**APPROVED**

**TOWN OF PELHAM**

**PLANNING BOARD MEETING MINUTES**

**December 17, 2018**

Chairman Peter McNamara called the meeting to order at approximately 7:00pm.

Secretary Paul Dadak called the roll:

|  |  |
| --- | --- |
| PRESENT: | Peter McNamara, Roger Montbleau, Paul Dadak, Tim Doherty, Jim Bergeron, Selectmen Representative Hal Lynde, Alternate Derek Steele, Alternate Paddy Culbert, Alternate Bruce Bilapka, Zoning Administrator Jennifer Hovey |
| ABSENT: | Blake Clark, Alternate Samuel Thomas, Alternate Richard Olsen |

**MEETING MINUTES**

**December 3, 2018**

|  |  |
| --- | --- |
| **MOTION:** | (Dadak/Lynde) To approve the December 3, 2018 meeting minutes as written. |
| **VOTE**: | (6-0-0) The motion carried. |

Mr. McNamara appointed Mr. Culbert to vote in Mr. Clark’s absence.

**ADMINISTRATIVE**

**Map 38 Lots 1-118 & 1-119**

**LONG POND WOODS - Request for bond reduction**

Mr. McNamara read aloud Keach Nordstrom’s letter of recommendation dated November 19, 2018.

Remaining surety (phase II): $73,743.75

Recommended reduction of: $60,800.50

Leaving a remaining balance of: $12,943.25 to support completion of Phase II improvements.

Mr. Culbert inquired when the roads had been laid down. Ms. Beauregard didn’t have the information. Mr. Culbert commented that they would have to ‘weather’ for a year. Mr. McNamara saw the date of November 2017 indicated on the Keach Nordstrom letter and noted if that was the date the roads were put in, they would have already ‘weathered’ a year. He believed if the roads hadn’t been in place the required amount of time Keach Nordstrom wouldn’t recommend a bond reduction.

|  |  |
| --- | --- |
| **MOTION:** | (Culbert/Montbleau) To reduce the current bond by the recommended amount ($60,800.50). |
| **VOTE**: | (7-0-0) The motion carried. |

**Map 24 Lots 12-215 & 221**

**BAYBERRY WOODS - Request for bond reduction**

Mr. McNamara read aloud Keach Nordstrom’s letter of recommendation dated November 20, 2018.

Remaining bond: $172,926.00

Recommended reduction of: $94,212.00 (reflecting work completed to date – Phase I, II & III)

Leaving a balance of $78,714.00 to support the completion of the project.

Mr. Bilapka commented that it had just been paved as of September; some had been done in August. He noted there was an issue with cracking concrete in the roundabout. He didn’t know if the remaining balance would be adequate if there were problems. Ms. Beauregard replied she had information from Planning Director Jeff Gowan (who sent a text message). The message indicated Bayberry was ‘topped’ this year; it will be a Town road and enough money was being held back for the project. Mr. Bilapka was concerned there would be a problem and the Town wouldn’t have enough money to fix the problem.

Mr. Culbert wanted to delay acting so the Road Agent would have the ability to review the area. There was no one present to represent Bayberry Woods. There was no objection voiced to delay action.

Mr. McNamara asked Ms. Beauregard to inform Mr. Gowan of the Board’s concerns: 1) status of roundabout and 2) if there was sufficient money for paving.

*( \* Discussion continued below)*

**NEW BUSINESS**

**Case #PL2018-00038**

**Map 20 Lot 3-137**

**RAYTHEON COMPANY – 50 Bush Hill Road – Site Plan Amendment for Pelham Test Site – Phase IV approval and to permit an additional clamshell test structure**

Mr. Dadak read the list of abutters aloud. There were no persons present who asserted standing in the case, who did not have their name read, or who had difficulty with notification.

Representing the applicant was Peter Holden of Holden Engineering who came forward with Dan Thompson, Civil Engineer/Project Manager-Raytheon. Mr. Holden displayed the proposed plan of the site and summarized the proposal. Mr. McNamara clarified for the Board and public that the proposal was included in the Raytheon master plan that was submitted a couple years ago. Mr. Holden noted some of the items were modifications to the plan. It was noted that the applicant had received a Variance relief November 2017 for all the work; the proposal was shown on that plan as ‘future test site’. They were now moving forward with building that test site.

Mr. McNamara believed the plan was sufficiently complete to accept for consideration.

|  |  |
| --- | --- |
| **MOTION:** | (Montbleau/Culbert) To accept the plan for consideration. |
| **VOTE**: | (7-0-0) The motion carried. |

Mr. Culbert understood that Mr. Gowan suggested Keach Nordstrom (Board’s engineering firm) review the plan. Mr. Thompson replied they had no objection and had already paid the peer review fee.

Mr. Steve Keach of Keach Nordstrom came forward and told the Board he received notification that the Planning Department had received the funds and authorized him to proceed with his review of the plan. He said he had done an overview and thought the applicant’s explanation was correct. He viewed the proposal as a slight re-working of what the Board had previously approved several months ago. He understood the applicant was now moving forward with the construction of such. Mr. Thompson said as they move forward, they realized there were additional things they needed to ‘tweak/add’; therefore, they had come back to the Board to make sure those modifications were approved. Mr. Keach told the Board he would be happy to review the plan. Mr. Thompson told the Board they had no objection to the Board granting a conditional approval for the plan to have satisfactory peer review.

Mr. Montbleau questioned if the proposal would change any lighting or noise. Mr. Thompson answered no. He commented they had a letter from their noise consultant (who was involved throughout the entire project). The only new source was the proposed generator, which was a standby/life-safety generator that would only be used in the event of a loss in power. The generator was in an area that has the sound attenuation package and located in a site with a sound wall. Mr. Montbleau wanted to know if the proposal would change the testing times that may interfere with people’s homes and/or resting times. Mr. Thompson answered no; there were no changes in testing. They learned from an abutter (Mr. Coleman) that noise was buffered as they installed the testing structures. Mr. Montbleau wanted to know if any of the changes would affect people’s television or wifi. Mr. Thompson answered no.

Mr. Lynde saw information regarding outdoor lighting and asked for a summary of such. Mr. Thompson replied there were no changes to the lighting plan, which had been previously approved. He noted all the lighting was Dark Sky compliant. Mr. Keach reminded the Board that the applicant had changed all the lighting on the site to be LED (downcast/Dark Sky compliant). He noted that the cut sheets included in the new package were identical to those that were previously approved. Mr. Thompson commented that they needed some lighting on site for safety and noted there were motion activated settings, so the lights dimmed.

Mr. McNamara opened the discussion to public input. No one came forward.

The Board addressed the requested waivers as follows:

Waiver request for Drainage Calculation – Section 302-3.E.3(b)(15). Mr. McNamara read the request aloud.

|  |  |
| --- | --- |
| **MOTION:** | (Montbleau/Dadak) To accept for consideration the waiver request to Drainage Calculation – Section 302-3.E.3(b)(15). |
| **VOTE**: | (7-0-0) The motion carried. |

-------------------------------------------------------

Mr. Culbert understood impervious surface would be added. Mr. Holden replied they would re-grade the existing pavement.

|  |  |
| --- | --- |
| **MOTION:** | (Culbert/Dadak) To approve the waiver request to Drainage Calculation – Section 302-3.E.3(b)(15). |
| **VOTE**: | (7-0-0) The motion carried. |

Waiver request for Site Specific Soil Mapping – Section 302-3.E.3(a)(23). Mr. McNamara read the request aloud.

|  |  |
| --- | --- |
| **MOTION:** | (Culbert/Dadak) To accept for consideration the waiver request to Site Specific Soil Mapping – Section 302-3.E.3(a)(23). |
| **VOTE**: | (7-0-0) The motion carried. |

------------------------------------------------------

|  |  |
| --- | --- |
| **MOTION:** | (Montbleau/Culbert) To approve the waiver request to Site Specific Soil Mapping – Section 302-3.E.3(a)(23). |
| **VOTE**: | (7-0-0) The motion carried. |

Board’s approval will include a condition that a letter of satisfaction is received from Keach Nordstrom.

|  |  |
| --- | --- |
| **MOTION:** | (Culbert/Dadak) To approve the Site Plan amendment with the stated condition. |
| **VOTE**: | (7-0-0) The motion carried. |

**Case#PL2018-00039**

**Map 20 Lot 3-137**

**RAYTHEON COMPANY – 50 Bush Hill Road – Site Plan Review of proposed 62ftx62ft control building, concrete pad and retaining wall to support test equipment, expanded parking lot with 32 spaces, widening of the main access drive, reconstruction of the access road to the control tower and miscellaneous fencing and gate modifications**

Mr. Dadak read the list of abutters aloud. There were no persons present who asserted standing in the case, who did not have their name read, or who had difficulty with notification.

Representing the applicant was Dan Thompson, Civil Engineer/Project Manager-Raytheon who introduced Melissa Flynn, Civil Engineer of SMRT and Jennifer Kady, architect. Mr. Thompson explained they had received a variance for their project as part of the 5-year master buildout; phases I and II have been completed. They had just presented and were approved for phase IV. The proposal in front of the Board was for phase III, a sister building (twin) for the existing building on Hawk Hill. The completion of the two buildings will allow them to clean up the extra trailers and temporary structures.

Mr. McNamara confirmed that the proposal was in the master plan presented to the Board in the past. Mr. Thompson answered yes. He noted that the existing array building had the appearance of a barn and the proposed building would have the architecture to look like a farm house. He told the Board they would be coming back at a later date for the Hillsborough building.

Ms. Flynn explained that the proposed use was exactly as presented in 2017. They have modified the grading of the parking lot and simplified the driveway access. They will keep the 32 approved parking spaces contained in the master plan; the proposed plan reconfigures the area for better efficiency. To do so they will be adding approximately 2,500SF of impervious area; however, based on the large site this will not change the pre- or post-development runoff rates, so they will stay within the Town and State requirements. Another part of the project is the widening of the access drive (currently 16-18ft) to 22ft wide.

Mr. Culbert asked if the proposal would create any additional noise. Mr. Thompson replied they were simply reconfiguring things currently on site. They have a letter from Air Noise Compliance (applicant’s sound/noise consultant) who reviewed the plan and concluded it was in line with the existing master plan development. The proposed emergency generator would be a replacement/upgrade to handle the load of the new buildings.

Mr. McNamara asked if there would be any additional employees. Mr. Thompson answered no. He said they had 32 parking spaces which would be used depending on the testing being done. He was confident there wouldn’t be any attributable increase of traffic. Mr. McNamara asked for the average number of days per month that were involved with testing. Mr. Thompson replied when something needed to be tested it was continuous for that month, it depended on the assembly and production schedule.

Mr. Lynde recalled in the past they conducted final testing and wanted to know if they still did. Mr. Thompson replied that's what was still conducted on the site. He said nothing had changed except for the orientation of where testing was done on site.

Mr. McNamara opened the discussion to public input. No one came forward. He assumed Keach Nordstrom (Board’s engineering review firm) would review the plan. Mr. Thompson stated they had no objection.

|  |  |
| --- | --- |
| **MOTION:** | (Montbleau/Dadak) To accept the plan for consideration. |
| **VOTE**: | (7-0-0) The motion carried. |

Mr. Montbleau questioned if the existing road would be completely ‘ripped up’ to install the proposed new road. Mr. Thompson replied the proposal was for a reclaimed road that would make emergency access easier. Mr. Montbleau inquired if the Board had any jurisdiction on road design given it was on private property. Mr. McNamara said they did in terms of fire access. Mr. Thompson told the Board they were required to follow the Town’s detail for roadway surface construction. Mr. Montbleau asked if the road would be inspected. Mr. Thompson noted a surety would be required. He said they ensured third-party quality control and would provide the Town inspector with copies of the reports. He stated they wanted the road to ‘hold up’ and had a vested interest in having it constructed properly.

Mr. McNamara asked the Board’s opinion as to whether they wanted to act or wait for Mr. Keach’s letter of satisfaction. Mr. Bergeron said the Board could take the same action as they did with the previous hearing by granting a conditional approval. He didn’t see a need to continue the hearing unless Mr. Keach found something to be addressed.

Mr. Keach noted there was an approved master plan and considered the proposal as a site plan for implementation of such. He didn’t anticipate any problems and told the Board anytime something has been done on site Mr. Thompson had been very responsive, which also caused his consulting teams to be very responsive.

The Board considered the following waivers:

Waiver request to Site Specific Soil Survey Mapping – Section 302-3(3)(a)(23). Mr. McNamara read aloud the request.

|  |  |
| --- | --- |
| **MOTION:** | (Doherty/Montbleau) To accept for consideration the waiver request to Site Specific Soil Survey Mapping – Section 302-3(3)(a)(23). |
| **VOTE**: | (7-0-0) The motion carried. |

------------------------------------------------------

|  |  |
| --- | --- |
| **MOTION:** | (Doherty/Culbert) To approve the waiver request to Site Specific Soil Survey Mapping – Section 302-3(3)(a)(23). |
| **VOTE**: | (7-0-0) The motion carried. |

Waiver request to Landscape and Buffering Requirements – Section 303-3. Mr. McNamara read aloud the request.

|  |  |
| --- | --- |
| **MOTION:** | (Culbert/Dadak) To accept for consideration the waiver request to Landscape and Buffering Requirements – Section 303-3. |
| **VOTE**: | (7-0-0) The motion carried. |

-----------------------------------------------------

|  |  |
| --- | --- |
| **MOTION:** | (Doherty/Montbleau) To approve the waiver request to Landscape and Buffering Requirements – Section 303-3. |
| **VOTE**: | (7-0-0) The motion carried. |

----------------------------------------------------------

|  |  |
| --- | --- |
| **MOTION:** | (Culbert/Doherty) To approve the Site Plan amendment with the condition that a letter be received from Keach Nordstrom stating their satisfaction with the plan submitted. |
| **VOTE**: | (7-0-0) The motion carried. |

Mr. Thompson told the Board that there was request for a limited blasting program contained in the package. He explained the abutting neighbor had previously complained about some of the vibrations that were happening during the compaction equipment. In the interest of being a good neighbor they were requesting a one-two day blasting program which would eliminate a month-long hole ramming technique. He stated they had no objection to doing the work in that fashion but wanted the Board to consider allowing a limited blasting program. Mr. McNamara explained that the Blasting Ordinance was under the purview of the Fire Department; if there was blasting the applicant would have to follow their protocols.

Mr. Bergeron explained that he held a full explosives license from the past and believed the proposal (for a limited blasting program) would be less intrusive to the neighbors. He agreed with the blasting program.

Mr. McNamara inquired if ‘no blasting’ was a condition of the master plan approval. Mr. Thompson believed it was a purview of the Board when they set the hours of operation. He said they had no objection to doing the work in the traditional manner. There was a brief discussion how to proceed. Mr. Thompson explained that the Board reviewed and approved phase I and II; at the same time there was a ‘general acceptance’ of the master plan because phases III, IV and V didn’t have enough detail in them for the Board to vote. Mr. McNamara understood from what Mr. Thompson stated that ‘blasting’ was not a condition of approval for the phase being discussed; it was only for phase I and II. He believed the Board could change the condition for the phase being discussed.

Mr. Bergeron was in favor of the proposal, which would make (the situation) less on the neighbors. Mr. Doherty was familiar with ‘hammering’ and spoke about how it rings in a person’s head after leaving a site.

|  |  |
| --- | --- |
| **MOTION:** | (Bergeron/Culbert) To allow limited blasting as contained in the phase III proposal. |
| **VOTE**: | (7-0-0) The motion carried. |

**Continued Discussion**

**Map 24 Lots 12-215 & 221**

**BAYBERRY WOODS - Request for bond reduction**

Mr. McNamara asked Steve Keach of Keach Nordstrom (Board’s engineering review firm) to come forward. He commented that the Board received a recommendation for a bond reduction and a couple Board members brought up the fact that the road hadn’t ‘weathered’ and there was a problem with the cul-de-sac cracking. They had questions on the recommended remaining bond amount and asked if it was sufficient to cover remaining work. Mr. Keach referenced the detail worksheet attached to the letter dated November 20, 2018. He stated they would hold $65,595.00 plus engineering contingencies totaling $78,714.00. He was certain that the cost for defects was built into the figure. He told the Board he could validate the number by speaking to Jeff Quirk (in his office); although he reviews inspection reports before they are sent to the Board. He was aware that there was some cracking in the area where the old construction meets the new construction. He stated it would be remedied prior to any recommendation to further release the surety or acceptance of the road.

Mr. Bilapka commented there was quite a bit of cracking on the road; as he witnessed by traveling it each day. He said the other issue was paving that began sometime in August (this year) and wasn’t completed until September. He felt it should sit for at least a year. Mr. Keach stated there was a difference between what represented a partial release of surety and what represented ‘acceptance’. He said if the recommended action was approved, they would continue to hold an adequate amount.

The Board will defer action until hearing back from Mr. Keach.

**Case #PL2018-00040**

**Map 29 Lot 7-95**

**PELHAM REALTY GROUP LLC – 150 Bridge Street - Site Plan Review for proposed relocation of Dunkin’ Donuts and A.L. Prime renovation**

Mr. Dadak read the list of abutters aloud. There were no persons present who asserted standing in the case, who did not have their name read, or who had difficulty with notification.

Brian Jones of Allen & Major Associates, Inc. and J.P. Fine of Pelham Realty Group, LLC came forward to discuss the proposed Site Plan for the relocation of Dunkin’ Donuts and renovation of A.L. Prime (gas station).

Mr. Jones stated although the application was new, it was not the first time they had come in front of the Board to present changes to Pelham Plaza. In September they presented the relocation of the existing Dunkin’ Donuts and rehabilitation of A.L. Prime. Since that application didn’t end favorably, they had worked hard over the last couple months to create a layout that addressed the concerns raised by the Board and the Highway Safety Committee (‘HSC’). Mr. Jones told the Board they had met with the HSC last week and were pleased to receive a unanimous approval of the revised configuration. He felt it might be helpful for the Board to view a proposed master plan for the plaza which would give context as to why it was so critical to relocate Dunkin’ Donuts. A copy of the proposed Pelham Plaza master plan was displayed. Mr. Fine described the ‘conceptual’ long-term plan for the shopping plaza and discussed the changes shown on such.

Mr. Jones displayed a copy of the plan focused on the proposed relocation of Dunkin’ Donuts (from the south plaza building to the north plaza building) he showed and described the traffic pattern/turning movements, parking, plaza entrance, etc. A ‘T’ turn-around was created for trucks to turn-around and access the loading docks behind Hannaford to keep trucks off Livingston. The plan shows the addition of approximately 9,400SF of landscaped area (a plan was included with the Board’s package). They are not adding any building area except for a small addition/ bathroom (175SF) to A.L. Prime. Mr. Jones reiterated that the proposal was simply the relocation of the existing Dunkin’ Donuts to create new opportunities for the plaza as described by Mr. Fine.

Mr. McNamara assumed Steve Keach of Keach Nordstrom (Board’s engineering review firm) hadn’t reviewed the plan. From the audience, Mr. Keach stated he received a copy; however, the presentation was the first time viewing the proposal.

Mr. Lynde understood the current proposal didn’t include additional buildings, but down-the-road they would add building space. Mr. Fine said they would be reducing the square footage of the shopping center but would be adding new buildings.

Mr. Montbleau inquired who the free-standing building would be for. Mr. Fine replied they were uncertain at this time but were designing/planning it for the State Liquor Store who had expressed interest in a free-standing building similar to what they had done in other locations. At this time, it’s very conceptual and predicated on moving the Dunkin’ Donuts to the other end of the plaza. A portion of the south building (current Dunkin’ Donuts and adjacent spaces) would be removed and made into a different configuration. Mr. Montbleau wanted to know the distance between the parking berm (within the parking lot) and the fueling station. Mr. Jones replied there was approximately 24ft. He noted the parking spaces along the outside edge (between the gas station and Rt. 38) were eliminated to allow for a drive lane around the outside of the gas station. Mr. Montbleau wanted to know how many parking spots would be eliminated in the proposed plan. Mr. Jones replied they would lose 50 spaces within the first phase. Mr. Fine added that he wouldn’t be able to make the plaza viable without adding more in the future (for the rest of the plaza). Mr. Jones commented per Zoning they are required to have 480 and they were proposing 500; the existing plaza has 554. Mr. Montbleau was concerned about the elimination of 50 spaces. Mr. Jones pointed out that the spaces being eliminated were located at the north end, which was used the least. He added that they complied with Zoning and weren’t asking for relief. Mr. Montbleau wanted further information regarding the proposed traffic pattern. Mr. Jones describe how traffic would enter from the North (off Atwood Road). The feedback from the HSC was to encourage traffic movement off Bridge Street (Rt. 38). He said by creating the proposed turning movements, it would encourage traffic to use one of the main entrances off Bridge Street.

Mr. Doherty stated that the ‘master plan’ for the plaza through him ‘for a loop’. In his opinion he had never seen such a bad change to a parking lot. He disagreed with having head-in parking and traffic moving north/south for the length of the plaza. He pointed out that the septic system was underneath the Atwood Road entrance and if it ever needed to be replaced, the entrance to Atwood Road would be eliminated. If that entrance and the other entrance (at the existing Dunkin’ Donuts location) are eliminated it would leave only one access for the entire plaza. He stated the main entrance (onto Bridge Street) is currently a disaster because there wasn’t a set of traffic lights. He said the proposed plan was doing what the Board had asked ‘not’ to happen regarding traffic, which exacerbated the current problems. Mr. Jones replied that wasn’t his recollection of the meeting. He said he heard a lot of concern about Atwood Road and adding traffic in that area. Mr. Fine stated it wasn’t there intention to do anything opposite from the Board’s comments. He said the proposal was a lot more of a hardship in the sense that it was harder to get approved by the tenants and cost more money to do. They thought the Board had asked them to change the traffic flow at Atwood, which is what they tried to address.

Mr. Culbert recalled the Board asking the applicant to ‘not’ put the drive-thru in the proposed area, and instead put another business at the location that didn’t use a drive-thru. Mr. Fine understood that the previous plan was not acceptable.

Mr. Lynde stated his concern was the contention from traffic, and felt the proposed plan addressed it. He said currently traffic went all directions and the proposal forced vehicles to go in specific ways. He noted that the HSC agreed with the plan. Mr. Jones replied they found the proposal to be a marked improvement.

Mr. McNamara read aloud the letter submitted by HSC dated December 10, 2018.

Mr. Bergeron agreed with Mr. Lynde and felt the proposed plan addressed the issue with traffic at the end of the drive-thru; however, it also raises other questions. He appreciated the opportunity to see the plaza ‘master plan’. He saw an issue with the physical proximity of the curbing near the gas station given the nature of the business and how vehicles access the gas pumps. He also had concerns with vehicles parking in front of the post office and suggested the applicant speak to them about delivery vehicles creating difficult/dangerous situations. Mr. Bergeron discussed the master plan for the plaza and believed having one main entrance would need to have traffic control. He spoke about his experience with other drive-thru situations and questioned if a vehicle would have the ability to leave the queue once they had entered the drive-thru. He suggested the lane be shifted/widened to allow a vehicle to exit. He commented on the reconfiguration of the parking and felt the through lanes might be alright going north to south if the lanes were wide enough. He wanted additional time to review the plan and believed a traffic control measure would be needed at some point at the ‘main entrance’.

Mr. McNamara opened the discussion to public input. No one came forward. He believed the plan needed to be reviewed by Keach Nordstrom given the range of opinions.

Mr. Bergeron questioned if a traffic count had been done for the entrances. Mr. Fine stated they had never done a formal traffic count although they had observed traffic. He noted Dunkin’ Donuts had done one for their drive-thru. He said he could request one to be done for the shopping center.

Mr. Montbleau concurred with having Mr. Keach review the plan. He said he wasn’t negative to the plan, he wanted it to work. He spoke about two similar shopping centers; one in Chelmsford and the other in Hudson. He discussed his concerns with traffic patterns and speed at the Pelham Plaza.

Mr. Dadak discussed his concerns with the entrance to the plaza at the Atwood entrance that he felt would get backed up during certain times of day and year.

|  |  |
| --- | --- |
| **MOTION:** | (Montbleau/Bergeron) To accept the plan for consideration. |
| **VOTE**: | (7-0-0) The motion carried. |

Mr. Lynde believed cutting off one of the entrances from Bridge Street may help the traffic. Mr. Bergeron wanted to hear from the experts but felt the master plan may mandate traffic control at Bridge Street. Mr. Doherty said he didn’t want to have vehicles forced to the Bridge Street entrance/exit because it currently is difficult. He discussed his observations of vehicular traffic in that area and at the Livingston Road exit. He reiterated his earlier concern about eliminating two entrances/exits to the plaza. He also reiterated the concern about the possibility of replacing the septic system. Mr. Fine stated that the system was currently in good condition. They have considered other options to reduce the size of the field. He noted Dunkin’ Donuts currently pumped into that system, with their move it would resolve some current issues. Mr. Doherty voiced his concern for what would occur if the system failed and the plaza had to close the entrance at Atwood Road. He said he could easily go from not liking the plan to being ‘on board’ if there was a set of lights proposed at the main entrance. Mr. Fine replied they had no problem with having a set of lights; it would be based on the Department of Transportation and if they believed lights were necessary or required. He noted that would be based on a future master plan that may not happen unless the proposal in front of the Board happened. He said in the meantime the proposal only involved the Atwood Road/Livingston Road entrance, not the State highway.

Mr. Bergeron questioned if the Livingston Road entrance had to be eliminated. Mr. Fine replied that was the feedback they received from the Board. Mr. Jones spoke about the physical constraints at the Livingston entrance; such as the back of the building being 4ft. lower than the first floor and the flow of traffic needing to be counter-clockwise. Mr. Bergeron reiterated his concern about the length of the queue lane and the ability for vehicles to exit around vehicles. Mr. Jones stated they would review the concern. Mr. Fine felt it made sense to have something that allowed a car to ‘spill out’ of the drive-thru lane onto Livingston.

Mr. Keach came forward and spoke about the importance/necessity for deliveries to occur at Hannaford. He said the first thing he noticed about the plan was the turn-around accommodation and felt it was wonderful to eliminate the co-mingling of delivery vehicles and patrons. From a public safety stand point he felt it was well worth losing the entrance at Livingston. He spoke about his observations based on his initial overview of the plan; at his first pass, he felt it was a superior plan from what the Board saw previously and agreed with the HSC.

Mr. Montbleau wanted to know what would happen if they receive approval of the proposal and the proposal in the master plan isn’t done. Mr. Jones said something else would be done in that area. Mr. Fine replied it was about commercial viability and making the shopping center viable for the future. He said they wouldn’t make the investment without doing something else at some point; it’s dependent on the economy of the time. He said they had a significant investment in the plaza and were committed to continue to invest as long as it was still viable. Mr. Keach believed the real estate was too valuable to stagnate. Mr. Montbleau said when they look at the ‘pluses’ they also had to add in the master plan. Mr. Fine assured the Board they would come back when they wanted to make the additional improvements in the future; the master plan intent was now on the record. If something changes, he said he would explain why at that time.

Mr. Steele inquired if Dunkin’ Donuts had a lease deadline. Mr. Fine replied their lease expires at the end of 2019 and they would have to construct the new space before then. They were trying to realize the deadline without being in breech of the contract.

The case was date specified to the Thursday, January 24, 2019 meeting.

**DISCUSSION – Draft Zoning Amendments**

Mr. McNamara stated they had reached consensus on presenting the revocation of elderly housing. The Board was planning to put it to a public hearing January 7, 2019. He said they would only have one meeting. The language and changes have been approved by counsel. Mr. Doherty offered a minor amendment. There were no objections. Mr. McNamara stated at the public hearing the Board would also consider recommending/not-recommending the two petition articles that were submitted.

**NON-PUBLIC SESSION - If requested in accordance with RSA 91:A:3**

**DATE SPECIFIED CASE(S) – January 24, 2019 (Thursday)**

Case #PL2018-00040 - Map 29 Lot 7-95 - PELHAM REALTY GROUP LLC – 150 Bridge Street

**ADJOURNMENT**

|  |  |
| --- | --- |
| **MOTION:** | (Culbert/Montbleau) To adjourn the meeting. |
| **VOTE**: | (7-0-0) The motion carried. |

The meeting was adjourned at approximately 9:14pm.

Respectfully submitted,

Charity A. Landry

Recording Secretary