



Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

603 424-3531

Fax 603 424-1408

www.merrimacknh.gov

MERRIMACK PLANNING BOARD

APPROVED MINUTES

TUESDAY, JANUARY 16, 2018

Planning Board members present: Robert Best, Alastair Millns, Tom Koenig, Michael Redding, Lynn Christensen, Desirea Falt, Paul McLaughlin, and Alternates Nelson Disco and Dan Ricker.

Planning Board member absent: Vincent Russo.

Staff present: Planning and Zoning Administrator Robert Price, Assistant Planner Kellie Shamel and Recording Secretary Zina Jordan.

1. Call to Order

Robert Best called the meeting to order at 7:00 p.m.

2. Planning & Zoning Administrator's Report

The Board voted 7-0-0 to determine that Southwood Corporation subdivision plan is not of regional impact, on a motion made by Lynn Christensen and seconded by Alastair Millns.

3. Hoyle, Tanner & Associates, Inc. (applicant) and OVP Management, Inc. (owner) — Review for acceptance and consideration of a waiver of full site plan review for a drive-up ATM and associated site improvements. The parcel is located at 360 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, Planned Residential Overlay and Elderly Housing Overlay Districts. Tax Map 4D-3, Lot 001. **This item is continued from the November 7, 2017, Planning Board meeting.**

Robert Best recused himself from discussing and voting on this agenda item and designated Alastair Millns to assume the chair. Alastair Millns designated Nelson Disco to sit for Robert Best.

Bill Davidson, Vice President/Manager, Land Development Services, Hoyle, Tanner & Associates, Inc., said the applicant wants to build a very small drive-up ATM on the east of the property. There would be a drive aisle for the kiosk, which would be 1,735 impervious square feet, 11' long, 3' wide and 11' high with overhang. This project was originally scheduled for a hearing in November, but the applicant opted to delay the meeting in order to work out suitable access across the site, which is currently under construction, to the adjacent property that houses a credit union and martial arts studio. A portion of the site has been paved and a fence was erected to allow safe access across the subject property.

When Nelson Disco questioned whether the ATM would be too close to the road, Robert Price explained the required setback from the D.W. Highway right-of-way is 50 feet, the first 20 feet of which only allows landscaping and access ways. Since the ATM location is more than 20' from the right-of-way, and that "other site improvements" are allowed between 20-50 feet from D.W. Highway, the ATM does not violate the setback.

Bill Davidson said there would be room for two cars; others would have room to go around. The approach is only on the D.W. side.

Staff recommends that the Board vote to accept the application, as it is substantially complete and contains sufficient information to invoke the Board's jurisdiction and to allow it to make an informed decision.

The Board voted 7-0-0 to accept the application for review, on a motion made by Lynn Christensen and seconded by Michael Redding.

Bill Davidson said that OVP Management got a lease after the applicant appeared before the Planning Board last spring. He did not know there would be an ATM at that time. It would be an accessory use for people who use the plaza.

Tom Koenig expressed traffic concerns. Bill Davidson said the northerly "enter only" access would remain as such and would not become a two-way access. There would be "stop" and "do not enter" signs internally to help guide traffic.

Michael Redding cited specific circumstances relative to the site plan or conditions of the land in such site plan indicate that the waiver will properly carry out the spirit and intent of the regulations.

The Board voted 7-0-0 to waive full site plan review, on a motion made by Michael Redding and seconded by Desirea Falt.

There was no public comment.

Staff recommends that the Board vote to grant conditional Final Approval to the application, with precedent conditions to be fulfilled within six months and prior to plan signing, unless otherwise specified.

The Board voted 6-1-0 to grant final approval, with the following conditions, on a motion made by Desirea Falt and seconded by Michael Redding. Tom Koenig voted in opposition.

1. Final plans and mylars to be signed by all property owners. The appropriate professional endorsements and signatures shall also be added to the final plans and mylars;
2. The applicant shall note all waivers granted by the Board on the final plans and mylars (including Section and date granted) as applicable;
3. The applicant shall verify that the comments from the Public Works Department (dated 11/20/17) have been addressed, as applicable;

4. The applicant shall address the following comment from the Police Department: A divide/barrier is suggested to provide safety for the cars using the ATM along with the recommended signage (e.g. Do Not Enter);
5. The applicant shall address the following Planning Staff Technical Comments:
 - a. Based on the way this application was noticed (as a new application and not as an amendment to the approved plans), the plan should be revised as follows:
 - i. Please indicate all parts of the previous approval as existing conditions (not as proposed) since the only part of the site currently under consideration is that of the ATM;
 - ii. The sheet numbering should be revised as this is the only sheet submitted as part of the application;
 - iii. Notes should be added to the plan that reference the approved site plan for the redevelopment of the site (including reference to all pertinent notes from Sheet 2 of the previously approved site plan);
 - b. The applicant should verify (with a stamped letter or summary from a PE) that the additional pavement proposed as part of the ATM construction will not impact the drainage analysis previously approved as part of the redevelopment of the site;

General and subsequent conditions:

1. All General & Subsequent Conditions of Approval per the May 17, 2017, Decision Letter for the redevelopment of the property shall apply to this approval.
5. **Martha Brooks (applicant/owner)** – Review for a Home Occupation permit to allow for an art studio. The parcel is located at 82 Wire Road in the R-1 (Residential) and Aquifer Conservation Districts. Tax Map 6C, Lot 288.

Robert Best returned to the Board and assumed the position of Chair.

This agenda item was discussed after agenda item #3.

Martha Brooks, 82 Wire Road, is a certified Zentangle art teacher who proposes to teach 6-8 students per class on the first floor of her home in addition to her regular job elsewhere. She would be the only employee and would teach 1-2 classes weekly at whatever hours are convenient for her students. The home has a bathroom that is handicapped-accessible. There would be no sign. The driveway is large enough to park six cars. Overflow could park at the home across the street. No cars would park on Wire Road.

Chairman Best noted a comment from staff that the applicant utilized the total square footage of the home as opposed to the gross living area as required by the Zoning Ordinance. He suggested making that a condition of approval and that the application form be corrected to show 2,360 square feet of gross living space and 590 square feet for the Home Occupation. (See Condition #1)

Public comment

Dan Miller, 80 Wire Road, said his questions about parking and signage had been answered.

Staff recommends that the Board vote to grant conditional Final Approval to the application, with conditions to be completed within six months or the approval shall become null and void.

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

1. The area to be utilized by the home occupation shall be no more than 590 square feet (25% of the inhabitable floor area of the dwelling) as per Section 2.02.1.A.2.d of the Zoning Ordinance;
2. There will be no more than 8 people attending a class as a given time;
3. There will be no more than 2 classes per week;
4. There will be only 1 employee, Ms. Brooks, who is a resident of the premises;
5. Any proposed changes to the terms of this approval shall require further review and approval by the Planning Board.

6. The Southwood Corporation (applicant/owner) - Review for acceptance and consideration of a subdivision plan review. The parcel is located at 29 Manchester Street in the I-1 (Industrial), and Aquifer Conservation District. Tax Map 2D, Lot 004.

This item was discussed before agenda item #4.

James Petropulos, Vice President/Principal Engineer, Hayner/Swanson, Inc., said the uniquely shaped property is in the Pennichuck Brook Corridor near a pond and a public pump station. There is a 300' buffer to the brook. The property had a full site plan approved in 2007 that was only partially constructed. 215 parking spaces and the associated drainage improvements were constructed for the Heron Cove office building, but the proposed structure on the subject lot was never erected. There are utility, parking and access easements with Heron Cove. The 27-acre lot would be subdivided into two parcels. Proposed Lot 4-7 would contain parking spaces. Southwood Corporation would retain ownership so that businesses at 25 Manchester Street could maintain access to that parking by way of a parking easement. The rest of the acreage would remain with Lot 4. Southwood would transfer ownership to Pennichuck Water Works, which would then merge the new lot with the abutting Lot 4-1 for conservation purposes. The policy of the City of Nashua, which is Pennichuck's owner, is to protect the watershed and vacant properties. The applicant agrees to staff's conditions.

Staff recommends that the Board vote to accept the application, as it is substantially complete and contains sufficient information to invoke the Board's jurisdiction and to allow it to make an informed decision.

The Board voted 7-0-0 to accept the application for review, on a motion made by Desirea Falt and seconded by Alastair Millns.

Don Ware, Chief Operating Officer Pennichuck Water Works, agreed to a Condition of Approval #9: that Lot 4 is considered a conservation lot with no further building permitted. Chairman Best noted that the drainage easement overlaps the utility/sewer easement. James Petropulos said that catch basins that send treated water through a culvert to a swale and to the pond were built according to the approved site plan. The applicant wants an easement to allow the property to drain properly according to the plan. There is a pipe over the easement. James Petropulos said the drainage maintenance and the sewer area are in conservation land. The easement deed would be put on record.

A waiver is sought from the requirement for a topographic subdivision plan. Lot 4 is being transferred to Pennichuck for conservation purposes. A survey was done in 2007 for the site plan prepared at that time, which contained topography. Since there is no development associated with the subdivision, doing a survey to provide topographical information on a 27+-acre parcel would be a hardship in time and money.

Alastair Millns cited the criterion that strict conformity would pose an unnecessary hardship to the applicant and a waiver would not be contrary to the spirit and intent of the regulations.

The Board voted 7-0-0 to waive the requirements of Section 4.06.3 – Topographic Subdivision Plan – on a motion made by Alastair Millns and seconded by Desirea Falt.

There was no public comment.

Staff recommends that the Board vote to grant conditional Final Approval to the application, with precedent conditions to be fulfilled within six months and prior to plan signing, unless otherwise specified.

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

1. Final plans and mylars to be signed by all property owners. The appropriate professional endorsements and signatures shall also be added to the final plans and mylars;
2. The applicant shall obtain any required State approvals/permits, as applicable, note the approvals/permits on the final plans and mylars and provide copies to the Community Development Department;
3. The applicant shall note all waivers granted by the Board on the final plans and mylars (including Section and date granted) as applicable;
4. The applicant shall provide draft copies of any applicable legal documents (drainage & maintenance easement deeds) for review, at the applicant's expense, by the Town's Legal Counsel;

5. The applicant shall address the following comments from the Wastewater Division, as applicable:
 - a. Provide detail of how the proposed drainage easement crosses the existing sewer easement;
6. The applicant shall address any forthcoming comments from the Fire Department, as applicable;
7. The applicant shall address the following comments from the Department of Public Works, as applicable:
 - a. Driveway entrances have not been shown per Section 4.13.1 Driveways, to either Lot 2D/4-7 or 2D/4. Commercial driveway entrances shall be designed to Section 7.05.D.20 (as determined applicable):
 - i. Proposed Lot 2D/4-7, presently has access through Lot 2D/4-6. Either an easement should be given across Lot 2D/4-6 or a future access point for Lot 7 should be shown on the plans;
 - ii. Proposed Lot 2D/4 has frontage along Manchester Street but does not have any proposed access. An access needs to be shown from Manchester Street or another appropriate access shown with any needed easements.
 - b. A sight distance plan and profile should be prepared for the proposed driveway entrances (as determined applicable). A policy on Geometric Design of Highways and Streets (AASHTO) shall be used (minimum 325 feet along a collector street) along with a design speed of 40 MPH to determine the sight distance required at the entrance;
 - c. The project narrative does not describe the new Proposed Drainage Easements A & B; it is assumed that they are to benefit lots 2D/4-5 and 2D/4-6 and will not become the responsibility of the Town of Merrimack. This should be noted on the plans;
 - d. A waiver for topographic plan has been asked for making it difficult to determine if there will be any adverse effects on the drainage facilities downstream from the new proposed drainage easement:
 - i. What is the drainage into this area?
 - ii. What type of drainage system is within the area?
 - iii. Will it affect the public sewer easement?
 - iv. Will there be any construction over the public sewer easement to have an impact on the sewer line?
 - v. The statement under Section 4.16.c should be added to the plan;

- e. Monuments shall be set at all street intersections, points of curves and angle points on both the Manchester Street and Al Paul Lane per Section 4.18.a;
- 8. The applicant shall address the following Planning Staff Technical Comments:
 - a. Revise the Planning Board signature block, replacing “Secretary” with “Vice Chair” per the Board’s current structure (the position of Secretary was renamed Vice Chair in June 2017);
- 9. It is the intent of the applicant that Map 2D, Lot 4 is considered a conservation lot with no further building permitted as a result of this plan.

General and subsequent conditions:

- 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 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;
- 4. Merrimack Parcel A, LLC. (applicant/owner) – Review for acceptance and consideration of Final Approval of a site plan application for 372,800 square feet of development including retail, hotel/event center, restaurant, office, multi-family residential uses and associated parking and drainage improvements, in accordance with the Merrimack Park Place mixed use Conditional Use Permit. The parcel is located at 10 Premium Outlets Boulevard in the I-2 (Industrial) and Aquifer Conservation Districts and Wellhead Protection Area. Tax Map 3C, Lot 191-02. This item is continued from the January 2, 2018, Planning Board meeting.**

This agenda item was discussed after agenda item #6.

Gordon Leedy, Managing Director Land Development, Vanasse Hangen Brustlin, Inc., said a Conditional Use Permit (CUP) was granted for the 20-acre lot at the corner of Industrial Drive and Continental Boulevard in December 2017. Phase 1 is the subject of this agenda item. Rental apartments would be priced at the market rate and would consist of one- and two-bedroom and some studio units. There would be offices and retail uses below the apartments. There would also be an event center and a Marriott/Fairfield Hotel. In addition to the main access, there would be a gated emergency access exclusively for the Fire Department. The lane could be used for the public to exit in case of an accident. There would be a roundabout at the entrance, an oval green space in the center, wide internal sidewalks and courtyards for residential buildings. It would be designed to look like an urban street (similar to Port Walk in Portsmouth), with residential uses in the rear. The 100’ natural vegetation buffer would exceed all standards. There would be parking under the residential buildings, on-street parking for the main section and surface parking at the perimeter.

Phase 2 would consist of building the parking deck and another mixed-use building. The quietest uses would be next to the abutting neighborhood.

Gordon Leedy explained the calculations for the proposed parking, which is based on a shared use analysis completed as part of the Conditional Use Permit process. A waiver may be sought from the parking requirement to allow 900 spaces rather than 1,120 at full buildout and 900 rather than 786 spaces in Phase 1, unless the Planning Board determines it is not necessary due to their acceptance of the parking plan as part of the CUP process. There would be 192 residential spaces that would not be shared and 125 underground spaces. The rest would be adjacent to the building, which the retail area does not face.

In 2007, Robin Bousa, Managing Director Transportation Systems, Vanasse Hangen Brustlin, Inc., did a traffic study and mitigation for both the Merrimack Premium Outlets (MPO) and this parcel. Her forecasting numbers were proven correct when she did the 2016 count. There would be Service Level C to 2027 at the two signalized intersections. Access to the site is proposed through the existing curb cut on Premium Outlets Boulevard, which would be modified to include a roundabout. Robin Bousa prefers a hybrid roundabout at the entrance, which is a two-lane road with traffic slowing/calming. The two entrance lanes would circulate straight through to each other, but only one would go out of the site. Other traffic would have to yield to traffic in the roundabout, obviating the need for a signal. If there were three lanes, as the Police Department suggested, speed and traffic could not be controlled and there would be too much capacity on the roadway. If there were no roundabout, there would be a lot of traffic at the left turns from the site and it would take longer to exit. Full buildout would be Service Level A or B.

Gordon Leedy said he would not disturb and would augment the heavy planting along the berm and add a location sign. The berm might be built higher with more plantings around the sign. From the rear, the berm is 15'-16' high. The Police Department wants a 20'-high berm all along the edge, which he characterized as inadvisable and less effective. Gordon Leedy prefers the plan Robin Bousa described and to keep the current vegetation. What can be done in the rear is limited by a graveled wetland. Because it would be too dangerous for a traditional side-of-the-road sidewalk along Industrial Drive and Continental Boulevard, it is proposed that the sidewalk system be somewhat detached from those roads. There would be a series of walkways along the perimeter. The Planning Board had requested a crosswalk for access to Continental Boulevard, but there is no demand for one. There would be a walkway adjacent to and parallel to the emergency access to connect Camp Sargent Road to the development and MPO that would be for pedestrian access only. There is one piece of land along Continental Boulevard that is a remnant of the Old Camp Sargent Road. The NH Department of Transportation (DOT) says the Town and not DOT owns it. Thus the applicant would need Town permission to build walkways on Parcel A. The developer would maintain the sidewalks.

Varying heights and façades would make the architecture exciting. The residences would be four stories high over the retail and parking; the offices would be two stories

high over retail uses. The buildings would not be erected at once, but over the course of several years. All the improvements would be erected at once.

There would be phases within Phase 1 of the CUP: Phase 1A would consist of residential buildings B & C connected by a sidewalk. Phase 1B would consist of the hotel and retail buildings. Although they would be started at the same time as buildings B & C, they would be completed after them. Phase 2 would consist of an additional office building and structured parking. The applicant is trying to minimize disruption during construction. Although the layout of this plan looks different from what was presented to the Planning Board, it has the same mix of uses as in the original CUP. Chairman Best informed the Board that Community Development Director Tim Thompson said the applicant has the right to move things around as long as the site plan contains all the mix of uses. Gordon Leedy added that he moved the buildings in response to comments from the Planning Board and from the neighbors.

The Planning Board requested copies of the CUP and development agreement. Gordon Leedy said there is still significant review by staff, agencies, and peer reviewer CLD yet to be done on the site plan.

Gordon Leedy stated that MPO has a positive fiscal impact to the Town of \$1 million in tax revenue annually. This project would have a \$600,000 net positive fiscal impact.

Staff recommends that the Board vote to accept the application, as it is substantially complete and contains sufficient information to invoke the Board's jurisdiction and to allow it to make an informed decision.

The Board voted 7-0-0 to accept the application for review, on a motion made by Desirea Falt and seconded by Michael Redding.

Chairman Best asked whether the mix of architectural styles would be harmonious and have a common theme. Gordon Leedy said looking like an urban environment is a new phenomenon; it is more organic with different styles. It is not monotonous like themed architecture. The unifying theme is the streetscape and landscape.

Alastair Millns was skeptical about the hybrid roundabout because it would allow cars too much freedom. Turning traffic should be in a designated lane with more control. Approach lanes should be better defined. People are not used to going two abreast in a roundabout. Tom Koenig countered that it would be like the roundabouts along the Manchester Airport Access Road, which work well.

Noting that MPO had agreed to install monitoring wells, Nelson Disco asked whether there are any on this property and whether any trends had been noticed. Gordon Leedy replied that there are 2-3. The only trend is chloride impacts from Industrial Drive and Continental Boulevard rather than from the site because of the no salt policy at MPO. Nelson Disco asked about the stump dump. Gordon Leedy explained that rock and materials would be excavated and replaced with decent material, remediated and mitigated.

Tom Koenig opined that the five-story buildings would impede the amount of sunlight in the middle of the project. Gordon Leedy disagreed. There would be one acre of

landscaping shaped like a pentagon inside the buildings. Tom Koenig and Desirea Falt suggested that the back view of Building D look more interesting.

Public comment

Beth Burns, 5 Spruce Street, sees MPO entrance lights from her window. Now tall buildings are being proposed. She appreciates the buffer, but asked if it would meet with the emergency exit and if it would be kept as is. Gordon Leedy and Chairman Best stated that it would. Beth Burns claimed the berm is not 15" high. She did not want any digging. She wanted the buffer left as is, the drivable areas as far from the homes as possible, and more landscaping behind the houses so the buildings would not appear so large. She asked if there would be enough water. Chairman Best said the Planning Board is agreeable if Merrimack Village District (MVD) says it can supply the site. MVD included this site in its MPO calculations and already said it could supply water. There are interconnections to Pennichuck and to Bedford if it becomes necessary to maintain pressure. Seeking privacy behind the homes, Beth Burns asked about a sidewalk meeting the emergency access road. Chairman Best replied that the Board relies on the opinion of the Fire and Police Departments and would accommodate any of their concerns. Traffic would not be allowed on the gated emergency road. When Beth Burns suggested moving the dumpster, Chairman Best noted that it would be 250'-300' from her property.

Barb Amaral, 1 Spruce Street, distributed a photo taken from her bedroom window to the buffer. There is not much buffer in the winter, when she can see through to the property. She suggested adding evergreens. There is no berm at the end of Spruce Street and there is little room to add more vegetation. Her concerns are lights and sight lines. Chairman Best said the Board would consider what it could do that has an immediate effect. Barb Amaral was also concerned about lights from cars entering underground parking. Chairman Best said walls would catch the lights. Barb Amaral asked about blasting. Would people who park on the street at the corner of Spruce and Camp Sargent Road on Black Friday be able to walk through the project? She suggested more "no parking" signs on Camp Sargent Road. Barb Amaral asked whether the walk along the access road would cut into the buffer. She is concerned about noise when trucks back up to the dumpster and wanted it moved. Chairman Best explained that the Board could restrict pickups and deliveries to certain hours, such as the middle of the day.

Nancy Harrington, 11 Spruce Street, suggested moving the dumpster to the other side of the building. No one should use the access road to get to it. Gordon Leedy said there would be a dumpster for each building. Nancy Harrington asked if there would be mixed use when the buildings are first erected. Chairman Best replied that there would be mixed use throughout. There would be more revenue than expenses. Lynn Christensen explained that the building itself is a mixed use. Nancy Harrington suggested adding tall greenery to the buffer, which she said is 15' high.

Michael Mills, 7 Arbor Street, claimed the RSA requires a public hearing to make changes and asked if the public could vote about having a five-story building in Merrimack. Chairman Best explained that Michael Mills was reading the section about

how municipalities are enabled to adopt zoning language that permit the Town to utilize a CUP process. Town Council approved that several years ago, so there is no voting on whether to have a CUP every time one comes up, the ordinance spells out the criteria necessary for the Planning Board to make decisions. Nelson Disco corrected Chairman Best that the people voted for the original PUD/CUP ordinance changes at a Town Meeting, prior to the current form of government established by the current Town charter. The original ordinance was later modified by the Town Council, which now has the authority to change the Zoning Ordinance. The current application to the board is allowed by variance to the current ordinance granted by the Zoning Board of Adjustment. Michael Mills questioned the Planning Board's authority to approve a CUP. He stated that the plan is deceiving: 1) the green area on the left does not belong to the developer/site. Plows dump snow at the trees around the property, where there is just a wooden rail. The Building D green area is a snow dump that would be 30'-35' high. 2) Getting to the parking at the top left corner behind the building would infringe on the 200' buffer to Spruce Street. Michael Mills would be able to see apartment lights from his house. He suggested moving the buildings down 200' and away from the property line and building an additional berm. 3) Chairman Best denied Michael Mills's contention that a 160' façade is not allowed. 4) A five-story building is an eyesore, is not compatible with a home and would destroy the neighborhood. There would be noise from 172 apartments. Would people sitting on their balconies be close to the homes on Spruce Street? 5) A sidewalk leading to Camp Sargent Road would encourage parking on surrounding streets. 6) Why move the security gate if the access road would not be moved? 7) The current security fence is open 30%-40% of the time. 8) The Police often noted a 1-2 hour backup on the road into the project. How would an additional 600 cars in the one-hour peak p.m. period be handled when traffic is backed up already? 500-600 cars turning into the development would back up on Industrial Drive. Another entrance is needed. 9) There should be 25-30 more handicap spaces with safe access. 10) Is there enough water for 695 more hotel and apartment units and 45,000 s.f. of restaurant space? 11) The projected number of school age children is based on 2004 information, which is a low estimate. 12) The emergency access road would tie into the new development road, but it was supposed to be uninterrupted to MPO. 13) Michael Mills claimed the development would not be compatible with the adjacent neighborhood, would have a great impact on it and should be moved down 200' (see above).

Chairman Best said there is no need to walk from the emergency exit to anywhere. It should be separate from the buildings. If the plow removed the gate, as Beth Burns stated, the Highway Department should be told to replace it.

Gordon Leedy replied to the public comments: He said he would look at augmenting the buffer. A sidewalk connection to the access road was requested by the Planning Board, but it could be deleted and evergreens planted instead. MVD negotiated the amount of overall water usage. MPO uses 20% of that limit now, so there is a lot of

domestic use capacity. Engineers will look at Fire Department demand, which is why there is a water tank. Louvered walls would mitigate closed underground parking. Dumpster pickups could be limited to normal business hours and the locations changed. Chairman Best suggested showing the Board what the enclosures would look like. Gordon Leedy anticipates no significant blasting, although there might be some trench blasting. Most utilities were already installed with the MPO. A safe solution can be found. There is no height limit for buildings in the Zoning Ordinance. Five story buildings with a maximum of 65' in height is, in his opinion, reasonable, but it will be discussed with the Fire Department. Setbacks and buffers conform to regulations. The plan attempts to be compatible with surrounding areas. These are allowed uses; there could be even more. There is capacity to handle traffic. Capacity at the intersections and MPO would not be diminished. Gordon Leedy never heard about two-hour delays and will discuss it with the Police Department. Of the alternatives that were studied, this plan would work the best.

Desirea Falt suggested more renderings to show the abutters the scale of the proposed buildings and showing the section from the garage looking out. Gordon Leedy said he could install more effective plantings if abutters give permission to plant them on their properties. He would not touch the buffer, but he would straighten the access road. Alastair Millns suggested raising a balloon that would be the same height as the building. Chairman Best suggested doing that at the time of the Planning Board's site walk. Alastair Millns suggested Planning Board members stand in abutters' yards to see the balloon.

Tom Koenig noted that the Fire Department ladder truck is old and needs repair; a new one would be very costly. He opined that building heights would have an impact on that. There is a problem with Police and Fire Department staffing and equipment, even though a positive fiscal impact is predicted. Gordon Leedy said there would be a local management team. There would not be the same issues as with other hotels in Town. There would be \$600,000 more in revenue to the Town annually than there would be costs, though it was noted that approximately 72% of property taxes collected go to the School District. As to snow removal, large commercial projects manage snow. It could be piled in the unnecessary spaces or taken it off the property. There would be no snow piles.

Dan Ricker asked the purpose of the emergency access road, which Gordon Leedy explained is for the Police and Fire Departments to stage equipment for an incident. It would extend all the way to the access road, as the Fire Department recommended.

Dan Ricker asked about school bus traffic. Gordon Leedy stated the analysis completed during the CUP process indicated there would be 12 school age children in the 192 residential units. Alastair Millns suggested a dedicated waiting shed, where parents could walk children to a covered pickup area. Gordon Leedy said there would be a bus access area with a transit shelter integrated with the streets. He could provide a fire lane.

Fire Marshal John Manuele said a fire truck uses the school bus template. If a school bus can get through, so can a fire truck.

Gordon Leedy said there would be a single owner for the entire development.

The Board voted 7-0-0 to schedule a site walk for 9:00 a.m., February 10, 2018, and to continue this item to February 20, 2018, at 7:00 p.m., in the Matthew Thornton Meeting Room, on a motion made by Alastair Millns and seconded by Lynn Christensen.

7. Discussion/possible action regarding other items of concern

Chairman Best encouraged sending comments about the Nashua Regional Planning Commission (NRPC) Route 3 pedestrian map to staff. He asked how to get more input. Suggestions were to staff tables at polling stations, use the Merrimack Facebook forum, and attend the February 24, 2018, Winter Carnival. Lynn Christensen will get permission for the polling places; Desirea Falt will draft a questionnaire/handout and Planning Board members volunteered for various dates.

8. Approval of Minutes — January 2, 2018

The minutes of January 2, 2018, were approved, with one change, by a vote of 7-0-0, on a motion made by Alastair Millns and seconded by Desirea Falt.

9. Adjourn

The meeting was adjourned at 10:47 p.m., by a vote of 7-0-0, on a motion made by Alastair Millns and seconded by Desirea Falt.