

**DOVER PLANNING BOARD
MINUTES OF MEETING
JANUARY 11, 2005**

MEMBERS PRESENT: Pete Lavoie, Donald Andolina, Beth Thompson, Mindy Anderson, Frank Torr, Ronald Cole, Dennis Ciotti, Tony McManus, Dean Trefethen

MEMBERS ABSENT: John Swartzendruber, Bryan Cahoon, Eric Tooke

STAFF PRESENT: Steven Stancel, Planning Director and Jacqueline Freeman,
Recording Secretary

Chairman Cole brought the meeting to order at 7:03 PM.

ITEM #1: Election of Officers

Don Andolina nominated Ronald Cole for Chairman.

Frank Torr seconded.

Frank Torr made the motion to close the nominations.

Beth Thompson seconded.

VOTE U/A

Frank Torr nominated Tony McManus for Vice-Chair.

Donald Andolina seconded.

Frank Torr made the motion to close the nominations.

Beth Thompson seconded.

VOTE U/A

Chairman Cole announced that ITEM #4: Moon River Development would not be coming before the Board this evening.

ITEM #2: Citizens' Forum

No one spoke.

ITEM #2a.: Approval of minutes

Tony McManus made the motion to approve the minutes of December 7, 2004, regarding the CIP.

Donald Andolina seconded.

VOTE U/A

Abstained – Dennis Ciotti

Beth Thompson made the motion to approve the minutes of December 14, 2004.

Dennis Ciotti seconded.

VOTE U/A

Item #3: Consideration and acceptance of a site plan of land for Business Partners, Inc., (Owner Motiva enterprises, LLC., Assessor's Map A, Lot 1-1, zoned B-3, located on Old Rochester Rd.* (11 units, 2 bldgs.) (P04-62)

Paul Connolly, Civilworks, stated that they are proposing an 11 unit condo townhouse style development. They went before the ZBA in the fall for the acquisition of a Special Exception to allow this use in this location. He said that 4 of the 11 units are proposed to be 2 bedroom units. The remaining 7 units will all be 3 bedroom units. There is adequate parking on the site. There is storm water management detention infiltration. Post development flows will not exceed and may be less than pre development. They have provided for an abundant amount of landscaping. A portion of the landscaping will be achieved through use of the existing trees are presently growing on the site. The site is sandy and supports an abundant growth of red pine that can be replanted to make use of those plants. Each of the units will be sprinklered.

Dean Trefethen arrived at 7:10 PM.

Paul Connolly stated that when Motiva, the Shell Station site plan application came before this Board, one of the elements on that site plan was the inclusion of an access easement over the Shell Station lot and into this lot. This lot is still owned by Motiva so the right-of-way is not needed now. The thought was that in the future, should the subject parcel be developed in a commercial sense, it would eliminate the need for a curb cut on Old Rochester Rd. They are proposing a residential use and as such, neither party wants to see the use of this right-of-way through the Shell Station parcel to access this parcel. That is why they have shown an independent driveway access off of Old Rochester Rd. to gain access to the site. They would like to do whatever it takes to effect the removal of that right-of-way from the Motiva Shell site plan. The drive access on Old Rochester Rd. has been designed to keep it as far away as possible from the intersection of Long Hill Rd. with Old Rochester Rd. It is a 250 feet from that intersection.

Dean Trefethen asked if the doors to the car wash would be closed while cars are being washed. He was concerned with the location of the carwash and the tenants being able to open their windows in the summer.

Paul Connolly went over the operation of the carwash. He said that the doors close in the colder months and believes that they are left open during the warmer months. He stated that the units have air conditioning and it won't be necessary to open the windows. There will be a fence between the properties. He said that after looking at the topo of the land, they decided that the retaining wall would only add two feet of height to the fence. They are going to put in an 8 foot fence and the two feet plus or minus at the top doesn't help the second floor situation and it becomes a needless expense.

Jim Schulte stated that the doors of the carwash point sideways to where the units will be so the sound won't be directed directly at the units. During the summer months when the

windows will be open are the slowest months for the carwash. The statistics that we have say that $\frac{3}{4}$ of the use comes between the fall and the spring and only $\frac{1}{4}$ comes from April through Octobers.

Dennis Ciotti asked if the curb cut is already in place and has any consideration been given to making that an entrance only off of Old Rochester Rd. and an exit onto Long Hill Road.

Paul Connolly stated that there has not been any consideration given to that. He said that this part of Old Rochester Rd. is part of the Urban Compact, so the City of Dover maintains control.

Frank Torr asked if consideration had been given to an acceleration/deceleration lane. He said that his concern is that it is only 250 feet from the intersection.

Paul Connolly said that it is not shown on the plan and they would not object to a deceleration lane but he doesn't believe that there would be a need for an acceleration lane.

Steve Stancel stated the State is working on a Transportation improvement plan for the signalization of 108/Long Hill Intersection and included in that plan is an upgrade of a section of Long Hill Rd., including sidewalks. In addition there will be an upgrade of the intersection of Long Hill and Old Rochester Rd., including widening and striping. He added that the plans have not been engineered yet, so he is not sure if there will be a deceleration lane. He said that his guess is turning lanes.

Paul Connolly stated that they don't have an objection with providing a deceleration lane. Additionally, the applicants have agreed to set aside funding for a bituminous sidewalk that would cover equal amounts of land area on either side of the proposed drive access.

Beth Thompson made the motion to accept the application.
Frank Torr seconded.

VOTE U/A

The public hearing was opened.
There were no comments.
The public hearing was recessed.

Steve Stancel stated that they recommended tabling this item. They would like to see the future right-of-way that you see on the plan provided to the City because the City is going to need that piece of land in the near future. Steve Stancel stated that the type of sidewalk is to be determined. They are also talking to the applicant about the sound screen and fencing. The recreational details need to be placed on the plan, as well as architectural renderings. He said that he would leave it up to the Board if they want to do a site walk or not.

Steve Stancel explained that there is a recreational formula that is based on the number of bedrooms. He said that there are 29 bedrooms so there is about 2900 sq. ft., of which has to be put aside for swing sets, slides, etc. He said that they thought of asking for a contribution for across the street, but because of the traffic it would be safer to have a tot lot on this piece.

The Board didn't feel the need for a site walk.

Dean Trefethen asked if 22 parking spaces were adequate for 29 bedrooms. He said that there may be children but there could also be adults. To him it seemed tight.

Steve Stancel stated that 22 spaces does meet with the regulations. He said that he would look at other projects to see if there is a problem.

Frank Torr made the motion to table.

Beth Thompson seconded.

VOTE U/A

ITEM #4: Consideration and acceptance of a minor subdivision of land for Moon River Development Co., LLC, (Owner Woodwin Farms, LLC) Assessor's Map N, Lot 8 & 81 zoned R-40, located on Gulf Road.* (2 Lots)(P04-63)

This item was withdrawn.

ITEM #5: Consideration and acceptance of an OSS subdivision of land and Conditional Use application, for Daniel & Jacqueline Ayer, Assessor's Map N, Lot 19, zoned R-40, located off Back Road.* (5 lots)(P04-61)

Dan Ayer, 10 McKone Lane, stated that he is looking to do an OSS for 5 lots, with 4 lots fronting off of Back Road and one fronting on McKone Lane. The gross parcel area is about 45 acres, with 37 ½ acres of upland. There is a yield plan that shows 25 conventional lots that would be allowed in an R-40 zone. He said that he is asking for 5 of those lots as Phase I. The gross area of Phase I is just over 6 acres. The area of uplands of Phase I is 5.57 acres. The total area of subdivision lots of Phase I is 3.23 acres. The gross open space area is 2.3 acres or 38% of the Phase I area. The wetland area within the open space area is .44 acres or 19%. He said that there are no impacts of wetlands on this project, however, he went before the Conservation Commission because one lot or one house on the lot does infringe on the wetland buffer zone. He said that he is also looking for a Conditional Use Permit.

He went over each of the sheets of the plan. He said that the land 250 feet back from the river has been divided into a conventional 40,000 sq. ft. lot and those land areas that are within the 250 foot coastal zone are 3 times the zone size.

He said that this project was reviewed by the TRC on December 16, 2004.

He said that the Fire Dept. was concerned with the name of the road and they decided on Falcon Drive. The Planning Department and Engineering made a list of things and he has complied with the entire list, with the exception of the drainage report they will get tomorrow. He was asked to give a conceptual plan or some idea on how the rest of his land might be developed. He pointed out the 3 different phases of his plan. He is only asking for Phase I. Phase II will consist of 6 lots, with 3 fronting on the river. Phase III would consist of the remainder of the lots, with 2 lots fronting on McKone Lane. He said that although the yield plan shows 25 lots, he is only utilizes 22 of the 25 lots. He will own 9 waterfront lots and of the 9 lots only 3 will have a house within the 250 foot buffer and one will have a house on the 250 foot line.

He said that even though paving isn't required, they noted on the plan that after the four houses on the road are built out, the road would be paved 16 feet wide with 2 foot shoulders.

Dean Trefethen asked about the force main for the sewer.

Dan Ayer stated that the force main is in Back Road now and it will go to each and every one of the houses. Mr. Ayer explained that the entire sewer system is pressure and added that it was one of the requests that were made at TRC by the Engineering Dept.

Frank Torr made the motion to accept the application.

Donald Andolina seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was recessed.

Steve Stancel stated that the two major outstanding issues is the submittal of a drainage report as well as submittal of the pump calculations for the force main and an independent review would take place as well. He said that the staff recommended a site walk. He knows of one abutter that would like to take a look at the brook that runs through the property.

Chairman Cole set the site walk for **Saturday, January 22, at 10:00 AM, parking at 160 Back Road.**

ITEM #6: Consideration and acceptance of a minor subdivision of land for Blayne Wilson Real Estate, Assessor's Map F, Lot 22, zoned R-40, located on Littleworth Rd.*(1 lot)(P04-64)

Steve Bibeau stated that he was representing Kevin Blayne. They are proposing to take the original 4.9 acre lot and making it two lots. The new lot will be approximately 1.73 acres. They are waiting for their State Subdivision approval and State Driveway Permit

approval. They are planning on relocating the existing leach field so that there is no encroachment onto the new property line.

Beth Thompson made the motion to accept the application.

Dennis Ciotti seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Steve Stancel stated that he wanted to make the applicant aware that that they did receive a carbon copy from NHDOT saying that they denied the request for a driveway. He explained that at one point this was part of a larger lot and that lot was entitled to a maximum of three access ways onto Route 9. He thought that the State may have made a mistake because they are counting the existing dwelling, Emerald Drive and then they are counting a driveway on lot 22A-25, which is on the other side of Emerald Drive. He said that the approval of Emerald Drive included changing the driveway from that lot to come off of Emerald Drive as opposed to Rt. 9. With that being the case you would end up with 3 accesses. He said that they will leave receiving the State approval as a condition until that is cleared up.

Steve Bibeau stated that he has been in touch with Allan Gowen, and it is now being cleared up.

Dean Trefethen made the motion to approve with the following conditions:

1. Revise the plat by adding the fifty foot buffer to the wetland area located along the eastern property line.
2. Revise the plat to show the location of the existing and proposed water lines.
3. Provide the Planning Department with a copy of the NH Department of Environmental Services Subdivision Permit and add the permit number to the plat.
4. Provide the Planning Department with a copy of the NH Department of Transportation Driveway Permit and add the permit number to the plat.
5. Provide the planning Department with a digital version of the plat.

Mindy Anderson seconded.

VOTE U/A

ITEM #7: Old Business

a. Discussion and possible vote on an OSS Subdivision, for Douglas Dodd, Waldron Falls, located on Watson Rd. (10 lots)(P04-54)

Beth made the motion to take this item off the table.

Frank Torr seconded.

VOTE U/A

Paul Connolly represented Douglas Dodd and Richard Roy who is the owner of the property. They have revised the plans and imported all of the comments of the TRC into the plans. The Engineering Dept. has come forth with a final list of items, which are all very minor. In the past weeks they have prepared a NH Environmental Wetlands Dredge & Fill Permit to fill a minor 3,000 sq. ft. area to construct a roadway, and a temporary permit to construct a cross country sewer, which is about 456 sq. ft. impact. After the sewer is in, they will put the wetland back in like they were never disturbed. He said that they have met with the Conservation Commission with regard to the Wetlands application and the Conditional Use Permit. There are a number of conditions of approval and none that they object to.

The public hearing was opened.

There were no comments.

The public hearing was closed.

Steve Stancel gave the recommended conditions of approval.

Ron Cole asked what happens to the conservation easement for the trail and what happens when they get to the end of the property.

Steve Stancel stated that an easement will be granted to the City so if the City wanted to upgrade the trail it could as part of the overall city-wide trail system.

Paul Connolly stated that from the trail head area on Watson Rd., the first 200 feet runs over land that is held in the ownership of the State of NH and thereafter it goes on to the subject premises for about 1,500 feet and thereafter, it goes onto a very narrow slice of land owned by the Schlenrichs. It then goes onto a four acre conservation easement that runs to the benefit of the City. That easement was set aside from Phil Jennison's project, the Willows. He said that he is not cognizant of any history or easement beyond that.

Paul Connolly stated that sheet 7 of 17 notes that there is a proposed sewer manhole roughly at station 10+50. It is the last manhole on that run. He explained how it could possibly be extended and make municipal sewer collection available to a number of existing dwellings and residences along that route, as well as open up other land for potential development. He explained that that is what the Engineering Department is looking at.

Dean Trefethen asked if the applicant would construct this sewer to the proposed sewer manhole gravity feed back to Watson Rd and if it were extended, would they convey the sewer to the City.

Steve Stancel stated that that is the suggestion because it becomes awkward to have a private main in between two public mains.

Dean Trefethen wanted to clarify that if that does not happen and if anything goes wrong with the sewer line, the homeowners association will be responsible for it.

Frank Torr made the motion to approve with the following conditions:

1. Add the owner's signatures to the plat.
2. Provide the Planning Department with a digital version of the plat.
3. Approval includes the granting of a waiver to permit the 18 foot and 20 foot wide private road.
4. Approval includes the granting of the Conditional Use Permit subject to the applicant providing a forest management plan.
5. Revise note #49 on sheet #12 to specify that the open space will be owned by the homeowners association.
6. Provide the Planning Department with a copy of the Homeowners Association documents for review and approval. Said documents shall address the maintenance of the open space and the preservation of the 50 foot perimeter buffer.
7. Provide the Planning Department with a copy of the NH Department of Environmental Services Wetlands Permit and add the permit number to the plat.
8. The applicant shall provide proof that the Environmental Protection Agency's Notice of Intent Permit has been filed.
9. The applicant shall grant to the City a 50-foot wide conservation easement along the Cochecho River to allow public access along a trail. Said easement shall be granted prior to granting the first occupancy permit. Negotiations to take place with the State of NH for potential trail head location.
10. revise the plan to address the six items contained in Assistant City Engineer Dave White's e-mail dated 12/20/04 as follows:
 - Provide more information for the possible extension of the sewer to other parcels and provide a utility easement for such extension. Provisions should be made to turn this sewermain over to the City (at no cost to the City) if it is ever extended.
 - Provide designs for the two private sewer pumps.
 - Change the do not enter signage to a 'rotary sign' and one way signs.
 - Relocate the hydrant at the end of the road to approximately station 11+25.
 - Relocate the light at station 9+80 closer to the turnaround, about station 10+60.
 - Look at relocating psmh7 to station 9+90 to keep the sewermain in the roadway and extend the forcemains.

Beth Thompson seconded.

VOTE U/A

b. Discussion on an OSS subdivision, Tolend Road Properties, LLC, located on Tolend Rd. (76 units) (P03-36)

Beth Thompson made the motion to take this item off the table.

Frank Torr seconded.

VOTE U/A

Malcolm McNeill represented the applicant. He said that there were some concerns about setbacks from the Toomey property line and they have made some modifications to extend the setbacks from his property line. He handed out copies of the plan. He said that the site was submitted as a 76 unit plan. The changing of the configuration of the entry way will limit the impact of automobile lights on the Toomey house. He said that the line of units that run from 28 down to 20 have been moved back from the property line to enhance the buffer to approximately 40 feet from the rear lot lines of the units. They believe this will further distance the project from the abutting property. He said that in doing this, the project loses two units bringing the total units to 74. He said that they are continuing discussions with the Fire Department with regard to the emergency access. He said that they are working with Engineering with regard to a sewer access point in the Tolend Road area, to be compatible with their system that they are installing on the site. He said that the NHDES permitting is in process. They are talking to the City with regard to the conveyance of the City piece. They will continue to work on the engineering issues and come back before the Board when they are resolved. Mr. McNeill emphasized that it is a 55 and over development similar to the Meadowood development. He said that age restricted units have a very nominal effect on the fiscal structure of the City. He said that there is access from Columbus Ave. and they are working with the City regarding the recreational utilization of this site. This project proposed to extend municipal sewer from Cambridge Tool up to this site at no cost to the City.

Don Rhodes, Norway Plains Associates, went over the traffic report explaining that they have counted traffic at the three pertinent intersections. He said that they adjusted the data that they gathered in November to represent peak season conditions. The Institute of Transportation Engineers has a category that they call Senior Adult Housing. They used the trip generation information in that category because it's the closest to the categories in the IPE Trip Generation Manual. He said that at the intersections that they evaluated the additional traffic would have no detrimental impact on the Level of Service. All of the Tolend Rd. intersections would operate at the LOS C or better. Some of the turns at the Littleworth Rd. intersections would operate at LOS D, which did not change with or without the development. They evaluated the site distance at the project intersection as well as the other study area intersections. The site distance looking both to the left and right exceed 500 feet. The site distance at all the other intersections looking either way is 400 feet or greater. They found that everything should function adequately through the 10-year forecasting period.

Tony McManus stated that at the last meeting he had asked if someone could go over and count the cars coming out the property off of Middle Road just to see how many vehicles were generated. He asked if anyone has done that.

Donald Rhodes said that they did not. He said that because they are using a conservative number, they felt that it probably wasn't warranted. It is something that they can do but they have not yet.

Ron Cole asked that they have the numbers at the next meeting.

Steve Stancel stated that he believes that if they count the PM peak hour in and out of the Middle Road project it would give the Board an idea based on comparing the number of units in that project to this project.

The public hearing was opened.

Bernie Toomey, 30 Tolend Road, stated that he is the only abutter to the developer's plan. He has no opposition to the development. He said the homes will sell for about \$350,000. He appreciates that they moved the house back 40 feet from the property line. He would like to have a short site walk again on lots 22, 23, 24 & 25. They are the ones still closest to his property. He has concerns about lot 29. He asked if they could eliminate it or move it to another section of the project. He asked about landscaping at the entrance road. He asked that the Board keep in mind that lots numbers 22, 23, 24, 25 and 29 need to be looked at. He said that he would prefer that the lots be moved to another location.

The public hearing was recessed.

Steve Stancel stated that there are 67 outstanding items in this project so obviously, there is still some work to be done.

Malcolm McNeill asked that they be put on the next agenda. He said that they will count the cars and follow through with regard to the engineering issues.

Frank Torr made the motion to table.

Beth Thompson seconded.

VOTE U/A

c. Discussion and possible vote on a conceptual OSS, for Paolini Brothers Development, LLC, located on Dover Point Rd. (11 lots)(P04-60)

Beth Thompson made the motion to remove this item from the table.

Frank Torr seconded.

VOTE U/A

Atty. Jim Schulte, represented the applicants and stated that the new units will be further back from Dover Point Rd. than the existing residence. He said that all of the front portion of this property will be preserved as is. The existing driveway will be relocated to the southerly end of the property where the slope is gentler. The roadway will remain private and maintained by the homeowners association. There are greater setbacks which will protect the neighbors. There will be substantial open area. Because the open areas are protected there won't be issues of accessory buildings, swimming pools, etc. The yield plan shows if it were a conventional subdivision it would be 5 lots along the northerly boundary, with houses able to be built as close as 15 feet to the property line.

That would mean that all of the trees that currently exist between this property and the next to the north, would likely be removed. There would be bigger homes on foundations. They are asking for approval of the concept.

Ron Cole stated that this application is taking place on a piece of land that has been controversial with respect to the attempts to rezone it. Both times it was recommended by the Planning Board that it would be better suited as commercial property. He said that it became apparent that the citizens in that area preferred that this be residential. The applicant who owns the properties decided that would be the best thing to do as well.

Jim Schulte added that this project will be served by municipal water and sewer. They have had preliminary understandings with a couple of property owners across the road to allow easements to connect to the City sewer.

Dean Trefethen said that he agrees with Chairman Cole and there were two things that came out of the rezoning debate. One was the desire of the residents to keep the area residential and the second was to keep it the way it is. It's not going to stay the way it is. It is going to change one way or another. In his mind the open space concept achieves that goal to keep that area the same.

The public hearing was opened.

Karl Heller, 10 Dover Point Road, said that his greatest concern is that the houses are crammed in. He said that the project is dangerous and irrational. Dover Point Road is already a major traffic problem. This is the beginning of a major onslaught of problems for the City and the taxpayers. The vibrations of putting the water line in affected his house. People will move out because it gets too crowded and the transient population moves in and crime will rise. Those who stay suffer. He spoke about lack of reasonable foresight has resulted in chaotic and dangerous traffic. He was concerned with school busses and garbage trucks stopping. He said that this is uncontrolled building that is spreading like a cancer. He sees this as profit and greed and the first step in the destruction of quality of life.

Tony Krepsepes, 15 Dover Point Road, the northeast abutter said she was pleased to see the attendance at the site walk despite the terrible weather. She said that this project is high density and felt that it is out of character with the surrounding homes. 11 units, plus the existing home on 1.6 acres of land is certainly going to cause heavy traffic and safety issues. She feels that there will be more than 1.9 children per unit. There could be 40 cars or more in the cul-de-sac and wondered about where visitors would park. She was concerned with fire trucks, ambulances, and cruisers for all the emergency calls that would have to turn around in the cul-de-sac. She wants heavy vegetation on her side. She wanted it residential but she thought possibly 3 or 4 homes. She stressed that she would like adequate buffering of her property. She suggested new cedars and spruce to be planted on her boundary, in the front and on the side to provide an adequate sound barrier and visual buffering to discourage wandering dogs and children. She would like this all in writing.

The public hearing was closed.

Ron Cole stated that the Board is asked to take action on the concept.

Steve Stancel stated that he can't emphasize it enough that what we are approving is strictly between two different concepts, the conventional 10 lot subdivision vs. an OSS 12 unit subdivisions. Looking at the two projects, it's pretty obvious which project would be more attractive to the area. He said that the Planning Department recommends approval of the concept to allow the applicant to move forward with an OSS subdivision on the parcel. It is the condition of approval that adequate screening along the portion of the northern abutting parcel be placed on future plans.

Mindy Anderson asked if a traffic study would be done.

Steve Stancel stated that it depends on the number of units. He said a transportation planner will determine whether 12 units will trigger the need for a traffic analysis on this particular section of roadway.

Dean Trefethen made the motion to approve the concept of an OSS with recommendations that there be adequate screening along the portion of the northern abutting parcel and that it be placed on future plans.

Tony McManus seconded.

Tony McManus stated that when the rezoning was before the Planning Board, he was in favor of not rezoning it to commercial. His concerns were that there would be potential car dealerships, Taco Bell, and the traffic created by that type of development. In his opinion it would have been far worse than any kind of residential development. He felt, in that sense, this is a great advantage over that. He also was concerned with the streetscape and the commercial development. This option of the OSS is the best alternative.

VOTE U/A

Abstained – Mindy Anderson

d. Discussion and possible vote on a site plan for DeStefano & Associates, Inc., located on Sixth Street. (P04-57)

Beth Thompson made the motion to remove this item from the table.

Frank Torr seconded.

VOTE U/A

Bob Stowell stated that the site walk was very useful to them. Since the last meeting they have worked on the TRC comments, as well as things that came up on the site walk. The major change that was made was the location of the crematorium. The new location is approximately 250 – 300 feet north of the original location. They have moved the

parking further away from the credit union and added more screening. They have submitted a traffic study that addressed the impact on the Indian Brook Dr./Sixth St. Intersection and from that, the City determined a fair share contribution to that intersection.

Mindy Anderson left at 9:10 PM.

Art Guadano, AG Architects gave a brief overview of the renderings of the buildings and pointed out the four components of the building. He said that the building will have a traditional New England character and a post & beam effect.

The public hearing was opened.

Devin Parker, North East Credit Union, thanked everyone for working with them and mitigating some of their concerns. The one item is that the landscaping plan consists of just a minimal approach and he asked if that would be enhanced.

Bob Stowell indicated where the landscaping would be provided saying that they are trying to keep a natural look.

Devin Parker asked about signage.

Bob Stowell stated they have not pursued what their options are. They would like a sign on Sixth Street or at the end of Members Way. If they were going to do something off site, they would need a variance and go before the ZBA.

The public hearing was closed.

Steve Stancel pointed out the handouts on the cremation system, as well as frequently asked questions and answers for the cremation system. Also handed out were memos from Bruce Woodruff regarding the traffic analysis and a memo from Tom Clark indicating that he is in agreement that residents living on the site is an Accessory Use in conjunction with this project. He said that he has made some phone calls to code enforcement officers in Turner, Maine and Middleboro, MA. These communities have this type of cremation system and they have not received any complaints to date. Turner, ME has been operating for over a year and in Middleboro for about 2 years. He gave the recommended conditions of approval as follows:

1. Add the owner's signatures to the plan.
2. The Manure management plan and the Stormwater facility maintenance plan shall be reviewed and approved by the Planning Department and Conservation Commission prior to signing the plan.
3. Approval includes the granting of a Conditional Use Permit.
4. The applicant shall pay the off-site improvement fee of \$200 for the intersection of Sixth Street and Indian Brook Drive, prior to the issuance of the building permit.

5. Revise the plan to change the location of crematorium as discussed at the site walk. Also specify the hours of operation and obtain any necessary State and EPA permits prior to the issuance of a CO.
6. The applicant shall provide the elevations of all outbuildings.
7. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Site Specific Permit and add the permit number to the plan.
8. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Wetlands Permit and add the permit number to the plan.
9. The applicant shall provide proof that the EPA Notice of Intent Permit has been filed.
10. The applicant shall provide the Planning Department with copies of any state and EPA permits required for the nuclear medicine facility prior to the issuance of a CO.
11. The applicant agrees to grant to the City a Conservation easement on the rear portion of parcel (approximately 18 acres). Said easement shall be signed prior to the issuance of the Certificate of Occupancy.
12. The applicant shall submit to the Planning Department a maintenance plan for the crematorium prior to the issuance of a building permit and if the plan is not complied with the City shall have the right to revoke the occupancy permit until the deficiency is corrected.

Steve Stancel stated that the Conservation Commission comments are incorporated in the recommendations.

Dennis Ciotti asked if on the crematorium systems, Item #32 about air permits, is that a State regulated item and if the City have anything in place to cover that. Is the air monitoring part of the maintenance agreement?

Steve Stancel said that there are no State or City regulations with respect to air permits. He added that is why we incorporated that as a condition so that should we receive a complaint, we can go and check to make sure that the maintenance has occurred. If it has not occurred, the CO can be pulled.

Frank Torr made the motion to approve with the above referenced 12 recommended conditions of approval.

Beth Thompson seconded.

VOTE U/A

Pete Lavoie left at 9:25 PM.

Ron Cole stated that Paul Beecher sat on this Board for several years before determining that he could have an employee represent the City, as opposed him sitting himself. Paul was a good member of the Board when he was here and more than that he was a terrific City Manager and will be sorely missed.

ITEM #8: New Business

There was none.

ITEM #9: Committee Reports

Frank Torr gave a brief synopsis of what transpired at the Waterfront Development Committee. At the last meeting they had a speaker Laurence Goss, who spoke about tourism and travel and how Dover isn't a destination point as far as tourism is concerned. A lot of the traffic generated is from Dover residents and a minimal amount coming from outside. He felt that the Waterfront was an ideal development as far as satisfying the needs of the City of Dover. He said that it will encourage the outside tourist to come to the area as a destination point in the future. One of the issues that is going to concern developers that come to speak to us is a clear path. He said that there is a City Council Workshop on January 19th with the Waterfront Committee to discuss this issue and try to come to a resolve as to a clear path. The other aspect is the charrette committee which is a subcommittee of the full committee that has been meeting on a regular basis. They are in the final stages of the clear path distinction.

ITEM #10: Adjourn

Donald Andolina made the motion to adjourn.
Dean Trefethen seconded.

VOTE U/A