

TOWN OF BEDFORD
November 4, 2019
PLANNING BOARD
MINUTES

A meeting of the Bedford Planning Board was held on Monday, November 4, 2019 at the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH. Present were: Jon Levenstein (Chairman), Chris Bandazian (Town Council), Phil Greazzo (Town Council Alternate), Rick Sawyer (Town Manager), Mac McMahon, Kelleigh Murphy, Charlie Fairman (Alternate), Priscilla Malcolm (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. Harold Newberry (Vice Chairman), Karen McGinley (Secretary), Jeff Foote (Public Works Director), regular member Randy Hawkins, and Matt Sullivan (Alternate), were absent. Mr. Fairman and Ms. Malcolm were appointed to vote.

II. Old Business & Continued Hearings: None

III. New Business:

1. **Outback Steakhouse Restaurant Partners c/o Tim Moore (Applicant), Shoppes at Bedford 15A c/o Outback Property Management (Owner)** – Request for architectural approval to modify the existing Outback Restaurant exterior colors at 95 South River Road, Lot 12-26, Zoned PZ.
2. **Paramount Partners, LLC (Applicant), RK Bedford, LLC (Owner)** - Request for site plan approval to construct a 2,236 square-foot bank with drive-through service facilities and associated site improvements at 7 Kilton Road, Lot 12-23, Zoned PZ.

IV. Concept Proposals and Other Business:

3. **Cameron General Contractors (Applicant), Bedford RLG Properties, LLC (Owner)** - Request for conceptual review of a site plan for a three-story, 130-unit independent elderly housing facility at 308 South River Road, Lot 24-98-19, Zoned PZ.

Mr. Connors stated the two New Business applications have been reviewed by staff, and staff would recommend that the Board find them to be complete. The abutters have been notified; it is staff's opinion that neither of these applications pose a regional impact. Staff would recommend that the Board accept the agenda and in so doing, adopt the staff recommendation that the applications are complete and that neither of the applications pose a regional impact.

MOTION Councilor Bandazian by to approve the agenda as read. Ms. Murphy duly seconded the motion. Vote taken – all in favor. Motion carried.

1. Outback Steakhouse Restaurant Partners c/o Tim Moore (Applicant), Shoppes at Bedford 15A c/o Outback Property Management (Owner) – Request for architectural approval to modify the existing Outback Restaurant exterior colors at 95 South River Road, Lot 12-26, Zoned PZ.

Chairman Levenstein asked is there someone here for this application? Mr. Connors replied I did speak to the project manager and they were scrambling to find someone today to be here tonight. The project manager is out of state, so we could either continue this to the next meeting, or because it is a minor application, and if the Board were comfortable you could approve it.

Ms. Murphy stated I would be more comfortable continuing it until there was a representative here.

Chairman Levenstein stated Mr. Connors, since nobody is here to show it and so people watching on BCTV can see it, why don't you tell us what they are looking to do. Mr. Connors stated the existing Outback is in the Bedford Mall part of the plaza that fronts South River Road. It is a 1-story building with a yellow exterior color and green roof. The applicant is not proposing any architectural changes besides changing the colors of the building. They are proposing that the building be modified to essentially change the building to more earthy tones, different shades of brown, dark brown roof, kind of a tan exterior, and a brown foundation line. The railings would be stained. They are not proposing any changes to the signage or to the building itself besides the painting. Elevations from each direction were posted of before and after the project is complete.

Chairman Levenstein asked the Board if they had any questions from Mr. Connors on this application.

Chairman Levenstein asked we are just approving the architecturals or that is what they want us to do? Mr. Connors replied approving the architectural, limited to the painting of the building.

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

Ms. Murphy asked how often do we approve applications like this without anyone here to speak on them? I haven't seen it in my time on the Planning Board. Chairman Levenstein responded there is a big question about whether they even need approval, whether it wasn't something that could be done administratively. I think Ms. Hebert decided to have it presented just so that the public could see what they were going to do. Mr. Fairman stated it is really just a paint job. Ms. Hebert stated it is just painting, but because it was the entire building, including the roof.

Mr. Fairman asked does the front have that wainscoting now? Mr. Connors replied it does. It is a similar color to brownish/reddish, more of a reddish. Town Manager Sawyer asked can you

see it on the existing photo that was posted before? Mr. Fairman stated but they are doing something different in the front. Chairman Levenstein stated they are putting a fence. Mr. Connors stated if you look on the posted picture to the left, that is this façade. Town Manager Sawyer stated there is a light railing in the picture you just had up before. Is that correct. Mr. Connors replied yes.

Councilor Bandazian asked they are not changing the landscaping because the elevation shows different landscaping. Town Manager Sawyer stated that is why it looks so different is because it doesn't have the trees in there and that changes the whole feel of it.

Mr. McMahon asked this could be administratively done by the Planning staff, could we just recommend that they do that and press on since there is no one here if we are worried about precedence? Town Manager Sawyer responded staff always have the option to send it to the Planning Board for approval, so they have done that and given it to us. Ms. Hebert stated I have no objection to you approving this without an applicant here to present. It is a simple proposal, but I wanted the Board to see it because it is a very visible building and it is a complete kind of rebranding of the color scheme.

Chairman Levenstein stated I don't see that there is any problem in us entertaining it. If you don't want to pass it, do you want to continue it to get somebody here? Somebody could make a motion to do that.

MOTION by Town Manager Sawyer that the Planning Board grant approval of the site plan amendment to change the exterior colors for the Outback Steakhouse Restaurant, 95 South River Road, Lot 12-26, as shown on the plans by Architect Michael DeVere, received October 1, 2019. Mr. McMahon duly seconded the motion. Vote taken; motion passed, with Ms. Murphy voting in opposition.

Ms. Murphy stated I want to make it clear that I am not opposed to the paint job. I am only opposed to setting a precedent to grant applications without a representative here.

2. Paramount Partners, LLC (Applicant), RK Bedford, LLC (Owner) - Request for site plan approval to construct a 2,236 square-foot bank with drive-through service facilities and associated site improvements at 7 Kilton Road, Lot 12-23, Zoned PZ.

Richard Pilla of Paramount Partners, LLC, stated I am here on behalf of our client Bar Harbor Bank and Trust. With me is our team Jim Durgin and Joe DiDonato from JD Design Associates, Inc., and Jason Hill of TF Moran, civil engineer.

Mr. Pilla stated I thought it would be good this evening, since the bank is looking to open a branch here in the Town of Bedford. Also with me is the Executive Vice President from Bar Harbor Bank and Trust John Mercier.

Mr. Mercier stated Bar Harbor Bank and Trust was founded 1887 and it is headquartered in Bar Harbor, ME. We have approximately \$3.6 billion in assets at this time, we operate as a

community bank today in three states, which are Maine, New Hampshire and Vermont. We offer very traditional community bank product lines, such as commercial loans, residential loans and trust services, as well as personal and business deposit accounts. We have approximately over 50 offices across these three states. Over half of those are in New Hampshire, including one we opened in December of 2018 in Manchester, which is where I sit and work fulltime. The New Hampshire and Vermont offices that we control today were part of an acquisition the bank made of the former Lake Sunapee Bank Group. That is how we ended up in New Hampshire and Vermont. We continue to review our branch network, looking for growth markets where we think we can do well, and we really want to expand into Bedford. We are excited about this opportunity and thank you for your consideration.

Mr. Pilla stated I will now bring up Mr. Durgin and Mr. DiDonato from JD Design who will talk about the architecture, share with you materials that will be incorporated into the building and answer any questions regarding the architecture.

Mr. Connors distributed the material samples supplied by the architects.

Mr. DiDonato stated the design for the Bar Harbor Bank and Trust is a single-story, 2,236 square foot branch bank, and it is representative of New England design in character and style. The bank is design to a human scale with the exterior elevations interrupted by things like gables, projected rakes, pitched roofs with various ridge heights. A false wood chimney actually interrupts the long ridgeline, which helps to reduce the visual scale of the building by breaking up that long roof. Additional architectural elements are the architectural grade asphalt roof shingles, a covered porch roof at each of the entrances, wide soffits, fascia trim, and wide corner boards. We have a standing seam metal roof, which is located on the exterior gable walls that bisects the gable walls and it is an attempt to reduce the scale of those large gables. The exterior siding is comprised of a clapboard siding and masonry veneer base. The exterior windows are non-operable with divided rectangular grills to resemble double-hung windows. The exterior entry doors are a commercial grade aluminum door with insulated glass. Basically that is the style of the building, it is a New England style building and it has a lot of character to it.

Mr. DiDonato stated I thought I would just go down through the exterior materials. The roof shingles are going to be manufactured by CertainTeed Landmark, which is their designer architectural series. The color is a cobblestone gray. The standing seam metal roof is proposed to manufactured by Firestone. It is a UNICLAD panel with 1.5-inch high seams and the spacing is about 16-inch on center spacing and it is a dark bronze. The soffit and trim boards are PVC and they are proposed to be manufactured by Kleer trim boards, which will be white and they will be painted white. The clapboards are the James Hardie Select Cedarmill Lap Siding. In the information it shows that it is a cedar look, which resembles a true clapboard looking siding. The windows are proposed to be color windows from the Architect Series Reserve. They are aluminum clad, they are fixed casements, they have a simulated check rail, which makes it look like a double-hung unit. You can see that it has the grills; the grills will be between the glass for easy cleaning. It is a 13/16th thick insulated glass with Low E insulation and the color will be white. The entry doors are commercial storefront doors, and they are proposed to be Kawneer or equal and those are aluminum storefront doors with insulated glass with the dark bronze. That is

in a nutshell the exterior materials and those are being passed around now. Are there any questions on the material?

Councilor Bandazian asked could you explain where the standing seam metal roof is? Mr. DiDonato replied I am looking at an elevation here that doesn't have it. On the posted elevation it is this line as shown. The standing seam actually runs right across there, and the bank really didn't like the shingles, so we went to the standing seam, which is basically a metal roof that runs across where shown on the posted rendering, to bisect the gables. Ms. Hebert asked does it match the color of the doorway, the bronze? Mr. DiDonato replied yes. This door and the standing seam are the same dark bronze. Town Manager Sawyer asked that would be on all the other gables including the east elevation and north elevation? Mr. DiDonato replied yes. Councilor Bandazian asked what is the width of that strip? Mr. DiDonato replied it is 16 inches wide; it is the same as all of the soffits and all the rakes that are 16 inch, so it gives it some depth, and then it is sloping back at the same roof pitch that we have here now, the 8-on-12 roof pitch, so it slopes back, so it will be at least a foot or so high and going back against the building.

Chairman Levenstein asked further questions from the Board on the architectural. There were none.

Mr. Pilla stated when we were here for the conceptual hearing back in September, there were a lot of good comments that you all made, and we looking at each one of those and some of those we were able to incorporate and hopefully our plan has benefited from that input. There were some suggestions that were made that we looked at and discussed actually onsite with Ms. Hebert and Mr. Connors at a site visit maybe a month or few weeks after that. We walked through the site and talked about some of those things, and some of them we just aren't able to do physically and Mr. Hill will get into some of that. But we did take all of your suggestions very seriously, looked at them, and tried to address them in a responsible manner.

Mr. Hill stated I am going to run through briefly site circulation and layout, which has changed a little bit, not a substantial amount since when we first met with you two months ago.

Mr. Hill stated when we initially proposed a design, it had more work being done in the front corner. This driveway indicated was a 2-way driveway and 90 degree stalls in this vicinity, with I believe eight stalls, and it was encroaching into the landscaped perimeter and we were taking some the vegetation that was mature. We talked to the Board, there was some concern with the amount of that activity, which we were proposing, as well as there were several things we have talked about with one of the key ones being that, otherwise looking at potential improvements that could be made to the plaza to try to make it tight, designed to I believe minimum standards for land widths and turning radiuses, so there was some discussion about that. We have had a few months to come back with this plan, which is a good plan, and it is a redevelopment project since there was a gas station here formerly and we are basically reorganizing everything, but then that effect as we have gained four spaces from what the existing plaza was approved for under HotWorx, four spaces more now, nine more required with the proposed use of the bank, so there is a 429-space plaza. Per the regulations of Bedford, we have the 436. The waivers requested, as we discussed kind of at length last month regarding the seven spaces. I have submitted the paperwork with some of the study that we done on that to support the waiver, but looking at the

main concerns and how we could get what the bank needed in terms of its programmatic objectives and maintain circulation patterns, and as such, we have basically maintained the edge of pavement along South River Road to match what currently exists and we have proposed a small addition along the Kilton Road pavement to add a few parking spaces there that are good primary, front-door parking spaces at a level area, which doesn't really impact the large landscaped corridor along South River Road. I think to address those specific concerns; we have made those changes. There are a couple of waivers that I will get into, but the key changes are those and there was a request for a sidewalk connection to be made for this remote west parking area and we have updated the plan accordingly. We have a sidewalk connection for a ADA route to Kilton Road in this position, a meandering sidewalk with front door access here, we have 2-way drive here, 1-way drive here, two drive-thru lanes with queuing in this location, a bypass option in this vicinity for if you are queued up more than three or four spaces, any of the traffic that wants to exit in this position would go around and use this driveway as a bypass lane. If there was ever any queuing backed up into this corridor, which I don't anticipate, this traffic has a 2-way out, they can leave to the primary site drive off from Kilton Road. The remote parking area is perfectly suitable for employee spaces, therefore if there was ever any queuing in this vicinity, right in this area, these three spaces would not be affected. Because of the nature of banking these days, I don't anticipate a lot of queue in that area, it would be rare, but we could make those employee parking spaces because they are perfectly suitable in that location and it would further eliminate any issues related to that.

Mr. Hill continued with regard to traffic; as the report mentions, there is a decrease from the former use of a gas station, there is a decrease under all design conditions and the figures are in the report.

Mr. Hill stated with regard to landscaping/hardscaping; I talked about that already. There are three pine trees that are existing in this location, scotch pine trees, and you can't see anything. They are blocking the whole site, so we are proposing, as I mentioned at the concept hearing, to remove those trees for visibility from intersection and we are going to mitigate, supplement the existing perimeter landscaping by the plan we have provided, where we are matching the amount of tree species and shrubbery in that area, but because of the signage condition, which I will get to at the end of this presentation, the limited signage available to maximize the site condition, and I believe there is a proposed perspective showing the new bank facility, existing here there was a question about how it would look, by I believe Chairman Levenstein last month, how the massing of the Hannaford's would look under the new revised landscaping, which eliminates the scotch pines in this vicinity, as well as there are some sparaya, which we were looking to reduce in this vicinity. But the building basically blocks a majority of the Hannaford's building. You can see the Home Goods building, there is the bank and Hannaford's is right behind it, and it is pretty behind it altogether. This is what we are proposing as a perspective view, and then a close-up perspective view just so you have it here, would be the posted image. We are looking at it from Kilton Road, front door and this is the architectural that we merged with our landscaping package. We always come with a very vibrant and substantial planning package, so we have full foundation screening, we have some shade tree elements, our species are a good 4-season interest in terms of the selection.

Mr. Hill stated the waivers, as I mentioned, are the first is for parking, the second is for the full bypass lane requirement. I have submitted as part of our application the argument for the waiver requests so I will leave those questions to you in case you like me to explain further. Then a waiver request for a 20-foot minimum driveway width for commercial driveways, which is in this vicinity. The final waiver would be in behind the building where I have a narrow alleyway where we are asking to reduce the driveway width to 22 feet where 24 would be the minimum for a 90-degree parking field. The reason we are asking for that waiver is because there is not a lot of flow in the parking lot that we are proposing the request, and going with this 22-foot dimension allows us to provide a greater landscaped island with shade trees than if we were to reduce that island by 2 feet you would be kind of borderline in terms of being able to provide your shade trees. It allows us to maintain our landscaping character of this site, which is specifically something that was important to the Planning Board.

Mr. Hill stated that is the general site design, and I will open it up for any questions.

Town Manager Sawyer stated I just wanted to point out that this elevation appears to show the standing seam metal roof in the gable ends that we were talking about earlier.

Chairman Levenstein asked for any comments or questions from the audience.

Becky Soule, 327 New Boston Road, stated Bedford has a lot of banks. How do you decide when enough is enough? Chairman Levenstein responded I don't think that is really for us to decide how many banks, but I think the market decides how many banks are going to be needed. Ms. Soule responded it actually is up to the Boards to decide what does in where and when you have enough of something. Whether it is enough supermarkets, enough banks, etc., it is absolutely up to the Board to decide that, in my opinion. Ms. Murphy stated I think what he is saying is that the market drives it. If you have the number of banks that we have had come to the Planning Board. Ms. Soule responded you don't need to explain; I understand what you are saying. Do you understand what I am saying? There are a lot of banks in town. I am just putting that out there.

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

MOTION by Town Manager Sawyer that the Planning Board approve the following waivers of the Land Development Control Regulations:

- 1. Sections 322.2.1, (Off-Street Parking Requirements) to provide 429 parking spaces where 436 are required**
- 2. 321.2.4, to allow drive-through facilities without a bypass lane**
- 3. 321.2.1, to allow an internal driveway 12 feet in width where a minimum 20-foot width is required**
- 4. 322.1.6, to allow 90-degree parking spaces to be accessed via a 22-foot wide driveway where a minimum 24-foot width is required**

Waiver #1: It does appear that the spaces could be provided but it would require removal of additional landscaping along the front of the site, which I think would not be necessary in this case given the excess parking in this portion of the site pretty much as all times. As stated in the materials from the applicant, this use of the bank is off peak with the principal uses on the remainder of the site and that there are shared trips between the uses on this site, and the bank being proposed it really makes it so that I think the spirit of that requirement is being met.

Waiver #2: I think you could justify that there is a bypass lane, there is a way to avoid getting into the queue lane for the drive-thru, which is what I truly believe the intent of that regulation is. You can certainly just continue on and head towards Super Cuts and not take the left turn into the drive-thru.

Waiver #3: The 20-foot minimum width is my belief was the intent of that really is if there was 2-way traffic, and in this case it is a 12-foot aisle for 1-way traffic, so, again, I think the spirit of that regulation is being met.

Waiver #4: The 22-aisle where 24 is required between two sets of parking spaces. It is a very limited area of the site, it is around 12 parking spaces, so that is the area that is impacted and I would not want to see the landscaping removed in order to gain that 2 additional feet.

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

Town Manager Sawyer asked did the applicant see the staff report and the condition that the Planning staff recommended for a change to the landscape plan? Are you comfortable with that as proposed? Mr. Hill and Mr. Pilla replied yes.

MOTION by Town Manager Sawyer that the Planning Board grant final approval plan approval for a 2,236 square-foot bank at 7 Kilton Road, Lot 12-26, in accordance with engineering plans prepared by TF Moran, last revised October 11, 2019, and the architectural plans by JD Design Associates Architects, last revised July 3, 2019, with the following conditions to be fulfilled within one year and prior to plan signature, and the remaining conditions of approval to be fulfilled as noted:

- 1. The Director of Public Works and the Planning Director shall determine that the applicant has addressed all remaining technical review comments to the Town's satisfaction.**
- 2. In the event that the Planning Board approves the waivers, the plan shall be updated to list any waivers granted as approved.**
- 3. The Applicant shall submit any outstanding engineering review fees, if any, to the Planning Department**
- 4. The Applicant shall revise Landscape Plan to address the staff comments contained in the staff report.**
- 5. All references to the proposed additional monument sign shall be removed from the plans.**
- 6. Directional signage shall be shown on the plan to help direct drive-through traffic and bypass or through traffic.**

- 7. The three angled parking spaces located closest to the drive-through entrance shall include signage limiting their use to employees only.**
- 8. Prior to the commencement of work, arrangements shall be made with the Planning Department regarding payment and coordination of third party inspections.**
- 9. Prior to commencement of work, a pre-construction meeting shall be held with the Planning Department, Department of Public Works and the Building Department.**
- 10. Prior to the issuance of a building permit, the Fair Share Roadway Contribution fee shall be paid to the Planning 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. Prior to the issuance of a certificate of occupancy for the building, the sewer accessibility fee shall be paid.**
- 13. Prior to the issuance of a certificate of occupancy for the building, all site improvements depicted on the plan shall be completed.**

Councilor Bandazian duly seconded the motion.

Town Manager Sawyer asked is there a date for architectural plans or as presented here tonight sufficient? Mr. Mercier replied I would say as presented tonight.

Town Manager Sawyer amended his motion to include: Change the date of July 3, 2019 date to be November 4, 2019. Councilor Bandazian as the second to the motion, duly accepted the amendment to the motion.

Chairman Levenstein called for a vote on the motion. With all Planning Board members voting in the affirmative, the motion carried.

Mr. Pilla stated there is one thing that we wanted to bring up. We spent some time with staff talking about the non-building signage. We have had our sign people come up with something that we would like the Board to consider, not at this hearing, we would like to come back before the Board to present a more formal sign application.

Mr. Pilla stated just like the conceptual hearing where we received a lot of good feedback, we are hoping that if we show you something this evening, if we could get some feedback in terms of what your thoughts are on this so that when we do come back formally, what we present will benefit by the comments that we received this evening. Mr. Pilla distributed proposed drawings and plans for site signage for Bar Harbor Bank and Trust.

Ms. Hebert stated in-depth review of the sign would require submitting a new application and a waiver request for the sign. Mr. Pilla replied yes.

Mr. Pilla stated when we were onsite, one of the reasons that we are requesting this sign, and this would be at the South River Road entrance, it would be a way of directing people who are traveling southbound on South River Road rather than going through the intersection and then taking a right onto Kilton Road and entering the Kilton Road entrance, that that traffic would enter from South River Road. It is a more than your typical directional sign but given the fact that we weren't able to design something on the two existing monument signs because they are already at the maximum levels for height and square footage that we weren't able to incorporate the bank's logo into either of those existing pylon signs. And to provide some signage from South River Road, we would like to add this sign, which is considerably smaller than the two existing monument signs. As you are well aware, there is a considerable amount of frontage along South River Road and Kilton Road. We know that there are the two existing signs but we think that there is a sufficient linear footage on both of those roads where this directional/monument sign we believe could fit into that overall distance around the site. Mr. Hill stated this would be right at the existing hidden driveway off from South River Road as shown on the screen. I call it hidden because it is underutilized, and there was kind of a topic of discussion related to our conceptual meeting where you said look at things that can help fix this site congestion, it is not congested, it is just tightness, it is an underutilized driveway, the directional signage, which we are allowed by right we feel is too small given the distance off from the traveled way of South River Road to be effective. This larger sign with a waiver will allow us to, as Mr. Pilla was saying, this has a lot of frontage and if you take this huge property, I don't have the frontage numbers available, but you apply three signs to it, I would think that you would find it is consistent with the amount of monument signage of surrounding properties in terms of the amount of signage per lineal feet because you have a 10 to 12-acre site. This is also doing two things; it is pointing attention to people coming from Manchester that the Hannaford's/bank is here, it is an underutilized driveway, but we can't have an effective sign that is just a directional sign because it is too small if it is only 4 square feet and you have the logo for the bank and the Hannaford's logo doesn't all together when we are design sign, so we would be looking for the relief from you guys to help benefit both our client as well as benefit this plaza.

Chairman Levenstein asked you are looking to put it at the corner? Mr. Hill replied yes. Mr. Fairman asked where is the present monument sign. Mr. Hill stated on the screen is the proposed location, the present monument sign is here, as well as there is one on Kilton Road. Those are both at maximum area and the tenant's arrangement is such that we can't reconfigure those signs to have any bank signage. It will benefit this plaza, hopefully, it's intent is to benefit the plaza as well as help our client, who has limited signage availability. Chairman Levenstein asked the only thing on this sign is going to be Bar Harbor Bank and Trust? It is not going to have Hannaford's or anything else? Mr. Pilla replied we have a sign design that shows both Hannaford and Bar Harbor but it is about the same size as the existing monument sign, and in discussions with staff we felt that would be too much, so we tried to reduce it. The letters need to be of a certain height in order to be visible/legible for the vehicular traffic going up and down South River Road. Because of the height of the letters needing to be legible, we backed into what the square footage of the sign would be. Mr. Connors stated they already have a waiver for the second monument; that was permitted by waiver, so this waiver would be to allow a third monument sign for the one site essentially, which is not common here. Mr. Pilla stated we also consider it a safety issue in that those cars that are coming from Manchester and of the town, if

they are able to make a right-hand turn into that curb cut, then they would not have to go into the intersection, thus reducing the amount of traffic at the intersection. It will take some of it out; I am not saying it will take all of it out. Mr. Hill stated and you do have a condition too where that is a 2-lane road, Kilton Road going to the interstate, so there is a little bit of weaving occurring because anyone going to Hannaford's coming from the inner lane south, the inside lane is going to have to cut into that right lane so in theory it will help apply less traffic to that short frontage, the inside lane off from Kilton Road.

Mr. Fairman stated if you do come back, would be interested in seeing a view of the sign as you come south on South River Road to tell when you can see it, how close do you have to be to see it, and so on. That would be interesting to see with the appropriate setback. You are not going to get a waiver for setback of the sign, but with the sign appropriately located, how visible it. You have that dental building crowded right in there too. Mr. Pilla stated we can show you from both directions north and south. Would that be helpful? Mr. Fairman replied yes. I would think that only having Bar Harbor on the sign where Hannaford's already is on the other two pedestal sign, I would not think we would want more than just one on the sign to get it smaller.

Councilor Bandazian stated I can't really give you an off-the-cuff concept review opinion, other than to say there is already a lot of signage on the site, and I would need to consider this with a great deal of difficulty. Mr. Pilla stated we understand that. Mr. McMahon stated it would be an interesting discussion. Mr. Hill stated we are going to have to show you that we intend on what is different about this parcel because you have to be unique and such and there have to be conditions about this project site that are different from other sites that will make this acceptable.

Ms. Murphy stated if I recall a couple of years ago, Bank of New Hampshire came before the Planning Board because they wanted individual signage in a plaza where the signage was already spoken for, in the Walgreens plaza, and we denied their request at the time. Chairman Levenstein stated we later gave it to them. Ms. Hebert stated the Zoning Board denied their request. Ms. Murphy stated I think in was on the Zoning Board at the time. Ms. Hebert stated but it is very similar. Town Manager Sawyer stated then the ordinances changed and came before this Board and did get built eventually.

Town Manager Sawyer stated I will give my two cents of what I have said on many signage requests, I would not be in favor of entertaining your request until your building is constructed and your building signage is up, but I understand why you might need to come before that. I have said that to others so I will be consistent and say it to you. Mr. Hill stated thank you.

Chairman Levenstein stated I will take a couple of items out of order because I am not going to be able to sit on the next conceptual review application.

IV. Approval of Minutes of Previous Meetings:

Amendment to September 23, 2019 Planning Board Workshop minutes: Page 11, Town Manager Sawyer speaking, at bottom of page, last paragraph, 'wire' should be 'wireless.'

MOTION by Town Manager Sawyer to approve the minutes of the September 23, 2019 Planning Board Workshop as amended. Mr. Fairman duly seconded the motion. Vote taken - all in favor. Motion carried.

MOTION by Town Manager Sawyer to approve the minutes of the October 7, 2019 Planning Board meeting as written. Ms. Murphy duly seconded the motion. Vote taken; motion carried, with Mr. McMahon abstained.

VI. Communications to the Board:

Ms. Hebert stated I distributed some handouts tonight including the Planning Board's 2020 meeting dates and deadlines for new applications. Please take a look at those dates and if you have an issue with any of those meetings dates, please let staff know by the next meeting, otherwise these will be posted as the official calendar for 2020.

Ms. Hebert stated you have a schedule for important dates for petitioned zoning amendments. The first day for the Town to accept petitioned zoning amendments is November 11th and the last day is December 11th. The Planning Board will officially post and list petitions submitted at their meeting on December 16th, and then the Board will announce two dates for public hearings to discuss zoning amendments proposed by the Planning Board and any petitioned amendments, and those meeting will be on January 13, 2020 and January 27, 2020.

Ms. Hebert stated I wanted to make the Board aware of a recent appeal to a Planning Board decision. An abutter to the site plan for the Turkish Bakery at 276 Route 101 has filed an appeal of the Planning Board's decision. I will email a copy of that appeal out to the Board. We are working with the Town's attorney to answer the complaint and defend the Board's decision to approve that site plan.

November 7, 2019, DOT holding a public hearing in the BCTV meeting room at 6:30pm. A public hearing for the layout of the improvements to the Pulpit Brook bridge and the construction of a left-turn lane for Twin Brook Lane off rom Route 101. We have had several public meetings on this matter to date and the DOT's current plan includes a left-turn lane at the request of the Town and at the request of the residents on Twin Brook Lane. This is a formality; it is a requirement for the DOT to host a public hearing and determine the need for a new right-of-way takings or easement takings that may be associated with that work.

VII. Reports of Committees: None

- 3. Cameron General Contractors (Applicant), Bedford RLG Properties, LLC (Owner) - Request for conceptual review of a site plan for a three-story, 130-unit independent elderly housing facility at 308 South River Road, Lot 24-98-19, Zoned PZ.**

Chairman Levenstein recused himself from this conceptual review. Councilor Bandazian sat as the Chairman for this conceptual hearing.

Acting Chairman Bandazian stated for the public's benefit, conceptual plans are conceptual presentations, they are not applications, they are just an opportunity for applicants to seek feedback from the Planning Board on ideas that may or may not come forward at a later time in the form of an application.

Attorney Brian Blaesser of Dinsmore and Shohl was present on behalf of Cameron General Contractors. Bob Lewis, Director of Development, Cameron General Contractors, and engineer Geoff Lanza of Bowman Consulting Group.

Attorney Blaesser stated we have given you everything in advance, but we thought it would be helpful to go through a short PowerPoint presentation of who Cameron General Contractors is, some of the ways in which we look at the opportunity to become part of this community and some of the data, and then more specific site plan information than we had at the time we submitted the conceptual plan. We are also asking for two kinds of waivers; a use waiver and also a waiver relative to the affordable housing requirement. I will speak to that when we get to that point.

Mr. Lewis stated I wanted to take an opportunity to introduce who we are. Cameron General Contractors and Resort Lifestyle Communities are sister companies, we are out of Lincoln, NE, we have been incorporated since 1989, we opened our first community in Lincoln in early 2000, we built, own and operate senior independent living communities around the United States. That is all we do. We currently have a little over 1,000 employees within the company, we are the national leader today in developing independent living community units around the United States, we have 31 communities operational today, we have 14 under construction and another 30 or so in the preconstruction and development stage, as this one is, about 3,500 units around the US. We own and operate all of the communities we own today and are under construction.

Mr. Lewis stated our communities are basically a 3-story 130 unit, 128 rentable independent living community. When fully occupied we have right around 145 to 165 residents. The center of the building, we will call it the community, is made up of all kinds of community activity areas, we have an atrium, we have a dining area, we have a fitness center, we have a coffee bar, we have 150 daily art theater for our residents, we have a Main Street that will consist of in-house banking, pharmacy, gift shop, beautician, barber shop, and a game room. The resident suites will be in particular community will be made up of 1- and 2-bedroom units, those are full apartments, they will have washer/dryer hook-ups, full kitchens within those units, but these are all for the elderly, so they are all zero entry, well lit, all the closets are walk-in closets with lights in them, under cabinet lighting, grab bars in the bathroom, all of those kinds of things set up for the elderly.

Mr. Lewis stated with regard to the management and operations: we will have a live-in manager. We have 130 units, 128 rentable, one of the units will be made up of live-in managers. We have onsite managers within our communities 24/7. We are not licensed; they are not there for medical reasons but we do that because this will become a community within the community of

Bedford. They will get to the residents of the community and they are there to help them in their day-to-day activities. We will also have a full-time lifestyle director, full-time chef, full-time kitchen staff, we offer three meals a day for our residents of the community. It is a single monthly rent all-inclusive for our residents, so with that single monthly rent, they will get weekly housekeeping, maintenance, three meals a day, we have free shuttle service for our residents. They will have the fitness director and the use of the fitness room, the theater, all of those inclusive, all of their utilities will be paid in a single monthly rent. We do have a full medical alert system, we have concierge service for our residents, we have free valet parking for our residents, they can pull up to the front door and drop their car off, we will park it for them or we will bring their car around for them.

Mr. Lewis stated to talk a little bit about the demographics. We do do a demographic study on all of the communities we are looking to place one of our communities within and it is based on the primary market area. What we have found in the 20 years of operation is that about 70 percent of the residents that move into our communities already live within an 8-mile radius of that community and that has held true for 20 years. When we have studied the metropolitan statistical area average for Bedford, we have determined that 52 out of 100 seniors will live in an independent living community. Within the 8-mile there are 78,123 aged 75+ year old households of which 5.2 will desire to live in an independent community such as ours, and the current supply in Bedford in the 8-mile radius is zero. Mr. Fairman asked how did you come up with zero? We have 836 independent living units for people over 55 and 62 in Bedford, so how do you come up with zero for its supply. Mr. Lewis responded I didn't do the study but I will have to check on that. Apparently there is no just strictly independent. There may be assisted living. Mr. Fairman stated no, they are all independent living. In fact, more independent than yours because they don't have food prepared for them. They have kitchens and prepare their own food, so they are more independent than you are. Mr. Lewis asked are those townhome communities by chance? Mr. Fairman replied no. Mr. Lewis stated we will have to check on that then. Mr. Fairman stated your demographics are entirely incorrect. Town Manager Sawyer stated unless you are trying to say that there aren't any currently on the market, that they are fully occupied. Mr. Lewis stated again, I would have to check on that. Mr. Fairman stated they are not fully occupied either. A very similar complex is not occupied. Town Manager Sawyer stated the Planning Director does have that list of all of our senior housing projects.

Attorney Blaesser stated we did receive the staff report and we appreciated getting that before tonight. The general conclusion about this kind of development and I am sure you are very aware of it, that it is a fiscal benefit to a community because of the kind of development it is, and we would be doing a fiscal impact report as the staff has recommend be done, so there is no question about that. But as a general conclusion, the benefits are that unless you had condos everywhere in the town, is probably not what you would want, it provides a diversity of housing types, but it also is one of the highest net ratable fiscal benefits to a community. We will go through some of the ways in which it is different, but I just wanted to make that point because we are quite confident that would be borne out by a fiscal impact analysis that we would do as well.

Attorney Blaesser stated this gives Mr. Lewis the ability to go through the actual design a little bit more, the design that you have seen on the plan that we sent, but now we can get more into the way the actual layout works.

Mr. Lewis stated what you are seeing here, again, the center of the building or the community of the building is where 90 percent of the amenities are for our residents. We have the dining area off from the back, we've got the pub and coffee bar shown as #10, #7 is our theater, #4 and #5 are some of what we call Main Street, where we would have an in-house bank, drop-off pharmacy, beautician and barber available, #3 is the fitness area, the other dark colored area is the post office, the blue areas are our common administration and operations areas where we have our sales office, we have our kitchen back by the dining hall, our management group couple that lives in the community is up front there also. As you transition out into the two wings is where the apartments are for our residents and this is emulated as you go up three stories. Now is posted shows a couple of items. Now posted are some of the apartment pictures.

Mr. Lewis stated we talked a little bit about traffic generation for this type of community. Looking at a typical 130-unit community of ours on an 8-acre site and comparing it with some of the other uses that could fit on an 8-acre site. If you look at a single multi-story office building on an 8-acre site, traffic general, again, using the Institute of Traffic Engineering manual, would generate a little better than 3,900 trips in a day. A 2-acre office tract, 4-acre office tracts would be somewhere in the 1,600 trips per day. If you look at an office building and an assisted living, you would be somewhere in the 1,300 trips per day; a 130 single-family subdivision would generate, which would be comparable in units, will generate a little over 1,200 trips a day; 130-unit multi-family apartment building is right at 829 trips a day, if you looked at a school with a gym and athletic field, you would be at about 758, and then you look at our community, 130 units of independent generates just under 500 trips in a day.

Attorney Blaesser stated I am going to ask Jeff Lanza to come up and go through the site plan with Mr. Lewis adding as well.

Mr. Lanza stated the site is pretty well wooded, a mixture of trees out there, hemlocks and evergreen and deciduous and a fair amount of wetlands on the property. As you can see from the posted drawing, the shaded muted bluish gray are wetlands. We were able to get the building to fit inside without going in the wetlands at all, and in addition to that, we were able to put some stormwater detention basins and recharged basins sprinkled throughout. It is not fully designed yet but we have three areas where we expect to do that. The site is pretty flat around elevation 200 or so and it pitches in several directions mostly towards the wetlands and a little bit towards the road. With regard to utilities in the area: the waterline exists as a 20-inch water main, there is capacity there. Sanitary sewerage is down Moores Crossing; there is a line where we can tap in pretty far down the end of Moores Crossing but I have discussed that with Mr. Spooner and he has given me some maps on that, so we can get sanitary sewerage to the site and water is right across the street. We would have to jack under the street to get to that. There are other utilities in the street. Utility-wise there is capacities and there is pretty proximity except for the sanitary line; we would have to run down the road a bit.

Mr. Lanza stated as far as circulation on the site; it is designed to handle fire trucks and delivery trucks. Good turning radiuses around the property, emergency vehicles. Parking for the 130 units; we have 160 parking spaces shown on this concept and it is flexible, we can move things around. We generally don't need that much parking but that is what we can get on the site for a

first pass. Some of that is in garages, 45 of them are in garages, and then it is heavily landscaped close to the building. We also kept the access road with the intersection of Moores Crossing. There is an emergency access connector there now; there is a path there to two buildings that will be taken away. Ms. Malcolm asked where are the access roads to this? Mr. Lanza replied the road that goes into the RMS building, and that is actually on the property of this development. Mr. Lewis asked there is a shared access easement for the existing driveway today for this building? Mr. Lanza replied right. And then we would maintain for emergency access that one that is shown on the plan. Mr. Lewis stated this is the emergency access, that is the buildings that are there today, that lines up with that driveway that is there today. Mr. Lanza stated right. Mr. Lewis stated shown now is an existing paved driveway today and it serves this building today. Mr. Lanza stated we set the building back far to anticipate a taking on South River Road as well, there is talk of that, of 17 feet, so we pushed this back as far as we could and it still manages that all of the wetlands are spread around it. We think we have a pretty good first layout for this concept stage.

Mr. Lewis stated we did do a few sections just to kind of get a sense of what you would see based on the existing landscaping and some of the proposed. Posted now is a view looking from that existing office building to our proposed building and standing at their front stoop looking through the trees, looking into a 3-story building, basically the trees are blocking that view. We did the same for the home that is here, I can't tell you if it is occupied or not, but there is a home on the road there, and then standing at their back looking out at our building, some 500 feet I believe, a 3-story building with a garage, we show one garage unit back here, that is what you would see, existing trees would block that view, and then we did a third one and Mr. Lanza talked about there would potentially be a right-of-way taking at some point, but we are saving that tree frontage and we have a detention cell here also, but, again, driving down the roadway and that existing trees in place you wouldn't see past those to see into the building. Mr. Fairman stated you didn't show anything from the highway. Mr. Lewis stated I can go back to the site plan; we are not doing anything different from the highway. It would be a similar view if you look at the existing trees. In this plan, most of the wetlands that are shown here are wooded wetlands, so that tree canopy and that is quite a bit thicker. Mr. Fairman stated thank you.

Attorney Blaesser stated as I mentioned at the beginning we are here really to present this conceptual plan knowing that there are two waivers that are most important here. One, of course, is the use waiver in the Performance Zone to allow for residential, for elderly housing. Residential is certainly contemplated under the Performance Zone. The staff report said that perhaps not enough information in the conceptual plan for the Board to make much determination at this point, and clearly this is conceptual, so we are really very much desirous of getting any input we could from the Board to better understand how you would view this development. There clearly is a range of uses that are potentially possible under the Performance Zone, but residential is part of that. We do think that it is a development and type of use that is still needed by the Town, it would fit on this site, that it works on the site but we need some guidance from you all regarding that.

Attorney Blaesser stated we can speak to that now or let me go to the other waiver, which is the request that we would making is not to include the 25 percent affordability within this development but rather to contribute to affordable housing through a fee in lieu, if possible. I did

a little bit of looking around other communities and there are not a lot of communities that have fee in lieu programs, but Salem does and I am happy to hand that out and show you that provision. The type of provision many communities have, it is not a way to avoid the affordable component, it is simply a way to facilitate it in a different way, and as I have looked at the New Hampshire statutes and the encouragement of affordable housing but giving Planning Board's a lot of flexibility to things realistically and to do things in a way that achieve an outcome that they are looking for, we would at least request that you think about that or give us some discussion on that. Before we start talking just about that, I really think we have to talk about the use, but when we get to the question of the affordability, I can hand the section out that might be helpful and provide some discussion. With that, I think we are very desirous to hear comments from the Board, get some direction and to be able to hopefully be responsive to you.

Mr. Fairman stated as I stated, Bedford has a lot of designated housing 55 and over 62, a much higher number than any community around us, including Manchester. Though I recognize that we have a lot of senior citizens and I am very tied into those that are living in 4-bedroom homes at this point, that will be needing to or would like to downsize, but they are looking to downsize to individual units, not into these apartment buildings. As I stated, a similar apartment building has been here with similar amenities has been here for four years has not yet been able to fill their building. It is a little smaller, maybe 120 versus 130, maybe less than the 120, but it is over 100. I don't see this as a facility that we need in Bedford. We do need small homes both for senior citizens that want to downsize and for millennials that want to start a home, but that is not what you people do, I understand that. I will also speak to the waiver. I will certainly listen to your arguments, I am familiar with the various types of fees in lieu of requirements, but I am not inclined to think I would vote for the waiver of affordable housing, but I will stand to hoping to be convinced otherwise.

Ms. Malcolm stated I think I want to second what Mr. Fairman had to say. This is a Performance Zone and I would like to see something other than housing in Performance Zones. It seems to me we have had a lot of applications for housing in Bedford recently, and I would like to see something else other than housing. I would like to see some diversity in what you are doing here in Performance Zones. I would also like to see a little human diversity, so I am in favor of workforce housing. I am in favor of providing some benefits for the elderly, I am not in favor of looking for some way out of providing for low-income housing.

Mr. McMahon stated you mentioned something about Salem and something they did. Could you give us a brief introduction to that so we could crunch that over? Attorney Blaesser stated I have given you just the one page that has the relevant provision from the Salem Code and you can see the red highlighted text. They have a 10 percent requirement and they have the 80 percent of area median income, which is fairly standard, but they do provide for the fee in lieu. I want to make sure you understand that Cameron very much supports affordable housing. It is not an issue of not wanting to make this happen or provide a means by which affordable housing can be built. In fact, I believe Mr. Lewis may want to talk about another approach that you have taken in other communities where you have actually acquired another site to do this on. Mr. Lewis stated we have been introduced to affordable housing before. We have a site we are working on that Attorney Blaesser is particularly describing is down in New Jersey where we actually are providing the lot and a fee in lieu on top of that and the utilities in the roadway to that lot to be

then built by a third party for affordable housing. In other locations we have typically done the fee in lieu. Attorney Blaesser stated and New Jersey as you know has the fair share concept and so does New Hampshire. The two states are probably leading states as far as affordability and wanting to recognize that and Cameron is wanting to try to facilitate that, it just can't include them in its own development. It doesn't work for reasons that Mr. Lewis can go through, but it would not be a viable solution for us to do it that way, but we think that the opportunity to provide fees in lieu for a housing trust fund or even to provide it offsite might be another way to do that. So wanting to still contribute to affordable housing but at the same time looking for a little flexibility on that, and I believe the way the statute works it is designed to give Planning Boards flexibility to come up with creative solutions and not in every case mandate a 25 percent be included, but that is the purpose of our requesting a waiver on that.

Mr. McMahan asked do you folks have access to the demographics for Bedford that were developed prior to our development or construction of the Master Plan for Bedford? Attorney Blaesser responded I am sorry; I am not sure I understand the question. Mr. McMahan stated there is a whole series of demographics that were brought out about Bedford itself with population, age and that sort of thing. That is available to you at the Planning Department if you would like to look at it. It will give you a snapshot of aging, millennials and some other information that might be of value to you. Attorney Blaesser stated thank you. Ms. Hebert stated Bedford does not have a local land trust that is dedicated to constructing affordable units solely in Bedford. I imagine Salem does if they have a fee in lieu, because otherwise I am not sure how you would assure the money stays in town. Attorney Blaesser responded you would have to set up a trust fund; there is no question that that would have to be a mechanism that you would set up. Ms. Hebert stated we also do not have a housing commission. Attorney Blaesser responded yes, I understand. The mechanism would have to be there so that the funds would be dedicated to that purpose, no question about it and that is what we would be prepared to provide the funds on a fee in lieu basis, but there would have to be an interim step, which would be setting up a trust fund of some sort or a mechanism to receive the funds and then have them dedicated for that purpose. But I just wanted to give you an example of a community in New Hampshire that does do this, so it is a policy decision, one that we would as that you entertain potentially in our case or the alternative is Mr. Lewis was talking about as well.

I think fundamentally we would like to hear more from the Board as to the basic use itself, and I think that you can't get to affordability if you don't even get to the use waiver issue. I don't know if there are other members of the Board who have some thoughts to give us or some guidance.

Acting Chairman Bandazian stated just to weight in; like everybody else, I will have an open mind until I see a proposal. But a little more than a dozen years ago at the Planning Board's behest, residential multi-family was removed from the Performance Zone because it was felt that there was enough or too much already. This past year solely for the purpose of affordable housing, residential use was allowed back in. there are a very limited number of sites in the South River Road corridor that could be used for affordable housing, so it would be very important to me that this come as close to the requirements of the ordinance as possible rather than taking a potential site for affordable housing out of the remaining options for affordable housing in town. In addition to the 25 percent requirement, I think your site meets the density,

which is 12 units per acre. I don't know how we would count all the wetlands, it is enough to support 130 units on 27 acres, it also requires smaller buildings. By ordinance 12 units to a building, so something that met that requirement or was close to it would be of interest. There are other requirements that include no frontage on the FE Everett Turnpike or South River Road. The FE Everett Turnpike you have a lot of wetland there so possibly that might be sufficient buffering. It is obviously not going to get developed commercially. The South River Road part of it is a different concern. The desire of the Planning Board over the years is to use that for commercial for office or retail or similar uses of those properties that actually front South River Road. The intersection is a concern as you have proposed it. We try to get signalized intersections or if there is an expansion to get use of signalized intersections. I think those are the major things, concerns that I would want to see met if this was to be residential. Attorney Blaesser stated I have a question. The term residential; as I am understanding the history was that multi-family was taken out of the meaning or residential 12 years ago but then put back because of the desire to get affordable housing. Is that what you said? Acting Chairman Bandazian responded it is solely for the purpose of affordable housing. It was removed from all other zones. Ms. Hebert stated there are two provisions in the ordinance. There is housing for multi-family uses as workforce housing, which is permitted in the Performance Zone under the conditions described by Councilor Bandazian. The ordinance also allows for elderly housing in certain districts in town, which is another type of housing that would permit the multi-family provided that there is an age restriction placed on the units and that type of housing also requires 25 percent affordable. That elderly housing is currently not a permitted use in the Performance Zone. Attorney Blaesser responded I understand that. Are we primarily talking in this case with our proposal about affordable housing as opposed to workforce housing? It seems to me that that is probably the right focus, affordable rather than workforce housing. Ms. Hebert replied it is semantics. Under the elderly housing ordinance, it is termed affordable units. It has a slightly different definition in terms of affordable housing.

Town Manager Sawyer stated the two use waivers that I believe have been granted in the zone came with fairly strong arguments as to why the use being proposed was the best use for the site versus any other uses and how it had the site likely would not develop for permitted uses within the zone because of residential abutters or in some cases hotel uses that were somewhat considered to be similar to residential uses, so having those sites develop commercially or industrially were shown to be reasons why it could go residential. So I would want you to be proving your case as to why other permitted uses can't go on this site or haven't gone on this site. I know this site has been on the market for probably 20 years or more for commercial. I have been in town for 12 years and I think I talk to people probably every few years over those 12 years for uses on this site and none of them have ever been able to move forward for one reason or another, and it is typically when they see the amount of wetland that is on the site and how that is a limiting factor. Also, just to build on what Councilor Bandazian said about signalized intersection; the Route 3 corridor plan does talk about the 17-foot-wide easement that we need along the front for the full 100-foot wide road for the 5-lane road that will be there hopefully eventually, but it also calls for access to this property through an signalized intersection by traveling through the property to the north to Cedarwood Drive and the intersection of Cedarwood Drive with South River Road and South Hawthorne Drive is proposed in that corridor plan to be signalized, so I would like to understand your feelings on the need to get to a signalized intersection or if any discussions have been held with the abutter to the north

for providing for that easement. On the site plan that you showed on the screen tonight looks like you have a fairly detention basin shown in that area, where the site plan that we had in our packet it looked you could relocate a garage area to allow for that access to occur. But if you also have a detention basin out there, it is getting harder and harder to provide that access, but maybe you feel for some reason the site shouldn't get access to a signalized intersection at some point in the future.

Mr. Fairman stated in your paragraph on parking you said that approximately 40 percent of the residents typically do not drive automobiles. I think you need to rethink that because in five years, maybe ten, but probably not too far from the time you open, we will have autonomous cars and these people in these buildings will all have a car because they will be able to take them out without driving. If they can afford to be in this facility, they will be able to afford to have an autonomous car. So the limit is soon going to go away on these facilities on the percent of the people that have cars, whether they drive them or not. Rethink that 40 percent; that is not going to be a good number and that reflects back into your traffic and into whether or not you need a stop light. It is an important part of thinking of your parking and everything else.

Acting Chairman Bandazian asked for any questions or comments from the audience.

Vivian McEwen, 300 South River Road, stated I would like to just clarify in my thinking. Is it kind of a common thought that if an area is zoned for commercial development and this type of a project is put in in the midst of it, is the thinking that that would discourage commercial interest in remaining properties, such as mine, in that area? What has the Town of Bedford noticed in the past in situations like this, for example. Ms. Hebert asked are you concerned that if a residential use were permitted, that those residents would then be objecting to commercial uses on nearby lots? Ms. McEwen replied I don't think it is that so much as just the idea that land has been designated as commercial land for some time and the thought is for anyone that owns any that property that they would be selling it then for commercial development. I am just wondering. I am all for housing for the elderly, but I am just wondering if it would discourage others that are looking for commercial property to buy, to go elsewhere. Bedford has been talking for some time now about looking to the South River Road area for more commercial development, and if residential is not considered commercial, I am just wondering what the thought is about those with commercial property. Ms. Murphy stated my initial thought would be that the opposite would occur because it is somewhat incentivizing to commercial development to know that you have a pool, a base of customers that are near your commercial buildings. I have to think that just from a logistical standpoint, it would serve as a draw knowing that you had people close by that potentially patronize your establishments. Ms. McEwen stated thank you for. That is an interesting idea.

Dave McEwen, 301 South River Road, stated I am worried about the impacts to Moores Crossing with this proposed sewer line. I don't know what kind of footprint it takes to put that in, but my family has a fair amount of property along Moores Crossing, and I am just worried about how large of an area has to be excavated to put this sewer line in. Is anyone able to speak to that? Attorney Blaesser stated I think Mr. Lanza can speak to that. Mr. Lanza stated that would run down the center of the road and it would depend on the depth of it. We are suspecting that we could probably go by gravity, we would like to go by gravity, and that is what Mr.

Spooner had suggested too because the sewer line is so much lower than our site so we would get down there. It takes up a good chunk of the road, and the road is not in great shape, so it would probably need to be repaved anyway. Mr. McEwen asked so if you are going down the middle of the road, what happens to the residents that live on that road? How are they getting to their houses? Mr. Lanza replied you have to do it in stages and generate a traffic control plan so you can continually get access to your sites, as can emergency vehicles too. You couldn't shut the road off for sure. Mr. McEwen asked so those are the improvements that were talked about in the packet to Moores Crossing? Mr. Lanza replied that is correct.

Attorney Blaesser stated I have question if I may follow up on Town Manager Sawyer point. Would it benefit the Board then if there were a marketing study that really looked at the likelihood of uses in this area for that site? In other words, it is one thing to say that there is a need for senior independent living, which has been questioned understandably with the data and we will correct that. The Planning staff's report says that in 1998 there was a concept plan for a 100,000 square foot office building. It didn't move forward and I gather nothing much has happened on that property since. If we were to establish through a marketing analysis what in fact the likely uses of this site could be, would that be helpful to the Board? It is one thing to say we are not interested in it, but if in fact there is nothing else that could be done on that site, would that be possibly persuasive to the Board. Town Manager Sawyer replied it certainly I think would help your argument, and all I can say is, now that I am sitting here, there has been three use waivers that I can think of, and I believe in all three instances they showed or spoke about the fact that it was not likely to be used for commercial uses, whether reasons why it shouldn't be used for commercial uses, and in two of the cases, at least, it was the last parcel remaining where the property was going and there existing residential abutters. That is not necessarily the case in your site where you have Mrs. McEwen's house lot and the backland that is owned by the families as well, that potentially could be commercial uses or clearly are underutilized at this point in time. You are not the last piece in, so it is a little bit of a different argument than the ones in the past. I think it would be part of your explanation or request to show not just a value of this project and what it is going to generate in taxes and impacts to the community could end bad, but what the other uses on the property could generate and what those values would be as well as what the impacts of those uses might be on existing or potential uses in the area. It is a hard thing to do when you have a lot of uses that could be permitted in the Performance Zone. It is basically all commercial and industrial uses are generally permitted with a few exceptions. It is a philosophical question that we have to discuss when we are talking about granting a use waiver for a property.

Mr. McMahon stated when you take a look at an appetite for senior housing, I don't remember the name of it, but Bill Ingalls said that that townhouse complex that went in that sold out even before they were completely built. They went for very expensive prices, and that was about a year or year and a half ago. The point is that there may be an appetite but it may be for townhouses or individual as opposed to the type of housing that you are looking at, but I don't know if you are in the business of making townhouses. Town Manager Sawyer stated we haven't had a townhouse proposal come through here yet, but maybe that was a different community. Ms. Hebert stated it could be the existing units on the market don't stay on the market very long, so they never even make it to the MLS listing because they sell via private sale. The Village Green and the Mews both are zero lot or very small lot line primarily senior

housing projects and they sell well above market rate and don't stay on the market at all and don't often get to the market. That style of housing is very much in demand in the community. Acting Chairman Bandazian stated I don't technically think of Village Green as age restricted thought. It just happens to self-restrict.

Mr. Fairman stated I assume that the staff has shared with you the Fire Department Chief's memo and the concerns he has relative to all the multi-unit developments that we have in concept at this point in time. It will be interesting to see the fiscal study, but frankly my information says that seniors moving into senior developments have a larger cost impact than developments that have students. I can put 12 more students in the school system and it doesn't increase costs; you bring 12 more seniors into town, there is an immediate increase in cost. I will be interested in seeing your study, but be aware that there is information out there that says senior developments have a larger impact than developments that do not have seniors. It is the Fire Department and Police Department and EMS primarily. Attorney Blaesser asked you are speaking of independent senior living or are you speaking of the assisted living facilities? Mr. Fairman replied the independent.

Acting Chairman Bandazian asked do you have the feedback that you need? Attorney Blaesser replied I think we do. Thank you for your time, and we appreciate your comments.

VIII. Adjournment:

MOTION by Town Manager Sawyer to adjourn at 8:45 p.m. Ms. Murphy duly seconded the motion. Vote taken – all in favor. Motion carried.

Respectfully submitted by
Valerie J. Emmons