

**DOVER PLANNING BOARD
MINUTES OF MEETING
MARCH 22, 2005**

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

MEMBERS ABSENT: Erik Tooke, John Swartzendruber

STAFF PRESENT: Steve Stancel, Planning Director; Rick Jones, Community Development Coordinator and Jacqueline Freeman, Recording Secretary

Chairman Cole brought the meeting to order at 6:30 PM, to hear issues that don't need any public input and explained how he would be jumping around on the Agenda.

ITEM#2: Approval of the minutes.

Frank Torr made the motion to approve the minutes.

Beth Thompson seconded.

VOTE U/A

Abstained – Tony McManus

ITEM #8: Old Business

a. Discussion and possible vote on the Community Development Block Grant Funding.

Frank Torr made the motion to approve as presented. (Attached to minutes)

Donald Andolina seconded.

VOTE U/A

Chairman Cole announced that the Board would not be addressing the **Impact Fee Waiver for Doug Dodd or ITEM #7 this evening.**

ITEM #10: Committee Reports

Frank Torr stated the Cochecho Waterfront Development Advisory Committee met on March 14th and finalized the charrette which will be presented to the City Council at the next City Council meeting. The Request for Proposal Committee has brought forth a Request for Qualifications. In that document is an introduction, a site description, design guideline, submission requirements, submittal instructions, selection process & criteria, and exhibits. The selection process & criteria established a point system and the key issue is to find a competent and creative developer. In the process they will probably eliminate it to about 5 developers.

Chairman Cole recessed the meeting for 25 minutes until 7:00 PM.

Chairman Cole reconvened the meeting at 7:00 PM.

ITEM #1: Citizens' Forum

No one spoke.

ITEM #3: Consideration and acceptance of a site review of land for T-Beyar Realty, LLC, Assessor's Map D, Lot 14-3B, zoned I-4, located off Venture Drive. *(P05-11)

Bob Stowell, Tritech Engineering, represented the applicant. He explained that this was a project that was before the Board in late 2000-2001. They received approval for the construction on a 10,000 sq. ft. building off of Venture Dr. Since that time the property has changed hands. They have a valid site plan approval and building permit for the approved project, however, they have some specific tenant needs in mind. They are asking to add a driveway for circulation around the building for more tractor trailer access. The parking requirements stayed the same but everything shifted around on the site a little bit. They went back to TRC and got a few comments and have addressed those issues.

Tony McManus made the motion to accept the application.

Dean Trefethen seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

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

1. Add the owner's signature to the plan.
2. Add the surveyor's signature and stamp and the engineer's signature and stamp to the appropriate sheets of the plan.
3. The applicant shall provide the Planning Department with a lighting analysis that complies with Chapter 149:14-E.

Donald Andolina seconded.

VOTE U/A

Chairman Cole announced that the Board would not be addressing **ITEM #7, application for a minor subdivision of land for Mark Phillips on Shaw's Lane Also ITEM #9, a. A request for an impact fee waiver for Douglas Dodd on Danielle St.**

ITEM #4: Application for a minor subdivision of land for Dover Industrial and Business Development Authority (DIBDA), Assessor's Map D, Lot 11-1, zoned I-4, located on Venture Drive. (1 lot) (P05-15)

Beth Thompson recused herself from this item and ITEM #5.
Bryan Cahoon took her seat on the Board.

Dana Lynch, on behalf of Dover Business and Industrial Development Authority, explained that the plan would create a five acre parcel on the corner of Venture Drive, just to the south of the existing cul-de-sac and north of a future roadway that was created in 2000. The roadway will be constructed this spring by the City. The lot is being created for the site plan that is next on the agenda.

Ron Cole asked Dana Lynch if he would like to keep going to ITEM #5 and they can be separated for the vote.

Dana Lynch stated that the site plan is for Certified Parts Warehouse that is currently housed in Exteter and they want to move their operations to Dover. There will initially be up to 50 employees. Certified Parts Warehouse will be moving into a building provided by DBIDA. They will be leasing the building with the option to buy in about 5 years. This will be the same as was done with Conproco. Dana Lynch said that the 800 foot long roadway will be constructed this spring by the City. Within that roadway will be sewer, water and underground utilities. He said that there will be 32 parking spaces in the front and 32 parking spaces on the side of the building. He said that the parking lot for employees and visitors will be accessed off of Venture Drive just before the cul-de-sac. The loading docks in the rear of the building will be accessed off of the future roadway. The drainage for the site has been taken care of and there will be a small detention pond in the rear. Because the building is set back more than is required, close to 100 feet back from the road in both directions, they have ample room to leave some of the existing vegetation. They also have an extensive planting plan that will provide for trees within the site and screening where needed. After talks with the Planning Director, they agreed to add a few more shrubs along the northern boundary as well as, some taller shrubs to insure that the loading dock areas are screened from the future roadway. They will file a Notice of Intent and a Site Specific Permit prior to construction. He added that Certified Parts Warehouse reconditions computer parts and equipment. There is no industrial waste associated with this business. Dana Lynch stated that they are working out of 2 buildings and will consolidate their operations. The one thing that he overlooked is that they are calling for a small future addition on their site plan. They would like that as part of the application so that they will not have to come back before the Board when they decide to undertake that expansion. Their drainage calculations reflect that future expansion.

Dean Trefethen asked if the future roadway would serve more than 3 parcels.

Dana Lynch stated that it would and that there is potential to extend the roadway.

Chairman Cole asked for a motion on **ITEM #4: Application for a minor subdivision of land for Dover Industrial & Business Development Authority (DIBDA)**

Frank Torr made the motion to accept the application.

Dean Trefethen seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Donald Andolina made the motion to approve with the following Planning staff recommended conditions as follows:

1. Add the owner's signature to the plat.
2. Provide the Planning Department with a digital version of the plat.

Dean Trefethen seconded.

VOTE U/A

Chairman Cole asked for a motion on **ITEM #5: Application for a site review of land for Dover Industrial & Business Development Authority (DIBDA)**

Frank Torr 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.

Mindy Anderson made the motion to approve the application with the following recommended conditions of approval as follows:

1. Add the owner's signature to the plan.
2. 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.
3. The applicant shall provide the Planning Department with proof that the EPA Notice of Intent has been filed.
4. The applicant agrees to contribute the sum of \$7,980, which is its fair share of off-site contributions for intersection improvements, as outlined in a Bruce Woodruff memo dated 02/28/05. Said contribution shall be paid prior to the issuance of the certificate of occupancy.
5. Increase screening of the loading area per approval of the Planning Department.

Donald Andolina seconded.

VOTE U/A

Beth Thompson took her seat and Bryan Cahoon went back to the audience.

ITEM #6: Application for an amended Subdivision and conditional Use application for Tay Tav Partnership, LLC, (Cornerstone Crossing) Assessor's Map 18, Lots 26-34, 39-47, zoned R-40, located off County Farm Cross Road. (18 lots) (P05-13)

No one was present to represent the application.

ITEM #8: Old Business

b. Thornwood Lane

Steve Stancel stated that at the last City Council meeting, Thornwood Lane which was part of a subdivision that was approved by the Planning Board back in 2003, went before the City Council for acceptance of the road. The road had to be public because the applicant wanted to break off Thornwood Market and sell it. In order to subdivide that piece off they needed road frontage on a public right-of-way. Because they needed 150 feet of road frontage for the back piece, the idea was to put the market building which had its own driveway on Dover Point Road on the newly created public road. This road has been constructed per regulations and there has been a two year maintenance bond in place. They are before the City Council for acceptance of the road. The City Council felt more comfortable sending this back to the Planning Board for discussion and having recommendations sent back to them before they would accept the road.

Steve Stancel stated that one of the main concerns that the City Council had was that the road wouldn't be benefiting the general public, yet the City would have to take it over and maintain it. There was concern that, as development occurred to the rear of the property, there may be damage occurring to the road and the City would be responsible for the damage.

Dean Trefethen questioned is whether this could be a private road and still have three lots off it. He said that at some point in time he has no doubt that the City Council would want to accept this road, but now may not be the appropriate time. The question was why they wanted it to be accepted.

Steve Stancel stated that they had gotten a legal opinion from Atty. Wattendorf and it indicated that the subdivision plan is duly recorded and the dedicated street is constructed in accordance with specific standards. He felt that the City is legally bound to accept the street. It does appear from case law and municipal practice treatises, that the City would be bound under an "estoppel theory," that is to say, if a developer who received approval from the Planning Board went ahead and constructed it to city standards and was subsequently denied acceptance by the Council, the developer would most likely prevail in getting a court order forcing the City to accept. Steve Stancel said that he feels that it

is a unique situation. He said that the market up front is utilizing this road so there are members of the public utilizing the road to get to the market. It's not improbable that a developer could come in and do a 30 lot subdivision and put the road in up front and then take forever developing the lots and that is an option that a developer has. When a project is approved the developer has four years to all on site and off site improvements and they put a bond up front if they come in for a building permit or they begin construction of the road. That is to protect the City to make sure that the road is constructed to standards. At the end of the four year period if the road is still not built to City standards this Planning Board has the option to extend those bonds one year at a time.

Tony McManus stated that he remembers dealing with this and it wasn't any different than any other proposal. It made sense to relocate the road to have one access that could eventually be extended in case someone wanted to develop the back land. He said that he never considered it to be anything other than a public road at the time that the Board approved it. His understanding would be that if anyone wanted to develop the back land they would have to create a public road or private road as an extension to this. He said that he doesn't see where anybody would have any basis for questioning this but this is what the Board approved.

Frank Torr stated that the applicant complied with the Planning Department's wish to change the entrance to the property. There was no mistake in his mind that it was to be a public road. It is for the public benefit because it services a facility that the public utilizes. As far as development into the rear of it, bonding can take care of that if there is concern for damage to the property. The road is built to City specifications so the road should be built to take any type of traffic that would occur, other than off road construction equipment.

Dennis Ciotti said that he is sure that the garages that were there were torn down to accommodate a City acceptable street. The applicants did everything they were asked to do. The Planning Board's position was clear when it was approved and it was clear when we made them knock the buildings down.

Dean Trefethen said that the confusion is that the road exists and is being used by the market now and it's not accepted by the City so the question is, not if it's going to be accepted but when it's going to be accepted. Even as he reads through George Wattendorf's memo he is saying that we are bound to accept the road, but there is no time table as to when we accept it. He said that you should be able to convey all of these lots on an un accepted street with the intention that at some point in time, it will be accepted. The Council can table it.

Steve Stancel said that it should not be the City's responsibility or interest to make sure that the road gets built in a timely fashion and is constructed to City specifications. It should not be the City's primary concern that they don't take over maintenance until it's used by the majority of the public. You've got a situation where you have a market and employees and customers using that road. How we make the person who owns the road

hang on to the road if it's built and ready to go. He felt that using any other threshold than the completion of the road to City specifications would be too subjective in nature.

Chip Williams stated that the property is in receivership at the moment. He said that the buildings were taken down as part of the City requirement. If they would have known that the road may not have been accepted, they probably would not have put the top coat on and they probably would have left the tenants in those buildings which were generating revenue. He said that they followed the guidelines that were suggested by the City. For them to continue to maintain the road costs them money that they were not planning on spending. The corporation is not functioning right now and they have no cash flow. The flow came from the buildings that were in the front that have been taken down so they have lost that revenue. The road has been completed to City specifications and they will continue to maintain it, plow it and do whatever if that is the City's wishes, but they are paying taxes to the City and have for many years but they are no longer a revenue generating concern.

Frank Torr said that it was very clear that at the time that the project was completed that the City would take over the public road. He feels that it is the obligation of the City to take over the road.

Ron Cole stated that it was very clear to him that it would be taken over.

Dennis Ciotti asked if there was anything the Planning Department can do to protect the road from damage from future development or is there something that needs to be added to the RSAs or brought up in case this happens again.

Steve Stancel stated that the City routinely takes a two year maintenance bond on any new road that is accepted to make sure that within the first two years the road holds up as it should if it was built to City specifications. After that, one way to protect ourselves is that if there is any future development in the back land, a condition of approval could be made to say if there is any deterioration in the road, the developer would be held responsible.

Dennis Ciotti said that we must accept the road as it is.

Dennis Ciotti made the motion to accept it as a City road now and to pass the recommendation to the Council Council.

Frank Torr seconded.

VOTE 7-1

Opposed – Dean Trefethen

ITEM #6: Application for an amended Subdivision and conditional Use application for Tay Tav Partnership, LLC, (Cornerstone Crossing) Assessor's Map 18, Lots 26-34, 39-47, zoned R-40, located off County Farm Cross Road. (18 lots) (P05-13)

Joseph Coronati, Jones & Beech Engineers, explained that the applicant, Tay Tav Partnership, purchased the project and has been working with the neighboring property owners obtaining the rights to use the railroad bed for a sewer easement to bring sewer to the site eliminating the need for common septic systems. Everything else is the same. They are here to talk about the sewer design. They have sent plans to Paul Vlasich and received comments. Mr. Coronati explained that the Alden Woods project has brought the sewer up the railroad bed that is owned by the Merkleys to a point where they will be extending it from there down the railroad bed another 1,000 feet into the site, cross through the wetlands and then service the 18 proposed homes. He pointed to where the septic systems used to be located and will now be open space. They do require a Conditional Use Permit for a temporary wetland impact of 3,700 sq. ft. He said that they are going through the optimal location because it is the narrowest crossing through the wetlands. It will be gravity sewer so there will be no need for pump stations.

Steve Stancel stated that for the project behind Alden Woods that was recently approved for 32 lots, the sewer was going to come through a portion of the open space instead of this railroad bed. At the time both Conservation Commission and the Planning Department and Engineering all thought that it would be better if the sewer came down the railroad bed because of concerns of environmental effects and at the same time they recognize that it would be advantageous to be able to sewer a portion of Cornerstone Crossing. They were able to get all the players involved for the two projects plus the owners of the railroad right-of-way together and out of that meeting, through a negotiated process between the owners came this proposal. The lots aren't changing, the roadway is not changing. The only change is the sewer line and that is what we are addressing here.

Dean Trefethen stated that the existing houses that are there now are still on septic and will remain that way.

Joe Coronati said that with this project those homes would remain on septic for now but will have the ability to tie in. They have to be provided with at least the ability to tie in when they are ready. They can switch septic systems to sewer which is going to cost them quite a bit of money. They are aware of this and the potential benefits to them. Right now their septic systems are working fine but at some point they probably won't be. When they are ready to tie in, they'll have the ability to do so.

Steve Stancel said that one of the conditions of approvals is that the sewer meets the master plan for the area. Once it's master planned they can determine if the sewer line extension to the new lots is put deep enough to handle future development further down the line. In exchange for that the City would accept an easement and maintain that sewer line.

Frank Torr asked if it was sized properly for extending onto County Farm Cross Rd. and the surrounding area. He asked who does the master planning for this item.

Steve Stancel said that it would be the applicant's engineer who would do the master planning.

Peter Lavoie stated that the applicants own the sewer until they turn it over to the City.

Dean Trefethen was concerned with the public sewer under private streets.

Steve Stancel stated that the main trunk line would become public with the access easement for the City to maintain it. He said that it is going through private land but it will eventually come out on County Farm Cross Road and be available for the public at that point.

Frank Torr asked if it would be going as far as the County Farm Complex.

Pete Lavoie said that he is not sure. They are looking at as large an area that the sewer line could handle. They have to prove that to Engineering.

Frank Torr said that in the County Complex they have recently put in sewer but he is not sure what capacity they allowed for.

Pete Lavoie said that it gravity feeds down to a pump station then it's pumped up to the railroad bed. There's plenty of capacity for what the county needs.

Ron Cole asked if someone who has a failed septic system would be required to tie in.

Pete Lavoie stated that if the pipe was within 100' of their property they would be required to tie into the line.

Frank Torr made the motion to accept the application.

Beth Thompson seconded.

VOTE U/A

The public hearing was opened.

Keith Madden, 190 County Farm Cross Road, stated that this is the project that was proposed back in 1987 and was partially developed at that time. Last spring this project was brought back before the Board and here it is again. He stated that the sewer is not completely correct. He said that there were 5 common leach fields proposed for the westerly boundary. There is a deed restriction that talks about a landscape buffer and a berm running along the property line. For some reason it is not included. The previous plan that was approved last Spring had a stipulation added that referenced a landscape buffer be planted on the property line along with the berm. The notes in the new plan on page A-2, #42, states that the developer is not responsible for planting a buffer of trees as the open space will remain undeveloped. It is true that the septic systems are no longer going to be developed but in the deed for this property when it was acquired there is a deed restriction that requires the developer to plant a berm and landscaping there. He

requests from the Board that they bring back that wording that was approved in the prior plan and have that as a stipulation of the project. He is happy to see that they listened to their neighborhood comments regarding the raised septic systems that were proposed previously and that they made efforts to bring City sewer to the site. His question whether the line is going to be run up just for the Cornerstone development and/or just up the railroad bed to County Farm Cross Road.

Ron Cole asked Keith Madden if the reason for the landscape and the berm was because of the multiplicity of the leach field.

Keith Madden said that it was not just because of the leach field but because of the intensity of the project. They are relatively small lots in a cluster type subdivision and there is going to be such an intense use. The previous owners just negotiated to provide screening and a buffer between the two projects. This project is unique to the City of Dover and especially in their neighborhood because they are in an area that is zoned R-40 where the average lot size is at least 40,000 sq. ft. and probably larger. His request is that they reinstall the requirement that the developer install abundant landscaping and a berm along the westerly property line.

Tom Anderson, 3 Nicolas Circle, stated that he is situated on the access road going into Nicolas Circle. His question is where is the master plan on the septic? He heard that they will potentially be able to tap into it. Where is it coming through? He said that he heard that the development won't change except for the septic lines which will bring in more landfill and it is going through a wetland. His concern is for three of his neighbors. He was concerned with the drainage and possible wet basements that they did not have before. He spoke about an area was dry for 10 to 15 years and after a new development occurred it drove the water up so that area along the railroad tracks is now flooded in the fall and springtime. His concern is where the water is going to go. His neighbors are concerned that when they put in sewer and putting in a lot of fill where is the water going to go in the future.

John Hinkley, 15 Jackson Brook Terrace, was concerned with the sewer line coming in. This is a private association out there where the sewer line is being shown under the road. These are not City approved roads and are maintained by the homeowners. He asked about the sewer line needing maintenance. He said that the road would have to be dug up and he wanted to see if they would be restored. He said that he would like to see how they could tie the existing homes that are out there in the system. They are on common septic and where the septic line is shown some of these houses are within the 100 feet of the line. There are several houses to one leach field. He said that he is on Jackson Brook Terrace and he is about as far away from this project as you can get. He was wondering if sewer would be available to him and how would it get to his property. He said that Jackson Brook is in back of his house. His house is actually lower than where this trunk is going to be. He added that those are some of the concerns of a lot of homeowners out there. They are wondering if they could tie into this. It does represent a substantial cost and most of their funding is for street rights, sewer pumps and for plowing. They don't have thousands of dollars to start digging up and laying pipes. If it is coming they would

probably like some help getting it to them. They understand that there is a tie in fee per house but they also understand that it's a private association. There are all going to be association houses and they are not going to have an overabundance of funding. He asked if the trunk will stop in the cul-de-sac.

Steve Stancel said that it will depend on where the projected extension is on the property and it still has to be master planned. It may go up the road and there may be a more advantageous route for the trunk line. The developer will have to master plan it but not build it any further than what is on the plan. The sewer line will be sized appropriately for picking up the remainder of the development. They would show on a preliminary basis how the rest of the development would be able to tie into the sewer so that if there were problems in the future, you could take that plan, get it engineered further and then be able to tie into that sewer. It would be at the association's expense but the plan would be there and you would be able to do it.

John Hinkley asked if the City would require them to tie in once the final design is in place. He said that the association would check to see if it was cheaper to pursue the tie in or to fix a leach field. Sewer is a benefit but it is quite an additional cost up front and it is more expensive than maintaining their existing septic fields.

Steve Stancel stated that there are potential options if and when that time comes to financing the sewer such as assistance from the City with a long-term payback. There have been programs that the City has taken advantage of with as much as 20 or 25% funding from the State to assist neighborhoods that have failed systems.

The public hearing was closed.

Joe Coronati, apologized to Keith Madden with regard to the planting and the berm that was left off the plan. He said that it was his thought that it was entirely meant for the buffering of the septic systems.

Keith Madden said that it used to be wild fields but it has reverted to low-quality trees out there that don't provide any year around screening.

Joe Coronati said that it was a requirement under the previous approval and that has to stay in place. He said that they will build a berm and plant it with arborvitae. The City engineer is going to require them to design the sewer as such that it will get all the way to County Farm Cross Rd. and then beyond either up or down. There is no real point to going towards the County Complex but the intent is to go in the opposite direction towards Keith Madden's house. He added with regard to the drainage concerns that Tom Hinkley raised, that the road and the drainage design has not changed and there is no extra fill for the sewer project. The drainage was not changed and is the same as the approved plan. The houses that are within the 100 feet, if the leach field that they tie into fails, it would be much cheaper for them to tie into the gravity sewer than to fix a leach field. Joe Coronati said that they can add a note to the plan that states the trench is

prepared to the City standards or to the standards that were in place when the project was approved.

Keith Madden wanted to add to the landscaping that if during a certain period of time the shrub dies, that it be replaced by the developer.

Dennis Ciotti asked if the new roads were going to be up to City standards.

Steve Stancel explained that they will be the standards that are in the plans for private roads. Even if it is a private road it is designed to handle the weight of construction vehicles. There wasn't ever a final top coat put on Nicolas Circle. As part of this approval this developer will be putting on the top coat so they will be actually upgrading the existing road system as part of this approval.

Steve Stancel stated that the Planning staff recommends approval of the Conditional Use Permit subject to providing the Planning Department with a copy of the NH Wetlands Permit and in addition, the Planning Dept. recommends approval of the revised plat with the following conditions:

1. Add the owners' signatures to the plat.
2. Provide the Planning Department with a copy of NH Wetlands Bureau comment and add the number to the plan.
3. Add to note # 39 that new homes constructed shall be part of the existing homeowners association and provisions be made differentiating responsibilities of septic vs. non-septic owners.

He said that the rest of the recommendations follow the Engineering Depts. memo dated 3/14/05 as follows:

1. The sewer needs to be master planned for the area. The engineer should provide drawings on how this sewer will provide service to the rest of Cornerstone Crossing and extension to County Farm Cross Rd.
2. The utility (sewer) easement along the railroad bed should have provisions to be turned over to the City of Dover after construction acceptance. The City would also entertain maintaining the trunk line through Cornerstone to County Farm Cross Rd. with the appropriate easements.
3. The gas main from the previous plan is not shown on this revision.
4. The engineer should consider extending the outfall (by cb6) to the 142 contour line.
5. On sheet D2:
 - a. Outside drops are required on drops over 2 feet. (no inside drops)
 - b. Crushed stone is required bedding for sewer pipe.
 - c. The City requires a full brick invert with no filler.
6. The engineer should increase the separation between the sewer main and buildings.
7. On sheet U2 the plan and profile orientation should match.

8. Also, on sheet U2 where the cover over the sewer main is less than 4 feet the pipe should be an insulated pipe.
9. The berm and the landscaping be added per the previously approved plan

Steve Stancel stated that he would leave it up to the Board if they want to require additional landscaping per abutter requests.

Ron Cole said it should be added that the berm and the landscaping be added per the previously approved plan.

Dean Trefethen stated that it seems that we have considerable changes to the plan and wondered if this should be tabled so that the plans can be updated with all the requirements and do the final approval later.

Dennis Ciotti thought that the Board and the residents would like to see the final plans so they can see exactly what is going to happen out there.

Discussion ensued regarding the beginning of the construction of the sewer line. Joe Coronati stated that they cannot start construction until Paul Vlasich is satisfied that they have done what they can with the master planning.

Steve Stancel stated that he feels that Engineering can handle the master plan but he can understand where some of the Board members are coming from. He said that, technically, we wouldn't allow construction to begin until plans were signed. You would have to have a master plan done anyway for the sewer. There would only be a few days difference in terms of coming back to the Planning Board. He didn't see waiting for the Board to see the final plans as a hardship if it would make everyone feel better.

Frank Torr asked if the Board delayed the decision would it allow an opportunity for the new owners to negotiate with the property owners association as far as the construction of the sewer main extending through their property. It might be wise for the homeowners association to stub their sewer mains so that they would not have to dig up the road again if it was going to be upgraded as indicated.

Steve Stancel stated that he doesn't think that the final coat on the road would go on until the end of the project and so it does give the homeowners association some time.

Dean Trefethen made the motion to table.

Dennis Ciotti seconded.

VOTE U/A

Joe Coronati asked if the construction could start based on the previous approval, given the fact that there is a lot of work to do that isn't going to change.

Steve Stancel said that it is a unique situation. He said that he needs to talk to the Code Enforcement Officer because there has to be a bond in place prior to any construction and the bond has to include all utilities. He asked Joe Coronati to give his office a call.

ITEM #11: Adjournment.

Mindy Anderson made the motion to adjourn.

Beth Thompson seconded.

VOTE U/A