



Town of Merrimack, New Hampshire

Community Development Department

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Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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MERRIMACK PLANNING BOARD

Meeting Minutes

Tuesday, December 6, 2016

Planning Board members present: Robert Best, Alastair Millns, Bill Boyd, Michael Redding, Lynn Christensen, and Alternates Nelson Disco and Jeff Sebring.

Planning Board members absent: Desirea Falt and Vincent Russo.

Staff present: Community Development Director Tim Thompson and Recording Secretary Zina Jordan.

1. Call to Order

Robert Best called the meeting to order at 7:00 p.m. and designated Nelson Disco and Jeff Sebring to sit for Vincent Russo and Desirea Falt, respectively.

2. Planning & Zoning Administrator's Report

None.

- 3. Skippers Marine Corp. (applicant/owner)** — Continued review for consideration of a waiver of full site plan review to amend a previously approved outdoor boat display and storage. The parcel is located at 54 Daniel Webster Highway in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 2D, Lot 029. **This agenda item is continued from the November 1, 2016 meeting.**

At the applicant's request, the Board voted 7-0-0 to continue this item to January 3, 2017, on a motion made by Lynn Christensen and seconded by Bill Boyd.

- 4. Franklin Savings Bank (applicant) and KRG Merrimack Village, LLC. (owner)** — Continued review for consideration of Final Approval to construct a 2,161 square foot bank. The parcel is located at 1 Dobson Way in the C-2 (General Commercial) and Aquifer Conservation Districts. Tax Map 4D, Lot 080. **This agenda item is continued from the November 1, 2016 meeting.**

Tim Thompson informed the Board that, since staff's December 1, 2016, memo, CLD revised comments were received. Its main concern is access for emergency vehicles. The aisle width does not comply with regulations. Fire trucks may encroach 5' into parking spaces when circumventing the site.

Jason Hill, Civil Engineer, T.F. Moran, Inc., said the applicant originally proposed a second driveway on Camp Sargent Road with limited access and a right turn in. The Highway and Fire Departments are both concerned about access and want uniform counterclockwise circulation around the site. The applicant filed a response that would eliminate the Camp Sargent Road driveway. The driveway was moved and would have

a one-way entrance only. It would have been 16' wide, which the Fire Chief considers too narrow for turning because the front tire would clip the curb. The applicant proposes to widen the driveway to 20' at the narrowest point.

There were oscillations in the stormwater calculations for a 50-year storm. There would be more overflow than inflow at the underground detention pond. Jason Hill will either correct the calculations or add chambers.

Jason Hill showed an updated circulation plan, which is based on a school bus to be conservative. The front tire would drive over an 8'-wide island, which would be modified with a traversable surface or could be painted. A truck would not collide with a parked van for the handicapped. The aisle would be 1/2' wider. The plan will be submitted for the Fire Department's final review. Chairman Best said that, if CLD and the Fire Department do not accept the plan, the applicant would have to return to the Planning Board.

Chairman Best asked whether the applicant had spoken to the gas station about a connection, as the Board had previously suggested. Richard Pilla, Paramount Partners, said he spoke to the Dallas company that owns the facility, the Boston private equity firm and the landlord. The landlord does not want to encumber the property with access. The Dallas company is not interested in cross-access through the property because it would not benefit them.

Jason Hill said he would landscape with grass or low ground cover. Dawn Tuomala, Deputy Public Works Director/Town Engineer, said that, although it is tight, passenger vehicles could circulate, but it would be a tight U-turn for a truck. The applicant will provide new plans. Tim Thompson directed the Board to Condition #9.b.-d.

Jason Hill said he used the as-built volume of the pond, but it is not consistent with the pre-development drainage situation. The new plan decreases it by .1 cubic feet per second, so there is no issue. He explained the outflow structure. The peak rate of flow/runoff up to and through a 50-year storm was decreased and filtration was increased. Tim Thompson added that the discharge is at Naticook Brook. The applicant ensures that the post development runoff is the same as the original design. Merrimack Conservation Commission (MCC) recommended using a vendor who is Green SnoPro certified for winter maintenance.

Jason Hill said the landscaping of low shrubs and grasses would be moved forward and around the proposed sign; that area would also be used for snow storage. Chairman Best cautioned him not to store snow on parking spaces. Jason Hill said open space could also be used for snow storage. Snow would not have to be trucked off site. He could provide salt tolerant plants.

Richard Pilla said there would not be signs on two sides of the building. The current sign is not visible from the intersection, so a ZBA variance for an individual pylon sign would be needed. There is no room to put a sign on the existing pylons. He showed the location for the fenced staging area for trucks, trailers and supplies during construction.

Public comment

Tim Drew, 4 Beech Street, wanted the traffic study to take into account the heavy traffic flow on Thursday and Friday afternoons when the intersection backs up.

Forrest Brown, 24 Cedar Lane, asked if there would be another curb cut onto Camp Sargent Road. Chairman Best replied in the negative.

Tim Thompson said CLD predicts 15 new trips and states that level of service at the intersection would not be degraded. Most trips are not to a new destination; they are already in the roadway network. There would be 53 total trips Monday-Friday at the 4:00 p.m.-6:00 p.m. peak hours.

Bill Boyd asked if this is typical square footage for a bank and suggested elongating the building on the west to improve the turn radius because of the narrow Camp Sargent access. Ron Magoon, President and Chief Operating Officer, Franklin Savings Bank, said the bank was designed specifically for this site. Most branches are larger, but they are getting smaller now because fewer people actually go to a bank. Chairman Best said there would be a lower impact than with a retail use. Nothing else would have less traffic.

The Board voted 7-0-0 to grant final approval, with the following conditions, on a motion made by Alastair Millns and seconded by Bill Boyd.

1. Final plans to be signed by all property owners and signed and sealed by all appropriate professionals;
2. The applicant shall obtain all required Federal and State approvals/permits as may be applicable, including NHDOT Traffic Impact Study Review, note the approvals/permits on the plan and provide copies to the Community Development Department;
3. The applicant shall indicate any proposed easements on the plan, as applicable, including utility and access easements. A draft copy of any proposed easements and any applicable legal documents to be submitted to the Community Development Department for review and approval by the town's legal counsel (legal review shall be performed at the applicant's expense);
4. The applicant shall address the comments from the Town's peer review consultant, CLD, as applicable;
5. The applicant shall address the following comments from the Merrimack Village District, as applicable;
 - a. MVD should be added to the General Information list on the cover sheet with Ron Miner, Superintendent and Dave Fredrickson, Distribution Foreman, as contacts;
 - b. No deicing compounds to be used on site for winter maintenance;
 - c. Note page 5 of 19 the MVD is not a member of Dig Safe and will need to be contacted by Contractor prior to any excavation.

6. The applicant shall address the following comments from the Merrimack Conservation Commission;
 - a. While the site is not immediately adjacent to Naticook Brook or the associated wetlands, the Commission recommends the applicants minimize the use of salt and/or de-icing compounds on the site. The Commission notified the applicant of the Green SnowPro certification program;
 - b. The Commission recommends that only no phosphate, slow release nitrogen fertilizers be used. The Commission further recommends that the applicant's contractor utilize a soil testing facility to determine what levels and applications rates are necessary prior to applying any fertilizes to the site. The Commission is opposed to using the current concentrations and application rates as noted on the site plans;
 - c. The Commission recommends that the word "hay" be removed and the word "straw" be used in its place everywhere in the plans. The Commission strongly discourages the use of hay for any aspects (mulchor erosion protection) of any project in Merrimack;
 - d. The Commission recommends the use of native plantings for all new greenscape designs.
7. The applicant shall address the following comments from the Department of Public Works, as applicable;
 - a. The entrance has been changed to come off of Dobson Way instead of Camp Sargent Road. Dobson Way is a private road that does not require Town ROW permits. A note shall be added to the plan that if any construction work is to be done within the Camp Sargent Road Right of Way (ROW), a ROW permit shall be obtained from the Department of Public Works.
 - b. The first entrance off of Dobson Way will accommodate the turning radii of a passenger vehicle and a SU-30 (truck) into the property. The entrance is extremely tight to accommodate the turning radii of a BUS-40 (simulating a Fire Truck). The width of this access entrance has not been specified.
 - c. The second entrance off of Dobson Way will accommodate the right turn of a passenger vehicle only. The vehicle can only make this turn by coming from the extreme left curbing on Dobson Way to the curbing beside the bank building (as shown on sheet T1). The entrance will accommodate trucks and fire trucks only if they are approaching from the plaza area to the west travelling eastward.
 - d. Interior traffic flow around the proposed building on the site is extremely tight.
 - i. A passenger vehicle can make all of the turns around the building including turning from the rear of the building back up to the front. Some of the parking spots will be more difficult to get into.

- ii. The wheels of the trucks will be curb to curb in their turning radii.
 - iii. Fire Trucks appear to have more difficulties maneuvering around the site, the turning radii have been shown but the vehicle overhang does not appear to have been included.
 - e. The 50 year Storm Event calculations were provided separately, meeting the 50 year design criteria. The report states in the Post-Development Conditions summary that the “actual storage volume is greater than its original design capacity”. The surveyed outlet information has been updated and included in the calculations to reflect the as-built conditions. However the Custom Stage Storage Data is described exactly the same between the original calculations of 2013 and the current pre-development conditions under the modified Hayner Design for Pond SMA B. The current storage conditions should be reflected in the current pre-development calculations instead of the originally proposed conditions.
8. The applicant shall address the following comments from the Fire Department, as applicable;
- 1. The Town of Merrimack, Department of Fire Rescue, Office of the Fire Marshal requires (NFPA 1 Chapter 18) that fire department access roads be constructed and maintained so that fire apparatus can effectively operate during an emergency. The location of the access road(s) must provide for positioning of the fire apparatus to allow access to all sides of the structure. Unique building or occupancy conditions may trigger additional requirements from the Office of the Fire Marshal. The revised site plan while still very congested is an improvement over the original proposal. The revised site plans eliminate the single lane entrance driveway from Camp Sargent Road, which was a previous concern. This has been replaced by a single lane entrance from Dobson Way. While this is an improvement, there are still several areas of concern, noted below.
 - a. The new entrance on Dobson Way needs to be widened otherwise an entering fire truck will climb over the curb.
 - **The revised plans do not show any improvement on this issue.**
 - b. The western entrance/exit shows an island in the middle. This should be either corrugated concrete or painted lines rather than a raised island to allow fire truck access.
 - **The island is still present and is not identified as paint or raised concrete.**
9. The applicant shall address the following and any forthcoming comments from the Wastewater Division;
- a. Sheet 15: Backwater valve is a direct bury unit and should be placed in area between manhole and building.
10. The applicant shall address the following Planning Staff Technical Comments:

- a. The applicant shall address any modified or new comments from Town Staff following receipt of revisions to address the peer review comments and/or any plan revisions;
- b. Applicant to include north arrow indicating True North per Section 4.06.1.e;
- c. Applicant to substitute recommended plant varieties from Section 10.03.4 where possible within the proposed landscape schedule;
- d. Applicant to include CRI information that complies with Section 11.05.3 for parking lot lighting proposed on Sheet L1.

The following general and subsequent conditions are also placed on the approval:

1. The applicant is responsible for recording the plan (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) at the Hillsborough County Registry of Deeds. The applicant is also responsible for providing proof of said recording(s) to the Community Development Department;
2. Any proposed easements and/or applicable legal documents shall be recorded at the Hillsborough County Registry of Deeds at the expense of the applicant;
3. The applicant shall address the following comments from the Building Department, as applicable:
 - a. The building plan will require a permit application accompanied by one full size plan for review and an 11X17 plan for file. All plans will follow current adopted International Code Council criteria and NFPA 70 current adopted National Electric Code. Separate sign permits will be required. Any conditions that may be required by Planning Board, Zoning Board or Community Development must be met before issue of a building permit.
4. The applicant shall address the following comments from the Fire Department, as applicable:
 - a. The building shall be protected by an approved NFPA-13 compliant fire sprinkler system. (Town of Merrimack Building Zoning Ordinance and Building Code, Section 11) Plans shall be provided to this office for review and approval before a permit can be issued.
 - b. The building shall be protected by an approved NFPA-72 fire alarm system. Plans shall be provided to this office for review and approval before a permit can be issued.
5. The applicant shall address the following and any forthcoming comments from the Wastewater Division, as applicable;
 - a. A Town of Merrimack Wastewater Permit Application must be completed and approved by Ken Conaty before final plan can be approved by the Merrimack

Wastewater Department. This permit also generates the appropriate sewer connection fees due the town before building permits can be issued.

- b. All buildings must have an outside backflow preventer (clean check brand or equal) as indicated by Merrimack Sewerage Construction Standards.

5. JBD Realty Group, LLC. (applicant/owner) — Review for consideration of reinstatement and extension of waiver of full site plan approval (originally approved on 02/13/2015) for a landscape/contractors yard. The parcel is located at 35 Railroad Avenue in the I-1 (Industrial), Aquifer Conservation and Town Center Overlay Districts. Tax Map 5D-1, Lot 007.

Tim Thompson explained that conditional site plan approval for interim use of a contractor's yard and an industrial building was granted on February 13, 2015, and two extensions were granted subsequently, but the applicant never met the conditions and there were some enforcement actions. The applicant is now ready to finalize the plan. A final plan could be ready in two weeks. Given that there are no changes to any ordinances or regulations that impact this project, staff recommends that the Board reinstate the conditional approval and grant a six-month extension effective December 6, 2016, and create a new deadline of May 6, 2017.

Brenton Cole, Keach Nordstrom Associates, Inc., confirmed that no changes have been made.

There was no public comment.

The Board voted 7-0-0 to reinstate the 02/13/2015 waiver of full site plan approval and grant a six-month extension to May 6, 2017, on a motion made by Bill Boyd and seconded by Alastair Millns.

6. The Monahan Companies (applicant) and Merrimack Premium Outlets, LLC. (owner) — Review for acceptance and consideration of Final Approval of a Mixed Use Development Conditional Use Permit (CUP) proposing 388,520 square feet of development including retail, hotel/conference center, restaurant, office, and multi-family residential uses. The parcel is located at 10 Premium Outlets Boulevard in the I-2 (Industrial), Aquifer Conservation Districts and Wellhead Protection Area. Tax Map 3C, Lot 191-02.

Tim Thompson informed the Board that, on November 18, 2015, the Zoning Board of Adjustment (ZBA) granted three variances: to permit the applicant to pursue the Mixed Use Development Conditional Use Permit (CUP) in the I-2 District, to contain approximately 20 acres rather than the minimum of 50 acres, and to develop a parcel in a location where the Ordinance requires 500' of contiguous frontage on the State-maintained portion of D.W. Highway. The project has been slightly reduced to 338,520 square feet from the original 500,000 square feet that was indicated in the preliminary conceptual design in January. Acquiring a CUP is the first step in setting ground rules for what can happen on the site; formal site plans must still be submitted.

Gordon Leedy, Senior Planner & Managing Director of Land Development, Vanasse Hangen Brustlin, Inc., said the approximately 20-acre site has access from Premium Outlets Boulevard. It is zoned industrial, but there are some residential zones around the property. Proposed uses are a 120-room hotel, up to 20,000 square feet of restaurant space, 20,400 square feet of retail space, 192 multi-family residential units, 7,200 square feet of conference center space, and 83,720 square feet of office space. Development would be phased. There would be shared parking of 1,020 spaces based on a mix of uses. Residences and offices use parking at different rates and times. The applicant does not want to overbuild parking, which would occur if he followed town regulations for each type of use (approximately 1,400 spaces). There is adequate capacity on the road, D.W. Highway and the intersections to accommodate 600+ additional trips without undue impact. The net fiscal impact would be \$600,000+. The project would generate \$1,048,000 in tax revenue at the 2015 rate. There would be a roundabout rather than signals at the entry. Parking areas would be in several locations in addition to a 450-space parking garage to which more levels could be added. There would be a central open space area, wide sidewalks and streetscape landscaping with a more urban approach. Most residences would be one-bedroom and studio apartments that are attractive to young professionals and that do not exist in the Merrimack-Greater Nashua area.

The most important buffer is for neighbors to the north at Camp Sargent Acres, where a 100' no disturb buffer and a 200' building setback are required. There would be a buffer and a building setback on Continental Boulevard. The land along Continental Boulevard already has trees and there is already a buffer on Industrial Drive. Strict buffer requirements would force all buildings to the middle of the site, making the open space less accessible and less valuable. Relief for buffers along Continental Boulevard and Industrial Drive is requested.

The parcel has adequate capacity for all utilities, with stubbed water, sewer, and gas along the emergency access road that would be hooked into the town utilities. There is a storm water discharge agreement with Fidelity Investments. It all drains to the Fidelity site. The applicant may need to amend the agreement to discharge more volume to that site. There may be more impervious surface if the buffer requirement is waived.

Gordon Leedy stated that all CUP criteria can be met and that the project will have no undue impact on the neighbors.

Chairman Best asked how traffic to Merrimack Premium Outlets (MPO) would be handled during construction. Gordon Leedy replied that it was done for Fidelity and can be done here, although he does not yet know the details.

Chairman Best noted that there would be less green space than on the original plan, especially on the central quad. Gordon Leedy said he could consolidate three residences into two and add one more story in order to create more open area. As part of shared parking, one space per unit on the ground floor would be for residential use only. Nelson Disco asked where else the shared parking method of calculating parking spaces has been applied and how it worked. Gordon Leedy will make copies of the

study for the Board. The methodology is not new and has been in existence for over 25 years. It is based on surveys of actual uses.

Chairman Best and Nelson Disco complimented the applicant for installing sidewalks.

Nelson Disco wanted to see more information about fiscal impacts

Michael Redding asked how the green space would interact with the apartments. Gordon Leedy said it could be a central gathering space like a college quadrangle and an amenity for buildings to look out on. He prefers the apartments to be self-contained; residents would pay for amenities. There would probably be no children.

Lynn Christensen stated that Merrimack needs this type of housing. The site pulls people and places away from residential areas to the north. She likes the concept.

Chairman Best supports buffer relief to Continental Boulevard and Industrial Drive. There are no residences there and never will be, even though they are zoned residential.

Bill Boyd cautioned that Merrimack cannot be compared to Somerville and Cambridge, MA. He asked why there would be no sidewalk on the north side along the fire lane up to the roundabout. Gordon Leedy was willing to consider one, but he thought the neighborhood does not want a connection. The fire lane is a gated emergency access with no vehicular connection, but the neighbors can walk on that lane from the Camp Sargent Acres to the property. There would be standard street lights. The wooded buffer would remain.

Jeff Sebring asked about snow removal, which Gordon Leedy said is a site plan issue.

Chairman Best asked about the written statement that "support uses not subject to CUP provisions". Gordon Leedy explained that is from the previous CUP for the MPO and is allowed by right. This is a new and different CUP for an integrated project. Tim Thompson stated this will be amended in the revised materials.

Public comment

Beth Burns, 5 Spruce Street, wanted to ensure that the emergency exit remain as such, which Chairman Best affirmed. She asked how many trees would be removed on Continental Boulevard. Chairman Best explained that that land does not belong to the applicant. There would probably be more trees there. Beth Burns also wanted the buffer on Spruce Street to remain. Chairman Best reiterated that a 100' buffer of untouched woods and another setback with no buildings are required from the backyards, but there may be fewer trees. Beth Burns wanted the four-story building to have no negative light reflection on the neighborhood. Chairman Best explained that it is a site plan issue. The applicant must submit a lighting plan and the intensity of every light for peer review. There would be enforcement action if the lighting plan did not work. The lights would be less intense than at MPO. The applicant is not allowed to shine light across his property line. The fixtures would not point toward the neighborhood.

Beth Burns asked about water. Chairman Best repeated that utilities come to the site. MVD must state that it can supply adequate water. He does not know whether MPO's previous statement is enough or whether a new one is necessary. The Planning Board would not approve if MVD could not supply water.

Beth Burns asked about traffic, crime, monitoring and security. Chairman Best said MPO is a separate police sector. This may be part of that sector or separate one. The property manager is responsible for keeping it clean. The Planning Board's job is to assess whether the project would work financially. It is in the developer's best interest to keep it clean, attractive and safe.

Barb Amaral, 1 Spruce Street, is concerned about decreasing the amount of parking. Cars parked on her property on Black Friday. She is also concerned about light spillover and wants car lights to be blocked by walls. She also suggested installing sound barriers against bars, entertainment, and outside activities on the green. Barb Amaral said that leaves fall off in winter, so there is not much of a buffer. She suggested adding trees that remain full at ground level.

Derek Berna, 6 Beech Street, said all the traffic from the road comes by the buffer. He noted that the parking garage and hotel, which would have the most lights, would be by the buffer and near the residential area.

Nancy Harrington, 11 Spruce Street, agreed that the bulk of the lighting is toward the residences and that the buffer is mostly oak and bare during the winter. She suggested a sound/visual wall at the 100' line. Although the modified entry is an improvement, there is still a problem with noise and lights.

Michael Mills, 7 Arbor Street, said the records should be made available to residents at no cost as was done with MPO rather than charge 50 cents a page. Tim Thompson offered to scan them and to send them by e-mail at no cost. He would put them on the town website if instructed to do so.

Michael Mills predicted that people would park in the neighborhood and walk to the area if the access road were open. There must be a buffer to prevent parking in the neighborhood and to keep the new development separate from the residential neighborhood.

Michael Mills said the CUP criterion that school costs would not increase has not been satisfied. The developer claims that 10 students would go to school. Comparison should be made to nearby New Hampshire cities rather than to Massachusetts cities.

Michael Mills doubted the project would make money for the town.

Michael Mills asked about installing a traffic light at the intersection of Camp Sargent Road and Continental Boulevard and how the neighbors would get out of the community. There is more traffic on neighborhood streets since MPO was built.

Michael Mills asked how the town could provide water to 112 more residential units than originally proposed if it cannot do so to a neighborhood with water restrictions. The neighborhood must be ensured of drinking water.

Michael Mills asked when restaurants would close and how much noise they would generate. He said it is an “insult” to put parking near homes and cited the commotion customers would make in the four-story garage. Merrimack is a bedroom community that should not be compared to Somerville MA.

Michael Mills asked how there could be only 65 more p.m. trips with over 100 residential units. He suggested that the Planning Board walk the buffer and imagine a four-story garage with over 100 residential units 200’ away from one’s home.

Neil Thompson, 12 Douglas Street, said the scale of the project is too large for a 20-acre lot. When he asked where such a model works, Chairman Best cited Tara Heights in Nashua.

Charles Parenteau, 3 Spruce Street, wanted to minimize lighting to the surrounding neighborhood. He can see his house from the access road. Light pollution is an issue because car lights shine into the homes. When cars pull out of the garage, the headlights would go into the homes with nothing to block it. Privacy of backyards is sacred. Chairman Best explained that a low hedge or a fence would block car lights, which are 3’ off the ground and point down.

Anna Vey, 8 Douglas Street, is concerned about water usage. She feared the applicant would not conserve and would pollute the watershed. What is the need for an eighth hotel/motel between Exits 8 and 11? Bill Boyd said it would be convention space and a conference center for large businesses and is included in the Master Plan. It is vital to this part of the region. Chairman Best said need is not a criterion for the Planning Board, which should not determine what types of businesses to approve.

Barb Amaral asked whether the traffic study was done with Camp Sargent Road in mind. She noted that people speed and leave trash on the road. Chairman Best said the purpose of a traffic study is to determine whether roads would be degraded.

Michael Mills said that, years ago the community suggested posting signs at Exit 11 saying, “shopping center that way”, “no through traffic”, and “no trucking”.

In response to public comments, Gordon Leedy stated that trees would remain at the 100’ buffer to the north and a little closer on one point of the access road. They are mostly deciduous trees, which are not an adequate buffer. He would provide additional evergreen screening, such as white spruce and white fir, and would consider installing a fence. Active areas of the site would be as far from houses as possible and focused internally to the site. The applicant will try to mitigate potential impacts. A 12’-16’ fence/noise barrier would have a significant footprint and vegetation would have to be removed.

Gordon Leedy is discussing average daily water use with MVD. MPO had an overall water usage plan. MVD Superintendent Ron Miner’s overwhelming concern is not about water quantity, but about the development charge that the applicant may have to pay to buy into the overall system. MVD is doing its best to have adequate water for new and existing users. The new connection at Pennichuck Square would provide an emergency stopgap water supply if there were a problem with wells. Gordon Leedy

developed a *pro forma* flow rate/design flow for this project of almost 79,000 gallons daily, well below the overall development allotment. MPO does not use as much as was predicted. The applicant would make whatever improvements are necessary to get adequate water. MPO is using some irrigation for landscaping until full build-out. Non-potable water is available at MPO. The MVD threshold is reasonable. An irrigation system that would be as efficient as possible would be installed for areas close to buildings. There would be low water use for landscaping the quad. There are new types of controls now that are more efficient. He prefers low maintenance plants or rainwater harvesting rather than water hungry plants.

Gordon Leedy said he could limit and mitigate traffic and lights and augment the buffer. He would not remove trees. There may be another orientation or configuration for the office building and parking garage. He could put louvers on the side to block car lights. Lights would not be directed to abutting properties. There would be light shields and full cut-off fixtures. One could see lights through the woods, but no light would be cast on adjacent properties.

Chairman Best noted that trucks removing dumpsters make backup noise. Gordon Leedy said that is a site plan issue. Residential buildings would have internal dumpsters. Commercial buildings would load in screened areas at service courts at the ends. Pickup and delivery hours may have to be controlled. He could provide a lane for fire trucks to get around the property.

Gordon Leedy used published standards and databases when predicting the number of school-age children in the Fiscal Impact Study. The number depends on the configuration of a dwelling. There would be no school age children in studio or one-bedroom rental apartments. These would not be family apartments. There would be 10.41 students, which is consistent with similar situations. Chairman Best said those numbers are pretty accurate and Tim Thompson said his experience supports them. Chairman Best noted that peer review would test the numbers. Lynn Christensen said that Tara Heights in Nashua and the Flatley development in the north of Merrimack target young professionals. There are 10 or fewer school children in Tara Heights. Schools are not an issue. Bill Boyd added that the purpose of this type of housing is to attract young people. When they have children, they move out.

Staff recommends that, because review by both staff and peer review consultants for this project is still ongoing, the hearing be continued to either January 3 or January 17.

The Board voted 7-0-0 to continue this item to January 17, 2017, at 7:30 p.m., in the Matthew Thornton Meeting Room, on a motion made by Bill Boyd and seconded by Lynn Christensen.

Nelson Disco complimented Tim Thompson's thorough staff memorandum.

- 7. Hoyle, Tanner & Associates, Inc. —** Conceptual discussion of redevelopment of the "Old Shaw's site" located at 360 Daniel Webster Highway. Tax Map 4D-3, Lot 001.

Bill Davidson, Hoyle Tanner & Associates, Inc., said the 14-acre mostly impervious lot has steep land in back. Two small pads could be added in front. The applicant would upgrade the landscaping, parking and lighting and provide 75,000 square feet of retail space. There are 370 spaces whereas 273 are required.

Mike Buckley, OVP Management Company, said the applicant wants a grocery/market as an anchor store. That would decide whether the area would be mostly retail or something else. He has already spoken to two groceries, fitness, hardware, furniture, optical, hair salon, bank and a dental clinic. He has cast a wide net and targeted many tenants.

Rob Bersanian, OVP Management Company, said he is searching for a variety of tenants. The challenges are that an off-price fashion shop cannot compete with MPO shops and that there are sign issues. There must be a balance of tenants in order to develop the way the applicant wants and to make the project work economically. The design is not to remove the development but to find an anchor tenant to focus on what to do with it. There may or may not be pad sites. The applicant wants a modern design with natural materials and that is more street-like. Rob Bersanian showed the Board how it would look. The overhang would be removed, the façade broken up, a new HVAC installed, the roof line changed, more glass, and a different front entrance installed. There might be awnings. Without a grocery, there would be a different plan. The entire project would be like a new development.

Rob Bersanian said that is critical to have a sign on the side of the building to give exposure to the highway. There would be one more pylon in the middle and a redesigned existing sign.

Mike Buckley said the applicant wants tenants from out of town and to bring in other brands. Rob Bersanian added that he has worked with local entrepreneurs who want to expand and would do outreach to local communities to assist them.

Chairman Best stated that to redevelop this site is preferred by everyone in town. He encouraged landscaping the front.

Tim Thompson said the existing pylon sign is not on the lot, so there is no free-standing sign on the property. A sign can be placed in back without a variance, which would be needed only if the applicant wants more signs. The applicant would not have to return to the Board if he only changes the façade and the tenants.

Ron Bersanian said there may be a restaurant with outdoor seating. If he wants pads, he would return to the Board in early February 2017.

Nelson Disco urged the applicant to consider pedestrian traffic on the site, so people could walk to stores and pads.

The Planning Board supported and was excited about the project.

8. Discussion/possible action regarding other items of concern.

- John J. Flatley Company extension request for Final site plan approval (originally approved on 12/15/2015)

Staff recommends that, in order to finalize state permits, Final site plan approval be extended for 12 months.

The Board voted 7-0-0 to grant a 12-month extension, on a motion made by Bill Boyd and seconded by Lynn Christensen.

- Maintenance Bond Request, Crows Nest Circle, Mast Road Subdivision

The Board voted 7-0-0 to accept a maintenance bond of \$36,741 and to recommend acceptance of Crows Nest Circle to Town Council, on a motion made by Bill Boyd and seconded by Alastair Millns.

- . Maintenance Bond Release, Dumas Lane

The Board voted 7-0-0 to release the \$44,603.50 Dumas Lane maintenance bond, on a motion made by Alastair Millns and seconded by Bill Boyd.

- . Performance and Maintenance Bond Requests, Windy Hollow Circle

The Board voted 7-0-0 to release the performance bond, accept the \$55,982 maintenance bond and recommend the acceptance of Windy Hollow Circle to Town Council, on a motion made by Bill Boyd and seconded by Alastair Millns.

9. Approval of Minutes – November 1, 2016

The minutes of November 1, 2016, were approved, 5-0-2, on a motion made by Lynn Christensen and seconded by Alastair Millns. Bill Boyd and Jeff Sebring abstained.

10. Adjourn

The meeting was adjourned at 10:42 p.m., by a vote of 7-0-0, on a motion made by Alastair Millns and seconded by Bill Boyd.