

**DOVER PLANNING BOARD  
MINUTES OF MEETING  
MAY 24, 2005**

**MEMBERS PRESENT:** Donald Andolina, John Swartzendruber, Anthony McManus, Beth Thompson, Frank Torr, Ronald Cole, Mindy Anderson Dean Trefethen, Dennis Ciotti

**MEMBERS ABSENT:** Erik Tooke, Pete Lavoie, Bryan Cahoon

**STAFF PRESENT:** Steven Stancel, Planning Director and Jean Glidden, Recording Secretary

Chairman Cole brought the meeting to order at 7:04 PM.

**ITEM #1: Citizens' Forum**

Valerie McKenney, 31 Westwood Circle, was concerned for the school system and the tremendous amount of building going on. By 2010 the Barrington students will be leaving us, creating a huge decrease in revenue. She felt that there is no corroboration between the Planning Board and school committee. She asked the Board to keep the big picture in mind. The people who benefit the most from the building are the contractors.

Rick Hebbard, 97 Spruce Lane, stated that the City needs to figure out what comes first the chicken or the egg. The City is designing our community without the public being notified as to what is going on in their backyard. The Board may say that this trail has been going on for almost 10 years but people come and people go. There needs to be a concerted effort by the City to bring forth information to the public before projects start to happen.

Ron Cole explained that he had jumped the gun by saying that the Board would have a meeting with regard to the trail because we can't have a meeting until we have some information.

**ITEM #2: Approval of the minutes**

Donald Andolina made the motion to approve the minutes.

Tony McManus seconded.

**VOTE U/A**

Chairman Cole announced that there would be no vote taken on **ITEM # 9 a. Discussion for the subdivision on Tolend Road.**

**ITEM #3: Consideration and acceptance of a Conditional Use Application for Albert Berthiaume, Assessor's Map 7, Lot 19A, zoned R-20, located at 57 Boston Harbor Rd. \* P905-28.**

Atty. Emile Bussiere represented the applicant and explained the application. They met with the Conservation Commission and received their stamp of approval.

Frank Torr made the motion to accept.

Beth Thompson seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments.

The public hearing was closed.

Beth Thompson made the motion to approve with the condition that the Conditional Use Permit is subject to compliance with the NH Department of Environmental Services Wetlands Permit.

Dennis Ciotti seconded.

**VOTE U/A**

**ITEM #4: Consideration and acceptance of a minor lot line adjustment of land for Leslie Molleur & Matthew Williams III, Assessor's Map N, Lots 20 & 20-5, zoned R-40, located on Mallard Lane.\*(P05-31)**

Bob Stowell, Trittech Engineering, represented the applicants and explained the application.

Frank Torr made the motion to accept the application.

Beth Thompson seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments.

The public hearing was closed

Don Andolina made the motion to approve with the following conditions:

1. Add both of the owners' signatures to the plat.
2. Provide the Planning Department with a digital version of the plat.
3. Add the surveyor's seal and signature to the plat.
4. Revise the plat by updating the effective date of the flood maps in Note #13.

Beth Thompson seconded.

**VOTE U/A**

Dean Trefethen arrived 7:15.

**ITEM #5: Application for a minor subdivision of land for Rene & Elizabeth Dubois, Assessor's Map M, Lot 102-6, zoned R-40, and located on Back Road. (1 lot) (P05-29)**

Bob Stowell, Tritech Engineering, represented the applicant and explained that it is a combination lot line adjustment and subdivision. He explained that there is a proposed driveway that comes off of Back Road. They have been to the Conservation Commission for review and received a favorable recommendation.

Tony McManus was concerned that the intent is to adjust the property boundary line between lot 102-5 and 105 and that it is advertised as a subdivision only.

Bob Stowell explained that they were taking parts of two lots to combine into one, making one new lot out of it.

Tony McManus was concerned that they have not approved the lot line adjustment to add to the other lot. He didn't feel that the Board could approve a subdivision of 106 if the lot line hadn't been approved. He said that all there is a request for a minor subdivision and a Conditional Use permit.

Bob Stowell stated that the intent was to do this simultaneously.

Steve Stancel stated that in the past we have done a lot line adjustment and a subdivision together. He said that we are doing both at the same time and he said that we have not always required a separate lot line adjustment application and a separate subdivision application.

Tony McManus felt that it should be done the right way.

Chairman Cole stated that we need to have a resubmission on this since there is no notification of the Conditional Use also.

Tony McManus made the motion to not accept the application.

Chairman Cole recommended that Mr. Stowell bring this application back at his earliest convenience.

**ITEM #6: Consideration and acceptance of a minor subdivision of land for Murray & Barbara Ingraham, Assessor's Map 35, Lot 57B, zoned R-12, located on Hillcrest Drive & Redden Street.\*(1 lot)(P05-30)**

Bob Stowell, Tritech Engineering, represented the applicants and explained the subdivision with one lot having access on Redden Street and the existing house would remain with its access on Hillcrest. They have proposed an easement to provide water and sewer from Hillcrest to the property.

Frank Torr made the motion to accept the application.  
Don Andolina 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 owners' signatures to the plat.
2. Provide the Planning Department with a digital version of the plat.
3. Add the surveyor's seal and signature to the plat.
4. Revise the plat by labeling the proposed property lines as "New boundary lines".
5. Revise the plat to add two GIS points.

Beth Thompson seconded.

**VOTE U/A**

**ITEM #7: Application for a site plan of land for Heritage Baptist Church,  
Assessor's Map M, Lot 56A, zoned R-20, located at 186 Dover Point  
Road. (P05-25)**

Ron Cole stated that a couple of the abutters are clients of his and he is an abutter of an abutter but he didn't feel that has any affect on his ability to act on this item.

Kevin McEneaney represented the applicant. The application is for an addition to the church building. The parcel is approximately 4.9 acres and is zoned R-20. The addition is a 3,200 sq. ft. footprint, two-story building, that will house classrooms for religious education requirements. The proposal will not add any parking to the facility. Currently the requirement based on the existing and proposed square footage is 73 spaces and they already provide 93 spaces. The pastor of the church has kept track of the parking and on an average week they use between 35 and 50 spaces. He spoke about the elevation of the building and from Dover Point Road it will look like one story. The entrance from Dover Point Road will stay the same and will have a drop-off in front of the church, then continue to the back so there will be a need for more pavement. No change in the 225 seating capacity. They will use the Fellowship Hall for functions. The classrooms will be used on Sundays and on Wednesdays. 23% of the lot is impervious and with the addition it will come up to 27%.

Donald Andolina asked about the capacity of septic system.

Kevin McEneaney said that the septic system is sized for the existing building as well as the proposed. It was oversized in the anticipation of the addition.

Donald Andolina made the motion to accept the application.

Dennis Ciotti seconded.

**VOTE U/A**

The public hearing was opened.

Attorney Bill Tanguay, represented abutter Bill Fisher. He said that they don't have any objection to the overall plan and recognize that the use of a church is a permitted use. They are concerned with the septic because this is an increased use. Lighting is another concern and the plan shows no lighting. They are also concerned that this does not turn into more than a church use, such as a school use. Sound and a buffer are other concerns. As this facility grows to 14 new classrooms, they encourage the use of a buffer for sound. They urged the Board to be sure that this is all taken into account.

Ron Cole said that he is not an abutter but lives across the street. He said that he knows that there is substantial vegetation between the back parking lot and some of the neighbors. He asked Attorney Tanguay if his client had any thoughts as to what type of buffer they had in mind.

Attorney Tanguay stated that possibly trees, as something that would deflect light and sound and something that would separate the church use from the residential use.

Karen Fisher, 506 Middle Rd., expressed some concerns with the size of the structure. She said that she was unable to get some numbers on the size of the student body. She said that there are 14 classrooms, 7 on each floor, and she assumes some offices that abut the classrooms. She doesn't understand why the size of the structure is so large. She wanted a number of the student body. What are the intentions of the church? What if the membership increases and they decide to create a school. She was concerned that Dover Point Road is a very busy road and she doesn't think that it could handle a use such as a school.

The public hearing was closed.

Kevin McEneaney stated that in speaking with the pastor and the people involved in the building committee, they want to provide Christian education within the church facility. The referral to a student body is a misnomer. This is strictly a church which has religious education facilities. The largest classroom available is 15 X 33 feet and most are 15 X 15. The dept of education requirement is a minimum of 900 sq. ft. classroom size to create an accredited school. At this point in time, he has never heard a discussion of this becoming any sort of a permanent school. There is adult education, youth groups of various ages and he is assuming that they are going to separate them in various groups. He said that any change for a school would have to come before the Board. All the calculations would need a different set of criteria. This is just an accessory use to a church building. They do show some lighting in the back of the church. It is intended to be what they call "dark sky" where the lighting is directed downward so there is less light onto the abutting properties. Under the entrances there will be soffit lighting which will be hidden. He said that when they made the original calculations in 1989 for the septic

and sized it larger than what the facility needed. Since 1989 the State has come up with new guidelines on how to calculate the use number per day and the usage number has decreased as far as what is required for a leach field. They have actually lowered those criteria for schools, because they can get a lot of use on a Sunday and Wednesday and the rest of the time there is no use at all. The kitchen is also factored into the per gallon use per person. As far as a sound buffer, they are open to suggestions from the Board.

Steve Stancel said that they did not find this use intrusive or an overuse of this site. An additional recommendation they would have is to add a condition that a note be added to the plan that if at some point a full time education or daycare center were proposed for the site, it would come back to the Planning Board in order to protect some of the concerns of the abutters.

1. Add the owners' signature to the plan.
2. Add the surveyor's seal and signature to the plan.
3. Add the engineer's seal and signature to the plan.
4. Revise the plan to add the standard sprinkler note.
5. Revise the plan to show the locations of the relocated landscaping plantings.
6. Add a note to the plan that at any point in the future a full time education facility or a daycare center is proposed for the site that it would come back before the Planning Board prior to approval.

Steve Stancel said that they did not see where a vegetative buffer would be necessary because the nearest residential structures were as far as 400' - 500' away.

Dennis Ciotti asked if there was any assurance that the septic system will handle the parishioners and classrooms all at the same time on a given day. He asked what would happen if you had a 1,100 gallon system and you put 1,800 gallons on a Wed. or a Sunday. That is what he has an issue with. He said that he is not an engineer but would like to add a stipulation that this septic system be gone over by a septic design engineer to be sure it is capable of handling this to put everyone's mind to rest.

Steve Stancel said that they can add another condition that a letter from a septic design engineer be received verifying that the septic system will handle the proposed use.

Steve Stancel stated in response to a question that any allowed use in a zone unless it is 25,000 sq. ft. or more, a change of use does not trigger coming back to Planning Board.

Tony McManus made the motion to approve with the following conditions:

1. Add the owners' signature to the plan.
1. Add the surveyor's seal and signature to the plan.
2. Add the engineer's seal and signature to the plan.
3. Revise the plan to add the standard sprinkler note.
4. Revise the plan to show the locations of the relocated landscaping plantings.

5. Add a note to the plan that at any point in the future, if a full time education facility or a daycare center is proposed for the site that it would come back before the Planning Board prior to approval.
6. A note from a septic design engineer verifying in writing that the existing septic system will handle the proposed use.

Donald Andolina seconded.

Frank Torr wanted a clarification on the vegetation between this property and the Fischer property.

Ron Cole explained that he is familiar with the parcel and there are some trees. He said that there are two sets of vegetation there. There is a high hedge between this property and the Foster property and as you go toward the proposed addition, there is a substantial amount of space and then it is thinly wooded to the Fisher home.

Frank Torr asked that no vegetation that exists be removed between the church and the Fisher property.

Kevin McEneaney said that they will add some additional screening around the new property.

7. No vegetation can be disturbed between this property and the Fisher property.
8. The applicant to add some vegetative buffer on the edge of the additional road.

#### **VOTE U/A**

Chairman Cole scheduled a recess at 8:02.

#### **ITEM #8: Consideration and acceptance of an OSS subdivision of land and Conditional Use for Northam Builders, Inc. (owners Thomas & Carol Walsh) Assessor's Map F, Lots 15 & 17A, located off of Emerald Lane. (37 lots)(P05-10)**

Attorney Malcolm McNeill, introduced Bob Stowell, the project engineer for the site. He explained that this subdivision is in close proximity to the Ezra Green. The Ezra Green subdivision contains some characteristics similar to a cluster type of subdivision. What is being proposed on this site of approximately 76 acres is a 37 lot subdivision that feeds off of a conventional project. 48 acres are in open space out of the 73 total acres, which is 60% of the site. The homeowners association will have control of the open space. Public utilities have been extended to this site. They are seeking acceptance and encouraging a site walk. They believe that the general concept of this appendage to a conventional subdivision providing all this open space benefits some of the remainder of the conventional subdivision. They had discussions with the Planning Department about

extending the sewer to other areas that are off site. Those negotiations have not been completed as yet. These will be single family homes similar to what you see in Ezra Green Farm and the Emerald Wood project. They will be on public roads with the homeowners association to control the open space.

Ron Cole asked if it is the same players as were involved in the Emerald Woods I & II who will be involved in this.

Malcolm McNeill explained that Emerald Green was done by Katz development and Emerald Woods was done by a different developer but the Katz entity has acquired an interest in that project and will likely be the developer of Emerald Woods III. There is a complete interconnection between the three projects.

Bob Stowell stated that they have provided a significant open space and a significant buffer to the Westwood Circle people. There is an area that is approximately 500 feet wide which is a significant buffer with no development. They have 3 or 4 lots that back up to some of the larger lots on Westwood Circle where a 50' buffer is required by code and the lots, as proposed, are over 300' deep. They have gone overboard to insure that they don't have any drainage issues. What they did in their design is that they have a water shed break that divides the property. The rear portion drains to a different watershed completely. What they have been able to do with the road construction is to pull more land into that watershed that will funnel more water to the back and then containing that water to the back before it goes in to the wetlands. Engineering has reviewed the drainage report but they haven't received any comments yet. They went to Conservation Commission for one small area where the roadway encroaches on the 50 foot buffer to the wetland and received a favorable recommendation.

Malcolm McNeill said that there is a significant distance from the Westwood Circle houses and the probable locations of these building sites.

Dean Trefethen asked what the maintenance routine would be of the drainage swales etc.

Bob Stowell stated that the maintenance is done by the homeowner's association. It has been Dover's policy not to accept detention ponds or off road treatment areas. This is something that the homeowner's association will have to maintain. They do outline a storm water management and maintenance plan. There are dates that these things have to be done and submitted to Dean Peschel on an annual basis.

Tony McManus asked if there is a homeowner's association for emerald Woods I & II.

Malcolm McNeill said that there was no need for one because there was no open space that needed to be regulated.

Tony McManus said that there is a 15 foot wide space between Lot 15-12 and 15-13.

Bob Stowell explained that is to provide access from the proposed roadway to the open space. It will be up to the homeowners if they wanted a trail but it is not part of this development.

Tony McManus asked if there has been any discussion about tying in a walking path through the open space with the paths that are supposed to be installed in Ezra Green.

Steve Stancel stated that there haven't been any specific discussions yet with regard to that. He said that there is another private parcel in between and perhaps in the future there will be an option to do that.

Don Andolina asked if this development will be serviced by City sewerage.

Bob Stowell stated that it will and pointed to where it would tie in. The sewer was extended down Littleworth to service this project. The sewer line was paid for entirely by the developer.

Malcolm McNeill stated that the sewer was extended by the Crosby Rd./Tolend Rd. project and was paid for entirely by the developer. The City didn't pay a nickel for it.

Beth Thompson made the motion to accept the application.

Frank Torr seconded.

**VOTE U/A**

The public hearing was opened.

Judy Porter, 300 Tolend Rd., was concerned with the drainage. She said that there are significant wetlands in the back that would impact her property.

Bob Stowell stated that they did additional detention and stormwater for that area. The drainage plan shows locations that collect water then treats it before releasing it into the wetlands.

Judy Porter said that there is a large wetlands area that they are already impacted by and she doesn't want any more wetlands on here property. She asked for assurance that this plan is not going to flood them out.

Bob Stowell stated that the document is currently at the State of NH Dept. of DES, Site Specific Bureau where it is being reviewed as well as, at the staff level at the Engineering Department. Bob Stowell explained that what they look at where the water leaves the property and it is analyzed pre construction and post construction.

Ron Cole stated that there will be a site walk and Ms. Porter could show the Board the areas that are a concern.

Bob Silverblatt, 17 Westwood Circle, concerned that there was no asterisk on this item. He said that many of his neighbors would have been present tonight if they felt that there would have been a public hearing. He pointed out the omission of the asterisk and he felt that it is his belief that there was not going to be a public hearing this evening.

Ron Cole said that we can probably solve this by making a point to notify the abutters of the site walk. He will recess the public hearing and there will be time for public comment at a later meeting. He said that he will take concerns by folks and then go walk the site and then do it again. Ron Cole stated that the abutters will be notified of the site walk.

Bob Silverblatt wanted the abutters to be notified of the site walk and the continuation of the public hearing. His concerns are about the homeowner's association and the assurance that the responsibilities that the association is charged with are done. What mechanism is in place that assures us that the swales and ponds are maintained properly? He asked if there is a bond in place. He asked if any vegetation has to be removed for the drainage that it be replaced with a vegetative buffer whether a hedge or a planting or something. Does the plan delineate the distances between the back of Westwood Circle and that drainage easement? How far is it from the back of the Westwood Circle property to the beginning of that drainage easement? What is he going to see when he looks out of his kitchen window?

Steve Stancel stated that the City periodically goes around the City and checks these drainage facilities throughout the community. If there is a violation, the association is notified and if there isn't any improvement then the City can take the association to court to be sure that it is maintained. In extreme cases, the City can move in and do the maintenance itself.

Bob Stowell said that the site walk would be helpful in visualizing. He said that between the Westwood Circle rear property line and the rear property line of these lots is over 100 feet of open space. They encroach in that approximately 15 feet with the drainage easement – there is a full 85 feet that won't be disturbed. They are in excess of the 50 feet that is required. He said that there is more that 300 feet from the rear of his property to this project and the vegetation will not be disturbed.

Chairman Cole recessed the public hearing.

Chairman Cole set a **site walk at 5:30 PM, on Tuesday, the 7<sup>th</sup> of June – meeting at the end of the Susannah's Way off of Ezra's Way**, which is off of Littleworth Rd.

Dean Trefethen said that one of the things that has been an education to him is that there is currently water draining off of this property onto abutters property as is. The purpose of their drainage plan is that when they are done there is no additional water flow from their property onto yours. That's the plan and that is the requirement. It is up to the applicant to prove that they are meeting that requirement. This plan just like every other plan doesn't dump water on your property. It won't dump more and it won't dump less

because that could have other potential problems as well, but the same amount of water that is currently flowing from one property to the other will continue. The site walk will help us to understand the plan better.

Ron Cole explained that there is a check and balance system in place when an application comes before Engineering Department and it also gets reviewed by the state.

Dennis Ciotti said that the addition of roadways and ponds have mitigated people getting water on their property. He asked about a pre construction and a post construction meeting.

Steve Stancel stated that there generally isn't a post construction meeting. If there is a problem that arises then the City goes back to the applicant or the developer to fix the problem.

Dennis Ciotti pointed out that one wasn't done for Ezra Green Farm. We can check the minutes where Mr. Stowell said that the preconstruction soil analysis was done and a post-construction was done also. That is what raises the question of what if it doesn't meet the criteria and what is done to remedy the situation.

Bob Stowell said that their study refers to a preconstruction and post construction but in both cases, it's a model. It shows where the existing watershed boundaries are based on the topo. They divide up the land and it is determined where the water flows normally based on the model, as well as, a physical investigation. The post-construction is a model that shows that now that they add the roadway in the middle, how is it going to divert the water and where is it going to go. It does change the soil characteristics because the more impervious surfaces that you to deal with changes the amount of flow as well. It's a model.

Steve Stancel stated that he wanted the corners of the entire development staked out, the center of the roadway, a few indicating the rear property lines of the lots around the perimeter and the extent of the detention area that's located adjacent to Westwood Circle so that it is easier for everyone to see when we go on the sitewalk.

Dean Trefethen asked that all three detention ponds should be staked out.

Ron Cole stated that a notification would be sent out to the abutters for the site walk.

Beth Thompson made the motion to table.

Frank Torr seconded.

**VOTE U/A**

### **ITEM #9: Old Business**

Malcolm McNeill stated that regarding ITEM 9 a., he had a discussion with Mr. Stancel about the fact that they were not going to ask the Board to proceed with that project

tonight. He suggested that he give an update on the issues. He said that he didn't want abutters to be sitting around here expecting that something was going to happen tonight. He said that they have endeavored to bring this to closure this evening and they were unable to do that. He said that he can go over the outstanding issues. He understands that this will be put over until the 14<sup>th</sup>, which will give them enough time to resolve this.

**a. Discussion and possible vote on an OSS subdivision, Tolend Road Properties, LLC, located on Tolend Rd. (76 units) (P05-18)**

Malcolm McNeill stated that in terms of the Tolend Road Properties, this is a 73 unit over 55 project with the extension of municipal sewer to the site and an exchange of property between the developer and the City, the extension of sewer to some abutting projects, as well as, the dedication of a very large portion of this site for public conservation use. There were concerns about one lot in the vicinity of the Toomey property that was kind of extended out of the roadway structure system and relatively close to the property line of the Toomey premises. They are attempting to relocate or eliminate that particular lot. They have submitted the entire homeowner document and the conservation easements for review by the Planning Department. The documents are also subject by review by DES. They have utilized the DES format for these documents in terms of conservation with one caveat that there is a section of this site that they said that they would be happy to turn it over to the City, if the City wanted a trail for active recreation purposes. They have carved out that particular part of the easement where active recreation would be permitted on that part of the site. They have been discussing with the City the conditions of the hook-in of approximately 17 lots along Tolend Rd. into what is a private septic system on their site and they are continuing that discussion and hope to reach closure on those issues. There are approximately 2 pages of engineering issues of which some are minor and some have some substance in terms of their being worked out. He has had discussion with the Planning Department relative to the issue of waivers of impact fees in a 55 and over project. The Planning Department has a legitimate disagreement on how to process this request for an impact fee waiver. Those discussions are continuing and will have those resolved by the next meeting.

**ITEM #9: b. Discussion and possible vote on an OSS for Luke Westcott, located off Picard Ln./Long Hill Rd. (11 lots)(P05-18)**

Dennis Ciotti made the motion to take this off the table.

Beth Thompson seconded.

**VOTE U/A**

Ken Berry, Beals Associates, represented Christian Smith this evening for the applicant Luke Westcott. Since the last meeting they did meet the Conservation Commission on the 2<sup>nd</sup> of May and followed with a site walk on the 5<sup>th</sup> of May. They met again with the Conservation Commission for a site walk on the 14<sup>th</sup> and then 2 days later they had a Conservation Commission meeting where the CC vote to agree to hold the easement for the open space and agreed to endorse the application for the dredge and fill permit.

Based on all of the site walks and information prior to May 19<sup>th</sup> , plans were submitted and made available for tonight's meeting. They have seen a draft of the conditions of approval and they have no arguments with any of the provisions.

Tony McManus asked about the City Engineer's memo of May 20, suggesting a 30' wide utility easement from Mohawk Dr. to Carriage Hill Lane, between lots 15-3 and 15-2. He doesn't see that on the plan.

Ken Berry stated that the recommendation was made on the 24<sup>th</sup> and these plans were last revised on the 19<sup>th</sup>. They got this information and have agreed to place that on the plan as a condition of approval. He asked about the upgrade of Long Hill Park.

Steve Stancel stated that between Planning and Engineering they had a bit of a disagreement as to whether to put 100 X 100 tot lot in the location off of Apache St. and Mohawk or to receive a contribution towards an existing park, which in their opinion, was not that far away. They brought the issue up at the site walk and even the residents in the Mohawk Dr./Apache St. preferred not to have a tot lot there. It is a relatively short walk to Long Hill Rd. Park.

Ron Cole said that currently there are 27 spaces for parking at Long Hill Park. One of the concerns is that there are a couple of residents that are opposed to the utilization of that park by the community because they feel that it is for the neighborhood. The field is about 75 X 50 yards, just short of a full size soccer field. The concerns of the residents were the drop off and pick up of the children. He said that if there were probably going to be additional enhancement, the City should probably start using that field.

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

Steve Stancel gave the staff recommended approve the subdivision and the two waivers, with the following conditions:

1. Add the owner's signature to the plat.
2. The applicant shall provide the Planning Department with a digital version of the plat.
3. The applicant shall provide the Planning Department with a copy of the DES Wetlands Permit and add the permit number to the plat.
4. The applicant shall provide the Planning Department with a copy of the DES Subdivision Permit and add the permit number to the plat.
5. The applicant shall provide the Planning Department with proof that the Environmental Protection Agency's Notice of Intent Permit has been filed.
6. The approval includes the granting of a waiver to allow the pavement width to be reduced to 24 feet and the road length to exceed 1,000 feet.
7. The approval includes the granting of a Conditional Use Permit.
8. The applicant agrees that the open space lot will be owned by a Homeowners Association and will be placed under a conservation easement to be held by the City

of Dover. The easement shall allow for public access for walking trails and be submitted to the Planning Department for review and approval prior to execution of the easement and prior to the issuance of the first certificate of occupancy.

9. The applicant shall provide a copy of the proposed homeowner's association documents to the Planning Department for review and approval prior to the signing of the plat.
10. In lieu of providing on-site recreation, the applicant agrees to contribute the sum of \$2,200 to the City of Dover for use in upgrading Longhill Park, prior to the issuance of the first building permit.
11. The applicant shall contribute the sum of \$3,412 to the Community Services Vehicle Fund prior to the issuance of the first building permit.
12. Revise the plat to add the 30 foot buffer to the perimeter of the property and add a note to specify that the 30-foot boundary buffer shall be maintained in its natural state as open space and that vegetation removal shall be limited to dead or diseased vegetation. This stipulation shall also be included in the Homeowners Association documents.
13. Revise the plat to show metes and bounds for the access easement for lots #1 and #2 and sheet #3.
14. Revise the plat to add a note indicating that the maintenance of the center of the cul-de-sac is the responsibility of the homeowners association.
15. Revise the plat to add the standard subdivision notes #13, 20, and 21.
16. Revise the plat to address conditions #1-4 from Assistant City Engineer Dave White's memo dated May 20, 2005.

Frank Torr made the motion to approve with the above referenced conditions of approval. Dennis Ciotti seconded.

**VOTE U/A**

### **ITEM #10: Committee Reports**

Steve Stancel announced that there will be a Maglaras Park Recreation Master Plan Public Input Session on Tuesday June 7<sup>th</sup>, at 7:00 PM in the Council Chambers.

Steve Stancel announced that they will be looking at all the gravel pits and will get a reminder out as to the time and place. He said that they have sent a letter out to each gravel pit with a list of things that they wanted to see done by June 7<sup>th</sup>. The Board will be able to see when they go out on June 9<sup>th</sup> if those things were done prior to the June 14<sup>th</sup> Planning Board meeting.

Frank Torr stated with regard to the Waterfront Development Committee request for qualification advertising has taken place. The long-range subcommittee dealing with lower Washington St. has met with all of the property owners and they are all going to participate in the process.

Steve Stancel commented that he is sure that they will receive the balance of the money for the dredging.

**ITEM #11: Adjournment**

Beth Thompson made the motion to adjourn.

Dennis Ciotti seconded

**VOTE U/A**