



CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers, City Hall, 288 Central Ave, Dover, NH.
Meeting Date: **Tuesday, October 28, 2025**
Meeting Time: **7:00 pm**

Members Present: Gina Cruikshank (Chair), Ken Mavrogeorge, Tom Clark, Jeff Sanborn, Fergus Cullen (Councilor), George DeBoer, Tyler Allen (Alternate), Eric Salovitch (Alternate) and Devon Dunn (Alternate)

Members Not Present (excused): Doug Glennon (Vice-Chair), Kyle Pimental, Melina Gambino

Staff Present: Donna Benton, Planning Director

G. Cruikshank (Chair) called the meeting to order at 7:00p.m noted that Devon Dunn would be sitting for Doug Glennon, Tyler Allen for Kyle Pimental and Eric Salovitch would be sitting for Melina Gambino, and that Jeff would serve as Vice Chair tonight and went through the rules for Citizen's Forum and Public hearings.

1. CITIZENS' FORUM

Citizens Forum Open

No one spoke

Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- October 14, 2025 Regular Meeting Minutes

Motion: T. Clark moved to approve the regular meeting minutes of October 14, 2025. Seconded by: J. Sanborn. Vote: U/A

3. OLD BUSINESS

4. NEW BUSINESS

- A. Public hearing and possible recommendation on the City's proposed Capital Improvements Program (CIP) FY 2027-2032. The CIP can be found on the City website at www.dover.nh.gov and in the Library, City Clerk's office, and the Planning Department. *

D. Benton explained the CIP process and provided an overview of the document. She recommended the board hold the public hearing and if they wish, they can vote tonight that the CIP meets the intent of the Master Plan and recommend it to City Council.

Public hearing opened.

Eric Leaver, 42 Main St representing Strongtown Seacoast- volunteer advocacy group commented on the new proposed parking garage noting space limitations and City preference for elevated parking. The cost is much higher than ground level parking. He noted parking permits are priced very low which doesn't match the scarcity and desirability of them.

He recommends the price for parking permits be increased, and delay plans for the parking garage until there is more accurate data compiled.

Public hearing closed.

Parking manager was not present. D. Benton addressed the timeline of the parking garage placement within the CIP and the intentions behind its placement in "year 3".

An email was received regarding Shaw's Lane parking lot and F. Cullen noted it is in the 6-year plan, but encouraged the project to be moved up.



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Motion: T. Clark moved to recommend approval of the City's proposed FY27-32 CIP to the City Council as it is in line with the Master Plan. Seconded by: K. Mavrogeorge. Vote: U/A

G. DeBoer arrived at this time.

- B. Consideration and acceptance of a Conditional Use Permit for Krystian Kozlowski, Assessor's Map 24, Lot 74, zoned Gateway, located at 94 Portland Avenue. (Proposal is to allow relief from the front build-to-line requirement, in order to construct a new detached single-family dwelling on a parcel with an existing two-family dwelling.) *(COND-2025-0025)

D. Benton explained that the application is for a CUP to allow relief from the front build-to-line requirement in the Gateway Zoning District where the subject property is. Currently, there is a two-family home and a detached garage on site and the applicant is proposing an additional single-family home with a front build-to-line of 100 feet, where 20 feet is typically allowed.

The applicant is otherwise complying with requirements of the Gateway District which allows multiple primary structures and up to three dwelling units on this lot based on its size.

Krystian Kozlowski, owner, represented the application and explained the request listing several other properties in the area which exceed the build-to line and which have similar layouts. The property was recently surveyed, and no issues were found. He highlighted some items included in the narrative supplied to the board: sufficient parking, no changes to abutting property accesses, no historic structures, new structure is proposed in the back out of immediate site.

He answered questions from the board relating to lot coverage compliance, additional parking not currently proposed as existing parking should be sufficient to handle the added unit.

Motion: T. Clark moved to accept the applications and declared no regional impact. Seconded by: J. Sanborn. Vote: 8 in favor with E. Salovitch recusing himself on this item as he is an abutter.

Public hearing opened.

Barbara Murphy, 90 Portland Ave shared concerns about fire access. She asked how abutters are notified throughout the process. She noted the current parking looks pretty full with about four vehicles using it for the existing two-family.

Public hearing closed.

The applicant addressed public comment:

- No rendering yet for the proposed structure
- Fire access

D.Benton noted there are no additional steps in the process that would come before the Planning Board or require abutter notices. Issued building permits are searchable in the public portal and the public can track them there.

The applicant stated 3 additional spaces can fit in the proposed area which meets the 1.5 spaces per unit requirement.



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STAFF RECOMMENDATION: Non-Environmental CUP Criteria and Gateway CUP Criteria

Chapter 170-19.B.1 outlines the criteria for granting a Conditional Use Permit for relief. Staff feels this proposal meets those criteria which include:

- (a) That both public and private buildings and landscaping shall contribute to the physical definition of rights-of-way as civic spaces.*
- (b) That development shall adequately accommodate automobiles, while respecting the pedestrian and the spatial form of public areas.*
- (c) That the design of streets and buildings shall reinforce safe environments, but not at the expense of accessibility.*
- (d) That architecture and landscape design shall grow from local climate, topography, history, and building practice.*
- (e) That buildings shall provide their inhabitants with a clear sense of geography and climate through energy-efficient methods via a mixture of elements including windows, floor plan, and public and private space.*
- (f) That encourage civic buildings and other public gathering places be provided as locations that reinforce community identity and activity.*
- (g) That civic buildings shall be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the City.*
- (h) That the preservation and renewal of historic buildings shall be facilitated.*
- (i) That the harmonious and orderly evolution of urban areas shall be advanced by the proposed building and/or use.*
- (j) That if the relief is granted, the surrounding neighborhood is not negatively impacted.*

Staff feels the applicant has met said criteria as the proposal complies with underlying zoning for density, side and rear setbacks, and the allowance of a multiple primary structures while not adversely affecting public spaces, pedestrian safety, or the existing street design.

Chapter 170-20.B.2 outlines the criteria for granting a Conditional Use Permit for relief within the Gateway Zoning District. Staff feels this proposal meets those criteria which include:

- (a) The requested use shall be compatible with abutting uses and the surrounding neighborhood.*
- (b) The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.*
- (c) The requested use will not result in objectionable noise or odor which would constitute a nuisance.*

Planning Staff feels that the applicant has adequately shown compliance with the criteria as specified in §170-20.B.2 due to the above; and similar and excess densities in the immediately surrounding area.

The Planning Department recommends the Planning Board make the necessary and supporting findings of fact, and approve the Conditional Use Permit with the following subsequent conditions, as the plans meet the standards outlined:

Subsequent Conditions to Be Met Prior to Issuance of a Conditional Use Permit:

1. Provide a foundation certification by an LLS to ensure setback compliance;
2. Work with the Planning Department to endorse a development agreement per Chapter 170-20B(3) and then record at SCRD.

Motion: T. Clark moved to approve the Conditional Use Permit with the subsequent conditions. Seconded by F. Cullen. Vote: 8-0 (Salovitch recused)



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- C. Consideration and acceptance of a Conditional Use Permit for Rossignol Family Revocable Trust of 2016, Assessor's Map 7, Lot 6, zoned R-20, located at 13 ½ Boston Harbor Road. (Proposal is to raise and modify the existing home which would result in approximately 869 square feet of temporary impacts and 75 square feet of permanent impacts within the Conservation District.)
*(COND-2025-0022)

F. Cullen disclosed that he has a professional relationship with CivilWorks NE and McEneaney Survey Associates, and he is a client of these companies. He does not have any financial, personal, or professional interest that would create a conflict of interest in relation to these three applications. His evaluation of this application is unbiased and impartial. If any member of the Planning Board objects to his participation with this application, he asked them to say so. (No one spoke)

T. Allen similarly has professional relationships with McEneaney Survey Associates, has no interest in the items before the board tonight, but has a conflict of interest for item E and will recuse himself for that.

D. Benton explained that the applicant is proposing to raise an existing home within the FEMA Flood Hazard Area along the Piscataqua river by two feet and adding a new stairway for access. The project is proposing about 869 square feet of temporary impacts and 75 square feet of permanent impacts within the Conservation District for the stairs and deck expansion.

The Conservation Commission reviewed and endorsed the NHDES Expedited Minimum Impact Wetlands Permit Application on September 8, 2025 and the City's CUP application on October 14, 2025.

Sam Hayden, Haley Ward represented the application and explained the request and the impacts which are mostly temporary during construction. The new decks and additional stair treads to access the elevated doorways will have some permanent impacts which he explained. NH DES approvals are pending.

Motion: E. Salovitch moved to accept the application and declared no regional impact. Seconded by: T. Allen. Vote: U/A

Public hearing opened.

No one spoke

Public hearing closed.

STAFF RECOMMENDATION – Conditional Use Permit, Conservation District

The Conservation District ordinance §170.27.C provides for Conditional Use Permits to allow impacts to the Conservation District if standards related to demonstration that the use is essential to the productive use of land, a soil erosion and sedimentation control plan is submitted, state and federal approvals have been applied for, and a written review by the Conservation Commission has been sought.

Planning Staff believes the applicant has met all the criteria outlined in §170.27.C. The proposal raises the existing structure to reduce flood risk, with only minor permanent impacts in the Conservation District from the extended deck and stairs. The applicant has provided a soil erosion and sediment control plan, applied for the appropriate NH DES permitting, and received support from the Conservation Commission.

The Planning Department recommends the Planning Board make findings, and vote to approve the application with the following subsequent conditions:

Subsequent Conditions to Be Met Prior to Issuance of a Conditional Use Permit:

1. Submit a final site plan to the Planning Department that includes:
 - 1.1. Permit File #COND-2025-0022;



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- 1.2. Owner's signature;
2. Submit a copy of approved NHDES permitting when received.

Motion: E. Salovitch moved to approve the Conditional Use Permit with the subsequent conditions.
Seconded by G. DeBoer Vote: U/A

- D. Consideration and acceptance of a Lot Line Adjustment for Drew Family Revocable Trust and Wendy E & Scott D. Drew, Assessor's Map F, Lots 8 & 8-C, zoned R-40, located at Tolend Road & 276 Tolend Road. (Proposal is to adjust the lot lines between the two (2) parcels.) *(LOTA-2025-0010)

D. Benton explained that the Applicant is proposing a lot line adjustment to revise the lot lines between two abutting properties on Tolend Road, transferring about 19,042 square feet from a vacant parcel on Tolend to 276 Tolend Rd.

Post-adjustment, the proposed lots would comply with zoning in the R-40 Zoning District. The single-family home at 276 Tolend Rd., is currently legally nonconforming with regard to a side setback encroachment but following this lot line adjustment, the single-family home would be compliant with the underlying R-40 side setback of 25'.

Kevin McEneaney, McEneaney Survey/CivilWorks NE represented the application and explained the request for lot line adjustment between abutting lots.

T. Allen recused himself from the item.

The applicant addressed questions from the board related to access to the lots, whether a CUP for future driveway will be needed will be determined after the wetlands areas are analyzed, accepting the application starts the clock for a Planning Board decision within 60 days so if additional information is needed, please request it prior to the next meeting before acceptance.

Board members and staff discussed the application, the wetlands, and whether the application is complete without further information.

Scott Drew, 276 Tolend Rd answered details about the large parcel noting his home is on the property line. That will have to get adjusted prior to the parcel going back on the market.

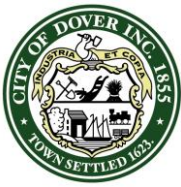
E. Salovitch requested the applicant submit a wetlands delineation which includes the peninsula area in question to confirm there is adequate upland area.

T. Clark disagreed with asking for more information and believes there is enough information provided for the board to make a decision about the requested lot line adjustment.

K. Mavrogeorge agrees to ask for the wetlands information because it's such a large parcel, it is likely that future development may include a project that requires a wide driveway or private roadway through that area.

The applicant confirmed he is not against the clock starting tonight.

Motion: F. Cullen moved to accept the application and declared no regional impact. Seconded by: K. Mavrogeorge. Vote: U/A



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Public hearing opened.

Denise Couturier, abutter, 292 Tolend Rd is also a legal beneficiary to the trust and explained that the 50 feet requested to be adjusted is the only dry access to the back parcel which will be land locked if removed from the parcel. She noted the applicant doesn't have the right to take that land and she will be taking them to court over the issue. She asked the board to delay or deny the lot line adjustment request.

Laurie Drew, 266 Tolend Rd, abutter is opposed to the lot line adjustment as proposed. Taking this portion of the parcel will make it worthless and not accessible. There are other portions he can pull from. She requested the board delay or deny the request.

Mike Drew, estate beneficiary, 266 Tolend Rd noted the applicant appears to be proposing to take land from the estate with no compensation given to the beneficiaries. It appears the applicant is trying to make the back lot worth less money and then buy it himself. He requests the board take no action until the differences can be worked out.

Email received Denise Couturier, 292 Tolend Road.

Public hearing closed.

D. Benton noted though there is disagreement between trustees, the staff looks for signatures from trustees of trusts on the application, and that has been received.

The board discussed possible conditions to be met if the item were to be tabled to the next meeting including providing wetlands information for the access area and whether the encroachment issue can be resolved while leaving enough room for access. There also appears to be some encroachment issues to the south which will occur if the lot is adjusted as proposed. That should also be reconsidered.

The Chair noted the Board does not have the authority to delay the application in front of them due to legal action occurring among the interested parties. That needs to be worked out separately from Planning Board. The application has been signed by the required signatories. The board can delay decision on the land use matters for their own reasons which is likely to occur here as the board is seeking additional information before making a determination.

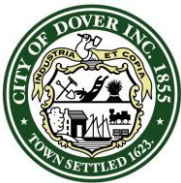
The board clarified for the applicant that the added wetlands information is not for the whole parcel, but for the specific portion(s) highlighted in the discussion.

Motion: F. Cullen moved to continue the item to the November 18, 2025 meeting. Seconded by T. Clark.

Vote: U/A D.Benton clarified the location and time of the meeting.

- E. Consideration and acceptance of a Minor Subdivision for Wendy E. & Scott D. Drew, Assessor's Map E, Lot 39, zoned R-40, located at 19 Watson Road. (Proposal is to subdivide the existing lot to make one (1) new lot.) *(SUBM-2025-0006)

D. Benton explained that the Applicant is proposing a minor subdivision at 19 Watson Road, creating one new 1.04-acre lot. After accounting for contiguous upland area and applying the 40% buffer contribution limit, the proposed new lot has 44,386 square feet of qualifying area, and the adjusted existing lot has 43,281 square feet of qualifying area, meeting lot size requirements.



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As this proposal only involves a Minor Subdivision, no review was required by the Technical Review Committee.

Kevin McEneaney, McEneaney Survey/CivilWorks NE represented the application and explained the lot line request.

Motion: T. Clark moved to accept the application and declared no regional impact. Seconded by: T. Allen.
Vote: U/A

Public hearing opened.

No one spoke

Public hearing closed.

STAFF RECOMMENDATION- Minor Subdivision

The plan is consistent with §157-15 of the City of Dover's Land Subdivision Regulations, which provides for subdivision of existing lots.

The Planning Department recommends the Planning Board make findings, and vote to approve the application with the following subsequent conditions:

Subsequent Conditions to be Met Prior to Signing of Plans:

1. Provide physical and digital copies (including CAD) of complete plan set for recording at Strafford Country Registry of Deeds, which additionally shall include:
 - 1.1. The owner's signatures;
 - 1.2. The Planning File #SUBM-2025-0006;
 - 1.3. The stamp and signature of the LLS on the final plans;
 - 1.4. Mark shed to be removed on lot 39-1
2. Confirm lot numbering with City Assessor and confirm on plan set;
3. Provide NHDES State Subdivision permit.

Motion: T. Clark moved to approve the Minor Subdivision with the subsequent conditions. Seconded by K. Mavrogeorge. Vote: U/A

- F. Consideration and acceptance of a Site Plan for 200 Sixth Street, LLC, Assessor's Map E, Lot 70-C, zoned IT, located at 200 Sixth Street. (Proposal is to construct an approximately 2,500 square foot Comcast Switching Facility with a paved accessway.) *(SITE-2025-0015)

D. Benton explained that the Applicant is proposing an approximately 2,500 square foot Comcast Switching Facility with a paved accessway and two parking spaces. The facility is proposed to be fenced, secured, and mostly self-operating, with occasional maintenance visits.

There is private well and on-site septic, with all waste proposed to be removed off site. A variance was previously granted for the creation of the subject lot below the minimum required size based on it being the use being proposed as low-traffic and a public utility. Two waivers are also being requested related to the requirements for a landscape plan prepared by a licensed landscape architect and interconnectivity between parcels.

The TRC reviewed the project on October 2nd, 2025, with the conversation focused on emergency access, site screening, and review of security and fire suppression systems.

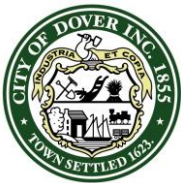
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Secretary

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Kevin McEneaney, McEneaney Survey/CivilWorks NE represented the application and explained the request noting this site will replace the one currently nearby on Sixth street. He highlighted staffing, building use, security, and fire suppression. He explained the waiver requests for landscape plan and connectivity between parcels.

Motion: J. Sanborn moved to accept the application and declared no regional impact. Seconded by: T. Clark.
Vote: U/A

Public hearing opened.

No one spoke

Public hearing closed.

STAFF RECOMMENDATION - Waivers/Relief:

§153-21 of the Site Plan Review Regulations state the “Planning Board may waive specific provisions of these regulations. The Planning Board may only grant a waiver if the Planning Board finds, by majority vote, that:

- (1) Strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations; or
- (2) Specific circumstances relative to the subdivision, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.”

Planning Staff believes the applicant’s rationale for the waivers meets criterion (1) and waiving such standards and requirements is not contrary to the spirit or intent of the ordinance.

The Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to grant the waivers with the following subsequent condition:

Subsequent Condition to be Met Prior to the Signing of the Plans:

1. Add a note that the Planning Board found the criteria of Chapter 153-21 have been met and the Board approved the following waivers:
 - §153-13A(12), landscape plan prepared by a licensed landscape architect.
 - §153-14J, interconnectivity between parcels, a requirement in the IT Zoning District.

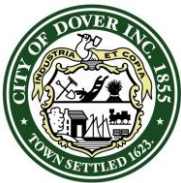
Motion: F. Cullen moved to grant the waiver requests with the subsequent condition set by staff as it meets criteria for relief. Seconded by: G. DeBoer. Vote: U/A

STAFF RECOMMENDATION- Site Plan:

Chapter 153-13 outlines Site development plan requirements. This plan meets those standards outlined. Therefore, the Planning Department recommends that the Planning Board make the necessary and supporting findings of fact, and vote to approve the Site Plan with the following subsequent conditions:

Subsequent Conditions to be Met Prior to Signing of Plans:

1. Provide physical and digital copies (including CAD) of complete plan set for final Planning Board signature which additionally shall include:
 - 1.1. Permit File #SITE-2025-0015
 - 1.2. Owner’s signatures;
 - 1.3. Professional stamps and signatures;
 - 1.4. Revise plan references to faux brick;



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- 1.5. Add note indicating condition placed by Zoning Board for Variance.
2. Provide letters to serve.
3. Pay outstanding application fee.

Subsequent Condition to Be Met Prior to Construction:

4. City's standard site construction sign with the contact information for the general contractor must be displayed in a location approved by the City Engineer or Planning Director;

Subsequent Conditions to Be Met Prior to Occupancy:

5. Issuance of Certificate of Occupancy;
6. Surety or other form of security acceptable to the City is provided for any unfinished work;
7. Design engineer to submit a construction certification letter to the City ensuring construction was completed in accordance with the plans and specifications approved by the City of Dover.

Motion: J. Sanborn moved to approve the Site Plan with the subsequent conditions set by staff. Seconded by K. Mavrogeorge. Vote: U/A

The Vice-Chair announced Items G & H would be heard together. 115MIN

- G. Public hearing and possible adoption of the proposed Amendments regarding Chapter 153 (Site Plan Regulations) in relation to the requirements of NH House Bill 413 regarding vesting period for approved plans. The full text of the amendments is available in the Planning Department and at www.dover.nh.gov located under meeting materials and on the Planning Department page. *
- H. Public hearing and possible adoption of the proposed Amendments regarding Chapter 157 (Land Subdivision Regulations) in relation to the requirements of NH House Bill 413 regarding vesting period for approved plans. The full text of the amendments is available in the Planning Department and at www.dover.nh.gov located under meeting materials and on the Planning Department page. *

D. Benton provided overview of the process and answered the question about retroactive date from last meeting. She also added potential amendments previously discussed to the list for the board to review in January.

Public hearing opened.

No one spoke

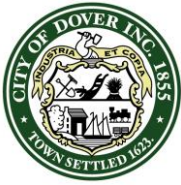
Public hearing closed.

Motion: G. DeBoer moved to adopt the proposed amendments. Seconded by: J. Sanborn. Vote: U/A

5. STAFF COMMENT

- Update on 180 Crosby Superior Court case -amend the plan to add a new... drainage feature. Anyone object to staff signing off on that amendment administratively?

Motion: T. Clark moved to grant the Planning Director the authority to administratively approve the amendments to the 180 Crosby project to settle the case and avoid a court hearing. Seconded by K. Mavrogeorge. Vote: U/A



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- TRC items since last meeting:
 - October 16th: Site Plan proposal for the redevelopment of 376 and 378 Central Ave. Proposal is to renovate the commercial spaces on the first floor and to construct 14 residential units on the upper three floors.
 - October 23rd: Site Plan proposal at 14 Industrial Park Road to construct a 15,000 s.f. warehouse and a 6,200 s.f. addition to the existing structure.
- Upcoming TRC items:
 - November 6th: Site Plan proposal at 9-11 Mechanic St. to construct a five-story mixed-use building with commercial space on the first floor.
 - November 6th: Site Plan Amendment at 829-833 Central Ave. to convert former department store to a fitness facility.
- Next meeting is a special date on the Third Tuesday: November 18th.
- Staff can provide amendment language relating to CUPs in January for further clarifications if the Board so desires

6. MEMBER COMMENTS

- Member comments
 - None
- The Chair signed the following:
 - Development Agreement and Site Plan for mixed-use proposal at 52 Old Rochester Rd.

7. ADJOURNMENT

Motion: K. Mavrogeorge moved to adjourn at 8:23 p.m. Seconded by D. Dunn. Vote: U/A