

FALMOUTH PLANNING BOARD MEETING MINUTES

TUESDAY, July 5, 2011, 6:30 P.M.

FALMOUTH TOWN HALL, COUNCIL CHAMBERS

MEMBERS PRESENT: Bill Lunt (Chair), Becca Casey, Heddy Snyder, Kermit Stanley (Alternate), Walter Arsenault (Alternate)

MEMBERS ABSENT: Bernard Pender, William Brogan

STAFF PRESENT: Ethan Croce (Senior Planner)

Meeting started at 6:30.

1. Approval of June minutes.

Becca Casey moved to approve the minutes; Kermit Stanley seconded. Motion carried 5-0.

2. **Wal-Mart Stores, Inc.** – 206 US Route 1 – Request for site plan review for a proposed expansion. Tax Sheet 320; Map-Lot U52-002. Zoned SB1 and Village Center Overlay.

Bill Lunt appointed Kermit Stanley and Walter Arsenault as voting members.

Bill Lunt wanted to say that Ethan Croce, Senior Planner, had brought a lot to his agenda notes and felt that a lot of the issues were black and white without grey areas. He suggested that the applicant, staff, and peer reviewers work on those so long conversations didn't need to happen. He had gone through the issues and felt there were a few under architecture. He asked if the Board wanted to look at ones that weren't black and white. He would then give the applicant a chance to respond. He wanted to also say that because of the time constraints and the fact that he didn't believe that anybody on the Board was ready to vote in it, he wanted to give the public a chance to speak.

The other four members agreed.

Public comment opened.

Bob Taylor, of Marigold Lane, was on Board of Directors at Tidewater, and had spoken at the May Planning Board meeting. They were abutters to Wal-Mart. He wanted to talk about traffic and aesthetics and landscaping. He didn't think that there was any debate on the significant increase of traffic on Clearwater, which was increasing residents and commercial activities; Farm Gate was being established as a pass-thru and also Hat Trick Drive. He said that Clearwater was evolving as a major commercial and residential stuff. They had concerns about flow, safety and congestion. They didn't feel there was enough turning radius to take a right onto Route One from Clearwater. Also there was parking and people were starting to do that so there was more congestion. There were a lot of egresses. On the May 5, there was computer simulation, but he had an eyeball test. He traveled that road more than anybody and said they weren't hitting the road, they were overshooting it. They were infringing upon the landscaping. They were dead-set against the idea of having a bus stop on that road. There was going to be more truck traffic.

He thought it was a safety hazard. He said they could put it in the Wal-Mart parking lot. He also said wanted to talk about landscaping. He said there was an improvement, a very modest one. It was his understanding that there would be a solid barrier of landscaping. He said the trees weren't representative of the trees put in. He said it was temporary. Mr. Taylor wanted to make sure the PB would be very vigilant in making sure the diagrams were true to the designs. His other point was having a nice landscaping on all of the Wal-Mart property along Clearwater. He wanted them to ride hard on Wal-Mart and felt they had never lived up to being a good corporate citizen unless they were really pushed to do it.

Bonny Rodden, of Shoreline Drive, was representing the METRO and was not representing the Town Council. She had spent a number of years working on the Route One Design Guidelines. As a METRO member, she had a problem with the bus stop because it was a full football field away from the entrance of Wal-Mart. She said there were a number of people that couldn't walk very well. As it stood, with the design of the bus stop, there was an attractive structure but there was no shelter. She said the METRO was very important to Wal-Mart. Their employees take the bus and many of the bus riders go to Wal-Mart and so it was an issue that needed to be considered. As far as METRO was concerned, they didn't feel it was safe or appropriate. She wanted to see the bus stop as it was then, nearer to the entrance. She knew there was leeway with the Guidelines, but the PB was going to shape Falmouth for a long time with the decisions being made. With the curb cuts on Route One, she was concerned with the traffic on Route One as the Town Council looked at what they could do to improve the traffic. Specifically, in the Zoning Ordinance, item 9.14, it said that there should be every effort to eliminate or consolidate curb cuts. She said that on Route One people would be leaving Wal-Mart and turning and getting into accidents and people didn't know what to do with the middle lane. She would appreciate it if they looked at all of the curb cuts, particularly the one on the south side of the main entrance of Route One and Wal-Mart. Not many people used it and it was just one more entrance along Route One. She said she knew there were fewer parking spaces, but the landscaping seemed to be token trees. That wasn't the point of having vegetation, not just to have a tree that looked nice, but also to provide shade and have distinct designs. She didn't think there was a lot of imagination.

Public comment closed.

Bill Lunt wanted to have the Board comment on Ethan Croce's notes. He said a lot of the issues were black and white issues. He didn't want to spend time kicking those around. They could easily be solved by the applicant talking to peer review and staff. He wanted to take a look at architectural pieces that were grey areas.

Walter Arsenault said the most recent elevations were a better delineation of the same elevations. He didn't feel their previous comments were incorporated into the new plans and believed that Ethan Croce commented on them.

Becca Casey said between what Walter said and between what was listed, she didn't have anything to add. She said maybe one material may have been changed or textured.

Heddy Snyder said she wasn't there for the May meeting so it was all new, but she saw that staff had provided a lot of information.

Kermit Stanley said he saw little to no changes made with a lot of black and white issues they couldn't cut the corner with.

Bill Lunt said that he felt very much the same way, and didn't think a lot of the issues in the sketch plan weren't dealt with. He said it was a four-sided building, and he thought the ends didn't look bad and the front was pretty good, but the back wasn't changed. He thought he made himself relatively clear that the loading dock area was a great opportunity to change the flat wall on the back of the store. According to the Guidelines, it was a four-sided building and there was going to be a road there. He was disappointed they didn't get the changes. If they didn't have it on future applications they would have a hard time

getting it through because he felt that the Board had made it clear what they wanted. The Ordinance said things that had to be done. They needed to correct the black/white issues. They needed to take into consideration what the public had said.

Bill Lunt asked Ethan Croce if they could be helpful in any other areas.

Ethan Croce suggested what may be black or white, may not be as seen as the same view as the applicant. He said they should give the applicant a chance to say things from their side.

Phil Saucier, Bernstein Shore, attorneys of the applicant, said they were hoping they could give a brief presentation and talk about the changes made. He said they only just got the memos last week. Some of the suggestions from peer review and staff would help as they continued to have more conversations. He said some were more of a grey area and wanted some clarification and direction.

Bill Lunt said that was probably the best way to do it.

Bill Boyden, architect, explained that one thing everyone was concerned was the back wall. They had changed that to a split-face CMU to give it texture. Also a split-face change on the dock/screening wall. They changed the color too. He said there was an issue, with the fact there was zero setback there. Something would have to be moved to allow space for articulation. Heavy landscaping would be over by the screening. He thought it was very unfair to look at any piece of architecture as isolated and not look at it as in situ. He just didn't think that it was a good use of their client's money. He said there were other considerations than just having an articulation on the back. He thought the changes were reasonable.

Walter Arsenault said it was explained pretty well why it wasn't more articulated, and that was one of the biggest bones of contention.

Bill Lunt said maybe he thought Wal-Mart thought only the trucks would see it. He said a lot of people would see that and one of the Design Guidelines was to not have long expanses of flat surfaces, so they tried to discourage.

Mr. Boyden said one thing they could do was inlay brick patters on the wall, but that would be a flat surface. He said if they weren't going to allow a flat surface, he didn't know what the answer would be.

Bill Lunt said they didn't design things; they just tried to carry out the Guidelines. It was very expensive to do treatments on the big flat walls. The 13' area was new and he didn't know why they couldn't make the wall look like something else.

Mr. Boyden said in the present position of the building, there wasn't going to be any relief. It wasn't a question of expense, but of where there was room for it.

Becca Casey said she had other issues. In the scale of the building, it didn't meet the village scale. They were working with the building they had. She didn't feel the scale of the façade was such a large expanse. She was sympathetic to the fact that it wasn't across from the parking lot, it wouldn't be the primary area, and making it a busy area would solve things. She was comfortable with that wall. She understood what Bill Lunt was looking for. Maybe the answer was not doing any changes in relief, but from the wall- the new one around the loading dock- maybe that was where the brick should go, and maybe the parapet could be raised.

Mr. Boyden said that that could be done practically and reasonably.

Walter Arsenault asked if something was showing on the elevation wall.

Mr. Boyden said that certainly could be done and they would be happy to do that if that would be sufficient.

Becca Casey referred to the loading dock side, and said that corner could be a place for articulation.

Mr. Boyden said they would have to take a look at that and maybe that will suffice.

Bill Lunt asked how far the other three features on the wall protruded.

Mr. Boyden said about the lighter color was 16 inches and the darker color was about 8 inches away from the building.

Bill Lunt said they didn't have room to do that on the other corner.

Mr. Boyden said they did not.

Heddy Snyder asked where in relation was the wall with nothing on it in relation to the 16 inches.

Mr. Boyden showed her on the map.

Bill Lunt said it was about 13 feet.

Mr. Boyden confirmed that it was.

Bill Lunt said the 13' bump out needed to be broken up because it looked like a separate building. He didn't think that was the intent of the Guidelines. He said if they don't have changes, it would be hard to sell. He didn't understand why they couldn't make a 4 and 10 inch or something to give it some body to meet the Guidelines. As a builder he couldn't understand, especially as a new structure.

Steve Ribble, landscape architect, said that one of the things was they didn't have the room, with the Hat Trick Drive alignment; they were trying to adhere to previous approvals. If they could make the parking spaces a tiny bit narrower, they could get the one foot they needed.

Bill Lunt said to address that issue he wasn't on the Board, but on five or six occasions, it had never been built, so it was an amendment to the whole site plan, and he couldn't see a reason why it couldn't be addressed. With that problem resolved they wouldn't have a problem meeting the Guidelines.

Mr. Saucier said they started the project using the plans from the former Hat Trick Drive approval. There were negotiations going on regarding those easements. They were operating under those restrictions. Part of the issues was losing parking spaces for Family Ice. He also wanted to mention that the peer architectural reviewer said that the applicant had successfully followed the Guidelines. They said they tried to use color and contrast from the guidelines. They thought they were meeting those Guidelines.

Bill Lunt appreciated that comment. He then asked Ethan Croce if those issues could be worked out by pushing that back to the property.

Ethan Croce said there would have to be some modifications. He said there was no reason from his perspective why that wouldn't be possible. He said there was probably some flexibility, but didn't want to speak on behalf of that. He said that the Board shouldn't recommend waivers, but they could approve them. One other suggestion was the ability to convert some of the parking to compact car parking. That bought an extra six feet of real estate. That kind of switch wouldn't mandate the pushing into the buffer between the building and Family Ice.

Mr. Boyden said that would be more than enough room to provide for articulation.

Becca Casey said murals and things were options. She said they had one option to do what Bill Lunt was looking for, but also urged them to do something creative. Maybe working with the community on that or put panels on the wall to liven up that corner.

Walter Arsenault said it seemed like they were asking a lot, and maybe there was a simpler solution. There was a natural appendage on the building and there were three brick elements. He suggested eliminating the 3rd one, the smallest one, and putting it on the corner.

Mr. Boyden said with the extra 18 inches they would have plenty of room. If they wanted it to look cohesive, they intentionally not make a stuck-on. It started on the left side and went to the right side.

Bill Lunt said this wasn't the first time the PB had to deal with that stuff. He said they did a great job improving on the looks of the facility, and he was looking forward to seeing what they would do with it. He asked them to address the lighting issue.

Colin Hewitt, lighting designer, said the taller light fixture was 25' versus 20'. The Land Use Ordinance listed a 25' fixture height and that was what he used. The higher pole height gave a much better lighting system.

Bill Lunt said that it was also contrary to the Design Guidelines.

Mr. Hewitt said one thing was trying to have more lighting and more efficient. He said it was more aesthetically pleasing to have less lighting fixtures with five feet higher. There were less shadows and hot spots under the pictures. It was also more uniform with a five foot difference. Wal-Mart's standard was 39'. If they had to go to 20' they could, the problem with Guidelines was that light performed at night, not of fixtures during the daytime.

Walter Arsenault asked how many more they would have if they were shorter.

Mr. Hewitt said five more fixtures.

Bill Lunt said they were working with a set of Guidelines with all projects in that area. They had to be somewhat consistent within the area. The other issue was they had similar lighting across the street at Clearwater. They weren't close to same height.

Becca Casey said she needed some clarifications. She was wondering whether the fixtures needed to be the same. Maybe the fixtures could coordinate with Clearwater. Another comment also had to do with heights along Hat Trick Drive.

Mr. Hewitt said they tried to integrate it along Hat Trick Drive. The trouble with someone else's light was they could turn their lights off and that created a hole. He said it wasn't good practice to integrate their light levels with their calculations. He said Family Ice was 25'. The ones out there then were also 25' so they weren't changing the height.

Walter Arsenault asked how many total light fixtures of the 25' high ones.

Mr. Hewitt said there 31 poles.

Walter Arsenault said if they went to 20, they would have 36. He would rather do fewer.

Bill Lunt said they may not exceed 20' in the Design Guidelines. He thought that was black and white. What was there then didn't cut it. They were trying to be reasonable, and trying to change the extras. He said they tried to get as close to Guidelines as possible.

Mr. Hewitt said that they had both and the peer reviewer asked them to show both.

Heddy Snyder asked what he meant by the fact that it wasn't as good lighting.

Mr. Hewitt read some of the Ordinance language. 1.5 Tenths of a foot-candle were the intensity of foot-candles that should be provided. That to him was the minimum average. He said the reviewer said they could go to 1.5 foot-candles.

Bill Lunt said they didn't necessarily agree with the Design Guidelines, but that was the way things were.

Mr. Hewitt said he met the 1.5 average and a little more, which he thought was a good thing.

Ethan Croce said that in the past it was the average to shoot for.

Mr. Hewitt said they were looking at foot-candles. He did a demonstration of foot-candles.

Bill Lunt said the 20' pole was what they needed to have. As a Board member, he needed to keep those situations in mind.

Mr. Saucier said the ordinance wasn't very clear. They were happy to go to 20'. The 25' minimized the light, it did go for those. From a lighting perspective, they were at a conflict because of the language of the Design Guidelines.

Mr. Hewitt also wanted to talk about the fixture itself. He said the LED fixture was low profile and performed much better, less wattage, than a metal halide. It was better quality and more controlled. Each LED had a very tight pattern and could be aimed. He wasn't sure about the aesthetic, but it helped the lighting situation at 20'.

Bill Lunt said the issue was how they would address the lights along Clearwater.

Heddy Snyder said that he was referring to the 12' along Clearwater rather than 20'.

Mr. Hewitt said they could do that, although they would need more poles. He said the peer reviewer said they should be lined up, but he felt it was better for staggering.

Bill Lunt said that wasn't an issue.

Mr. Hewitt said they could accommodate that, he didn't think it should be lower than 20'.

Becca Casey said they had a note regarding extending lighting treatment from Hat Trick Drive to Clearwater. The last fixture was between the two buildings. She would like to hear whether they would address that. She didn't know if it was a couple more light poles.

Mr. Hewitt said they could do that.

Bill Lunt said if they were to pull the scale of the lighting down on HTD it would be more pleasing. A 16' pole would address that issue more. He thought it fell more in line with Clearwater. As they went back the other way, the shorter light pole would cut down on the issue.

Mr. Hewitt said Family Ice had 25' poles.

Bill Lunt said for him that was irrelevant.

Kermit Stanley said 16' on that would be much better.

Becca Casey said she was wondering about the existing overhead wires.

Mr. Hewitt said they would go underground.

Mr. Saucier said some of the improvements suggested were on parts of land that wasn't under their control. He said there was going to be an easement.

Bill Lunt said it was his understanding that it was their responsibility.

Mr. Saucier said they were talking to the other parties.

Becca Casey wanted to confirm the same applied for the overhead power lines as they crossed the Town-owned property and it could be negotiated with the Town.

Bill Lunt asked Ethan Croce if it was the Town's intention to put all of the power lines underground.

Ethan Croce believed that was the case.

Mr. Ribble tried to explain the rationales for what he was doing and then would listen and try to come to some consensuses.

Bill Lunt said to not spend a lot of time discussing the main entrance by Route One, because there may be other issues for the Board to raise.

Mr. Ribble said he didn't think that this one area that was readily apparent when someone looked at the plan in 3-D and 5-20 years. All of the plants and landscaping followed the Ordinance in his opinion and were a good response to the design situation of that building and its use when applied to vehicular and pedestrian spaces, etc. He wanted to say with the present Ordinance, the initial landscape was done over some previous plans. There were going to be 200% more plants, somewhere around 831 plants. There are heavy plantings around the edges to create barriers, but then there are also gaps to create some interest. In the center, there were more ornamental trees. As a 3-D structure, trees were creating barriers and walls, inside, the more intimate parts, things were more ornamental. Instead of creating a bunch of landscaping and obstacles, they tried to open it up and create a funnel to lead people to the doorway instead of away. Plantings were drawn at 75-80% of mature width. The first reason, at that size, they were looking at 12-15 years out. A smaller tree would grow into its environment. After a few years a more mature landscape would be realized. They wanted to show the relationship of the trees, plants and plant beds at a future point in time.

Bill Lunt wanted to know what age they were projecting.

Mr. Ribble said he didn't know really, but a 75-80% maturity.

Bill Lunt asked for an estimate.

Mr. Ribble said shrubs would be there 5-7 years, trees around 15-30 years. Typically they wanted stronger trees, which happened to be slower growing. The readiness of a plant to grow into its site, a 2.5 inch tree would take 2.5 years to grow into its site. At that time, they could decide the trees were going to work. That could create a lot of issues. It was common knowledge in the horticulture industry that a smaller tree planted would outperform a more mature tree over time.

Bill Lunt said that there were issues of transplanting plants from the temporary installments to the permanent ones.

Mr. Ribble said they didn't really want to do that because of the adaptability to the site. He sought out tree relocation, locally, and was told those firms did not recommend it. The other side of his thing was that Wal-Mart had a certain brand and image. On a renovation, they wanted to create a "new-store experience." That spoke to why so much of the site was being changed out. A lot of the trees were damaged from disease or maintenance practices. Most would need to be moved. It was deemed most appropriate to make those changes. As they moved through the corridor, it helped to define the edge of the route one corridor. There was a dense wooden buffer on the other end of the site they were going to maintain.

Mr. Ribble said they tried to develop a few sketches of what things would look like. The trees in those pictures were not mature. He said the poles in the picture were 20'. The trees would be much larger; they were at somewhat of a young state. He showed pictures from different locations on site of what things would look like. In their meetings they had gone back and forth on end-isles. They had research that pedestrians were safer if they had some refuge and a clear path to the store front. He said that seeing peer review comments, they were looking to do an every-other situation on an island and open space. What they had discussed was they could address the sides of the building. He wanted the board to know they will look at that area with another adaptation to make it more pedestrian friendly and greener. They had some anecdotal experience that it wasn't a place for wheel chairs to get out of handicap spaces. They could add to what they had then to bring it more in line with the Village Guidelines.

Becca Casey said this was unmentioned before, but there were a few areas where there was landscaping between the parking isles, but there was none on the sidewalk portion.

Mr. Ribble said that was brought up in peer reviewer, he said they thought they had a way to buy some land to put that in on the sidewalk. He thought they had spoken to it before, just as the Board had ordinances, they did too as how Wal-Mart had theirs, while realizing every store was different. One thing

was 25' drive isles between drive spaces. If they had 24', then they would have some extra room to play with. They were working with landscaping around the store. It was heavily landscaped in general. They felt there was a variety for seasonal interest; they tried to take into account leaf litter so they didn't create slipping hazards. Their current rationale was they had provided pedestrian connections through the site and to the store. They did see there was a desired connection along the north edge. They could work on making that alignment, but by pushing away from that walk, they were encroaching on the wetland. It wasn't a simple thing on grade. It required a fence and other things. It wasn't impossible, just not straightforward. They could get rid of pedestrians crossing drive isles.

Bill Lunt said he appreciated the issue being addressed. He thought if they could put the parking there they had place for sidewalks.

Mr. Ribble asked if they needed to show the parking that would ultimately be installed, if necessary, and they put a walk in that area. Would that walk need to be beyond that parking so they were further impacting the wetlands, or could it be through there.

Bill Lunt said it was his opinion, but if the Board felt strongly they needed that additional parking, they wouldn't grant a waiver anyways. The only time the parking lot was full was when the cinema was there. He thought it was better for everybody. The chances of it happening were slim to none. He thought that area could be used to put the sidewalk in.

Becca Casey echoed Bill Lunt's point, and they were talking about a bus stop and pedestrian access. She didn't anticipate parking at that level.

Ethan Croce said a site plan amendment would be needed if the parking lot would be built out.

Bill Lunt said he would like to hear the bus stop addressed. He wanted to know if there was a reason why they didn't want a bus stop in front of the store.

Aaron Shaw, Sewall Company, said the bus stop initiated because Wal-Mart had liability concerns. They did talk to METRO earlier that week.

Becca Casey wanted to discuss pedestrians on the north end connection, and also trying to make some connection to the Kiwi Property, which was reiterated in the peer reviewers' comments.

Mr. Ribble said also in Wendy's.

Becca Casey wanted to highlight those. If people could come through Hat Trick Drive, for it to be inviting to walk through, it didn't require a lot, just make a few more connections.

Mr. Ribble said they provided a connection from Kiwi to the store. The same was from Wendy's to the store. The Wendy's to Kiwi Property was in discussion. They felt Wendy's was a heavy vehicular situation. The point of the matter was there would be a more defined vehicular path from the main entrance through the site. Getting people between Kiwi and Wendy's was difficult. There were other connections there. If they were anywhere besides next to a sidewalk, then getting between the buildings was no different. The real issue came in was to take out green space or take out parking spaces, change traffic patterns, etc. The client knew how many parking spaces they wanted. They had major entry points in the front and tried to funnel everyone in the center two drives and not use the side drives. They didn't feel they had the control to close them off. They were trying to focus everyone into a more uniform traffic pattern. It created questions on what was really prudent. The center loop was to add some landscaping.

Bill Lunt asked if the center shot was at the same level as the parking lot.

Mr. Ribble said it was raised 6 inches on either side.

Bill Lunt said they had similar issues trying to stop people from sliding straight through on the other side of Route One. He understood the plow issues, but it was important from a safety standpoint.

Mr. Ribble said they were looking at all of that to further enhance that point.

Bill Lunt said they would still have the ability to go from Wendy's. They could still do that without crossing the sidewalk.

Mr. Ribble said that ultimately it would be a better pedestrian circulation pattern.

Bill Lunt asked if they were going to talk to the applicant about greening up in front of the store, where the walkway went up to the front of the building.

Mr. Ribble said that was correct. He did believe that was the case. At that point they weren't going to 'shrub up' the front door. He would love to have some green space around the back. Right at the front door would be tough.

Bill Lunt said he was thinking more at the front of the aisles.

Mr. Ribble said he thought that would be okay, he thought they could put islands on those. There were three locations of handicapped spaces that the applicant was adamant they not have raised islands there.

Becca Casey said the corner near the entry, the sidewalk was tight to the building and pedestrians would have to step into the fire lane.

Mr. Ribble said they would be looking at that. On that note, just as the impetus of moving the bus, Wal-Mart doesn't encourage loitering and benches along the store front. They didn't want to encourage that kind of use.

Bill Lunt said he was assuming that fell under landscape; there were some comments from the Town Engineer about the area around the bus stop.

Mr. Ribble said METRO preferred a curb along the radius of Clearwater and the structure shown on the plans was not as detailed as it should be, and they would address that. One of the comments was they did have a place for cart corrals. A lot of the people will need to get their groceries from the store to the bus stop. Since there would be carts there, they needed to have a cart corral there. The comment was it should be put behind the shrubbery. They didn't want to because they didn't want to create hiding spaces. They could put a wall that was as high as the carts were so they could be tucked in so that it wouldn't be separate from the structure.

Bill Lunt asked if there was the possibility of incorporating the corral within the building.

Mr. Ribble said that was his point, and they wanted to have vision into it. In the back they could have it on the back, high enough to block the carts.

Bill Lunt said the carts can't just be hanging out so everyone could see them.

Mr. Ribble said by keeping that together, it made things easier.

Bill Lunt said while they were in that corner, the issue was stopping the bus on the side. He was wondering if when the bus was inbound, there was a way so cars would go by the bus. People just did that. The bus driver couldn't see around that corner.

Mr. Ribble said that was one of the items they felt uncomfortable about. They tried to site appropriate place for the bus so it didn't block and so they could see around the corner. One thing about the outside corner was there was a good line of sight, but they would need to move it up a little bit.

Bill Lunt said there was a curb cut into the truck area. Everything would be discouraged to stop a truck from turning right. He wondered if it was possible to make it harder.

John Tario, traffic engineer, showed him a drawing showing that.

Mr. Ribble said Wal-Mart trucks have no reason to go that way, but it could happen.

Bill Lunt wanted them to elaborate on the size of the bus stop.

Mr. Ribble said, in discussions with METRO, they were worried about shelter, but once they explained what they were doing, they were fairly comfortable with the proposal. There was a 16' x 29' structure. It didn't show that as drawn in the plans.

Bill Lunt said they were trying to make it one time instead of six in front of the PB. This was the second approval trying to take an old building and making it through to accommodate. He wanted to deal with the signage issue and then curb cuts.

Mr. Boyden said they would submit a comprehensive sign package. In terms of building signage, the Wal-Mart sign would be smaller than the current sign. In terms of conditional use, they fell within the current parameters to have that considered. They would just put a new panel on the current monument sign. They were open to Town requirements on the lighting. The total signage would be in the square footage allotted.

Bill Lunt said they had the ability to work with staff before coming back before the Board.

He went on to say, with the issues of waivers, they needed some input. The waivers went along with the curb cut issue on site. That was a Guidelines and Ordinance issue. Since it wasn't a brand new site they had to work with what was there. One of his issues was the left turn issue from Route One. One of the comments that came to his attention was the amount of laneage going into the site and was there a possibility to do that. It called for four lanes going into the building, counting the two curb cuts on the end and two coming out. Had they looked at the ability to reduce some of that amount as to how they came and went. He understood the issue of turning right going south. If that was a brand new install, he didn't think they would get that ability to do so. He wondered if it was absolutely necessary to have four lanes on that front entrance.

Mr. Tario, traffic engineer, said he looked at things with DOT. He found there wasn't a large increase in traffic. He found there were 9 accidents in three years. That was pretty good. He said things seemed to be working. A peer reviewer echoed his thoughts. They needed to look at RVs and fire trucks going in. He said they could look at shaving off a few feet on the width, as well as on the radiuses. Maybe they could narrow it down a little bit, but just maybe.

Heddy Snyder asked about the Wendy's entrance, she wondered if that was the only entrance and asked about signage.

Mr. Tario said there would be no Wal-Mart signage there. He didn't think they were in that space. He said the peer reviewer thought they might be increasing the radius, but he didn't agree. He also commented on the deceleration lane, which the peer reviewer thought they didn't need. Mr. Tario thought the opposite and said the deceleration lane was put there on purpose. It would prevent rear-end accidents.

Heddy Snyder said she agreed, that particular cut bothered her and she would be unhappy if the deceleration lane went away.

Mr. Tario said the peer reviewer wanted to see 'auto-turn' on all of the axes. They had a program to show what the radius should be on turning. One of the comments was they could look at that as well and whatever the software showed, they could reduce it slightly. He said he didn't think they could change access to an existing driveway they don't own.

Heddy Snyder had to leave the meeting.

Mr. Tario said that the subtraction of the cinema and addition of a grocery store, it was pretty much a wash.

Walter Arsenault asked if the bus stop issue was resolved.

Bill Lunt said they were waiting to see what they came up with. There was a reason why they didn't want it in front of the store. He wasn't arguing that point with them.

Walter Arsenault said he didn't think they responded to the public concern 100%.

Mr. Tario said they were looking for an enclosed structure.

Bill Lunt said he thought there was a certain faction that didn't want it there, period.

Becca Casey said and not as far. She asked if between the Kiwi building and the shopping center line, it looked like there were two property lines.

Bill Lunt said that it looked to him like the landscaping issue was on Kiwi property.

Mr. Ribble said they would rehab those end islands, but they were still negotiating with Kiwi, but yes, at the moment it is off the property.

Bill Lunt asked if they couldn't negotiate, would they be withdrawn closer.

Mr. Ribble said they would stay there and he would need to find a place for those additional plants. The plants would go somewhere within the site.

Bill Lunt said the width of the main entrance was a real heartburn. He couldn't understand why the radius had to be as huge, especially with two lanes.

Mr. Tario said typically they didn't design like that.

Bill Lunt said that was like walking across a football field. To him the Guidelines tried to make it pedestrian friendly.

Becca Casey said she would like to see those narrowed.

Mr. Tario said on one he wouldn't touch but on another they could give up maybe five feet.

Bill Lunt said the way it was set up was a bad situation. If they could push that to get it better, in order to make the radius as low as possible, that would be great.

Becca Casey asked if there could be a refuge into the center island and that would get a little wider, could it come out a little further without getting in the way of the radius. The cars were way past the center to get past the sign. They were crossing whatever walkway was there.

Mr. Ribble said they would do it so it was appropriate.

Bill Lunt said, regarding the Kiwi entrance, he really believed that the Town had the ability to request whatever they wanted on that entrance regardless of ownership and whenever they can do that to narrow it up, it was a good idea. He thought it was exactly across the street and had seen people from Dunkin' Donuts go straight across. He wanted them to look into that.

Ethan Croce said on the southerly driveway there were some comments from the peer reviewer. He suggested closing the Kiwi and the current radius seemed to serve no purpose in relation to the waiver.

Bill Lunt said he addressed the issue on the Kiwi entrance.

Ethan Croce asked if the radius was being eliminated.

Mr. Tario didn't want to say eliminated but tightened up. He didn't know if Wal-Mart could limit the access to their driveway.

Ethan Croce said he wasn't sure if the Town could limit that.

Mr. Tario asked if that would have to come before the Board.

Bill Lunt said in order for them to do that, they need to know what they could require as the Planning Board and would like to have that research done and have a discussion on that issue. He believed that the Planning Board had that ability but he didn't know for a fact.

Becca Casey wanted to confirm that they were going to look at tightening up the turning radii for in and out traffic at the main entrance.

Mr. Tario said that was trickier because of the vehicular paths.

Mr. Saucier said they have no right, title or interest in regards to the Kiwi entrance. They couldn't even if they wanted to. The abutter could appeal. If he came with a site plan, then they could be told, but they weren't in a position because they didn't control it.

Bill Lunt said you couldn't do that with the same process because they had the other half. He wanted to just make sure what they were able to do.

Mr. Saucier said they will have to talk to Bill Plouffe, Town lawyer, about that. Off street parking was discussed last time, everyone wants to reduce parking as much as possible. A small corner was residentially zoned. There were some provisions to deal with that.

Bill Lunt asked if they had the ability to build out some of the parking in that area to be compact parking to not take up as much room.

Mr. Shaw said that was possible. He didn't think they would have a problem, if they wanted to see a different future parking plan they could still do it.

Mr. Saucier said they were able to show future parking within the area and they will show the Board next time and would still need the waiver.

Bill Lunt said he would encourage them to work closely with the staff.

Mr. Saucier said off street loading, they didn't need the 4th one and staff okay with that.

Bill Lunt said they did have to show where they could put it.

Mr. Saucier said they wanted their opinion on stormwater. The existing tank line went on the property line; it was already there and served as Wendy's too. The idea was to put in two or three tanks more. Anywhere they moved it; they would displace parking or landscaping. The same owner owned both pieces of land. They could move it, but they felt it was at its best location.

Bill Lunt asked Ethan Croce if they could do that with the owners.

Ethan Croce said that it depended based on the history. He didn't have the history, so it would have to be a legally nonconforming tank farm. If it was done improperly for whatever reason, then it would potentially lose its nonconforming status. Then there would be a buffer and possibly some setbacks. Some historical research would be helpful.

Bill Lunt said that issue could be done amongst them. If there was an issue, they needed to know it.

Mr. Shaw said that the stormwater was black and white and they just needed to do more with that.

Bill Lunt had an issue on the existing one; the water off the building was going towards the existing one on Hat Trick Drive and was then running towards Depot Rd. He did know that the swill area was drained and came out by the child development center. On the post development, the water on the backside would go towards Clearwater drive.

Mr. Shaw said no, they would clarify that.

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Bill Lunt said it wasn't just that water, but also the water behind the gazebo and the ice rink which went towards the interstate and drained that area. How the new water would be pushed was a critical point from the PB's side.

Becca Casey said the net new impervious surface was so high, 52,487 ft. She wondered how much that would net.

Mr. Shaw said it had to do with the future parking layout. The DEP wanted them to permit the whole promise of building. They had to look at worst case scenario.

Bill Lunt asked how much of that changed was related to parking areas. How much was going to other areas.

Mr. Shaw said some of it was in other areas.

Becca Casey said that would be a useful number.

Ethan Croce said they needed to motion.

Becca Casey moved to table; Kermit Stanley seconded. Motion carried 4-0.

Meeting adjourned at 9:41.

Respectfully submitted,

Jon Planer

Recording secretary