

TOWN OF BEDFORD
October 22, 2018
PLANNING BOARD
MINUTES

A meeting of the Bedford Planning Board was held on Monday, October 22, 2018 at the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH. Present were: Jon Levenstein (Chairman), Karen McGinley (Secretary), Chris Bandazian (Town Council), Kelleigh Murphy (Town Council Alternate), Rick Sawyer (Town Manager), Mac McMahan, Rene Pincince, Charlie Fairman (Alternate), Matt Sullivan (Alternate), Becky Hebert (Planning Director), and Mark Connors (Assistant Planning Director)

I. Call to Order and Roll Call:

Chairman Levenstein called the meeting to order at 7:00 p.m. Public Works Director Jeff Foote, Vice Chairman Hal Newberry and regular member Randy Hawkins were absent. Mr. Fairman and Mr. Sullivan were appointed to vote. Mr. Connors reviewed the agenda.

II. Old Business – Continued Hearings: None

III. New Business:

1. HIR Realty, LLC c/o Jiten Hotel Management (Owner) – Request for a time extension to meet conditions of approval of a site plan approved November 20, 2017 for a 133-unit multi-family residential building at Goffe Mill Plaza, 121 South River Road, Lots 12-33-2, 12-33-3, and 12-33-4, Zoned PZ.
2. ER Bedford, LLC c/o Encore Retail, LLC (Owner) – Request for approval to subdivide a portion of Lot 12-33 to create a new 2.27 acre parcel at the proposed ‘Market & Main’ site, 125 South River Road, Zoned PZ.
3. Old Bedford Road Realty, LLC (Owner) – Request for approval of a lot consolidation and subdivision to create two parcels at 18 and 20 Olde Bedford Way and 24 Old Bedford Road, Lots 10-50-5, 10-50-6, and 10-50-3, Zoned R&A.
4. Old Bedford Road Realty, LLC (Owner) – Request for site plan approval to construct a 105-unit assisted living facility with 150 beds and associated access, parking, and site improvements at 18 and 20 Olde Bedford Way and 24 Old Bedford Road, Lots 10-50-5, 10-50-6, and 10-50-3, Zoned R&A.

IV. Concept Proposals and Other Business:

5. The Southern NH Planning Commission will present results of the Bedford ‘Age

Friendly' Survey.

Mr. Connors stated all applications have been reviewed by staff and are complete, the abutters have been notified; it is the opinion of Planning Staff that none of these applications pose a regional impact, staff would recommend that the Planning Board accept the agenda, and in doing so, find the applications to be complete.

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

Chairman Levenstein stated we will start this meeting with Item #5 and then continue with the public hearings.

5. The Southern NH Planning Commission will present results of the Bedford 'Age Friendly' Survey.

Cameron Prolman, Associate Planner for Southern NH Planning Commission, was present to present the results of the Bedford 'Age Friendly' Survey.

Mr. Prolman stated I am going to start with giving a little background, I am going to run through the questions, and as much as I would like to, I don't think I am going to run through every single response to them. If anyone would like me to elaborate any further, feel free to ask.

Mr. Prolman stated the Southern NH Planning Commission is a regional planning organization, we serve Manchester and 14 surrounding communities, we provide technical assistance for municipalities on things like transportation, economic development, environmental, community planning, and GIS services.

Mr. Prolman stated now some background on the survey. A couple of years ago the Southern NH Planning Commission applied for and was awarded funding through the Tuft's Health Plan Foundation to kind of see in our region how our communities are planning for a growing senior population, as well as a declining millennial population. The first phase of that we went out to each community, we held conversations, and we surveyed folks to get an idea of some opportunities and assets and roadblocks. Phase 2 was a pilot program where we wanted to work with three communities on a specific project of the communities' choice. We had nine communities in our region apply and ultimately we ended up working with Bedford and the towns of Goffstown and Chester.

Mr. Prolman continued Bedford was interested in surveying residents mainly because you have a Master Plan update process just kicking off right now, so we worked in the Town with Mr. Connors and Ms. Hebert. We wanted to survey residents in hopes that the results may be useful for the Master Plan update. We did quite a bit of outreach. We posted on social media, the Town website, Mr. Connors created that 'Age Friendly' postcard that helped us reach a lot of people, we left them around town in places like grocery stores, and we went to the Farmer's Market and spoke with people there. The survey lasted from June through August; we had over

800 responses, however, not all 800 of those folks responded to every single question. I do want to note that this survey summary is not weighted in any certain way, we didn't do any cross-tabulation with age cohorts or anything like that; it is pretty much a raw summary.

Mr. Prolman proceeded to review the PowerPoint presentation to the Planning Board covering the questions, the percentages of what category was supported under each question and some of the more popular responses from those 800 returned surveys. A copy of this PowerPoint presentation is attached to these minutes, is available in the Planning office and can be accessed on the Town of Bedford website.

Mr. Prolman stated I want to thank Mr. Connors and Ms. Hebert for all of their work on this, and hopefully this information can be useful for the Town for their new Master Plan. Thank you.

Councilor Bandazian stated everything has a bar graph except for Question #6, which sort of has a word map. I don't know how to interpret that. Mr. Prolman responded a word cloud is that the bigger the word the more it came up in the comments. Surprisingly quite a few people said that, and I am not sure how many just from looking at this, but we do also have all of the raw data that will be available to the Town that they can use.

1. HIR Realty, LLC c/o Jiten Hotel Management (Owner) – Request for a time extension to meet conditions of approval of a site plan approved November 20, 2017 for a 133-unit multi-family residential building at Goffe Mill Plaza, 121 South River Road, Lots 12-33-2, 12-33-3, and 12-33-4, Zoned PZ.

Jeff Kevan from T. F. Moran was present to address this request for a time extension to meet conditions of approval of a site plan on behalf of the applicant, HIR Realty, LLC.

Mr. Kevan stated this was an approval over at the former Wayfarer site for an apartment building that would be split between four and five stories, 133 units, the majority are studio and 1-bedroom apartments and 42 2-bedroom units. We are asking for a 1-year extension to meet the conditions. We have addressed all of the site plan conditions, the architectural, there were some legal matters being worked out between the two partners; the architect has been turned loose and is designing the construction documents, and their plan would be to break ground in the spring to start construction of the apartments. Our approval ends November 20th and we are requesting a 1-year extension.

Mr. Pincince stated if my memory serves me correctly, the last time you were here you said that there was some difficulty in communications with the owner of the Bedford Mall or they just weren't responding. Mr. Kevan responded basically at that time, so the Board had asked us to look at the connection in that front access across the front of the Bedford Mall stores into ours. We are still pursuing that, and I know the Bob's store is being renovated so we are talking to them as part of that. Mr. Pincince asked so there is communication that currently exists? Mr. Kevan replied yes. Mr. Pincince stated thank you.

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

MOTION by Ms. McGinley that the Planning Board grant a one-year time extension for the site plan and building elevation approval for the construction of a 133 unit apartment building, HIR Realty, LLC c/o Jiten Hotel Management (Owner/Applicant), 121 South River Road, Lot 12-32-1, 2 and 3, Zoned PZ as shown on plans by T. F. Moran last revised October 23, 2017 and Cube 3 Studio Architects dated June 11, 2017. Mr. McMahan duly seconded the motion. Vote taken - all in favor. Motion carried.

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

Chris Rice of T. F. Moran was present to address this request for approval to subdivide a portion of a lot on behalf of the applicant, ER Bedford, LLC.

Mr. Rice stated we were before the Board in February of this past year to create a leased lot, which is this area shaded in blue that is posted on the screen, and I will flip to the other plan to just show you how it overlays on the overall site plan for the Market & Main development, and that area in blue encompasses the proposed office building. We were before the Board in February of this year to request a leased lot subdivision and the accompanying waivers that went with that. The owner has since requested for greater flexibility of leasing and financing options to make it a standard subdivision, so that is what we are here for tonight. We have the same waiver requests that applied during the last hearing, which I am happy to read through, Mr. Chairman, if you would like me to. Chairman Levenstein responded please go through them quickly.

Mr. Rice proceeded to review the previous waivers approved for this leased lot proposal.

1. Zoning Ordinance Article 275-62 and Table 3 the Table of Performance Dimensional Standards, to allow a lot to be created without meeting the minimum frontage, lot size, minimum structure setback and impervious coverage requirements.
2. Land Development Control Regulation Section 231.1.2 Lot areas and dimensions, to allow creation of a lot without frontage.
3. Land Development Control Regulation Section 231.1.4, to allow a lot to be created without access through its own frontage.
4. Land Development Control Regulation Section 231.1.5, to allow a lot to be created without frontage on an existing or proposed public street.
5. Land Development Control Regulation Section 218.1.11, to not provide a topographic subdivision plan.
6. Land Development Control Regulation Section 218.1.27, to not show the existing site improvements on the subdivision plan.

Mr. Rice stated I believe all the cross-access and parking arrangements are already in place with the Declaration of Covenants that is already on file with the staff, but we can confirm if there is any additional documentation that may be required.

Chairman Levenstein asked Ms. Hebert, is there anything? Ms. Hebert replied we have the condition on here just as a precaution but we do have a Declaration on file for the development and it would need to be updated with the new lot numbering.

Chairman Levenstein asked for any questions or comments from the Planning Board.

Mr. Fairman stated I have a question. I notice in your drawing that Upjohn Street is included in that subdivision. There is nothing that we need to do to make sure that Upjohn Street gets all of its updates as part of the early developments and is a continued street? Mr. Rice replied that section of Upjohn Street is a private road; the right-of-way for Upjohn Street ends right here. Mr. Fairman stated I understand it is a private way, but my point is that it needs to have all of the development done as part of Phase 1 and maintained even though it is in the subdivision of the piece of property. Mr. Rice responded I am not sure what you mean by during Phase 1 though. Mr. Fairman replied Phase 1 of the Market & Main construction just because that is part of the subdivision. Mr. Rice responded Phase 1 of the Market & Main development is this front portion, which is Buildings A and B. Mr. Fairman responded but that road has to be completed and maintained throughout. As I look through the drawings, Upjohn Street is part of the subdivision. Mr. Rice responded that is correct. Mr. Fairman asked and since it is in the subdivision, does that mean that we need to make any conditions to make sure that that road is maintained separately? Ms. Hebert replied no, because the care and maintenance of Upjohn Street would be called out for in the Declaration of Covenants easements and restrictions. Mr. Fairman responded alright, as long as it is covered. Thank you. Ms. Hebert stated yes.

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

MOTION by Town Manager Sawyer that the Planning Board approve the following six waivers for the primary reason that the Planning Board previously found that all of these waivers could be granted and no conditions have changed in the regulations or in the site since that approval:

- 1. Zoning Ordinance Article 275-62 and Table 3 the Table of Performance Dimensional Standards, to allow a lot to be created without meeting the minimum frontage, lot size, minimum structure setback and impervious coverage requirements.**
- 2. Land Development Control Regulation Section 231.1.2 Lot areas and dimensions, to allow creation of a lot without frontage.**
- 3. Land Development Control Regulation Section 231.1.4, to allow a lot to be created without access through its own frontage.**
- 4. Land Development Control Regulation Section 231.1.5, to allow a lot to be created without frontage on an existing or proposed public street.**
- 5. Land Development Control Regulation Section 218.1.11, to not provide a topographic subdivision plan.**
- 6. Land Development Control Regulation Section 218.1.27, to not show the existing site improvements on the subdivision plan.**

Councilor Bandazian duly seconded the motion. Vote taken - all in favor. Motion carried.

MOTION by Town Manager Sawyer that the Planning Board grant final approval of the subdivision of ER Bedford, LLC c/o Encore Retail, LLC (Owner), 125 South River Road, Lot 12-33, Zoned PZ as shown on plans by T. F. Moran last revised October 10, 2018, with the following precedent conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions of approval to be fulfilled as noted:

- 1. A letter shall be submitted to the Planning Department by a Licensed Land Surveyor certifying that all boundary monumentation has been set as noted on the approved plan, or in lieu of a letter, the final subdivision plan to be recorded may be submitted noting that the bounds have been set.**
- 2. Any waivers granted by the Planning Board shall be noted on the plans.**
- 3. Prior to the plan being recorded all required easement and declaration documents shall be submitted to and approved by the Planning Department and recorded with the plan. All recording fees shall be submitted to the Planning Department at the time of recording.**

Councilor Bandazian duly seconded the motion. Vote taken - all in favor. Motion carried.

- 3. Old Bedford Road Realty, LLC (Owner) – Request for approval of a lot consolidation and subdivision to create two parcels at 18 and 20 Olde Bedford Way and 24 Old Bedford Road, Lots 10-50-5, 10-50-6, and 10-50-3, Zoned R&A.**
- 4. Old Bedford Road Realty, LLC (Owner) – Request for site plan approval to construct a 105-unit assisted living facility with 150 beds and associated access, parking, and site improvements at 18 and 20 Olde Bedford Way and 24 Old Bedford Road, Lots 10-50-5, 10-50-6, and 10-50-3, Zoned R&A.**

Chris Rice of T. F. Moran engineer, Attorney Ari Pollack of Gallagher, Callahan and Gartrell legal representation for the project, Eldon Munson of Munson Associates who specializes in assisted living facilities and is President of the New Hampshire Association of Residential Care Homes, and Steven Humphries of EGA project architect, were present to address the applications on behalf of the applicant, Old Bedford Road Realty, LLC.

Chairman Levenstein stated Mr. Rice, you can address these two items together and we will just take the motions separately if we make them.

Mr. Rice stated the colors on the screen are not showing up good, but as you can see from your handouts, there are three properties that we are talking about with the total acreage of all three properties at 17.5 acres, and they are located in the R&A zoning district. There are currently three residential homes on the properties with a few accessory structures, a few sheds, a few

barns, and a garage. All of the lots are currently serviced by individual wells and septic systems and the properties that are abutted by the Bedford Grand Hotel to the south, residential homes to the west and the north, and a mixed-use commercial development to the east. There is a grade change of approximately 80 to 100 feet from the road elevation here to the back of our property, and there is approximately an 80-foot grade change from here to the closest residential home on Arrowhead Drive.

Mr. Rice continued we had previously submitted a design review application, which was presented before the Board on November 6, 2017. At the conclusion of this meeting a motion was made to close that design review hearing. Since that time we have been before the Town Sewer Commission and the Town Council to expand the sewer district so that this site could be serviced by municipal sewer, and that was approved in April of this year.

Mr. Rice stated we submitted two applications tonight for final approval for the Board's consideration. The first is the request for a lot consolidation and subdivision plan and the second is a site plan application for the assisted living facility.

Mr. Rice stated for the first application, the lot consolidation subdivision, again, the total acreage is 17.5 acres, which you can see from the three properties on the color-up that I provided you. The plan is to consolidate these three properties and re-subdivide them to end up with what is shown on Page 2, which the one main lot of approximately 16 acres, which would be for the assisted living facility, and there is one remainder lot, which will remain as a residential use down there in orange, and that is a little over an acre-and-a-half.

Mr. Rice stated the new large lot will be serviced by municipal sewer and water, the smaller lot will continue to use its existing septic system and we are still honestly evaluating whether or not we are going to connect the house right out on municipal water. It doesn't affect the subdivision plan one way or the other. Our final plan will reflect the final decision, but they are just still evaluating which one makes more sense right now, but there is an existing well on the property that can service the existing residential home.

Mr. Rice continued then we move onto the site plan, based on all of the prior meetings that we have had, abutter comments that we have received and the operator that is now on board for the project, there has been some significant adjustments from the last plan that the Planning Board had seen. I will bring up the prior plan just to refresh your memory. The total number of units and total number of beds have stayed the same. We are still at 105 units with a total of 150 beds. Posted is the prior plan, but to give you an idea, the building has shrunk by about 50 percent. The prior plan had a building footprint of 74,000 square feet and a total square footage of 193,000 square feet. The current plan, which you will see here, again, still has the same number of units, the same number of beds, but the footprint has been reduced by about half to 32,880 square feet and the total square footage, again, has been reduced by approximately half to a total of 95,800 square feet. I am going to show a plan here that just helps to kind of situate you relative to the other things in the area. Indicated in the Bedford Grand Hotel, this is our proposed development, this is the Copper Door, and then we have the residential properties abutting here and along the west side on Arrowhead Drive, and this being Route 101 in this location. The proposed building is a 2- to 3-story facility, it has an average building height of 30 feet, where 35

feet is permitted, and access to the site is from a new driveway off from Old Bedford Road. The existed driveway that services that residential home is about 5 feet off the property line. In this general location we have shifted it to be about 120 feet from that property line and we have called for additional plantings to fill in that space from when the existing driveway is removed. Forty-seven parking spaces are required for this project; we have provided 82 onsite, so we have more than enough parking. This has been confirmed by the operator who has other similar facilities. We have provided garden areas, walking paths, patio areas, and there is a sidewalk that wraps entirely around the building. We have had discussions with staff about the sidewalk along Old Bedford Road, and we have made an agreement with Town staff that should the Town initiate a public project within six years of any conditional approval for this project, that we would contribute \$100,000 to that sidewalk construction, which basically covers the cost for which I think it is roughly 780 linear feet of sidewalk along our frontage. The site will be serviced by municipal sewer and water along with gas, telephone, cable, and electrical service. We are willing and we want to restrict the loading and hours of trash pickup, both for the abutters and for the residents of this facility. There is a water booster station as part of the project that is located right here, and we are working with Manchester Water Works and the Fire Chief to work out their volume of pressure concerns. We have submitted a full study and it is my understanding that staff is going to recommend a third party review of that study, which we are in favor of. The water booster station really controls the necessary booster pumps, there is a standby generator and some other equipment that is housed inside the facility, and the architecture can be such to match the main building. It is really a block building but the shingles and everything will match the main facility. We have also submitted a stormwater management report, which details the pretreatment of all of the stormwater. That analysis will be reviewed by NHDES as an Alteration of Terrain application but a permit is required, but we do believe we have met all of their pretreatment and treatment requirements. We have also shown a decrease in the peak rate of runoff to all discharge locations as required. Along with the application we also submitted a buffer setback plan, which calculated all of the required buffers around the property relative to the building height, and I believe that has all been reviewed and approved by staff and the Town's review engineer. The buffers range around the property between 50 and 128 feet depending on where you are. With regard to landscaping; we have provided extensive landscaping throughout the site, we have provided buffer plantings, as I mentioned, in the former driveway location, and we have also talked with staff to be able to provide some plantings within the right-of-way. There is a large right-of-way area in this location, so we thought that that was a good opportunity to be able to help buffer the development. We have shown 77 shade trees on the property, 25 ornamental trees, and 136 evergreen trees, and that is in addition to just the normal shrubs, flowers and ornamental grasses that are being proposed. We had also included a lighting plan, which shows that there are no light levels within 50 feet of any property line. We will adhere to the recommended condition of approval to dim the light levels to the extent possible after normal business hours. We had also submitted a trip generation memorandum for the traffic component of the project. The traffic entering and existing the site is approximately 50 percent from each direction, being from say the Memorial School direction and the Route 101 intersection. The results basically show that the proposed development adds 14 cars to the Route 101 traffic light in the peak PM period. Half of those cars are going right and half are going left, so that equates to about less than one car every three minutes being added to that intersection, which is less than one light cycle for when the light goes green until the next time it turns green. The volumes are insignificant relative to the operation of the intersection and VHB has reviewed

that memo as well and has agreed with our findings that it is an insignificant addition for the traffic.

Mr. Rice stated we believe we have submitted a comprehensive application package, we believe it meets all zoning and site plan requirements, there are no variances, no waivers requested, no relief from the Planning Board for either of the two applications, and I will be happy to answer any questions that you might have. I am going to turn it over to the architect to run through the building materials and the building design and then Eldon Munson will speak briefly on the services being provided and the ambulance data that we have collected, and we will answer any questions that you might have.

Chairman Levenstein stated why don't we go through questions about the site plan and subdivision and then do the others.

Mr. Pincince stated there are a lot of existing stone walls on this site, and although difficult to read on this reduced size drawing, are there any plans for those existing stone walls. Mr. Rice replied there is an existing stone wall roughly in this location here, and I believe that is the only one that we are removing and taking out. There is an existing stone wall along Old Bedford Road and we don't believe we are going to have to impact that at all. There is one utility pole that we are pulling a new electrical service off from. I did meet with PSNH out on the site, they don't think that they are going to have to touch anything with the wall, but there might a stone or two that is moved as part of that construction. And there is a stone wall on the property line but there is no work proposed within 80 of that property line, so that will stay in place.

Mr. Pincince asked and in order to create the plate for the new building, earlier you said that it was an 80 foot change in grade and at some point does it flatten out? Mr. Rice replied yes. It is not a consistent slope from front to back. I was just giving an idea of the elevation change throughout the property. There is a more level area in the middle that we have tried to balance the cuts and fills for the site so that we are not really trucking material off and not bringing material in, but our road grade is climbing at about 8 percent to get up to that area and then it flattens out to 5 percent as you go around the corner and then it is roughly all 2 to 4 percent in the parking areas, with 2 percent max on all of the ADA spaces, and then up to 4 percent in the other parking areas. Mr. Pincince asked are you saying that there is not a tremendous amount of site work that needs to be done in order to create the building plate? Mr. Rice replied no I am no saying that. There is a good amount of earthwork that will be done on the property but it is predominantly moving material from one section of the property to another, not really bringing in truckloads of material or taking out truckloads of material. Mr. Pincince asked and retaining walls on the perimeter? Mr. Rice responded we do have a couple of retaining walls. There is one along the main entrance drive in this location, there is a small 4-foot retaining wall in this location off from the back of the parking/loading area, and we do have some 4-foot boulder walls, both for grade change and for aesthetics in the front of the property. We kind of tried to do like a tiered landscaping approach. Mr. Pincince stated thank you.

Town Manager Sawyer asked does the Alteration of Terrain permit require a look at the volume of water leaving the site? Mr. Rice replied I don't believe that there is a volume requirement. That question did come up through the Town review engineer's comments and that is something

we are addressing. There was a Town pond that was constructed in this area; we have decreased the peak rate of runoff, as I stated, to the pond and all of the storm events and we have infiltrated stormwater on site in all of the locations that we can because there is ledge in some locations. The comment that we received is even though there is a decrease in the peak rate of runoff that there is a slight increase in the volume to this pond, and we have been asked to evaluate that. I have been in talks with DPW, who has given me contact information for the design firm that sized that basin so that I can get their hydraulic analysis, so that I can do that analyzation for you. I will respond to that comment and make sure that there is no adverse impact to the Town basin. I am just waiting for that information to get to me so that I can provide that. Town Manager Sawyer asked do you have a number on the amount of water you are infiltrating? Is it a certain storm event or a certain amount of water? Mr. Rice replied I can give you a cubic foot number if that is what you are looking for. It is in the stormwater report; I would hate to just pull it off the top of my head because I could be off by quite a bit. Town Manager Sawyer asked it is meeting the State requirement? Mr. Rice replied we well exceed the groundwater recharge requirements for DES. Town Manager Sawyer responded that is all I need.

Chairman Levenstein asked Ms. Hebert, what is the situation with the water and the Fire Department? Ms. Hebert replied you have a supplemental memo in front of you that speaks about some recent comments from our Fire Chief. Our Fire Chief voiced some additional concerns after the Planning Board packet went out regarding the water volume available at this location in Bedford. The water is provided via Manchester Water Works along a municipal line, and they were concerned about the water volume and how this might limit the design for a fire suppression system in the proposed building. I have talked with Manchester Water Works, I have talked with the designer who prepared the pump station and the design for the facility, and Manchester Water Works feels comfortable with the design. There are a few outstanding technical comments but to address the Fire Chief's concern, I feel like we really should have a third party review of the water study and we should also have a fire protection engineer review the water study and make recommendations regarding what needs to be included in the fire suppression system to address any concerns the Chief might have regarding water volume. We have talked with the applicant about the issue and I have recommended a Condition #19 in the staff memo. If the Board chooses to act tonight on the application, this would be the recommended condition and the Board could also chose to have the applicant conduct this study and this review and table any action on the application until that happens.

Chairman Levenstein asked if the Board members had further questions or comments about the site plan or subdivision division plan.

Town Manager Sawyer stated I have a small one on the subdivision plan. The topographic and soils plan shows a proposed well location, as well as keeping the existing well. Mr. Rice responded that was an error and that is being corrected. Town Manager Sawyer asked the intent is to keep the existing well or connect to municipal water? Mr. Rice replied correct. Town Manager Sawyer stated there is a proposed condition that you would have the water and sewer line shown on the subdivision plan but you are not sure whether you are going to do water and septic. Mr. Rice replied actually those two lines we can add because those two are for the main facility, so the municipal sewer connection is down right about here, so there is a sewer easement across this property for that connection, and then similarly the existing water stub comes off in

this location, so there is an easement through this property for the water line getting up to the building. They can both be added to the subdivision plan if that is the pleasure of the Board. Town Manager Sawyer stated I was talking about the utilities for that single family home, that those will be shown on the subdivision plan. Mr. Rice replied yes; their existing septic system is shown and the existing well is shown. Town Manager Sawyer asked but if they are going to be on water and sewer? Mr. Rice replied the sewer is not going to switch over until their septic system fails. The flowage rights, I guess, are there for the septic. The water, like I said, I will either update the plan to show it with the existing well to remain or with a 1-inch water service going to the existing home. My site plans currently show a 1-inch water service going up to the existing home. The surveyor's subdivision plan had shown the well. We will correlate the two and figure out which one makes the most sense. Chairman Levenstein stated you might as well show both. Mr. Rice responded if that is not an issue for the Town, I can show both. They can keep the existing well and run the water whenever they have an issue. Town Manager Sawyer stated my concern not showing the sewer is that the septic may not fail for 15 or 20 years and who is going to remember what the intent was and where that was going to go. You are designing the whole rest of the system, have you designed how the single family home could be sewered? Mr. Rice replied I haven't done the design, but I am happy to if I need to show a line or a connection in for that location. I know elevation-wise we can get into it and it is pretty close to that existing corner of the house. Town Manager Sawyer asked so it would tie in on its own property? Mr. Rice replied no; the manhole is just over the property line but the easement documents that have been submitted, I believe, take care of both lots. Attorney Pollack stated right; there is an easement over both parcels. Chairman Levenstein stated just show it on the plan. Town Manager Sawyer asked and you are also going to show the water easement for the main project? Mr. Rice replied yes. Chairman Levenstein asked is there an easement plan that is going to be recorded or is it just part of the site plan? Attorney Pollack replied I think it is just part of the site plan package. Chairman Levenstein asked but they are marked on the site plan? Attorney Pollack replied absolutely. Ms. Hebert stated Condition #8 talks about showing the utility easements on the recorded plan. Town Manager Sawyer stated yes, but I didn't know if that was the utility easements for the single family home or for the commercial project, the larger project, or both. Ms. Hebert responded for both. Attorney Pollack stated we can add the proposed future connections for the single family home. There is no reason not to and you are right that it would help with recollections 20 years from now. Ms. Hebert stated that was our intent. Note #15 also addresses the water and sewer service on the plan.

Mr. Pincince stated I have a follow-up to an earlier question that I had. You mentioned that this site would be cut and fills. I think of that as blasting and the adjacency of existing homes and private wells. Is there going to be a procedure in place to guarantee the integrity of those structures on adjacent pieces of property? Mr. Rice replied yes. That was a comment we had received and notes have been added to the plan that a blasting plan has to be reviewed and approved by the Fire Department, Town staff and it also has to meet all applicable State, Federal and local requirements prior to any work taking place. Mr. Pincince stated thank you.

Chairman Levenstein stated now to review the architecture.

Mr. Humphries stated I am here to talk briefly about the building and the design of the building. The project, as you know, is 105 units of assisted living and memory care, it is approximately

95,000 square feet, it is 3- and 2-stories, it steps into the hill, so on the side that faces Old Bedford Road there are three stories and on the west side is two. The project will contain common areas and administrative areas and service areas typical for this type of project. I am going to go through each floor plan to explain that in a little more detail.

Mr. Humphries stated the plan on the upper right is the lowest level. On the right side of the plan is the service drive that comes in and the color that is purple is the memory care unit, which is 18 units, it is a secure unit, and it has its own secure garden. You go to the center part of that plan and there is a commercial kitchen, which serves the entire facility, it serves memory care and the assisted living, and if you continue left on that plan is the assisted living apartments. When you are looking at this plan, everything that faces down in the page on that level is at grade, and someone had mentioned earlier about site retaining walls. The top part of that plan is benched into the grade so that whole interior wall is a retaining wall and it does a couple of things. First, it limits the site disturbance and secondly, it provides a little more architectural interest to the plans. The middle floor plan, which is Level 2 or the main level, is where you enter the building and you enter it on the west side. There is a porte-cochere as you come into the building, porches that flank either side, you come into the lobby and there are administration areas both left and right and then it opens into a 2-story space where you get views out to Old Bedford Road. On the right side of that plan is the second memory care unit, which is 18 units, and that has its own commons and dining area and it is secure from the rest of the building. That wing also has a memory care garden that faces to the west, which would be secure. The left side of that plan on Level 1 is more assisted living apartments; there are a mix studios, 1-bedrooms, 1-bedroom dens, and 2-bedrooms. The areas in red are generally the elevators. There are two elevators in the center of the building, one on each side, and then there are five staircases. The bottom left on this plan is the third floor plan. This plan is fairly straightforward. It is all assisted living apartments with a mix of studios, 1-bedrooms, 1-bedroom dens, and 2-bedrooms, and I believe there are 48 apartments on that level.

Mr. Humphries continued with the exterior of the building we are trying to keep it very traditional residential. This is a home for the residents that live there so we wanted it to feel like a home. We are using very traditional connected houses, simple forms, gable and hip roofs, the materials are traditional materials for residential, so it has clapboard siding, it has shingle siding, some panel siding, and we are using stone accents at the front entryway. Attorney Pollack stated it looks very yellow on the overhead screen, and I am not sure how it appears on your individual monitors, but the idea here is an earthy grayscale. Chairman Levenstein stated it does show gray on our monitors. Mr. Humphries stated I did bring a color rendering, which is a little bit better color quality to look at. I also have another board that has the materials on it. We have the actual vinyl siding materials and a stone sample at the back as requested. Chairman Levenstein stated please show us the materials. Mr. Humphries stated the building will have charcoal gray roof shingle, architectural grade, the top band is going to be shingle siding in a lighter tan, then stepped down to more of a taupe color for shingles. On the 3-story side we have clapboard siding, which is in the gray, and then we have panel siding, which is at the sunrooms around the bays, and then finally at the entryway we have stone. The stone has the grays and the tans to match the siding.

Mr. Humphries stated the last thing I want to mention about the building is that it will be state-

of-the-art, so it is going to be steel frame, and that is really due to construction codes and building codes, it will be fully sprinkled, it will have an automatic fire alarm system, there will be door security, there will be a nurse call system, and it will meet all of the applicable energy codes required.

Mr. Humphries stated the last piece that was requested by the Board was a view from Old Bedford Road. We have a pencil sketch of that. This is the 3-story elevation as you come up the hill.

Chairman Levenstein asked the Board for any questions or comments about the architecture. There were none.

Mr. Rice stated Mr. Munson will review the ambulance data and services provided.

Mr. Munson stated I am the development project manager for the Old Bedford Road Realty senior living project. The design of the new facility is 105 apartments and 150 beds. An earlier question came up this week about a number that was used of 117 projected residents and I want to just put it before you that when you design a facility and you have an apartment count, a unit count, then you have a number of beds that are requested from the State for licensure, and the number that you actually occupy that is used for budgetary purposes is somewhere in between. So 117 is the number that our operations company has projected that will actually be occupants at any one time in the building. We have used that number for budgetary purposes and it came up with the Fire Chief when we were talking about ambulances services so I wanted to make that clear, and if there is any further explanation, I would happy to explain it. By anecdote, Scott-Farrer at Peterborough, a facility with which I have a great deal of acquaintance, has 63 apartments and 76 licensed beds plus 25 apartments, so it has over 100 spaces for people but a typical residence of that community is 72 people. So 63 apartments has as a census of 72, which is why we came up with a medial number for this community. If there are further questions on this, I would be happy to further extrapolate.

Mr. Munson stated earlier in discussions the size of the community came up with 150-bed maximum capacity and I looked up on the State website for other communities and their bed size for comparison. Ledgewood Bay in Milford has 194 beds, Langdon Place in Keene has 156 beds, all assisted living, and Harvest Hill in Lebanon has 154 beds. So at 150 beds the new community here would be the fourth largest in the State of New Hampshire. Bentley Commons in Keene would come up fifth at 144 beds. The capacity issue is something that I wanted to address based on previous questions that we had. The occupancy of other communities in Bedford was raised previously and we provided a letter from our market study company, CBRE, and it indicates that current occupancies for assisted living in Bedford overall at other communities is 92 percent and memory care is 86 percent. And the projects by CBRE are that there is significant demand, especially for memory care, but also for assisted living going forward and we feel that this indicates the need for the community and additional beds. And, again, these are questions that were raised in the first round of discussions.

Mr. Munson continued the program of services that will be offered includes the State required components of personal care, dietary support, activities, health care coordination, maintenance,

and housekeeping. In addition, the proposed project will far exceed the licensing requirement with individual attention to the residents' needs, nursing oversight, specialized transportation, concierge style program coordination, a highly trained staff, and an environment especially designed to reach resident needs. We feel that the program that will be offered will be an exceptional program for this community and in the State overall.

Mr. Munson stated to the question of ambulance calls. With the local data supplied by Deputy Chief Hunter and some calls that I made to other communities and consideration of the design of this community, we believe the ambulance calls for the new community will be within the range of what is currently provided in Bedford and also happening in Milford and Peterborough at respective facilities. It will be about seven to nine calls per month, which is comparable on the range of 0.7 to 0.9 calls per bed per year in Bedford. What we did was some internal investigation, some external calls, and an estimation of what our demand would be and it falls within the range of the current demand in Bedford. It would simply increase it by one more facility. During the conversations both with Deputy Chief Hunter and Chief Wiggin, we discussed not only the demand on EMT services but the specialized training that would be required for our staff to make sure that 911 would be utilized appropriately and professionally and not put undue burden on the ambulance services, and other training that we would like to see the Fire Department participate in including fire safety and life safety, evacuation procedures, and the all-important State requirement for an emergency plan that has come down from the federal government, and the State has required of us to have an emergency plan that is cooperative and works with the Bedford plan overall. I have introduced this thought with the Deputy Chief and the Chief, and if this project is approved, we plan to go forward with cooperative discussions and training between the Fire Department, the EMTs and the new facility.

Mr. Munson stated I believe I have addressed the issues that I am aware of that were stated either in the report or questions that we knew that were on the table. I would be happy after the completion of the presentations to answer any other questions that you have. Thank you very much.

Town Manager Sawyer asked how many employees are you anticipating? Mr. Munson replied we are anticipating 35 at any one time, so that would be 35 per shift maximum during the day. Chairman Levenstein asked 35 would be the peak? Mr. Munson replied yes.

Attorney Pollack stated that is our presentation. We are happy to take other questions from the Board or open it up.

Chairman Levenstein asked for comments or questions from the audience.

Beatty Hunter, 15 Arrowhead Drive, stated I have a few questions with the new elevations, and I was wondering if I could ask Mr. Rice or some of his staff. As I look at this elevation here, this is the elevation that is going to face west, is that right. Mr. Rice replied correct. Mr. Hunter stated so the road is going to come right through the porte-cochere. Is that porte-cochere used to drop people off? Mr. Rice replied yes. Mr. Hunter asked so the elevation that faces Old Bedford Road then does it have an entrance for people to come and go? Mr. Rice replied not vehicular

access. Mr. Hunter asked so all of the traffic then will be in the west part of the building? Mr. Rice replied yes. Mr. Hunter asked where will the parking be? Mr. Rice replied it is along that same side. Shown here is that porte-cochere area that you are looking at, that looped-in area, the view I think you are looking at is kind of from here looking towards the building, so all the parking is kind of either side of that porte-cochere area. Mr. Hunter stated for the abutters basically the good news is that that the developers have shrunk the size significantly and we appreciate that. The bad news is that all of the lighting and the parking and the potential noise of cars opening and shutting and in and out and discussions are going to be abutting right up against us, as well as the people on the north and the northwest. I realize that it is a fait accompli but that is obviously a problem for us.

Mr. Hunter stated another issue is in terms of the lighting. What are the plans for the dimming of the lights at night? Attorney Pollack stated Mr. Chairman, I don't know how you want to conduct this; I can say quickly on that point, and there is a proposed condition of approval that the lights be dimmed after 9:00 PM. We have no issue with that condition; obviously there are safety concerns relating to the safety of the parking areas and the entry areas and you can't turn lights off, but certainly we would take that condition to heart and do the best we can do alleviate impacts to abutting owners. Chairman Levenstein asked all of the lights are downcast too? Attorney Pollack replied that is correct. Mr. Rice stated they are full cut-off. Chairman Levenstein asked does your light study show how much light is going to get to those abutters up on Arrowhead? Mr. Rice replied zero. Like I mentioned, the photometrics show that no light comes within 50 feet of our property line, so we are containing everything on our property. I can bring up a copy of the plans if you would like. Attorney Pollack stated that is part of the site plan. Mr. Pincince stated so you can see the light but you won't experience as an abutter the wash onto their property. Mr. Rice responded right. Attorney Pollack stated that is exactly right. Mr. Rice stated posted is the photometric plan and basically where these numbers end is where the light zeros out to zero, 0.0 foot candles. These are light poles and you have the area of the light kind of intensity circles around it. There are numbers associated with this if I could show you on a zoomed up plan, but it will be 2 foot candles, 1 foot candle, 1/2 candles, and then where these numbers end is where there is zero measurable foot candles of light. This is more than 50 feet here, this is closer to 100 feet here and this is, I believe, about 80 feet.

Mr. Hunter stated with the delivery dock I know that was located to the south side towards the west on the initial drawings. Is there going to be a loading dock for deliveries and so forth? Mr. Rice replied there is. Mr. Hunter asked where is that going to be located? Mr. Rice replied it is in the location indicated and it is a recessed dock. The pavement slopes down and they would be able to offload onto the finished floor. Mr. Hunter asked will that include dumpsters? Mr. Rice replied there isn't a dumpster in the dock area. We do have a dumpster pad in this location here and this does have an enclosure and screening and landscaping to buffer all of the views from abutting properties. Mr. McMahan asked what would be the normal on- and offloading times during the day and would there be a time after which you would not be using the loading dock? Mr. Rice replied I will have to get some specific information from the operator but I believe that the standard is typically in the 7:00 to 5:00 range. As I mentioned, we don't want to upset the abutters or the residents with early loading and loud trash pickup unloading, so we have no issues restricting the hours of the loading and trash pickup. Normal business hours.

Mr. McMahan asked to go back to the gentleman's previous concern; you have given us a traffic flow study, the lights go down about 9:00 PM, what would you expect to be the travel of people coming and going after 9:00 PM compared to what it would be overall? In other words, is there going to be a significant decrease, will it remain the same, just so he can get an idea. Attorney Pollack responded of course you wouldn't expect visitation at that late hour, you wouldn't expect residents to be coming and going, to the extent that they have cars, at the facility or are mobile, you do have a shift change that is going to occur in the late evening hours, but, again, you are bringing on your lightest shift for evening and night activity. It would be considerably reduced at the later hours.

Mr. Hunter stated I have a letter that was written by one of the abutters who cannot be here tonight, and he asked that I read it and have it included in the minutes if that is possible. The letter was read into the record by Mr. Hunter and will be attached to these minutes and in the file for this project. The letter was written by Fritz and Deborah Morgan of 9 Arrowhead Drive, Bedford.

"Dearest Members of the Bedford Planning Board. I write with regard to business 3 and 4 of Old Bedford Road Realty, LLC as outlined in the Town of Bedford Planning Board agenda October 22, 2018. We are unable to attend the Planning Board meeting this evening but wanted to pass along a few requests that we ask the Planning Board to take into consideration regarding these new business items. We do appreciate that Old Bedford Road Realty has reduced the total square footage of the project from its original design, we feel that the new size, while still large, better fits the space. We do, however, have a few requests.

- 1. We would like to request that the Planning Board please push the developer to design the roof and mechanics such that when viewed from our property and the others above the development, that we are not looking down onto cooling towers and other building mechanicals. We would also like to ensure appropriate sound dampening be placed around these mechanicals so as to minimize the noise pollution in the area as the sound does travel up the hills relatively well.*
- 2. We would like to request that the lighting placed around the facility be in compliance with the International Dark Sky Association guidelines for outdoor lighting. This will minimize the amount of light pollution from the new facilities."*

Mr. Hunter asked do you know if what is planned meets those guidelines? Mr. Rice replied I am not exactly sure of the dark sky. Attorney Pollack stated it meets the local requirements. Mr. Rice stated it meets all of the Town requirements; I would have to look at what the dark sky requirements are. Ms. Hebert stated dark sky typically refers to being a full cutoff fixture so that you are not shining any light upward into the sky. I would say yes that is consistent with the Town's requirements as well.

"3. We would like to request that dense hard- and soft-scape be placed around the building so as to minimize the disruption of the rural view we and other abutters currently have from our properties, while also providing some

additional sound dampening. At the same time we respectfully ask the developer to limit the amount of tree cutting and clearing they do along the property lines out of consideration for the abutters.”

Mr. Hunter stated I think that has been addressed already.

“4. We would like to request that all deliveries and trash pickup be limited to the hours between 8:00 AM and 5:00 PM.”

Mr. Hunter stated it sounds like that is being considered as well.

“5. Finally we would like to request that if there is a need for a loading dock that it be located closer to the front of the building to minimize noise and disruption.

We ask that you consider these requests when deciding whether or not to support the plan of Old Bedford Road Realty. Respectfully submitted, Fritz and Deb Morgan”

Kathleen Bemiss, 37 Magazine Street, stated I have a handful of questions. In terms of combining the lots, is that just a right and you can just do that no matter what? There is no formal procedure for that? Chairman Levenstein replied they can consolidate them on their own. Ms. Bemiss asked even though there are individual houses on each one of the properties? Chairman Levenstein responded I believe they can. Is that right? Ms. Hebert stated as a condition of approval they have to remove the houses, so the one house can remain on the 1.5 acre lot and the consolidation happens together with the subdivision when they record the plat and there are certain things that need to be removed. They wouldn't be able to keep two houses on the remaining lot that is combined. Ms. Bemiss asked do they have to tear down the buildings before the plat is recorded? Ms. Hebert replied yes.

Ms. Bemiss stated with regard to the municipal water and sewer. I must have missed a meeting somewhere along the way, so I apologize. Who is responsible for the cost of that? Like bringing the water line and the sewer line to their property? Ms. Hebert replied the developer. Ms. Bemiss asked by doing that, does that preclude, or I know that you mentioned the Fire Department's concern, but the pump station or whatever, does that preclude other places from hooking up like if you wanted to go farther down Old Bedford Road, will they not have capacity? Ms. Hebert replied they would still have capacity to tie in but it is a private line via a private easement between the Bedford Grand and the proposed development.

Ms. Bemiss stated I also have concerns about where the trash and loading dock are located because of noise and unsightliness from the surrounding neighbors.

Ms. Bemiss stated lighting is a big concern I think. If you are looking at the project from Old Bedford Road, there should be no lighting on the front of the property because I actually work in health care and I work with Alzheimer's and memory care and by having any of that front area lit, you are going to interfere with the residents circadian rhythm, and if they are in a memory care Alzheimer's unit, they are going to have worse trouble, so I would recommend that you just

light the parking areas. And also in terms of being green, which I think our entire Town should be going green, the lights should not only be dimmed but there is really no reason to have them on. You could have them on a motion sensor, once again, thereby eliminating light pollution to the surrounding residents. If anybody has ever visited their relative in an assisted living facility after 7:00 PM, they are all in bed for the most part, so there is really no reason to have any additional lighting.

Ms. Bemiss stated once again, the blasting effect on the neighbors' wells. I do have concerns about that, and I would also like a stipulation put in that they will properly cap their wells because here in Bedford we have not done a good job of decommissioning wells and that should also be mandated.

Ms. Bemiss stated with regard to the ambulance calls; Bedford Falls has 114 beds, so I would be very interested in knowing from the Fire Department and the Police Department how many calls they have had and what their reimbursement rate is because it could be a big financial deficit because most of those ambulances are for Medicare from those units versus private commercial insurance. So we should really know what that cost is going to be to the Town.

Ms. Bemiss stated I think it would also be fair to the residents from all areas to actually have the view from their location. So what is it going to look like from Bedford Road? It is going to be sitting up on a hill and I don't think that these accurately reflect it. So it is going to be sitting on that hill so when you come down Old Bedford Road, you are going to see it up on the hill like the white house or you are going to be looking down on their roof. I think those things really need to be looked at.

Ms. Bemiss stated with regard to the traffic study; I think that there might be a discrepancy because if you are having 35 people on an average shift, those people come and go altogether, it is 7 to 3, 3 to 11 and 11 to 7, so you are going to have 35 people in and out and then visitors. So I am not sure if that traffic was accurate. Thank you.

Dillon White, 29 Bracken Circle, stated my main concern with this is the ambulance, the EMS service in Bedford. We heard some numbers about what the facility is expected with the 0.7 and I read the response from the Town regarding that. A few years back the Town voted down putting in a substation for Bedford Fire down on Route 3 where it said like 70 percent of its service calls were headed to the southeast corner of town, which leaves 30 percent of their availability to cover the rest of the town. Correct me if I am wrong; Bedford is still a 2-EMS service? Councilor Bandazian replied we are outfitting a third so it will be three. Mr. White stated so currently it has been two, we have added Bedford Falls, we are looking to add this, so we are saying at 150 that is 105 calls and you are saying at 117 it is about 82 calls on your 0.7 number, and we also just heard that Bedford Falls has 114 beds so that is another 75, so that is a lot of calls. I live on the far west end of town, so I guess a 2-ambulance service Fire Department basically would cover the area around Bedford Falls, Route 101 around the Fire Department and emergency services station and the south end of town where a lot of their calls are fielded. So for the rest of the town, the north and the west, we would be pretty light on service, I guess. There is a third one coming on that would definitely help, but they also said at the time back when the station was voted down that they were turning away 30 or so calls a year to other

services, whether it would be private ambulance services or Merrimack and Goffstown, surrounding towns, Milford, Amherst, and that is money right out of their pocket because they don't get to collect on those calls. So that is a concern too for a loss. I think definitely the Bedford Fire Chief needs to be involved with what their expected call rate is, what the level of service is, and not just for these three areas of town or these two areas around the development on the hills by Copper Door and Dunkin Donuts and the southeast end of town on Route 3, but you need to make sure that you can still provide service to the other 99 percent of town that is outside of those two service areas.

Chairman Levenstein asked Ms. Hebert, has the Fire Chief commented on that other than just raising the issue? Ms. Hebert replied he has not.

Susan Tufts-Moore, 27 Bedford Center Road, stated when you put up the schematic drawing of the appearance of the building from Old Bedford Road, I was a little blown away by the immensity of the drawing. Is there any other way to soften that or shield it? Maybe with more trees or anything. It looks overwhelming to me; it doesn't seem in keeping with the characteristics of the neighborhood that are continuing on down Old Bedford Road. So I am just wondering if there isn't something you can do to make it seem less massive. Mr. Rice stated again, the perspective was done to try to show you what the architectural features of the building are so we didn't want to block the view of the building with the trees that are proposed going up the access drive, so the building is buffered with the landscaping but we didn't want to hide what we were trying to show for what the building is going to look like. There is some buffering there and it also doesn't take into account really the two tiered retaining walls in the front and it is set back a decent way from the road. I can scale it off but I want to say it is close to 600 feet off from the road.

Amy LaPointe, 28 Old Bedford Road, stated I am one of the northern abutters. I am really saddened to be here tonight but not totally surprised because last year when we were going through this and the developer was seeking approval for the prior iteration of this project, I called one of their team as he encouraged me to do. He got pretty nasty on the phone and told me at that time that if I opposed their project, they would cut down every last tree right up to my property line and build a hospital, and I kind of feel like that is what I am looking at with maybe a few trees thrown in. I have many, many concerns. The biggest is that this fundamentally changes for the worst the character of my neighborhood. I bought a house next to a house three houses away from the lovely albeit Bedford Village Inn. This proposal is a 96,000 square foot elephantine monstrosity. No amount of landscaping, nice shake siding, or taupe clapboards are going to make it blend into that lot, and I am completely confident in saying that Bedford residents don't want this. We actually know they don't want this because in March they voted to change the Table of Uses so that this is no longer allowed in our R&A zone. I understand that this is sort of sneaking in by a loophole because they started their application process prior to that vote, but that doesn't change the fact that we know the wish of the citizenry, and I think that this Board is really not only empowered but obligated to try to minimize the impact of this development by forcing it down to a reasonable size. Thank you.

Kathy Shartzter, 7 Roblin Road, stated I have the same concern as Susan Tufts-Moore with the viewpoint from Old Bedford Road. Is there a way to see what that would actually look like from

the road? How high is it going to start above the road? Is there any sense? Is it way up high? It is hard with just numbers to see. Chairman Levenstein asked do you have your elevations? Mr. Rice asked the building elevations? Chairman Levenstein replied no. Mr. Rice stated I was just pulling that up. The main level, the entrance level finished floor elevation is at elevation 348, the roadway elevation where our driveway comes off is 281, so it is 60 feet above the road. Chairman Levenstein stated it looks like it levels off there right past where that road is, where the retaining wall is. Mr. Rice stated again, the lower level is kind of built down below into the hill, so that elevation is down 12 feet below that. Chairman Levenstein asked how high is it from that 348 level? Mr. Rice asked how tall is the building? Chairman Levenstein replied yes. Mr. Rice responded I think it goes up to 369+/- from that main level. To give you an idea, I think the homes on Arrowhead, their finished floors, are around 440 to 460, so they are about 80 feet above the roofline of this building. Ms. Shartzter stated those numbers don't mean anything to me. I am sorry; I just don't think that way. It would be nice to have some sort of picture that actually shows what it would look like as you are driving down the road. That picture just makes it look like this huge building with nothing to soften it at all. It would be nice to have what it is actually going to look like and what it is actually going to look like when it is first constructed and not with mature trees that sometimes take 20 to 30 years to actually grow. That is what I was interested in.

Ms. Bemiss stated I just wanted to go back to the plan a couple of years ago where it was a mixed residential use with some housing and stores and whatnot, and at that time the owner had said he was doing it for the benefit of our elderly people because everybody is looking for lower cost housing as we get older. Typically, depending upon which company comes in to do this, it is not lower income people, it is not downsizing, and it costs about \$7,000 a month typically in one of these places. We are not going to be giving affordable housing to our seniors. Chairman Levenstein responded to be fair, that was a different plan and everybody opposed the other plan saying they didn't like plan. Ms. Bemiss stated I didn't like that one either. I am just saying it is not an affordable option for our seniors. Chairman Levenstein asked do we know what the price range is going to be? Mr. Munson replied the assisted living starts at under \$6,000 a month.

Scott LaPointe, 28 Old Bedford Road, stated my wife Amy and I are obviously direct abutters to the side of this. When I was looking at those plans when they were first brought up, there are a few things that I kind of questioned in my own mind about the layout of this property. As such, the driveway entrance coming off from Old Bedford Road, if it was considered that that would come off from Olde Bedford Way thereby moving the traffic onto a road that would potentially at some point down the line likely have a traffic light at the end of it. Could you put the map up that shows that? The map was posted on the screen. Mr. LaPointe stated where the driveway enters that property on Old Bedford Road that is stringing traffic close to almost half a mile up Old Bedford Road from Route 101. Has it been considered to bring their entryway from Olde Bedford Way thereby putting them into an intersection with stop signs and everything else along that line, an additional way onto Route 101 leaving, albeit with the new entrance coming and going from Route 101, that would leave people coming and going a way to head west directly without adding additional traffic onto the traffic light, which I suppose people could still do, but it just seems like when I look at this to where our property is, every car is going to be coming very close to the property line, and every one of them turns with car headlights beaming right at our house every time that they turn. Many years ago when the development across the street

went from Riddle Spring Poultry, a commercial chicken farm, to what it is today up there with four giant buildings, which I think if we look at the size of this building, the height of this building, it would be very similar to what you look at from the Route 101/Route 114 intersection to those apartments on top of the hill. They are huge, and this is a very similar size building and a very similar size elevation and change.

Mr. LaPointe continued obviously the usage of this area has changed over the years. I have lived at 28 Old Bedford Road my entire life. My family moved there in the early 1970s, Amy and I are second generation owners of that house, we plan to raise our family there, and I run my business out of there. I see a small residential buffer put in there completely inadequate along the property line. I think that this developer should be held to very high standards of keeping those residences very private. I don't think that plantings are nearly enough. In any case, I think that every abutter on Galloway Lane and Old Bedford Road deserve fences, trees to block all of this for now and in the future. This is a residential piece of land that they are looking to build on. This is not a commercial piece of property that we bought next to. There are different standards which this Board needs to hold this developer to. It is not the same as a commercial development. In addition to that, I think if you just look at what was presented to you tonight on your first presenter, what people want in town and they want this town to continue to feel like a small town. This is not what they want, this isn't where they want it, albeit they can do it, like my wife said, through a loophole now because we have since noted that this isn't the right thing for this area or any area zoned R&A and the Town has spoken on that already. This developer tried to change it to commercial and that was voted down on a ballot vote, and like I said, I think if you just look to the statistics that were put in front of you, what people want in this area this isn't it. They want that on the South River Road corridor not here, and I think we could go back and agree that this development, this use on an R&A was intended for the South River Road corridor when it was put in place, which is why that was changed.

Mr. LaPointe continued I really think that there are many things for this Board to look at. I think that this is a starting point, but by all means I don't think that it is good, I don't think it is right for the Town, and I don't think it is what the Town wants frankly. It should be minimized in its size in every criteria that can make this as small of an impact on the community as possible, is what should be done.

Mr. LaPointe stated when I came in front of this Board for my home occupation permit, I was sent through the ringer. Everything from stipulations on hours of operation, Monday through Friday, no weekends; I can't operate with more than 12 employees, you limited my number of vehicles, and now I have to live next door to something that is going to employ probably five times the amount of employees that I am allowed to have, at a minimum. I would like to see the same standards that were applied to me applied to this developer. The most important one that I think should be applied was when I applied for my home occupation permit, because it was on a residential piece of land, it is in a neighborhood, it is in a residential atmosphere, that when I applied for these permits and the Board approved them, they approved with the stipulations that if I ever sold my property or I ever wanted to transfer my business, that did not go with the property. Great Scott Landscaping dies if I sell that there; that is it. Somebody can go reapply and get the permits and do it again. I think that if this developer cannot follow through with the plans that they present in front of us, it cannot and should not be allowed to be sold at this point

to another developer, it should only be moved forward by Old Bedford Road Realty, LLC. If they cannot follow through on this, it should end right there. This is not a commercial piece of land and this is not on the same playing field. It is residential land that's usage has since changed and the Board needs to consider that.

Mr. LaPointe stated I work at two assisted living facilities currently. The traffic flow is grossly underestimated after reading that and it is just after my experiences of being there. I have worked at these places for the better part of 10 years; I see what comes and goes. What comes and goes in these properties are people getting dropped off coming to work, their cars don't stay there, they are in and out, they go on break, they come outside, they have a cigarette, their boyfriend comes and meets them, the car comes up, it goes out, all of that is consistent behavior at the two places that I work at now and they are nice facilities. This is nothing against the employees that work there. Everyone has the right to have a break, but what has now gone on on Old Bedford Road as a result of all of these developments, is a line of trash down the side of the street. There are alcohol bottles on my front lawn every day that I have to pick up, and there are people constantly loitering and walking around out there waiting for their rides, waiting to get picked up to go to work, waiting to get dropped off, whatever the case is. It is consistent behavior in these atmospheres, and this is a growing concern that I have with the neighborhood. This is only going to increase the concerns that we have in the neighborhood already. Again, there are just so many things to touch upon on this and I really hope that the Board considers that this is not a commercial piece of land when thinking about this. This is residential land on a usage that you are putting a commercial entity on. It is not the same. Thank you. Chairman Levenstein stated thank you.

Mr. Fairman stated Mr. Chairman, I agree with a lot of the residents of the town. I don't think that Bedford needs to have the fourth or fifth largest assisted living facility in the state. The building is too big, the view from Old Bedford Road no matter how you look at it, I know why they didn't come in with a real view of it because it would show how grossly big it is. They are thumbing their nose at the residents of the town, they don't care what we think, and they are going to build this facility because they are allowed to. I think it is too big. There are not enough trees, there is not enough upland to plant enough trees, and it should be planted enough so no residence can see the building. It is a residential area, so let's get the building down in size, reduce it to half the size of this to 60 or 70 beds maybe, but it is too big for a building being put on a residential lot that would no longer be allowed in the future, and I think it is time that the developers of this pay some respect to the residents of the Town of Bedford. Thank you, Mr. Chairman.

Chairman Levenstein asked for further comments from the Board and/or the audience.

Ms. LaPointe stated I am still really questioning the number of employees. Can we get the number of employees included with number of vendors? As I am looking at some of these notes from Eldon Munson about all of the litany of services, personal care, nursing oversight, medication services, activities and leisure, security, culinary services, nutrition, transportation, housekeeping, laundry, maintenance. It goes on and on, and just in my mind thinking about doctors, LNAs, PT, OT, speech therapy, you have to have housekeepers, you have to have food service, there is a landscaping guy, there are maintenance guys. There is no way that is 35

people a day, and then I am reading this more carefully and I'm reading that a lot of this is talking about outside third party providers, so I am wondering if that 35 number doesn't include those outsourced vendors. Can we get an actual number of employees plus vendors that are coming in daily? I would appreciate that.

Ms. Hebert asked Mr. Rice, can you explain the traffic because I believe it is peak hour not total trips per day, which is very different. Mr. Rice responded that's correct. When you are looking at traffic, for the benefit of the people in the audience, I am sure the Board deals with this a lot more, but when you are looking at traffic, you are looking at what happens during the peak hour of travel, which typically in the morning is between the hours of 7:00 AM and 9:00 AM and typically in the afternoon it is between 3:00 PM and 5:00 PM and you come up with your estimated traffic based on available data, the ITE manual, the transportation manual that most traffic engineers use, and out of that two hour window you will pick what is your highest hour. It could be 4:30 PM to 5:30 PM, it could be 4:45 PM to 5:45 PM, but you find out what your peak hour of traffic to that the facility would generate. Mr. Fairman stated of course that doesn't apply to an assisted living facility. That is not the peak hours for those facilities. It is typical of our transportation studies that the numbers don't pass the smell test and this one doesn't either. Just the number of employees coming and going is going to be more than what you are showing. Mr. Rice responded the employees don't necessarily all need to come during the peak hour of travel either. Mr. Fairman asked but why do you think visitors would come in during commuting hours? I'm sorry, but they don't make sense. Mr. Rice stated I can tell you that we took the same approach for this traffic study that we have for every traffic study we provide for the Town. It was done by a licensed traffic engineer and it has been reviewed and the Town's review engineers agreed with our conclusions. Attorney Pollack stated and peer reviewed by the Town's vendor of choice. Mr. Fairman responded I understand all of that. My point is that an assisted living facility is not the same as an apartment house and the peak hours are very different. Mr. Rice stated and our traffic study is based on an assisted living facility, not an apartment complex.

Sharma Vandna, 3 Sonoma Drive, stated we moved from Londonderry and the reason for us to move here was all the traffic, chaos and driving in that was just crazy. More reasons were because of all of the apartments, all of the construction coming into Londonderry. The schools were overcrowded. Chairman Levenstein stated you don't have to worry about the schools with this. Ms. Vandna replied I understand, but for me the traffic was just the biggest issue. Coming here in the last three years since we have moved, the Route 101 traffic and all of the construction going on around it it is just getting too much for everybody at this point. I think for me to move in this town was because of the small town look, and I think it is completely changing that look right now. Thank you.

Dillon White stated I had one question for the design. You showed a map of your lighting where it zeros out for zero lumens based on the building, your lighting scheme, and the surroundings. I am assuming that is done for just the average season and that doesn't take into account winter effect when you have reflection on the snow. Clearly we know that distance traveled by light is magnified by at least a factor of two. Mr. Rice responded I believe it is average. I don't believe it takes into account snow glare. Attorney Pollack stated I don't think it is a seasonal calculation. Mr. White stated so that is something for residents and the Board to realize is that during anytime

that we have snow on the ground, light will travel almost twice the distance when it is magnified by snow.

Mr. White stated my other concern was I heard the traffic study numbers obviously for this particular project, I also came and listened to the traffic study numbers for the Bow Lane project, which is a little bit more because they only have a single input and output on Chestnut, and everybody likes to talk about peak hour of travel time and the number of trips coming and going during that peak hour based on the ITE manual. What people don't factor in or what people never talk about is the queuing behind all of those cars. Queuing is obviously the line that stacks up at a given intersection, it is a mathematical equation, you can do it for everything from lines at the grocery store, cars waiting at a light, it is applicable almost everywhere. It never gets talked about, it is often overlooked, and a lot of people can't do the math behind it because it is variable heavy. Just thinking about Route 101 it deals with those peak traffic on Route 101 at a certain time, it deals with light timing and all of that, so it can get really complicated really quickly but nobody ever talks about it, but anytime you add cars to an intersection, it is going to change the queue of cars waiting at a particular light. So even if you say half the cars are going to head to Route 101 and they are going to come down to that intersection with Route 101 and Old Bedford Road or Garrison where there is a light, and you are going to stack up a bunch of cars, you can do the analysis for queuing at how much time people are going to wait to turn left or right even with light timing when you say you have a green left-hand turn but you also have traffic coming from the other side, so you can mathematically calculate all of that. It is pretty much never ever discussed but anytime you add cars to a traffic pattern, you are going to back up the queues at those lights and the lights are only green for so long, you can only process so many cars through even if everybody is on the ball ready to go when the light turns green. You are only getting maybe 10 cars through depending on traffic. Even in an instance where maybe you have 14 cars during peak hour or 34 a day, and whether or not you are including third party services to that, you are going to be adding to the queue waiting at that light and it is going to change the traffic pattern regardless of the time of day. It is one thing to consider that they do a traffic study, you guys have a traffic engineer that you go to that you rely on, but ask him to do the queuing analysis for peak hours or peak two-hour time periods for rush hour morning and evening and see if he can give you a number of how much that increases or decreases.

Mr. Hunter stated I just have one more thing to say. I must say that this is the first time I have seen the plan since initially when it was a much bigger building, and I certainly laud the developers for shrinking the size, although at 100,000 square feet it needs more shrinkage. The thing that is appalling to me is that the plan has changed so radically with all of the noise and the traffic and the commotion and the lighting being initially planned between the building and Old Bedford Road where there is a lot of acreage to dissipate all of that pollution. It has now been swung around between the building and the residents who live here and have lived here; there is no escaping the sound, the noise, the traffic coming in and out of the building. It is amazing to me that you weren't able to come up with a better plan to protect the neighbors in this area rather than bringing the traffic, lighting and parking right underneath homes and around their homes, that it couldn't have been placed left with an entrance down towards Old Bedford Road, which would have shielded the neighbors. Chairman Levenstein asked the neighbors on the north? Mr. Hunter stated the neighbors on the north and the neighbors on the west and there is a northwest area too. I am just amazed that this plan evolved this way. It is like the worse possible

explanation and worse possible situation that could have been developed.

Attorney Pollack stated obviously there have been a lot of comments expressing personal opinions about the evolution of the concept, and I don't care to have a debate on those issues. I do want to make a response to the Board member's comments about whether or not the project is appropriate for the property, and, again, not looking to create a heated debate here but just politely point out that everyone will draw their own conclusion as to whether what has been done to evolve this plan to be responsive to comments from the Board, from the public, from staff and third party reviewers, and whether enough has been done. But there are some facts as to what has been done. We have moved from one concept to another, the prior mixed-use concept was clearly unpopular. We have moved now to a second concept for this proposed use, which due to the vesting achieved through the design review process, a legal and available process, is a permitted use for the site. The building is now half the size it used to be. Again, everyone can bring their own judgment to whether that is enough, but nonetheless, it is a dramatic reduction from what was first proposed. Reduced light emanation, reduced clearing area, increased buffers to abutting properties, taking advantage of some of the slope to the rear that will also shelter some of those abutters from the penetration of sound waves and light waves, and it will go into the hill to a greater extent than it would have if that hill was not respected. We have done what we can to search for a reasonable compromise and at least it is the opinion of the applicant and the applicant's team that we have landed on it. Is it perfect? Everyone will draw their own conclusions about the trip we have taken with this proposal, but we are here to defend what we've got as a reasonable place to land given the feedback that we have received. Chairman Levenstein stated thank you.

Chairman Levenstein asked for further comments or questions from the Board.

Town Manager Sawyer stated with regard to the detention basin or treatment basin. Mr. Rice stated it is a surface filtration pond down near the entrance. Town Manager Sawyer stated that being located so close to the bottom of the hill, obviously water flows downhill, I get why it is down there, but it doesn't leave much of a buffer along Bedford Center Road. I don't believe you are really showing any additional landscaping on the east side of that basin. Mr. Rice asked you are saying in this location indicated on the screen? Town Manager Sawyer replied yes. I am questioning whether you can get additional landscaping along the driveway or along Old Bedford Road because the pond is so big it does open up the viewshed of the project quite a bit at that point. Mr. Rice responded yes, and that is why I had asked staff if it was acceptable for us to propose plantings in the right-of-way, which is typically not something that is done, and that is why we added those plantings. There is not a lot that I can do on the side slopes of that pond, but we have called for a flowering seed mix to be placed so that is what that hillside will look like once it grows in. Town Manager Sawyer asked can you point out the trees in the right-of-way that you were granted approval for? Mr. Rice replied yes. It is this cluster indicated on the screen. This blue line is the property line; everything that is on that right-hand side. I would have to go to the landscape plan to get you an exact count. Just looking at it quickly I want to say it was eight trees that were added.

Mr. LaPointe stated to put his eight trees in perspective, I have planted over 100 since this time last year, trees and shrubs bordering this property in anticipation of this development. Eight

trees are not nearly enough on any given point, on any give spot. I own a landscaping company and the buffers are just not big enough. Chairman Levenstein stated the buffer is going into the Town right-of-way so I think that is an issue.

Ms. Shartzer stated I would just like the Board to look at this project as it is now. I don't think it is a valid argument to come in and say well my first proposal was so bad and everyone really disliked it, so now we have come in and we have made some concessions. This plan should be judged on its own merits. I think it is too big but you will have to decide. But I don't think it is fair to say it is not as bad as the first iteration. If it is not right for Bedford yet, it is not right for Bedford, and I think that is what the Board should be looking at. Look at what is there now in a residential neighborhood and not view it as at least it is not as bad as what was proposed the first time. I think that is a bad process to go through. It just means that the second time you come in, it is okay. I think it has to be right, and if it is more than two times through, then it is more than two times through.

Mr. Fairman stated I have a couple of questions I want to follow-up on before we vote. There are two questions that people in the audience asked that didn't get answered. The first one is the number of employees. You said it would be 35 at the most; that is a little less than one to every 3.5 residents. Is that the total number of people working in the building or do you have the kitchen subcontractors, do you have subcontractors working in the building? Is that the total number? Attorney Pollack replied my understanding is that is the total at the heaviest shift. Mr. Fairman asked total number of people working in the building, not just employees? Attorney Pollack replied I think that is correct. Mr. Fairman stated okay; thank you very much.

Mr. Fairman stated the second one I wondered about was the question relative to bringing the driveway in from Olde Bedford Way. Was that considered and is that feasible? Mr. Rice replied I don't really know if that is feasible for this particular property because the elevation of the road I think is 50 feet lower in that location than where I am coming up off from. Chairman Levenstein asked wouldn't you have to go through the detention pond? Mr. Rice replied there are a wetland area here and a detention pond. Mr. Fairman stated you would have to come through the other lot I suppose. Mr. Rice responded right. This existing driveway I would have to recalculate the slope but I think that that driveway is at like 15 percent right now. The Town Fire Department will not allow anything over 10 percent, they prefer everything at 8 percent, so our portion of the driveway even coming off from this spot is 8 percent and then it levels off. Even if you ran 8 percent the whole way from here, you would never get up to that platform area. You would be cutting into the hill so much. Mr. Fairman stated thank you very much.

Town Manager Sawyer stated I am still on the landscaping along the frontage. The part that I am looking at right at the corner is that I am seeing three blue spruces over about 60 feet and that clearly isn't going to screen anything. It will soften it; I won't screen it. I am not saying we can fully screen everything. Attorney Pollack responded as you know, one of the conditions of approval is to complete responses to outstanding technical review comments and there were comments relating to landscaping and we certainly have to satisfy Town staff on those issues. It is not as simple as saying sure we will put trees there because it is actually the Town's right-of-way, but if it is your pleasure to see some additional trees there, that is certainly something we can work with. Town Manager Sawyer stated I do see the eight along the entire basically

frontage piece but right at the pond itself, at the driveway trying to screen that some more, maybe carrying the evergreens around a little bit more. I know you go to a deciduous tree going up the driveway, but right there on that corner, if there is a way to just somehow close that gap a little bit more, I would be comfortable with staff working it out with the applicant if the project gets approved. Attorney Pollack responded and I am certainly comfortable that we can reach an agreement there. It is more just the issue of what the Town can tolerate with the sight lines and the right-of-way for the roadway, and we would be happy to beef up the landscaping if that is of interest to the Board. Town Manager Sawyer asked there is just no way to get the trees onto your own property? Attorney Pollack replied there are a few already but you end up with what Mr. Rice was saying, which is the slopes of the retention pond and whether or not the trees are going to be compromised. Ms. Hebert stated I think there is also a stone wall. Town Manager Sawyer stated maybe behind the stone wall. Ms. Hebert stated we can take a really close look at it. Mr. Rice stated we will work with staff to add them in appropriate locations. Ms. Hebert stated this is an outstanding comment. This rendition of the plan has more landscaping along Old Bedford Road, more landscaping in front of all of the terraced retaining walls as you step up the driveway to buffer those views and more trees in the buffers to the residential properties. The hatched area is also upland seed mix, so trying to soften some of the views with naturalized plantings as opposed to a manicured lawn. Attorney Pollack stated we would be happy to take on that issue. The other comment, of course, is that we would have to take a look at the specifics of the landscape plan to see what varieties are proposed there. Not all trees are created equal when it comes to shielding and screening. There might be something we can do in terms of the types of proposed trees as well. Councilor Bandazian stated I would just echo what has been said about residential abutters and the trees there. Blue spruce and white spruce and those will fill out down lower but they are 7 to 8 feet tall so that is not going to do much for the first 10 years anyway, so I would personally like to see some more dense plantings there and perhaps some taller trees mixed in.

Ms. LaPointe asked has this Board done a site walk yet? Chairman Levenstein replied I don't know who has been there or by it. We haven't had an official site walk. Ms. LaPointe asked at what point in the process does that occur? Chairman Levenstein replied it is optional. There is no requirement.

MOTION by Mr. Pincince that the Planning Board grant final approval for the site plan application to construct a 150 bed, 105 unit assisted living facility and associated site improvements at 18 and 20 Olde Bedford Way and 24 Old Bedford Road, Lots 10-50-3, 5 and 6, in accordance with the plans last revised on October 10, 2018 by T. F. Moran, Inc. and EGA Architects, with the following precedent conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions of approval to be fulfilled as noted:

- 1. The Director of Public Works and the Planning Director shall determine that the applicant has addressed all remaining technical review comments to the Town's satisfaction.**
- 2. The NHDES Sewer Discharge Permit number shall be noted on the plan.**
- 3. The NHDES Alteration of Terrain permit approval number shall be noted on the plan.**

4. **The Applicant shall submit any outstanding engineering review fees to the Department of Public Works.**
5. **The operations and maintenance plan for the stormwater treatment system shall be approved by the Director of Public Works.**
6. **The associated subdivision and lot consolidation plan along with all necessary utility easements for the water and sewer extension shall be recorded.**
7. **The final building colors shall be approved by staff and noted on the building elevations.**
8. **The applicant shall enter into an agreement and provide funds for the future construction of a sidewalk along Olde Bedford Way and Old Bedford Road, equal to the length of the project frontage. The agreement shall be reviewed and approved by the Town Attorney. The estimated cost of the sidewalk construction shall be reviewed and approved by the DPW Director.**
9. **Prior to receiving a building permit, payment of the fair share road contribution in the amount of \$38,206 shall be made to the Department of Public Works.**
10. **Prior to commencement of work, a pre-construction meeting shall be held with the Planning Department, Department of Public Works, Fire Department, and the Building Department.**
11. **Prior to commencement of work, a performance guarantee in an amount approved by the Town for onsite maintenance of erosion and sedimentation controls shall be placed on file.**
12. **Arrangements shall be made with the Planning Department regarding payment and coordination of third party inspections.**
13. **A letter from Manchester Water Works stating that they will be able to serve this project and approve of the water system design shall be submitted to the Planning Department.**
14. **Prior to a building permit being issued, a sewer permit shall be obtained and the wastewater flow shall not exceed 21,946 gallons per day for the combined flow of the single family house and the assisted living project.**
15. **Prior to a building permit being issued, the Applicant shall provide retaining wall design drawings (stamped by a licensed structural engineer) to the Town for proposed retaining walls 4 feet high or greater.**
16. **Prior to the issuance of a certificate of occupancy for the building, the sewer accessibility fee shall be paid.**
17. **Prior to the issuance of a certificate of occupancy for the building, all site improvements depicted on the plan shall be completed.**
18. **The parking lot lights shall be dimmed after 9:00 PM.**
19. **The proposed water system shall be reviewed by a qualified third party civil engineer and a fire protection engineer to ensure that the proposed water system can meet all NFPA standards for fire suppression and domestic water use. The Town shall select the third party reviewers and the cost shall be paid for by the applicant.**

Mr. McMahan duly seconded the motion.

Mr. Fairman asked Mr. Chairman, do we have to vote on the subdivision first? Chairman Levenstein stated we probably should. Town Manager Sawyer stated I don't know that it matters. Ms. Hebert stated I don't think it matters.

Mr. Fairman asked there is no condition relative to the blasting plan? Is that a standard one or do we have to have a condition in there for a blasting plan? Ms. Hebert responded we don't need a separate condition for the blasting plan. They have annotated the plan with the blasting requirements.

Town Manager Sawyer stated I would ask if the motion could be amended to Condition #18 'The parking lot lighting shall be dimmed to a level to be approved by the Planning Director after 9:00 PM.' not just that it will be dimmed but to a level that is worked out with staff. If that is a friendly agreement to amend the motion, and if not, I understand. Mr. Pincince stated the question I would have is from an operational standpoint, and this is probably a question for the operator. In order to run a business, do you have to provide a certain level of lighting for the safety of the employees in the evening and for visitors coming and going at the place of business? Attorney Pollack replied we would accept that staff has an appropriate understanding for what is safe and necessary in terms of dimmed lighting and we would accept that condition as amended by Town Manager Sawyer.

Mr. Pincince and Mr. McMahan agreed to the amendment to the motion for Condition #18 as follows:

18. The parking lot lights shall be dimmed after 9:00 PM to a level that is worked out with Planning staff.

Councilor Bandazian stated I don't see that we have a landscaping plan discussed with the Planning Director. Chairman Levenstein responded that is one of the technical review comments that remains. Town Manager Sawyer stated that is part of Condition #1. Attorney Pollack stated yes, Condition #1.

Chairman Levenstein called for a vote on the motion as amended. Vote taken; motion carried, with Mr. Fairman and Mr. Sullivan voting in opposition and Ms. McGinley abstained.

MOTION by Mr. Pincince that the Planning Board grant final approval of the lot consolidation and re-subdivision of 18 and 20 Olde Bedford Way and 24 Old Bedford Road, Lots 10-50-3, 5 and 6, in accordance with the plan prepared by Sandford Surveying and Engineering with a revision date of October 8, 2018, with the following precedent conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions of approval to be fulfilled as noted:

- 1. A letter shall be submitted to the Planning Department by a Licensed Land Surveyor, certifying that all boundary monumentation has been set as noted on the approved plan, or in lieu of a letter, the final subdivision plan to be**

- recorded may be submitted noting that the bounds have been set.
2. **The Planning Director and the Department of Public Works Director shall determine that the applicant has addressed all technical review comments to the Town's satisfaction.**
 3. **All outstanding (if any) engineering review fees shall be paid to the Department of Public Works.**
 4. **All recording fees shall be submitted to the Planning Department at the time of recording.**
 5. **NHDES Subdivision permit approval shall be obtained and the permit number noted on the plan.**
 6. **The driveways, pool, shed and utilities on proposed lot 10-50-3 shall be removed and the wells shall be decommissioned.**
 7. **The location of proposed water and sewer lines shall be shown on the plan.**
 8. **All necessary utility easements for water and sewer shall be reviewed and approved by Staff and recorded with the plan.**
 9. **If the well on lot 10-50-5 is going to remain in use, a wellhead protection easement shall be provided for the portion of the protection well radius that crosses onto lot 10-50-3.**

Councilor Bandazian duly seconded the motion. Vote taken; motion carried, with Ms. McGinley abstained.

V. Approval of Minutes of Previous Meetings:

MOTION by Councilor Bandazian to approve the minutes of the October 8, 2018 Planning Board meeting as submitted. Ms. McGinley duly seconded the motion. Vote taken; motion carried, with Chairman Levenstein and Mr. Sullivan abstained.

VI. Communications to the Board:

Ms. Hebert stated tonight we just want to remind you that Planapalooza is coming up on November 1st with an opening presentation at the Bedford Village Inn. The meeting will be from 6:30 PM to 8:30 PM. If you can make any of the Planapalooza events, it would be great if you can make the opening presentation. The following events will happen on Friday and Saturday. We will have focus group discussions during the day on Friday and Saturday and a closing presentation on Monday from 6:30 PM to 8:30 PM. You should all have the Planapalooza handout. We are working on public outreach, and if you want copies of this Planapalooza handout, we can get you stacks of them to hand out to your coworkers, at places of business around town or if you have any other ideas, please reach out to me. Ms. McGinley stated looking at this handout; the people need to know to turn over the sheet where it shows the exact scheduling. Ms. Hebert responded the detailed description of the events is on the back of the flyer.

Ms. Hebert stated on Friday, November 2nd at 8:00 AM there will be a forum on economic

development called ‘Bedford Means Business.’ Later on in the day at 4:30 PM there will be a forum called ‘Designing Bedford’ which is a discussion around community design and character, and in the afternoon on Friday there will be a forum on transportation called ‘Moving Around Town.’ On Saturday morning we will kick off Saturday’s discussions with a discussion of open space entitled ‘All Things Green’ and that will be followed by a discussion on ‘Right Sizing Bedford – What Is Big Enough’ and that is followed by a discussion on housing. The way the flyer works is the schedule runs across and the focus group discussions are in the dark blue. On Sunday there will be what is called ‘Open Studio’ at the Town Hall, so the consultants will have an open studio space at the Town Hall and anyone can drop in and stop by. We would encourage you to stop by and visit the consultants. Their entire team will be here in Town throughout the Planapalooza event and they would love to hear from you and hear from the public. Monday evening there will be a closing presentation at Noah’s Event Center. We have these flyers made up, we have posted them online, we are distributing them around town and we are really trying to spread the word during the next week and a half to get a great attendance at all of the events. Ms. McGinley stated people should pick the ones that are of most interest to them. Ms. Hebert stated we don’t expect you to give up five days of your life for Planapalooza but choose the activities and forums that best align with your interests and I hope that you can make some of the focus group discussions. That November 1st kickoff meeting is probably the most important meeting to attend. If you attend anything, please attend that. Mr. Sullivan asked if someone can’t attend the individual focus discussions, they are still invited to the open studio and can discuss those topics there with the consultants. Ms. Hebert responded that is correct. You can drop in any time and speak with the consultants. With the public listening, please feel free to stop into the Town Hall any time that it lists open studio on the schedule. The consultant team will be working but they are available to talk with anyone with questions. Mr. Connors stated if you go to the website blueprintbedford.com, you will see Planapalooza and just click on that and it lists the schedule of events and you will see the flyer and you can click on that to download the full pdf.

VII. Reports of Committees: None

VIII. Adjournment:

MOTION by Ms. McGinley to adjourn at 9:16 PM. Mr. Pincince duly seconded the motion. Vote taken – all in favor. Motion carried.

Respectfully submitted by
Valerie J. Emmons