

**DOVER PLANNING BOARD
MINUTES OF MEETING
DECEMBER 14, 2004**

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

MEMBERS ABSENT: Mindy Anderson, Bryon Cahoon, Erik Tooke

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

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

ITEM #1: Citizens' Forum

There were no speakers.

ITEM #2: Approval of minutes

Frank Torr made the motion to approve the minutes.

Beth Thomson seconded.

VOTE U/A

ITEM #3: Consideration and acceptance of a minor lot line adjustment of land for Patrick Murray and Robert & Dorothy Lewis, Assessor's Map 36, Lots 22 & 24, zoned R-12, located on Whittier Street.*(P04-58)

Kevin McEneaney represented the applicant and explained that they are taking the back land of the Lewis property and adding it to the Murray parcel.

Dennis Ciotti made the motion to accept.

Beth Thompson seconded.

VOTE U/A

The public hearing was opened.

There were no speakers.

The public hearing was closed.

Frank Torr 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. Revise the plat by adding a north arrow.
4. Revise the plat by adding the minimum building setback lines to Lot #24.

5. Revise the plat by adding two GIS points.
6. Add a note verifying adequate upland on parcel 36-22.

Beth Thompson seconded.

VOTE U/A

ITEM #4: Consideration and acceptance of a minor subdivision of land for David & Sharron Klingebiel, Assessor's Map C, Lot 3B-1, zoned R-40, located on County Farm Road.*(1 lot)(P04-59)

Kevin McEneaney represented the applicant and explained that the purpose of the plan is to subdivide the parcel into 2 lots. 1.05 acres will be the new lot leaving an area of 3.9 acres for the house that the Klingebiels occupy. They are proposing a common driveway to access both of the lots. The driveway will be relocated slightly once it gets into the property, however the current location of the access on County Farm Road will remain as it is. Mr. Klingebiel has been in discussion with the abutter to the west, Noreen Bowers, with regard to the driveway. He stated that she has recently had a subdivision approved and it is a possibility that her access for that lot will be on this driveway as well. The lots are serviced by municipal water and individual septic systems. State subdivision approval is pending.

Beth Thompson made the motion to accept the application.

Donald Andolina seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

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 stamp and signature to the plat.
3. Provide the Planning Department with a copy of the NH Department of Environmental Services Subdivision Permit and add the permit number to the plat.
4. Revise the plat by adding a north arrow.
5. Revise the plat by adding the location of the flood hazard area on the property.
6. Revise the plat by adding two GIS points.
7. Revise the plat to add a note requiring a shared driveway in the existing location and the removal of brush between the road and the property line to improve site distance, and add the location of the necessary access easement on the plat.

Frank Torr seconded.

VOTE U/A

ITEM #5: Consideration and acceptance of an open space subdivision of land for Tolend Road Properties, LLC, (owners Stanley & Joyce Goldberg)

Assessor's Map G, Lots 19B & 24J, zoned R-20, located on Tolend Road.*(76 units) (P03-36)

Atty. Malcolm McNeill, represented the project. He introduced David Sears, who is representing the applicant and Joseph Peznola, professional engineer and layout designer, the survey work has been done by Kevin McEaney and Don Rhodes, of Norway Plains, has done some preliminary traffic work. This parcel is 57.11 acres and a 75 unit OSS is proposed. As a result of the rezoning, this parcel is entirely in the R-20 zone. NHDOT has agreed to an easement as it relates to portions of the sewer that comes from Cambridge Tool to the site. He said that Eric Katz is the developer for the Meadowood project, which will be the prototype for this 55 and older development. The average size of the units will be 2,100 and 2,300 sq. ft. with living spaces and sleeping spaces on the first floor. All roads are intended to be private and the utilities will be underground. The sewer will be brought to the site by the applicant and will be private until it's connection into the City sewer system. The extension of sewer is costing the developer approximately \$400,000. He said that there are no tie in fees that are contemplated as a result of this extension. Of the 57.11 acre project, 60% of site is in open space. In terms of the intent of the ordinance this project complies with it fully.

Malcolm McNeill stated that this project will generate industrial growth as a result of the sewer. He explained that they extended sewer through the Crosby Road project which resulted in the development of two new industrial buildings. He said that the entry is off of Tolend Road. There has been discussion about a possible emergency access or other type of access. Malcolm McNeill pointed to an area of the plan stating Lot 76 is owned by the applicant and next to that is an access way into a large open area which is developable and is readily available for recreation purposes. At the TRC there was talk of possible soccer fields or other fields that would be open to the public. Mr. Vlasich met at length with their engineer and was satisfied with the drainage. For the density calculations for open space there is a 10% bonus for open space over 60% and their open space is over 67%. There is a 10% bonus with regard to public access on the site, however all of the bonuses under the regulations cannot exceed 15% so despite the fact that 20% of bonuses are available, 15% are actually usable and that bumps this up to the 75 or 76 units because there is a unit along the street. He said that they are in discussions about the lot on the street and how to effectively integrate that with the open space ordinance. They made it very clear that they are ready to exchange some industrial land for the three acres of City land next to the Spaulding Turnpike. That property is in the process of appraisal. If you look at the 3 acres on the street, and look at the 18 acres of industrial land you would probably question their wisdom, but the City land is integral to the site. They proposed an easement along the Spaulding Turnpike to gain access to the industrial land to the rear. He said that it is a win, win situation especially with the other spin-offs like a free sewer line and 18 acres of industrial land.

Joe Peznola, Hancock Associates, explained that the main access way on Tolend Road has in excess of 500 feet sight distance in each direction. The roadway system consists of three main roadways that will have street names and are laid out in such a fashion that none of the dead-end sections are longer than 1000 feet. He said that their entire parcel

tends to pitch from west to east, from Columbus to the Spaulding Turnpike. He said that in many cases the units have a walk out basement. They will have a series of small detention areas that go through the site that will have outlet control structures to hold back the water to mimic the existing conditions. They are proposing to put dry wells, underground recharge systems for each of the roofs so that the downspouts will be piped out the back of the units to a underground trench of perforated pipe and stone with a series of units tied into combined systems. They have municipal water available on Tolend Rd. and they will be looping it back out of the site thereby eliminating any major dead end mains on the site. They are bringing sewer 3,000 feet from the Cambridge Tool site through a series of easements including an easement within the right-of-way of the Spaulding Turnpike. They will bring the sewer by the southeast corner of the parcel. They will have a gravity network of sewer pipes on site that will act like a municipal sewer system. The pipes and manholes will all be located in the streets and that will be collected down to the lowest portion of the site where they will have a private pump station located underground. The pump station will be equipped with an emergency generator and will pump out to the gravity sewer that will go out to Cambridge Tool. The lots will range from 5,000 to 7,000 sq. ft. on average. The landscaping around the units and on the streetscapes will be maintained by the homeowners, association.

Malcolm McNeill stated that one other component of the sewer brought forward by Paul Vlasich is the possibility of making sewer available to residents along Tolend Road. The developer is willing to continue discussions with the City about making a sewer connection that would tie into their private system. They are not committing to running a pipe along Tolend Road but they are talking about making a connection point reasonably available in some location to be negotiated that could possibly assist Tolend Road residents in the future in the event of failure of their systems.

Malcolm McNeill stated that the traffic issues are being done by Don Rhodes and his findings are that the 75 units may generate approximately 40 afternoon peak hour trips, assuming that a significant number of the residents are still in the workforce. The peak hour trips generation will be closer to 25 if the residents are all retired. The site distance at the other study area intersection of Tolend and Whittier and Tolend and Columbus and Columbus and NH Route 9 all exceed 400 feet. He is presently discussing the project with the Dover Police Department although they are not aware of an unusual traffic accident history in this particular area.

Don Andolina asked where the 18 acres of industrial land is located and what the soil conditions of the site were.

Malcolm McNeill stated that there is 14.22 acres of industrial land and not 18 acres.

Kevin McEneaney pointed out the location of the industrial land. He explained that part of this application is a lot line adjustment that will move the existing lot line from the old zone line to the new zone line. He said that Tolend Road is where the easement is being proposed for access to the industrial land. They have had extensive wetlands delineation and the limits of those wetland areas are typically where you would find the poorer soils.

Don Andolina asked if the sewer line was going to go through the 14 acres of industrial land.

Kevin McEneaney stated that it would.

Steve Stancel explained that in terms of access into that industrial piece, they are requiring a 50 foot right-of-way off of Tolend and they are also negotiating with the developer to maintain an existing right of way off of Columbus Ave. He said that in the future the access to that parcel is going to come from the Cambridge Tool area. He said that there is quite a bit of additional industrial zoned land between Cambridge Tool and this piece and he thinks that it makes sense that it comes that way. He felt that perhaps there could be a secondary access off of Tolend Rd.

Donald Andolina asked if the road to Cambridge Tool was private.

Steve Stancel stated that it was private.

Dean Trefethen asked if the easement for the industrial land would pass over one of the major detention areas for drainage.

Joe Peznola said they are confident they can reconfigure that detention area out of the easement.

Dennis Ciotti asked how far the proposed buildings would be from the rear property lines along Tolend Rd.

Joe Peznola stated that there is a requirement that none of the new structures are within 75 feet of any of the existing structures. They are in the process of getting the location of the Tolend houses so that they can ensure that they meet that requirement. He said that their intention is to leave as much natural vegetation in the 40 foot buffer as possible.

Dennis Ciotti asked what the yield plan would be without the City parcel.

Malcolm McNeill said that the open space would still exceed the 60%. Frequently in a project like this the developer would say that all of the open space is to be reserved by the occupants of the project. They are willing to talk to the City about how to control it.

David Sears said that it looks like there are about 5 or 6 units that are in the yield plan that are in the City parcel. If you eliminated those you are probably looking at 8 or 9 units that would be affected. It would still be a feasible plan just subject to a reduced number of lots.

Dennis Ciotti asked what the City's plan was for this land.

Steve Stancel stated there are no plans from the City's perspective for that piece of land. Steve Stancel explained that years ago the City was looking at an Exit 8A off the turnpike. That exit would have occurred in this area and brought a connector road directly onto Columbus Ave., but that concept has gone by the wayside.

Pete Lavoie said that as far as sewer and sewerage the Tolend Rd. homes, they brought this plan to the DUC for their input. You cannot have a City sewer tie into a private and going to a private sewer pump station that has to be maintained by somebody else. It just doesn't work. He said that they are open to ideas but the City Engineer has looked at this in several different ways of a possible gravity sewer line to go to Tolend Road. They hope that this negotiation can continue.

Frank Torr was concerned with screening from the turnpike and also the easement road to the industrial area.

Malcolm McNeill stated that it is in their interest to screen the homes. They will do what is necessary in terms of buffering.

Tony McManus asked if anyone has looked at the similar project on Middle Road to determine how many cars are actually owned by the occupants and what the traffic count is. He said that it would give them some idea if the model is accurate or not.

Malcolm McNeill stated that he would ask Don Rhodes whether the ITE Manual has come up with some numbers for these types of developments and if that is what he is using. He said that they could ask him to look at that.

Joe Peznola informed the Board that when they put the road and the houses in there will be clearing and there will be little opportunity to save trees on the streetscape side but it is their intent to do plantings that will be in the front yards of each of the units so they will appear as street trees.

Beth Thompson made the motion to accept the application.

Frank Torr seconded.

VOTE U/A

The public hearing was opened.

Bernie Toomey, 30 Tolend Road, stated that the whole development wraps around his property. He said that he has lived there for almost 17 years. His privacy is being taken away. A proposed house is too close to his driveway. The access road, he believes, is an 88 degree turn which is very steep. He felt that if there are 75 units coming in, there would be 150 cars. He said that he couldn't believe that there would be 25 to 30 cars at peak hour. Their house looks directly onto the proposed street; therefore they would be looking at lights coming in every night. He said that they spoke about a berm with a double row of trees, etc. He would like the Planning Board to protect the people that have been living on Tolend Rd. for 17 years and make sure that the developers do what

they say they are going to do and not leave them high and dry. He said that he is concerned about an emergency exit. He said that they are asking that they do nothing to the existing trees in the 40 foot buffer zone. He said that the following units that are close to his property line are unit 29, 22, 23, 24. He would like someone to double check them and make sure that they are not too close to the property line.

Bob Breneman, 74 Tolend Rd., said that he would be an abutter to the emergency access. He was concerned specifically with regard to increased drainage to the rear of his property where there are wetlands.

Joe Peznola answered that the concept of the emergency access came up at TRC and that has not been worked up. He said that they would address Mr. Breneman's concerns.

Chairman Cole recessed the public hearing.

Steve Stancel stated that the project went to TRC on December 2nd and approximately 70 comments or issues were brought up. One of the things that has to be nailed down is the open space that might be going to the City and what the recreational uses might take place. In regard to the emergency access, initially they were looking at potentially utilizing that as a secondary or a primary access into the project. The problem in that location is the site distance but it can be used as an emergency access that would be perhaps gated and in an emergency those gates could be opened. He said that they recommend tabling and doing a site walk.

Ron Cole scheduled the **site walk for Saturday, January 8th, at 9:00 AM.** The meeting place would be at 26 Tolend Road. He announced that the abutters are welcome.

Beth Thompson made the motion to table.

Frank Torr seconded.

VOTE U/A

ITEM #6: Consideration and acceptance of a conceptual open space subdivision plan for the Paolini Brothers Development, LLC, zoned R-12, Assessor's Map K, Lot 34, located on Dover Point Road. (11 lots) (P04-60)

Steve Stancel stated that this project is located in the R-12 zone and, if the project had 10 acres, they would be required to do an Open Space Subdivision. Because the project is roughly between 3 – 4 acres, the applicant has to come before the Planning Board and receive a conditional approval from the Planning Board to move forward with an OSS vs. a conventional subdivision. The process before the Board tonight is not any formal approvals of a project; they are here to find out whether or not the project should be looked at as an OSS vs. a conventional subdivision. If and when the Board approves doing one or the other, then the developer goes back and does the detailed engineering design plans and comes back before the Planning Board. The abutters will be notified again and the plan will go through the public hearing process.

Atty. Jim Schulte represented the applicant. They are requesting approval of the concept of having total of 12 units approved as an OSS. There was a proposal for this land earlier this year to have this property rezoned for commercial purposes. There were strong sentiments to preserving the neighborhood appearance to what was described as the gateway into Dover from the south and to preserving the residential character of the area. He said that they are attempting to do that. He said if they were to develop the property as a conventional subdivision, it could be divided into 10 lots. He pointed to where the existing house was located. On the north end of the lot there is a very steep hill from Dover Point Rd. heading toward the turnpike. As you move closer to the cemetery, the slope toward the turnpike becomes substantially gentler. If the conventional subdivision were to be approved, the road would be in an area that would be a little less steep than the current driveway is but still in a steep area. He added that whereas for the OSS the entrance from the driveway would be at a much better grade to the road. With the conventional subdivision you would see in addition to the existing house, four more homes that would be located on the down slope of the road that would be visible from Dover Point Road. For the OSS proposal, except for the existing home, all the other homes would be pushed past the crest of the hill toward the back of the property, leaving the front of the property as it currently exists so that the trees that are there now can be preserved and will all be part of the open space. With the conventional you would have 4 large houses with garages, accessory buildings, and possible swimming pools and fencing. The concept of an OSS is a superior means of developing this property. It is much friendlier to the neighborhood and is friendlier to the lot. It places all of the development away from Dover Point Road and places the driveway in a better location. The driveway will be a private road maintained by the homeowners' association. He said that 10 of the proposed 12 units will be duplex units, townhouse style built on slabs. There will be fewer total residents because there will be fewer bedrooms and fewer children even though there are more units than if this were developed into 3 & 4 bedroom single family homes. He said that there are greater setbacks with the OSS because they have a 30 foot setback and it is only a 15 foot setback for a single family residence. The impact on the neighbors will be less if it's an OSS. It probably would be more lucrative for the developer to build this as a standard subdivision because the properties would market for something like \$400,000 ea. The proposed average cost for the dozen units in the OSS is in the neighborhood of \$270,000. Mr. Schulte submitted an impact statement generated by Civil Works and Kevin McEneaney.

Tony McManus stated that it looks like cluster development involves a 20% bonus and he is wondering how the staff derived at the two extra units.

Steve Stancel stated that you can receive up to a maximum of 15% but it also says that you can round up. He said that after rounding up you get the 2 units vs. the 1.6.

Jim Schulte said that they meet the 60% open space requirement and there would be an additional bonus for preserving the front viewscape or preserving the existing vegetation.

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

Don Andolina stated that he was looking at 155:22 and he is struggling as to how this application could be accepted tonight because, as it refers to 155:11, it seems that we can only be accept this after a formal plan has been submitted and we are looking at a preliminary plan.

Steve Stancel said that the provision that the staff is going on it is 155:22 C1, which says that projects not meeting the minimum acreage requirements of an OSS shall follow the additional requirements. It says a preliminary public hearing shall be conducted by the Planning Board prior to the applicant's formal submittal application for major subdivision approval. Prior to this preliminary public hearing, the applicant shall submit two different design review plans for general discussion. One would be a yield plan showing a subdivision plan based on conventional regulations and a second plan designed as an open space subdivision. At said preliminary public hearing the applicant shall be responsible for demonstrating the characteristics of their plan warrants consideration for development as an OSS.

Don Andolina stated that it then refers in #1 as follows: And that the procedure to be followed is established in 155:11. He then read it as follows: No subdivision application shall be accepted or acted on by the Planning Board without giving due notice to the public. He said that he is struggling with this because he doesn't think that this is a formal application and that it is a preliminary. He said that the first step is to decide whether or not we are going to grant the developer's request for OSS when it has less than 10 acres and then go from there.

Steve Stancel stated that the purpose of referring to 155:11 in terms of procedure is for the public notice requirements, which the proper public notice requirements were followed by notifying the abutters via certified mail.

Donald Andolina stated that he is still struggling with the difference between a formal application and a preliminary.

Ron Cole felt that based on what Steve Stancel read that provision is there specifically for this purpose.

Frank Torr said that Donald Andolina was talking about preliminary and this is basically a concept at this point in time and it is not a plan, in his mind, and just gives the abutters an opportunity to speak to the issue as to whether they approve or disapprove of the concept.

Don Andolina stated that is what he is trying to get to. Section 155:11 seems to imply, as he interprets it, that we cannot accept until a formal plan is presented to the Board. He felt that the Board should not be accepting the plan tonight.

Discussion ensued.

VOTE 7 – 1

Opposed – Donald Andolina

Chairman Cole said that he expects there will be several public hearings on this item.

The public hearing was opened.

Tony Krepsepes, 15 Dover Point Road, is an abutter on the northwest boundary of the proposed subdivision. She felt that there were several grey areas such as there is no municipal sewer as of yet. She would like an adequate buffer such as the newly constructed car wash has. She was concerned with the site line distance and safety, school busses, rubbish trucks and traffic entering and exiting. She would like to have the buffer, adjacent to her property, in writing. She said that she realizes that the site development is inevitable but she has had her privacy and she would like to continue to do so. She added that she is also a tax payer.

Marilyn Follansbee, 25 Dover Point Rd., stated that she lives on the south side of the project. She said that they tried very hard to keep this area residential. She said that Mr. Paolini met with them to see if they could all agree on a plan and everyone was too tired to do so. She said that if she bought a piece of land she would want to develop it. She added that she likes the open space scenario primarily because there will be less blasting and the project will be out back and will not affect as many houses. She said that she likes the idea of saving the trees. She felt that there would be a lot more traffic from a commercial project vs. the residential. She definitely prefers the OSS plan.

Chairman Cole recessed the public hearing.

Chairman Cole set a site walk for **Saturday, January 8th at 11:30**. Mrs. Follansbee offered her driveway at 25 Dover Point Road as the meeting place for the site walk.

Steve Stancel stated that it is up to the Board to have a site walk but the only thing that they have requested from the applicant is that topography be added to the yield plan. That would ensure that the 10 lots on the yield plan are accurate.

The site walk times were adjusted between ITEMS 7 and 6 to eliminate any backtracking.

Beth Thompson made the motion to table.

Frank Torr seconded.

VOTE U/A

ITEM #7: Consideration and acceptance of site plan of land for DeStefano & Associates, Inc. (Owner Mrs. Walter Ham) Assessor's Map D, Lot 17, zoned B-4, located on Sixth Street.*(P04-57)

Bob Stowell, Tritech Engineering, represented the applicant DeStefano Assoc., and stated that Joe DeStefano is the Construction Manager for the project

Dr. Mike Davis, 18 Quarry Drive in Rochester, stated that he is an equine veterinarian and an equine surgeon specializing in maintenance issues and surgical problems in horses. He has been in the veterinary business for nearly 20 years and 13 of those years at the Rochester Equine Clinic on 10 Rod Road. For the past 5 years he has been owner of the corporation. He is looking to equip a new hospital in Dover. He said that cases are referred to him from other veterinarians in the northeast region. They see cases from all of the New England States, Canada, NY and New Jersey. The cases come from far away but they are few in number. He said that they see about 10 cases per day at the current hospital. The traffic volume is quite low. The site is far superior to what they have now as far as accessibility of the Spaulding Turnpike and ability for them to build a state of the art hospital that will fit their clients' demands.

Bob Stowell stated that the Ham property is 37 acres and portions of the site are wet. NH Soils has identified the wetlands on the site and they have been field located and plotted. He pointed out the traffic pattern and the parking for both the horse carriers and passenger vehicles. The project is serviced by City water and City sewer. He said that all the wetland impacts are under 3,000 sq. ft. and the DES approval is pending. They have been to the Conservation Commission and have received a favorable recommendation. They will need a Conditional Use Permit from this Board. They have a Site Specific Application pending with the State due to the size of the project. Over 100,000 sq. ft. of disturbance requires a site specific application form the State of NH and that has been applied for and is pending.

Art Guadano showed a rendering of the building, pointing out the two main components. The center component is the surgical treatment area with an office area in the front. There are two operating rooms inside, treatment areas, radiology room and office space. There are two wings that are barns where they board the horses in stalls. To the rear, they deal with dentistry and reproduction issues. The building is primarily one story but there is a small two story component. The nature of the building is that the horses are there 24 hours at a time and there are people that need to be on site during that entire time. He pointed out the second floor area that is an apartment with 4 units. That is intended for interns to stay there who are watching the horses on a 24 hour basis. The design is a very traditional and contemporary New England design fitting with the barn motif. Art Guadano stated that there is a small out building to the back of the property which is in a barn motif that includes 4 stalls for isolation of horses with infectious diseases and then there is a small area for nuclear medicine.

Don Andolina asked about the crematorium and the fumes.

Joe DeStefano stated that the crematorium is to the right of the plan. He said that the building is 1,500 sq. ft. and looks like a garage with two garage doors on it. He said that the piece of equipment that is in the building is an 8 x 12 kiln that is manufactured by the company that specializes in that business. It is a packaged unit that is approved by the EPA. There are three burners and there is no smoke that comes out of the stack; it's basically a heat wave. This system is used in many parts of the country and there is basically no noise.

Don Andolina asked about how the medical waste would be handled.

Mike Davis stated that they currently have a company that handles their medical waste and once or twice a month it is bagged in the proper way and is picked up by them. All the sharps that they accumulate are melted by a special melting device that will eliminate the sharps so they can be discarded normally.

Tony McManus questioned why the crematorium is placed so far from the other buildings if it does not create any problems.

Mike Davis said that they tried to make it a bit discrete. The building will be well treed and buffered.

Bob Stowell stated that North East Federal Credit Union submitted some questions. He said that the hours of operation will be 24/7. They do have an emergency room type of procedure. He said that John DeStefano just spoke to the EPA aspect of the crematorium that is under Federal regulations. The building itself is about 300 feet away from the Credit Union property and about 600 feet from the building itself. There is a small paddock that is approximately 700 feet away from the credit union building. They are in the process of providing staff with detailed traffic information. Bob Stowell stated that they have studied the current situation at the Rochester facility and they are estimating a traffic flow of approximately 40 trips per day. They will be presenting that in a detailed study for the Board to review. They have a detailed manure management plan. The Conservation Commission recommended that it be a covered area in the rear where the manure will be stored until it is removed by a company for composting. They do not contemplate any subdivision. This was subdivided when NE Federal Credit came in. This is solely a site plan review. He said that he doesn't know what the impact will be on surrounding property values. From what he has seen, he has to think that it will be a positive. He said that it is a medical facility, a hospital, and that should be great for the City of Dover.

Steve Stancel stated that in relation to the TDR there is a minimum of 5 acres requirement with setbacks of 75 feet and 400 feet of road frontage. You can set aside some of your wetland as a transfer of development rights and in exchange for that you are allowed to develop up to 90% of your upland space. Part of the Board's approval will be to waive a couple of things. They are showing 75 foot setbacks except for the crematorium and a waiver for the parking area being closer than 25 feet. Also there are some encroachments in the 50% wetland buffer. Those were meant to be waivable as a TDR. The balance of this property is pretty wet.

Bob Stowell stated that the northwesterly corner might have some uplands that they would not want included in the conservation easement.

Dennis Ciotti asked if Heather Lane would be used for any type of access.

Bob Stowell answered that it would not.

Dennis Ciotti asked how the horses would be transported to the crematorium.

Joe DeStefano answered that they would be transported in a closed van that would be backed up to the facility.

Dennis Ciotti stated that he has a problem with the crematorium's location. He felt that it could be a hindrance to a future tenant on the abutting property.

Joe DeStefano stated that they did have a meeting with the day care and talked about the whole facility.

Dr. Davis stated that the day care had no problems with their concept.

Beth Thompson made the motion to accept the application.

Frank seconded.

VOTE U/A

The public hearing was opened.

Devin Parker, NE Credit Union, stated that they are not opposed to the project but they are concerned with the proximity of the parking area near their property line. He said that when they had to do any parking lots all the trees were cut and he is assuming that the same will occur here.

Bob Stowell stated that he is sure that some trees will be cut for construction but on the landscape plan they have tried to address that area with that concern in mind. He said that they want to work with providing adequate screening around that parking.

Devin Parker stated that they will be looking out of the front of their facility across that parking lot and get a view of the project because they are upgrade from it. He would appreciate some screening. He asked how the drainage would be treated.

Bob Stowell stated that they are down slope from the credit union and what they have is a closed drainage system that will take the water to a detention area and then discharged into a treatment area before it is discharged into the wetlands. Bob Stowell pointed to the block that is the TDR area that is currently is about 4.88 acres.

Devin Parker asked about the connection into the sewer that they put in for their project. He asked what they were anticipating for a flow for the project and how it would be metered. He asked if the waste from the inside animals goes into the sewer.

Bob Stowell stated that they will be tying into City water and 3,600 gallons per day is the design flow.

Dr. Davis explained that the waste gets collected from the stall every day and brought out to the bunker at the back of the building. The stalls consist of pine shavings that are very absorbent and that would be cleaned out of the stalls each day.

Chairman Cole recessed the public hearing.

Chairman Cole set the site walk for **January 8, 2004 at 10:30 AM**. The parking will be in the credit union parking lot.

Joe DeStefano stated that they are putting a lot of time and effort into the building and they are trying to get the facility up and operating by July 1st. They are looking to start cutting trees right after Christmas. There is a timing and urgency for the project.

Ron Cole stated that assuming that things proceed the way they have been, the Board should be taking a vote on the 11th of January.

Beth Thompson made the motion to table

Frank Torr seconded.

VOTE U/A

Steve Stancel stated that the TAC will be meeting on the Scenic Road tomorrow night and then it will go to the Council in January. He said that the Planning Department may come to this Board and say that, maybe, just portions of that road should be put as scenic designation. He said that he would like to come to the Board with a map and if the Board likes the map, then do another public hearing. He said that there are people who live on Back River Road who are indicating that they might want to take their name off the petition. There are things that are evolving.

Ron Cole announced that there will not be a meeting of the 28th. Also election of officers will be first on the January agenda and said that he would be running again.

ITEM #10: Adjournment

Don Andolina made the motion to adjourn.

John Swartzendruber seconded.

VOTE U/A