fact that it is so new doesn't mean that it doesn't carry the same weight as anything 10 or 20 years older. While you are requesting some substantial waivers in that aspect, I just want to make sure that I was clear and understanding that A) the Performance Zone does not currently allow any residential zoning and that the density is not necessarily impacted by the age of the restriction. Thank you. Acting Chairman Murphy asked did you want any comment back on that? Mr. Woglom responded I just don't think it would be possible with the 12-unit building to get something that is economically viable in those 12-unit buildings. I think you would have a challenge getting that done, because you really have to sell these units at reduced cost and it does drive up the cost and it would drive up the amount of site work and any number of things. We would be reducing green space, any number of different things, but we really feel like this is a site that is somewhat isolated within the Performance Zone, from an aesthetic standpoint it is commensurate with other residential development and the like that have been done within the Performance Zone. We feel it is appropriate for this site.

Mr. Fairman stated I have a quick question on the underground parking. Since you don't have one unit per apartment that is covered, I want to make sure that the covered apartments are spread appropriately between the workforce apartments versus the market rate apartments, both in the elderly housing and in the market rate apartments. I wouldn't want to think that there would be the workforce housing apartments that didn't have covered parking. Mr. Woglom responded that is fine.

Acting Chairman Murphy stated that brings us to the end of the presentation, unless there is anything else that you wanted to add to that. Mr. Woglom responded no.

Acting Chairman Murphy asked for comments from the public either via Zoom or on the telephone. I don't see anyone on the call from the public but that doesn't necessarily mean that we don't have public comment. Have we received anything? Ms. Hebert responded we have not received any comments from the public during the meeting. We did receive an email communication from Michael Sandu who is the owner of the Sebbins Brook Marketplace in support of the project, and I will forward that to the Board and include a copy in your packet for the next meeting. I do not see anyone from the public who has joined by telephone.

Acting Chairman Murphy closed the public hearing and asked the Board members for any further questions or comments.

MOTION by Town Manager Sawyer that the Planning Board table this application of Circle Drive Associates, LLC (Owner) requesting approval of a site plan and associated waiver requests for a proposed multi-family residential development to include a 142-unit workforce housing development, consisting of two four-story buildings, and a 96-unit elderly housing development (age 55 and over), consisting of one four-story building, and associated site improvements to the October 12, 2020 Planning Board meeting and this motion will serve as public notice to abutters. Councilor Duschatko duly seconded the motion. On a unanimous roll call vote, the motion carried.

V. Approval of Minutes of Previous Meetings:

There were no minutes to be approved.

VI. Communications to the Board:

Ms. Hebert stated I would like to update the Board on the Master Plan and the status of the Master Plan. You should have received an email this week with the good news that the BCTV program and the public informational session on the Bedford Master Plan is now airing on BCTV. It is scheduled this week; it first aired on August 28th at 7:00pm and noon, and it is scheduled to run again this week on Tuesday and Thursday, and it also aired on Sunday. The program is also available by clicking on the link that we shared by going onto BCTV's website and watching it directly from their website. The program is also bookmarked, so if you want to

listen to a portion of the presentation and not the whole thing, you can click on the bookmarks and listen to different segments of the presentation. I would encourage all of you to watch the BCTV presentation. They did a really great job with it, and the members our Think Tank did a good job pulling all of it together as an alternative for public outreach during this difficult time to be engaging the public where we are having to look at these non-traditional ways to get the word out.

Ms. Hebert stated I would also encourage you to share the broadcast with your friends and family and then get them interested in the Master Plan. The airing of the public informational session opens up a 30-day review period where we are really pushing this out into the community and we are looking for public comments and feedback. The plan is to consolidate the comments we receive during the 30-day period and summarize them for you and for your discussion at your September workshop, which is on September 28th. We hope to talk about the plan in more detail at the workshop. We are going to dedicate that meeting to reviewing the plan and the comments that we have received to date. Posted on the screen is a snapshot of the informational flyer, and you can see the link to the draft Master Plan, which is on the BlueprintBedford.com website, it is also posted on the Town's website and a link to the informational program. We are asking that comments be sent to Planning@bedfordnh.org or BlueprintBedford@bedfordnh.org by September 25th.

Ms. Hebert stated Mr. Connors and I will be reaching out to the community groups that we engaged during Planapolooza and during the initial push for public outreach and encourage folks to read the plan and get comments to us by September 25th. Anything you can do to share the document and spread the word would be much appreciated.

Ms. Hebert stated lastly, I am wondering if folks would like a paper copy of the plan to review. It is available to look at electronically but we have inquired with the print shop to have color copies made for Board members and Town Councilors, so if you would like a paper copy, just send me a quick email by the end of the day tomorrow that would be great and I can place the order this week to get the plans printed.

VII. Reports of Committees: None

VIII. Adjournment:

MOTION by Mr. McMahon to adjourn at 9:27 p.m. Councilor Duschatko duly seconded the motion. On a unanimous roll call vote, the motion carried.

Respectfully submitted by
Valerie J. Emmons