

**DOVER PLANNING BOARD  
MINUTES OF MEETING  
NOVEMBER 23, 2004**

**MEMBERS PRESENT:** Dennis Ciotti, Pete Lavoie, Beth Thompson, John Swartzendruber, Donald Andolina, Ronald Cole, Tony McManus, Frank Torr, Dean Trefethen, Bryan Cahoon

**MEMBERS ABSENT:** Mindy Anderson, Eric Tooke

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

Chairman Cole announced that ITEM #4, a. Old Business, discussion and possible vote on the designation of Back Road as a scenic road, would not be addressed until after the Transportation Advisory Committee (TAC) on the 15<sup>th</sup> of December.

**ITEM #1: Citizens' Forum**

No one spoke.

**ITEM #2: Approval of minutes**

Beth Thompson made the motion to approve the minutes.

Frank Torr seconded.

**VOTE U/A**

**Abstained – Tony McManus**

**ITEM #3: Consideration and acceptance of a major subdivision of land for Douglas Dodd, Assessor's Map E, Lot 35, zoned R-40, located on Watson Rd.\*(P04-54) (10 lots)**

Chairman Cole announced that he was friendly with a couple members of the family that own the property but he didn't feel that he has any conflict.

Paul Connolly, of Civilworks, stated that he was present on behalf of Douglas Dodd, the developer of the parcel. It is a 16 acre parcel owned by Richard & Doris Roy located on the northerly side of Watson Rd. and adjacent to the Cochecho River. There is presently a single family structure on the parcel. There is an existing river-front trail that runs through the property but there is no formal easement or rights to allow usage of that trail. He spoke about the yield plan and stated that there was the potential for 7 conventional parcels. The bonuses allowed a 9 lot yield and a maximum bonus amount is 15% that equals one additional dwelling unit. He explained the plan at the easel showing the various features of the property. He said that out of the 16 acres of size, 12 ½ acres of it are upland area, with a gross open space amount of approximately 14 acres. The gross open space is encumbered by easements and rights-of-way for sewer access and for roadways, etc. There is a need for a NHDES Permit for two crossings. One is a

temporary impact crossing to allow for the installation of sewer and is less than 500 sq. ft. in size. The other impact area is considered permanent to allow for the construction of the roadway and the culvert underneath, which is 3,200 sq. ft. in size. He said one of the items that was brought up at TRC was that each of the lots have some sort of frontage along the proposed rights-of-way. He said that in doing that, it would capture the rights of driveways into the individual parcel, as well as individual sewer and water connections into the individual parcels, thereby not encumbering the open space with those elements. Paul Connolly said that as part of the plan, it is their intention to set that trail off in a 55 foot wide easement adjacent to the river that would allow for the continued use of that trail. He said that it is a beautiful section of land with beautiful views. He said that the layout of the project is all consistent with the intent and purpose of the zoning ordinance. Three permits are needed, a Dredge & Fill Permit, a Sewer Extension Permit which you have to obtain any time you have more than a 2500 gallon per day expansion of a sewer service, and a Conditional Use Permit that will allow the wetland crossings and for work in the 50' wetland protection zone. The lots vary from 8,000 sq. ft. in size to 12,000 sq. ft. in size. The houses will be a little toned down from Sandpiper Dr. and would have more of a cottage feel to them. He said that the design of the roundabout is there to offer a visual relief, as opposed to a T-intersection and to slow down traffic; forcing people to go around it. It will also serve as a site for a mailbox cluster in the center.

Beth Thompson made the motion to accept the application.

Frank Torr seconded.

**VOTE U/A**

The public hearing was opened.

Cathy Schrelentic, 67 Watson Road, asked about Note 3, and said that she didn't see anything on the list about pulling the building areas out of the 50 foot buffer to the wetlands and to the boundaries. She asked for an explanation of a no-cut zone.

Steve Stancel explained that the way that the project is set up is that the building envelopes are not within the 50 foot boundaries but the lots are. He said that in the 100 foot boundary there were a couple of the lots that did have the building envelopes touching or getting into that 100 foot, so they were made to pull them back. He explained that any OSS in the R-40 zone has a requirement that there be a 50 foot buffer around the perimeter of the property and, generally, we have been requiring that within that 50 foot buffer the natural vegetation be left with just clearing of dead or diseased trees.

Mike Rosholt, 87 Watson Road, was curious to how big the houses would be. He asked how much road frontage was on Watson Road. He was concerned with the heavy traffic on Watson Rd.

Doug Dodd stated that the market will decide and the demand for the houses is somewhat smaller than previously.

Paul Connolly stated that there is approximately 350 feet in one section and the other section has approximately 205 feet of road frontage. He said that pursuant to the ITE, there would be a total of about 9.8 trip ends per unit per day which is about 100 trips per day. The existing traffic on Watson Rd. was about 3500 cars per day back in the late '90's and he said that it has probably increased to about 4,000 cars per day.

The public hearing was closed.

Steve Stancel recommended a site walk.

Chairman Cole set a site walk for December 4<sup>th</sup>, at 9:00 AM, meeting by Sandpiper Dr., at the dam and the old bridge. He invited the neighbors to the site walk.

Dennis Ciotti asked if there was any thought given to donations for off-site improvements, municipal vehicle funds, or tot lots be diverted for a new covered bridge fund. He asked if it could be looked at as an alternative.

Steve Stancel said that they can look at it. But generally, off-site improvement fees are charged based on projects that have already been identified in the CIP because it could be difficult to charge for off-site improvements that haven't been identified or committed by the City to do in the future.

Frank Torr made the motion to table.

Dennis Ciotti seconded.

**VOTE U/A**

**ITEM #4: Consideration and acceptance of a minor subdivision of land for Melville Hodgdon, Assessor's Map M, Lot 2, zoned R-40, located on Back Road.\*(P04-56) (1 lot)**

Chris Hickey, Eric Mitchel Associates, represented Mr. Hodgdon. He said that the parcel is approximately 33.6 acres and has frontage along the Cochecho River. They are cutting out the existing house into a two acre lot with 329 of frontage, leaving the 31 ½ acres to remain vacant at this time. The State Subdivision approval is pending. The 31 acres falls into the Conservation District, the Wetland Protection District, Riverfront Residential District but none of those areas are being impacted by the two acres that they are taking out of the front.

Beth Thompson made the motion to accept the application.

Don Adolina seconded.

**VOTE U/A**

The public hearing was opened.

Tom Hutchins, 11 Ridge View Drive in Rochester and formerly 278 Back Road, spoke about a farm house and three acres located on Back Road and the sale of that property. He expressed some civil concerns.

The public hearing was closed.

Beth Thompson made the motion to approve with the following staff recommended conditions:

1. Provide the Planning Department with a digital version of the plat.
2. The applicant shall provide the Planning Department with a copy of the Department of Environmental Services (DES) Subdivision Permit and add the permit number to the plat.
3. Revise the plat to add a note indicating that the street address for the lot shall be assigned by the Building Inspector at the time of issuance of a building permit.

Frank Torr seconded.

**VOTE U/A**

**ITEM #3: Public hearing to hear comments on the City's proposed Capital Improvements Program – FY06-FY11 (CIP). The CIP can be found on the City's Web site [www.ci.dover.nh.us](http://www.ci.dover.nh.us) under City Services, click on Financial Info.**

Steve Stancel announced that on December 1, at 7:00 PM is the joint workshop with the City Council.

The public hearing was opened.

Joyce El Kouarti, Chairman of the Dover Open Lands Committee, thanked the Planning Board for its past support for land conservation initiatives in Dover. They are not requesting funding in the CIP for 2005. She said that they are ahead of schedule in terms of budgeting the resources that they have available because of several State and Federal grants. She said that they do anticipate that they will probably need their account recharged again in 2006.

Amy Criswell, 15 Wedgewood Road, spoke on behalf of the McConnell Center project and is part of the committee. She requested the Planning Board's support for this project. She said that folks are desiring a place where families can get together and to have quality child care.

Mary Lou Beaver, Executive Director of Dover Children's Center, asked the Board for support for the McConnell Center. They are looking to become a tenant at the center. They are a non-profit child care center licensed for 77 children. They have a waiting list with 140 names on it. The need for affordable child care in Dover is there. They are looking to duplicate what they are doing on Back River Road in the McConnell Center, knowing that "if they build it, they will come."

Earle Goodwin, 34 Arch St., Vice Chair of the McConnell Center Re-use Committee, stated that they will have a full report on December 1<sup>st</sup> at the Council Meeting, and a vote on December 8<sup>th</sup>. He said that they need the Board's support.

The public hearing was closed.

Steve Stancel stated that last night the City Council approved an addition to their public hearing for short-term downtown traffic improvements for \$193,000. That is a new item that wasn't in the book that will need to be taken up under discussion. Those proposals came out of the Rizzo Report. As Earle Goodwin mentioned this evening, the McConnell Committee will be presenting a final report of December 1<sup>st</sup>. It looks like we will be requesting 2.5 million in Year 1 and 1.2 million in Year 2 as opposed to 3.5 million in Year 1, in the book.

Don Andolina asked if the 193,000 that was approved by the Council, is for the implementation of the recommendations of the consultant or is that for more study.

Steve Stancel stated that it would be for the actual implementation of the short-term goals of the study. It would include actual physical improvements downtown.

Dean Trefethen stated that they did not actually approve it they just said that they are going to have a public hearing.

#### **ITEM #6: Old Business**

##### **a. Discussion and possible vote on the designation of Back Road as a Scenic Road.**

Chairman Cole stated that unless the Board has some reason to bring this up, will be left on the table.

##### **b. Discussion and possible vote on a minor lot line adjustment for Back River Road Realty Trust, located on Back River Road. (P04-33)**

Frank Torr made the motion to remove this from the table.

Beth Thompson seconded.

**VOTE U/A**

Malcolm McNeill stated that he was representing the applicant. They were last here on Oct. 26, 2004 and after of a site walk there were a number of outstanding issues. He said that the viewscape bonus has been replaced by a bonus for a public trail that the City has reviewed and endorsed. It results in the same yield, which is 20 new units with the house out front. He said that if the waiver is not granted, an alternative will be 21 new units that would be permitted under the yield plan. He said that this property is in the R-12 zone and is almost 15 total acres off of Back Rd. Most of the houses are desirably placed to accommodate the existing environmental conditions on the site. The project would not

be visible from the roadway because of the streetscape that presently exists. They looked at the conditions of approval proposed by the City and they are acceptable with a couple of caveats. The trail has been there for many years and it transcends the property and is readily passable. The developer will convey an easement to that walking trail to the City or any other entity that the City designates. It would provide an opportunity for other linkages to that system. The Planning Department proposed some assessments as it relates to possible upgrading of the Back River Road/Durham Road area, as well as, a contribution to the comprehensive corridor traffic study. He said that the applicant does not object to the concept to making a contribution. The fact that it is as open ended as it is makes it very difficult to finance a project like this and to have closure to the project. The Planning Department is willing to recommend a cap of \$15,000. He added that it is about 1% of a big ticket for a bridge.

Malcolm McNeill said that with regard to the corridor study, the Planning Department has agreed to a recommendation of a \$6,000 cap, which is approximately \$300 per unit. That amounts to \$21,000 of caps but a commitment to participating in the program. He said that the Planning Department no longer objects to the waiver to the house on the street. He added that the house is a perfectly usable house in terms of upgrading it to make it satisfactory to making it a gateway into a housing project. He pointed to where he would create Unit #21 if the Board did not approve the waiver. He spoke about the buffers. He said that the project has been well received. He went over the lot line adjustment plan. He concluded by saying that he thinks that the plan is in a position to be approved tonight.

Dean Trefethen asked if the small rights of way that go out to Back River Road would be turned over to the abutters. He felt that it would be easier to accomplish that now rather than when it belongs to the homeowners association.

Malcolm McNeill stated that they have not been approached by the abutters. He said that it is not of great value to them. He said that the abutters are probably using the land without owning it.

Ron Cole asked if they would be voting on plan A, which includes leaving the the existing house on it and also the walking trail.

The public hearing was opened.

Celeste Feren, owner of Lot 19, Back River Rd., the lot directly to the left of the project. Her concern was the comment about turning the land over to the abutters. Her definition would be that she would be an abutter. She said that when she found that this project was going to happen, she contacted the neighbors and requested if they could purchase the house and property in order to maintain the character of the neighborhood. She received a phone number of the realtor and no one ever contacted them again. They would be interested in buying the lot for a reasonable fee and not for a large developer fee. She said that they did express interest in that property but were not given information as to who to contact to pursue that.

The public hearing was closed.

Steve Stancel explained that Ms. Feren lives just north of the parcel that was purchased to put the entrance in. He explained that they were speaking about the smaller legs of lot 20 that come out onto Back River Rd.

Steve Stancel gave the recommended conditions of approval for the lot **line adjustment** and the **open space subdivision**.

Beth Thompson made the motion to approve the **lot line adjustment** plan with the following conditions:

1. Add the owners' signature to the plat.
2. Add the surveyor's signature and stamp to the plat.
3. Provide the Planning Department with a digital version on the plat.

Frank Torr seconded.

**VOTE U/A**

Frank Torr made the motion to take the OSS plan off the table.

Pete Lavoie seconded.

**VOTE U/A**

Beth Thompson made the motion to approve with the following conditions:

1. Add the owner's signature to the plat.
2. Add the surveyor's signature and stamp and the engineer's signature and stamp to the appropriate sheets of the plat.
3. The approval includes the granting of a Conditional Use Permit with the condition that the Homeowner's Association documents and individual deeds contain specific conservation restrictions designed to protect the open space and riparian buffer area.
4. The applicant shall provide a copy of the proposed Homeowners' Association documents and a sample individual deed to the Planning Department for review and approval prior to the signing of the plat.
5. The applicant shall provide the Planning Department with a copy of the DES Site Specific Permit and add the permit number to the plat.
6. The applicant shall provide the Planning Department with proof that the Environmental Protection Agency's Notice of Intent Permit has been filed.
7. In lieu of providing on-site recreation, the applicant agrees to contribute the sum of \$4,000 to the City of Dover for use on an off-site recreation facility, prior to the issuance of the first building permit.
8. The applicant agrees to grant a trail easement to the City to allow public access along the existing trail along the river and to allow the trail to be upgraded if the City finds it necessary to do so in the future.

9. The applicant, in recognition of the potential traffic impacts attributable to this development, agrees to contribute a portion of the funds required to complete a comprehensive corridor traffic study to a maximum of \$6,000 of Back River Road and Durham Road and a portion of the funds required to implement recommended transportation improvements to a maximum of \$15,000. The applicant's fair share of the study and transportation improvements will be determined by the Planning Department. Funds for the study will be due prior to signing the final plat and funds for transportation improvements will be due prior to the issuance of future certificate of occupancy if the fix hasn't been determined yet. (It may take a while to do the corridor study.)
10. Revise the plat by amending note #7 on sheet S-1 to correct the minimum setbacks to be ten feet.
11. Revise the plat by amending note #19 on sheet S-1 by removing lines 5 and 6.
12. Revise the plat to delete the road names "Coulee Court" and "Copse Road". All units will have a Picnic Rock Road address.
13. Revise the plat to add a detailed landscaping plan for a typical dwelling unit.
14. Approval includes the waiver to allow a housing unit within a 100 foot front buffer.

Tony McManus stated that it is a good project and he is glad that the house is being kept on the road because it keeps the streetscape. He also likes the idea of the walkway. His concern is how we are approaching the traffic problem at the intersection. He said the intersection is a nightmare several times during the day. He said that we are asking them to contribute to a study, hoping that we will be able to solve that problem after dumping more traffic into the existing problem. To him it is not appropriate planning and the problem should be solved before allowing any development. He said that we keep asking developers to contribute to off-site recreation facilities and not ask them to provide onsite recreation. He would like to know where the offsite recreation facility is going to service the children who live in this development. He suggested that we try to work with the County to tie in the new developments to County land.

Steve Stancel stated that there were projects that were approved on this corridor but they were approved based on traffic analyses that occurred and improvements that did take place on Rt. 108 and Back River Road. He said that there was a Transportation Improvements Project that signalized that intersection. The projects that went in that area were approved with the condition that they contribute to those improvements. He said that things are working out there and are 100% better than they used to be. They are not perfect because it will never be perfect there because of the physical constraints and the school traffic issues. This project is not going to trigger the failure of any intersection; therefore it makes sense to approve this project. He added that if the department thought that it would trigger a failure, they would not recommend approval. This project is however contributing to both a corridor analysis and to future improvement to that corridor. He said that the reason that we are doing that is because there are three or four projects in this corridor that will be coming before this Board soon. Their approach to it is, to do a comprehensive corridor analysis and see what the big fix is. He said that the big fix is widening that bridge. Short of saying that there will be no further development

in this corridor, which we feel is legally a very difficult thing to do; they are taking a responsible approach by requiring contributions and slowly but surely upgrading the corridor.

Tony McManus stated that he understands the theory behind this but would dispute the fact that it's a 100% better between 7:15 AM – 7:45 AM. He said that he can watch the intersection and see that they it is not working.

Steve Stancel stated that the fact that the light doesn't work for ½ hour during the course of a day doesn't trigger failure. There are 2000 students that are trying to make their way to the two schools. In terms of recreation, there is a recreation master plan that identifies needs in areas of the community. To the best extent possible, when a project comes in they do try to identify whether it is in an area that requires a new recreation facility.

Ron Cole asked if we could request an updating of the amount of money that is in a fund like that. Steve Stancel answered that they could.

**VOTE 7 – 1**

**Opposed – Dean Trefethen**

Celeste Feren, 20 Back River Rd. wanted to be sure that the site would be clearly marked so that people would not be coming into her driveway.

Malcolm McNeill stated that it will be apparent where the entryway is. They can control the construction vehicles and they will do whatever they can.

**d. Discussion and possible vote on a major subdivision of land for Haven Farm at Alden Woods, located off Wildewood Lane. (P04-42)**

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

Frank Torr seconded.

**VOTE U/A**

Attorney Jim Schulte represented the applicants and stated that since the last meeting they have had a meeting with the owners of the old railroad bed to see if an arrangement could be made to extend the sewer line down the railroad bed to connect this project and the Corner Stone project to a sewer easement. That has not proven successful. They agree to continue to work with the City and the owner of the railroad bed and with the other developer to see if an arrangement could be made for an alternative design for the septic system. He said that the septic system that they have proposed is recommended for approval. He said that the developers will be making a contribution of \$6,200. The preference was to upgrade that tot lot at Alden Woods. An area that they have been discussing is the question of the buffer. He passed out some information with revised language with regard to the buffer. He read the language that said that whenever possible the natural vegetation shall be retained. Jim Schulte stated that staff has consistently recommended that there be no cutting at all except for dead or diseased trees. Mr. Schulte stated that because of the topography of three or four lots, some of the

foundations will need to be set close to the edge of the 50 foot buffer. It may be that they will not have an issue but in anticipation of the possibility of that what they have proposed is a variation, which is consistent with the language of the ordinance. He said occasionally it may require that the vegetation is cut in order to put in the corner posts. They are asking that part of this language specifically allows them to cut to allow them the corner markers. He asked permission to remove the tall pines that are too close to a house creating a hazard. He added that for a few lots where they have to place a foundation close to the 50' buffer line, some of those would require an extension of fill out so that the foundation is protected and insulated and that may extend out 20 or 25 feet. They are asking for the Board's approval on the lots that they need to go up to 15 feet into the buffer. If it required any further extension, then they would provide additional screening. He pointed to a couple of lots that sit higher than the neighboring lots in the Alden Woods subdivision. Mr. Schulte added that they would get permission on a lot by lot basis by working out a landscape plan with the Planning Department.

Steve Stancel stated that it is not going to be their recommendation that the sewer line be extended to the Merkley property.

Bob Stowell reiterated what Jim Schulte stated. He pointed to the location of the sewer easement and said that they need to keep the sewer corridors but the easement could be widened to abut the Merkley property along that stretch of sewer. He said with regard to the maintenance of the cul-de-sacs, the resolution for Wildewood shows a smaller cul-de-sac with an interior island that would need to be maintained, and their position on that has been if one of the abutters would like to maintain them it would be fine. If no one steps forward to do that, their association would maintain those interior cul-de-sac areas that they are creating.

Jim Schulte explained that the City will have a right-of-way and it can do anything it needs to maintain it. The underlying land will be owned by someone other than the City but the City would have all the rights to construct, maintain, reconstruct that road. As we have learned, there are a number of City streets Class V, City maintained street which exists on land that the City does not own. He said that they can talk to those property owners and find out if they want to deed that land over to the City.

Dean Trefethen said that he would be curious to hear where we have a quarter to a half mile that is owned by the City, then 200 feet that is not owned by the City and then another quarter to a half mile that is owned by the City. It seems unusual.

Jim Schulte said that it is different but it has no affect on the City in its maintenance, but it does have a difference on the ownership. Without the cooperation of the two property owners all we can do is what you have approved in the past. Jim added that a couple of abutters have raised the question of since they don't get any use of it, why should they be paying taxes. It probably would require a boundary line adjustment between those property owners and the City.

The public hearing was reopened.

John Scoties, 47 Wildewood Lane, thanked City Engineering, Tritech Engineering, the builders for working together for the cul-de-sac plan. He offered to maintain the cul-de-sac. He said that there was a small adjustment that he would like to be made to the corner to facilitate backing out of his driveway.

Bob Stowell stated that the adjustment would be doable.

The public hearing was closed.

Steve Stancel stated that they are not recommending that the 50' buffer be changed. In the Planning staff's opinion the intent of the ordinance is clear that the 50' buffer is there to create a natural buffer between the abutting subdivisions in this project. We heard clearly on the site walks and previous public hearings that the neighbors had a concern about that. He said that he made some minor revisions to their note #15. He said that his reaction is if the lots are so small that you can't put a house on it without doing earth work within the 50 foot buffer, and then change the house lots.

Steve Stancel stated that the Planning Staff recommends approval along with the waivers to permit the pavement width to be reduced from 28 feet to 24 feet. The Planning staff supports the waiver request due to the low amount of traffic and the desire to match the existing roads in Alden Woods. The Planning Department recommends approval of the open space subdivision with the following conditions:

1. Add the owner's signature to the plat.
2. Add the surveyor's signature and stamp and the engineer's signature and stamp to the appropriate sheets 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 Site Specific 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. There will be parking only on one side.
7. The approval includes the granting of a Conditional Use Permit with the condition that the deeds for any lot that contains wetlands shall include language that declares that there are wetlands present and that City and State permits are required to alter or disturb such areas.
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, a land trust, or a combination of both. The easement shall specify who has access to the open space and what types of recreational activities are permitted on the open space lot. The easement shall 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 homeowners' 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 \$6,200 to the City of Dover for use in upgrading the existing tot lot in Alden Woods, prior to the issuance of the first building permit.
11. The applicant shall contribute the sum of \$10,878 to the Community Services Vehicle Fund prior to the issuance of the first building permit.
12. The applicant shall contribute the sum of \$6,745 to the City for their fair share of off-site transportation improvements to the Sixth Street/Venture Drive intersection and the Sixth Street/Indian Brook Drive intersection, prior to the issuance of the first building permit.
13. The applicant agrees to continue to work with the City and the Merkley's to reach an agreement for a utility easement over the abutting Merkley property. If an agreement is not reached before construction begins, the sewer will be located as shown on the plans.
14. Revise the plat to change the cul-de-sac design at Wildewood Lane to the modified design approved by Community Services, including appropriate drainage improvements.
15. Revise note #14 on sheet S-4 to specify that the 50-foot boundary buffer shall be maintained in its natural state as open space and that vegetation removal shall be limited to dead or diseased or unsafe vegetation or cutting to permit monumentation as approved by the City of Dover. This stipulation shall also be included in the homeowner's association document.
16. Acceptance of the cul-de-sac design as proofed by the Engineering Department and located on the desks.
17. Provision of an access easement to the utility easement in the rail right-of-way.

Dennis Ciotti asked if granting of the waiver of the road is automatically a no parking on one side issue. It has kind of been the norm but never been in writing. Is that something that we can make standard procedure when we grant this waiver? He said that he feels that there should be parking only on one side.

Steve Stancel stated that it can be added to #6. It still would have to go to the City Council for inclusion into the parking and traffic regulation.

Tony McManus made the motion to approve with the 17 conditions recommended by the Planning staff.

Donald Andolina seconded.

Beth Thompson said that her concern is with the cul-de-sac on Wildewood. She said that this is a clear attempt to create a playground for children in a public road. She said that these are public streets and you shouldn't allow your children to play in the streets. She said that she doesn't think that it is wise planning to have done that. She said that she needed to say that for the record. She will still vote in favor of the project because the project is well designed project.

**VOTE U/A**

**ITEM #7: New Business**

Tony McManus handed out a copy of a Resolution and a copy of NH Statute 162K which relates to Municipal Economic Development Revitalization Districts. He said that he was not aware that the City has ever adopted the provisions of this statute. It is the first step that a city has to go through before they create a revitalization district, parking garage or qualify for TIF type of funding for these projects. He said that Steve Stancel had said that it should be scheduled for a workshop at some point. He felt that it would be appropriate that the Planning Board be aware of what the process is and make a recommendation to the Council to begin to pursue this.

Beth Thompson commended the efforts to get a parking garage but she feels that getting the City Council to adopt 162K is premature. Prior to adopting an actual TIF District, it's incumbent on the City to adopt the most recent version. If the City does not need to create a TIF District for two years, then we've adopted it prematurely, and we have educated a City Council that members may not still be sitting on in two years and then we are back to train the new members again. She felt that it is a waste of time and that it should be put on hold and then adopt the most recent version of 162 K. She said that that law changes regularly.

Tony McManus stated that he has given the most recent version and once you adopt it, it is adopted. It is adopted subject to any subsequent amendments. It is simply a base to get it in place and give the City the authority at some future time. It would not have to be reenacted every two years by every City Council.

Steve Stancel suggested that a workshop could be scheduled sometime in January and have an expert come in and explain what a TIF is. He felt that it was important for the community to understand what a TIF (Tax Increment Financing) is and how it works. He said that the City is going to have to get into it for the waterfront redevelopment and for larger projects downtown. He commended Tony McManus for bringing it before the Board.

**ITEM #8: Adjournment**

Frank Torr made the motion to adjourn.

Beth Thompson seconded.

**VOTE U/A**