

Cathy Bruno
144 Emeral Lane
Dover, NH 03820

Re: Planning Board Meeting 5/28/24
TDR Stonearch Development
Trans-2024-0003
Assessor's Map F, Lot3, Zoned R-40

I am writing to speak against the application for a TDR by Stonearch Development. I would have attended the meeting and asked to speak but I will be out of town.

I moved to NH 5 years ago from upstate NY. The reasons I chose to spend my retirement years here are many but they included escaping the NYS tax burden and the overreaching regulations and policies of NY politicians and bureaucrats. NH is a beautiful state. I appreciated its "live free or die" spirit and Dover seemed to be a good fit. Based on that initial assessment, I found the Indian Ridge development, built by the same developers that are now applying for this TDR. But before I invested in my retirement vision, I did some further research. The development had an HOA whose bylaws and protective covenants I reviewed. There was a curb cut out I assumed for possible future development but the land was zoned R-40, the same as the Indian Ridge development. So, if and when this land was developed, I concluded, based on the zoning, that the development would look just like ours, 20-22 single family homes of similar size and value. (The assessed value of Indian Ridge properties ranges from \$597,000 to \$903,000.) Therefore, I felt confident enough to invest a large sum of money in Dover. Now I am discovering that my due diligence was pointless. This TDR application is for 53 units some of which are multi-family affordable housing. I feel a lot like Charlie Brown. I've just had the football pulled from me after I have irrevocably committed to kicking.

Every city has a master plan. The zoning is an outgrowth of that plan. It allows growth to proceed in an orderly manner and with the nature of the future growth known to all. The citizenry proceeds to invest in the city based upon the promises made in the master plan and the zoning regulations. The TDR concept appears to allow the city to break those promises and override all zoning regulations for a fee. The city is free to do this whenever it's convenient to solve the crisis of the moment with little regard to the tax paying citizens who have already invested based on the zoning promises made.

Additional reasons for objecting to this application are:

1. The curb cutout on Emerald Lane is in an unsafe location. It is next to the "tot lot" owned by the city. The lot is used by resident families. Children ride their bikes and skate boards around the circle as it is a natural "track". At the curb cut point on Emerald Lane there is both a curve and a rise in the road. It is already a dicey proposition coming around that corner in either direction

because of site limitations. The road is only 28 feet wide. Throw in a few garbage pails at the end of the driveways on garbage day or a line of lawn mowing service trucks during the warm months or anybody parking legally on one side of the road, or kids on bikes/skate boards and our 2 lane road becomes a single lane road with cars having to stop to let another car pass. It happens now. There have been a lot of near misses with 2 lane traffic when this happens. Now add 75 to 125 more cars pulling out at that dangerous spot and the near misses will become actual accidents. The same goes for the initial older stretch of Emerald Lane in the Emerald Woods development.

2. The cut out on Tolend Road has the same issue as Emerald Lane. It is at the top of a rise in the road. People pulling out of the proposed development cannot see cars coming from Route 125 and cars coming from 125 won't be able to see cars pulling out on to Tolend from the development.
3. Indian Ridge's HOA, its residents, are responsible for the maintenance, repair and eventual replacement of the 6-stormwater management bio-ponds in our development. Based on the proposed map of the development, some buildings on Loop Road may be less than 75 feet from our bio-pond #1. Removing trees to accommodate the houses in this loop will compromise the natural stormwater absorption provided by nature and put a larger burden on this bio-pond, a burden it was not designed to handle. As a result, the cost to maintain the bio-pond will increase and place an additional financial burden on our home owners.
4. The last building closest to Emerald Lane in the second grouping of building is about 150 feet from our bio-pond #2. I have the same concerns for this bio-pond as stated in #3
5. It appears Dover has found a favored format for new residential development, one where the builder has to create an HOA and after the development is complete, hands the HOA to the residents who assume the burden of several services that used to be part of the core mission of a city. In this proposed development, the HOA will not only be responsible for stormwater management but will also be responsible for the repair, maintenance and eventual replacement of the roads. This development will have a private road. It seems the only core duty the city is retaining in these types of developments is the collection of property taxes. My specific concerns with this arrangement are:
 - a. Will school buses be allowed on this private road? If not, where will the children get the bus? See #1 about road safety concerns/congestion.
 - b. Will police and fire be allowed on this private road? Will the police be able to routinely patrol this road?
 - c. Part of this development is reserved for affordable housing. How affordable will it be when the HOA (residents) are burdened with road costs? Our HOA was almost responsible for snow plowing in 2021-22 so I know what private snow removal costs as we had to make contingent plans for snow removal.
 - d. Given the size of the development, they may have to hire a property management company to handle HOA dues billing and collection and management of protective covenants. Add these costs to stormwater management, road maintenance and replacement and insurance needed to cover liability and the HOA dues will be costly.
 - e. Developers build. They are not property managers. Creating and managing an HOA is something they are obligated to do to get a permit, an afterthought. Since our development was a similar model, though smaller, whose HOA was established and

maintained by these same developers, Stonearch, for the first 5 years of its existence with no oversight by the city, Indian Ridge residents are all too familiar with the end result. We were fortunate to have within our neighborhood several lawyers and an accountant that were willing to take on the challenge of straightening out what we were handed. The HOA would be happy to share our experiences with you but my initial concerns are how this will be marketed. Assuming Stonearch will act in a similar manner as they did for Indian Ridge potential buyers, the existence of an HOA will either not be mentioned or downplayed. The dues will be set artificially low to make the properties look attractive. Anyone inquiring about the HOA will be told either “not to worry” or “it can be disbanded once it’s turned over to the homeowners or the dues will never go up. Unless mandated, they won’t set up capital reserves. Not once was the full measure of the nature, permanence and responsibilities of the HOA clearly spelled out to prospective buyers. Affordable housing buyers tend to be first time home owners. Based on our experience with the developers, these home buyers won’t realize what they are getting into.

- f. If the HOA, when turned over to its residents, does not live up to its responsibilities, then what? The roads and stormwater ponds will deteriorate affecting the value of their development and ours. This setup is not what you create in the name of affordable housing. How much oversight will the city have? During the time the developers were running our HOA, they were supposed to file annual reports with the city on health of the bio-ponds. They never did and the city never followed up.

In closing, I am disappointed in Dover. I have the impression that the city is hoping that its residents are too busy with their own lives to read a “Dover Download” or search the city’s web site for upcoming meeting agendas and therefore, is all too ready to pull a bait and switch like what is being proposed with this TDR. I understand the need for affordable housing but its remedy cannot be at the expense of citizens who bought into a neighborhood of what was supposed to be surrounded by single family homes of similar size and value to what has been already built. I have come to the sad conclusion that I must constantly be on alert to protect my investment in Dover.