

**DOVER PLANNING BOARD
MINUTES OF MEETING
SEPTEMBER 24, 2002**

MEMBERS PRESENT: Margaret Stevenson, Joyce El Kouarti, Pete Lavoie, David Landry, Parks Christenbury, Frank Torr, Dennis Ciotti, Tony McManus, Beth Thompson

MEMBERS ABSENT: Ron Cole, Chuck Maglaras

STAFF PRESENT: Steven Stancel, Planning Director; Steven Bird, City Planner; Chris Parker, City Planner and Jacqueline Freeman, Recording Secretary

Tony McManus sat in as Chairman in the absence of Ron Cole. He announced that items 3 and 7, relating to the hotel development, would not be heard and will be appearing on a subsequent agenda.

ITEM #1: Citizens' Forum

No one spoke

ITEM #2: Approval of the minutes.

Peg Stevenson made the motion to approve the minutes.
Joyce El Kouarti seconded.

VOTE U/A

Abstained – Pete Lavoie

ITEM #3: Consideration and acceptance of an application for a conditional use of land for Lafrance Hospitality/O(peechee Construction (Owner Peter Russell), Assessor's Map 39, Lots 78, 83, 89-94, zoned B-5, located at Weeks Crossing (P02-42)

Not being heard tonight at their request.

ITEM #4: Consideration and acceptance of an application for a conditional use of land for First Parish Church Congregational, Assessor's Map 9, Lots 84, 83, 82, 85, zoned B-2, located at 218 Central Avenue.* (P02-50)

Nancy Boyle, member of the steering committee, said that they have received letters from the local area business men that said that they have agreed to let them use their parking spaces.

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.

Steve Stancel stated that Planning staff has gone over the application and the letters from various people who are allowing the use of their parking lots for the First Parish Church for their parking. They believe that there is enough parking and are recommending approval of the conditional use permit with the condition that all existing leases or future equivalents be maintained.

Parks Christenbury publicly commended the neighbors and businesses surrounding the First Parish Church for so graciously offering the parking to allow this renovation to go forward.

Frank Torr made the motion to approve with the condition that all existing leases or future equivalents be maintained.

Dennis Ciotti seconded.

VOTE U/A

ITEM #5: Public Hearing to consider amendments to Chapter 155, entitled "Subdivision of Land" of the code of the City of Dover. Amendments include allowing reduced street widths in certain cases; major changes to the Alternative Design Subdivision provisions including changing the name to Open Space Subdivision (OSS), making OSS mandatory for R-40 major subdivisions and for R-20/R-12 subdivisions that meet criteria, changing the minimum project area, allowing commercial uses in an OSS in certain cases, and reducing the street setbacks; allowing street trees in ROW's and setting standards for street trees; increasing per lot application fee to \$150; adding a section on scattered and premature development; requiring digital subdivision and as-built plans; and requiring surveys to be tied into City GIS.

Tony McManus opened the public hearing.
There were no public comments.

Chris Parker said that #1 would allow the Planning Board to reduce the minimum width of the street in certain cases. This was a situation that in the past, developers have asked to have their street width be reduced from 28 to 24 feet. This item is adding a stipulation that that no building shall be closer than 100 feet from the major road that the subdivision is coming off of. He said that 2 – 7 all have to do with Alternative Design Subdivision. #2 makes the ADS mandatory in the R-40 district for a major subdivision occurring and in an R-20 and an R-12 zone where there is a major subdivision that meets the lot size requirements. #3 changes the name ADS to Open Space Subdivision. #4 changes wording for the section on ADS stipulating where they occur. Chris Parker gave some examples. He said that #5 changes the minimum lot size and gave examples. #6 allows for the inclusion of a commercial component in the ADS. He said that instead of creating

a Planned Unit Development zone, they have amended the ADS so that if you have 50 acres or more in the R-40 or R-20, you can have a commercial component. #7 is to lower the abut a street setbacks to mirror the abut a lot. He said that #8 – 9 are from the quality of Life Subcommittee. They are a change to promote streetscapes that are tree lined. He explained that #9 mandates that there is a tree every 60 feet staggered back and forth down the road. #10 – 15 are all staff recommendations. #10 is to update the fee structure to keep the fees more up to date. #11 is to add a section on scattered or premature development. #15 is to replace the words Public Works with Community Services.

David Landry asked if the 50 acres required for an ADS with the non residential component have to be buildable acres.

Chris said that you would start off with 50 acres and you could do a commercial component and create a PUD out of that. There are calculations as to what it allows, that would be 33% of the buildable area. He said that that is after you subtract the wetlands and figure out what your buildable area is.

David Landry asked if it was pertinent on #9 that the reference to street trees went to shade trees.

Chris Parker said that it was a term that the City Arborist suggested. He said that he believes that that is the language that is already in Chapter 155. The idea is to create shade to make a walkable area. He added that we do have a list of trees that would be appropriate as street shade trees.

David Landry asked about scattered and premature development and if the applicant could respond by offering to contribute to improving an intersection.

Steve Bird said that it would depend on where the subdivision was located within the City. If the defect was curable by fixing the intersection or extending utilities, then there may be a way to counter that. This would give the Planning Board the tools to declare that the subdivision is scattered and premature.

Steve Stancel stated that Subdivision and Site Review Regulations don't go beyond the Planning Board for implementation. He recommended that after listening to the public hearing that it be tabled until we see what will happen to the Zoning Regulations.

Tony McManus closed the public hearing.

ITEM #6: Public Hearing to consider amendments to Chapter 149, entitled "Site Review Regulations" of the code of the City of Dover. Amendments include parking requirements for multifamily dwellings; invasive species prohibition; revised architectural guidelines for nonresidential and multifamily uses; standards for drive thrus; restricting nonresidential traffic through a residential district; and updating abutters fee.

Tony McManus opened the public hearing.

There were no comments from the public.

Steve Bird said that the first amendment comes from the residential subcommittee and this simply makes the parking requirements match the requirements that are in the zoning ordinance. Primarily it takes away the provision that you can have 1 ½ spaces if you were a multifamily unit and had only 1 bedroom. Steve said that it led to a debate as to what was a bedroom and to what wasn't and this will simplify it. The second amendment adds a section to the site regulations regarding invasive species. This would allow the Planning Board to review landscaping plans to make sure that there are no invasive species among the plants being proposed by the applicant. The third takes the architectural design guidelines that are currently in the regulations and substantially updates them to flush out some of the details of the guidelines. These are guidelines and are nothing even close to what you would encounter in other communities that have historic district ordinances. These are guidelines that they worked with developers on in terms of making sure that the buildings fit in with the neighborhood and with the rest of the buildings in the area. It gives more guidance to those people who are designing buildings than currently exists in the regulations.

Number 4 is dealing with drive-thrus as a result of debates that we have had in the Planning Department and at Planning Board level and it gives some standards for drive-thrus. Some are fairly obvious, that when you have a choice, you want to put the drive-thru as far away from a residential use as possible. It has some operational standards in there in terms of use of speakers and hours of operation. This obviously would apply only to drive-thrus that have yet to be built. This will not be retroactive. The fifth amendment comes as a result of some issues that we've had. When you have an access point for a nonresidential use that has options for how they access that property, this is stating that whenever possible, that access should go through a non-residential area, not through a residential zone. Numbers 6 – 7 are staff recommendations. 6 simply updates the schedule of fees section to take out the dollar amount for abutter notices because that changes so often that the City was losing money when they sent out notices. The fee will be whatever it is at the Post Office. Number 7 is very similar to the amendment that replaces the words Public Works with Community Services wherever it's found in the regulations.

David Landry asked regarding #1 and the parking spaces if multifamily dwellings are going to be part of the CWD. He said that he has mixed feelings with multifamily being part of the CWD given the precious space that we have. He said that there is not a lot of space for parking there.

Steve Bird stated that it is an allowed use in the CWD. He said that the CWD allows a Conditional Use Permit for shared parking.

Steve Stancel stated that in the CWD, as well as the B-2 District, the parking can be within 1000 feet.

Parks Christenbury stated that in the CWD there is limited space where you can actually excavate to build buildings, however, for parking, because you can go 1000 feet out,

there is no restriction down there because you still have 20+ acres that you can use for parking, green space or whatever. The building footprint would be comparatively small, the overall land will allow ample opportunities.

David Landry said that he is very pleased that we have the architectural design amendment. He said on #4 regarding drive-thrus, that there are examples in the City where 6:00 AM to 9:00 PM could be very inappropriate. He thinks that it should be flexible enough to limit it further if we want to or we think that it needs to be.

Steve Bird said that if the Board wants to make an amendment to this amendment, that can be a discussion you can have tonight or at some future meeting. He said that there is a provision in the Site Regulations that say that these standards are the maximum allowed. He said that he would check that.

Steve Stancel said that it will be limited to 6:00 AM to 9:00 PM. Anything in the Site Regulations is waivable by the Planning Board. There may be instances where a drive-up would be appropriate until midnight.

Dennis Ciotti asked about whether the parking terminology would eliminate counting the parking space in the garage.

Steve Stancel said that we don't have a definition for parking space in the Site Review Regulations so it would fall to the zoning and the change in zoning would cover that.

Frank Torr made the motion to table ITEM #5 and #6.
Peg Stevenson seconded.

VOTE U/A

ITEM #7: Old Business

1. Discussion and possible vote on a site plan for Portsmouth Christian Academy, located at 20 Seaborne Road. (P02-41)

Tony McManus stated that the public hearing was recessed and he reopened the public hearing.

Dana Adams, Opechee, stated that he was making the presentation on behalf of Portsmouth Christian Academy. He said that they have received a list of TRC comments which they have addressed. He said that they have also received a list of an additional 8 items from the Planning staff. He went over the items one by one. He said they will put a pre and post drainage summary together and send it to the City Engineer. He said that they have applied for their Site Specific Permit and they will send it when they get it from the State. He said that items 7 and 8 deal with traffic in and around the neighborhood and he said that Dennis Runey has spoken to the Planning staff in this regard.

Dennis Runey, Headmaster of PCA, stated that they have reviewed the list of recommendations from the Planning Board and they concur with all of the items listed.

He said that he wanted to make a statement with regard to their effort to mitigate traffic issues in the neighborhood. He said that they are sensitive to the increased traffic caused by the 180 days that they are in operation, particularly during arrival and dismissal times. He said that they have coordinated the start and end times of their school days with the Garrison School to minimize the impact on the road. They have coordinated the Dover bus schedule with theirs in arrival and dismissal times as well. They have directed that all of their busses use Garrison, not Spruce. They have also directed that all of the visiting team busses that come to their school use Garrison and not Spruce. They have encouraged car pooling in every issue and every publication that goes out to their families and in their back to school packages. In all of their publications they have encouraged all of their staff, families and students to observe speed limits in the neighborhood. They have personally informed every driving student that one proven driving incidence to include speeding in the neighborhood will result in the loss of driving privileges at the school. The school has paid for a traffic study to determine the intersection loads and they are within permissible limits. He said then agreed to pay for a peer review of their own traffic study and the results were the same, that they are within permissible limits. He said that they have negotiated with their neighbors to trim back and remove shrubs that limit the line of sight when turning from Garrison to Seaborne and that was a request of the Planning Board. That request was made by their neighbors and has been accomplished.

Mr. Runey said that they have also agreed to pay their fair share of new traffic light system at the intersection of Route 108 and Back River Road in the neighborhood of \$8,000.00. They have agreed to pay their fair share of painting the fog lines on Garrison and their fair share of vehicle turning signs on either side of the entry road. Also, they have agreed to pay their fair share of making a left turn lane at the Intersection of Garrison and Back River Road and to pay their fair share of linking 20 MPH School Zone lights, if approved, on Spruce and Garrison. He said that they are not insensitive that the presence of the school for those 180 days has increased the traffic in the area and they have done their very best to be sure that they have done all that they can to minimize that impact.

David Landry asked how many Laidlaw busses there were.

Dennis Runey stated that there were three in the morning and two in the afternoon. He explained that they bring in Dover students to and from their school. They are not contracted by them so he has no authority over them. They do run on Spruce to pick up Spruce students.

Dennis Ciotti asked about item #2 on the engineering remarks to change the 20 foot easement to a 30 foot sewer easement.

Dana Adams stated that, currently, they don't have any buildings or structures that would be impacted if that was increased but it is quite close in a couple of areas to some of their existing buildings. If they were to increase the easement it would limit them in terms of future expansion possibilities. They would rather not do that unless it was absolutely necessary.

Pete Lavoie said that they are willing to take a memorandum of understanding and that could be added to the conditions of approval.

Parks Christenbury said that there is concern among the neighbors about the traffic and he would ask the Police Department to set up the speed trailer to remind people how fast they are going and so they can see how fast that 30 or 35 mph really is.

Mary Hebbard, 97 Spruce Lane, stated that she can appreciate all that the school has done to make this a better situation for the neighborhood. To encourage parents to carpool is one thing, to have them do it is another thing. She said that she is not saying that speed has been an issue, it's the volume. She said that a neighbor saw a bus stopped to let off students that had 19 cars stacked up behind it. She said that it is huge amount of vehicles in a short time and that is what they contend with. She said that you are going to be adding another 100 parking spaces. She said that perhaps it's a quality of life issue. She said that the neighbors saw that the school was going to expand and they thought that it was a done deal and why bother to come out and speak. They tried to get them to come out. She would rather have 10 busses go by rather than 100s of cars go by. She asked if there is a sidewalk going in and where it will start and end, what side of the road it will be on and when the construction is going to start. She said that it seems like this is going to go through and they will have to live with it. She is concerned that when PCA outgrows this facility, like they did in Portsmouth, what will happen to the property then.

Steve Stancel said that the sidewalks that are included in the recommendations are internal sidewalks between the proposed high school and the existing school facility. It is not a sidewalk to Garrison Road.

Parks Christenbury said that Councilor Hindle is looking at sidewalks in the CIP. He said that he recommends that they contact councilor Hindle with regard to any sidewalk and let him know about their concerns.

Pat Wilson, 5 Rainbow Drive, stated that all the people that she used to see in the morning going for their walks are scattered. In the evening they are walking around in reflectorized vests. The whole group of walking people who she feels is the gauge of the community's life has had to go somewhere else. They can't walk in their own neighborhood if they live on Spruce Lane. She drew a sketch and said that she wondered if they can make an entrance to the private high school as a one way entrance from Garrison. All private high school access would be on Garrison because Garrison already has a sidewalk and has the 20 mph sign. It sounds to her that the high school wants to encourage the use of Garrison Road. She said that they would need one less flashing school speed sign, need one or two less crossing guards and it would probably avoid the need for ½ mile of sidewalks and their upkeep and you might avoid the need for paving Spruce. There are signs that say it's a bike path and that is encouraging 4 or 500 more cars to come in swoops. She is asking them to leave Spruce alone by simply making a little curve on their access driveway and maybe a sign that says "No Right Turn" and maybe one Officer to remind people. She submitted her drawing to become a part of the record.

The public hearing was closed.

Steve Stancel said that the applicant did provide a detailed traffic analysis, where they looked at existing predevelopment traffic counts, as well as, post-development out to the year of 2011. What they found was that there a degradation at the Back River Road/Garrison Road area where the LOS went from a C to a D. The LOS are graded very much like a school grade. What they found was that there are minor degradations at the other intersections but it does go from a C to a D in the Garrison Road/Back River Road area. He said that the City's traffic consultant, Steve Pesci, took a look at the applicant's traffic analysis and did a peer review and took a look at their numbers and then made several recommendations, all of which are included in their proposed recommendations of approval as we have negotiated them out with the applicant. Traffic is increasing in that area, unfortunately it will continue to increase whether the high school is there or not because, likely you would have residential development with residential traffic going all day long as opposed to morning peak and afternoon peak. He said that there are advantages to the school being there in terms of prolonged traffic issues during the course of the day. He stated that the staff recommends approval of the plans and gave the recommendations of approval.

Steve Stancel had one other comment in regard to the concept of not allowing any of the traffic to go onto Spruce Lane. They have had the traffic consultants take a look at that in previous years. It is always better to allow traffic to seek alternative routes as opposed to forcing them through one route. If you were to close off Spruce Lane, you are funneling all of the traffic onto Garrison Road and while it does have sidewalks, it also has a school and a significant amount of additional traffic and it would blow out the intersection of Garrison and Back River Road.

Parks Christenbury made the motion to grant with the following conditions:

1. Add the owner's signature to the final plan.
2. Revise the plan by changing the traffic flow direction of the second driveway from one way to two way
3. Revise the plan by adding a walking path between the high school and the rest of the existing building.
4. Revise the drainage report to include a pre and post drainage summary paragraph or table, to the satisfaction of the city engineer.
5. Revise the plan to add three paper birch trees to the northeast corner of the high school building.
6. Provide the Planning Department with a copy of the Site Specific Permit and add the permit number to the plan.
7. The applicant shall contribute the following off-site traffic improvements, prior to the issuance of an occupancy permit. There will be the establishment of a new school zone in the proximity of the school and the applicant is responsible for:
 - a. installing School Zone yellow lights and signs along Garrison and Spruce Rd.
 - b. painting white fog lines on Garrison Road from Garrison School to Seaborne Drive.

- c. Payment of a fair share contribution for the Garrison Road/Back River Road intersection improvements of \$8,275.00 and the city will in the next few years place a left turn out and a right turn out from Garrison Road onto Back River Road and that will mitigate the C to a D.
- d. Payment of a fair share contribution for the Durham Road/Back River Road intersection signalization project. There will be a signal at that intersection within the next 6 months.
- 8. Applicant agrees to direct all school buses to use Garrison Road to access the site.
- 9. The applicant agrees to pay for the City traffic consultant peer review of the project's traffic analysis.
- 10. The drafting of a letter of understanding for City access to provide maintenance for the sewer easement.

Peg Stevenson seconded.

VOTE U/A

2. Discussion and possible vote on a site review of land for Tri City Builders, located on Atlantic Avenue (2 4-unit buildings) (P02-40)

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

Dennis Ciotti seconded.

VOTE U/A

Atty. Jim Schulte, represented the applicant. He said that the major change is that four additional gravel parking spaces have been proposed along the entrance of the driveway. The new spaces are gravel so they would not affect the lot coverage issues. He said that they have a reduced list of items from Engineering. The site distance question has been resolved. John Berry did some measurements and submitted his data to the Engineering Dept. and, on the most recent list of comment, the issue of sight distance was no longer involved. The list from Dave White are housekeeping, editing items. He said that #4 says that a drainage study is needed. Mr. White has informed them that he expects that drainage is not going to be an issue because they are installing two catch basins. They need to relocate the catch basins slightly. Mr. White nevertheless wants them to submit a drainage study and he understands that it will be a condition of approval that the drainage study be satisfactory to the Engineering Dept. Item #12 said that there is a setback of 5' from the pavement. Atty. Schulte said that they are requesting a waiver for from the 5' setback. All of the other issues that were raised by the Engineering Dept. have been resolved.

Jim Schulte said that the extra parking spaces are on either side of the driveway as you come in. Mr. Schulte said that the speed limit is posted as 30 mph and the sight distance needs to be 200 feet. With some grading work on this property the distance will be 209 feet. There is a potential to extend that even further by doing something on the neighboring land, but they don't have a firm commitment on that yet.

Steve Stancel stated that he was concerned with the gravel parking spaces because parking spaces are not allowed to be gravel in the City of Dover.

Jim Schulte said that they were concerned that if they were impervious, then the property would run afoul of the maximum lot coverage of the neighborhood. He said that they can cover them with stone, or whatever you would like. It is over and above what the requirement is. They are trying to be helpful.

Steve Stancel said that he doesn't think that they can be called parking spaces and not have them be paved. He will admit that it appears that they did satisfy the requirements of the Site Review Regulations without those spaces.

Jim Schulte said that he is familiar with a type of parking lot construction which has basically grids of concrete with grass going in. He said that he would be glad to work with the City to accommodate some sort of more natural but less than impervious surface. If it's the Board's decision that they shouldn't put any extra parking, they can live with that. They understand that parking will be an issue and they would like to do what they can to deal with it.

Steve Stancel said that the other alternative is to add more square footage to this lot, thereby meeting the ratios and having the parking be adequate.

Jim Schulte said that it ends up compromising approvals that have already been obtained for adjacent properties. Some of the adjacent land owned by Tri City extends into a different zone but he doesn't think that it can be counted for lot coverage purposes.

David Landry said that we don't like our present ordinance on parking but we are trying to fix that. But this project meets the regulations. He said that he doesn't think that we should bother with the extra gravel spots.

Joyce El Kouarti said that she shares his opinion. She appreciates the efforts but it would be better to leave them out at this point.

Jim Schulte said that they offered it because it is over and above the regulations so he doesn't feel that it compromises the City's regulatory efforts but he understands that it is a concern.

Dennis Ciotti said that he thinks that the elevation from the road to the building is 6 to 8 feet. He said that if you are going to put in a gravel parking spot there, it is not going to last long. He appreciates the effort but a couple of rain storms it will wash away.

Beth Thompson said that tenants are going to park in the grass, so why don't we make the effort to fix this.

Pete Lavoie said that given the grades, the stone or whatever will wash into Atlantic Ave.

Steve Stancel stated that a Cape Cod berm or some type of landscaping can be put in there in its place around the radii. It would prohibit people from pulling up if it was just grass.

Tony McManus closed the public hearing.

Dennis Ciotti stated that he had a comment. He said that at the last meeting we had asked that the distance be spelled out in a letter from the City Engineer. He said that he would just like to see a letter from the engineer stating what the regulations are and whether it does meet the regulations or not. He said that he would like to see it in writing in the packet.

Joyce El Kouarti made the motion to approve the waiver of pavement within 5 feet of the property line and the plan with the following conditions:

1. Add the owners' signatures to the plan.
2. Add the engineer's stamp and signature to all sheets.
3. Revise the plan by adding the cross access easement for the driveway.
4. Revise the plan to add the metes and bounds for the lot lines.
5. The applicant will work with the Planning Department in regards to landscaping and adequately protecting the two proposed gravel parking spaces so that they wouldn't become parking spaces.
6. The City engineer's memo, items #1 through #11.

Parks Christenbury seconded.

VOTE 6 - 2

Opposed - Pete Lavoie, Dennis Ciotti

3. **Discussion and possible vote on a site review of land for Lafrance Hospitality, located at Weeks Crossing/Old Rochester Road, New Rochester Rd. (97 hotel rooms) (P02-43)**

Tony McManus stated that this has been postponed.

ITEM #8: New Business

Parks Christenbury stated that there are 41 issues of rezoning and we have spent months and months on this and involved a lot of citizens. You get the praise with the criticism. He said that we received a letter enclosed in the packets where he has to address some of the comments. He said that he had to defend Ron Cole. The first paragraph was basically stating that Mr. Cole's opening remarks made people apprehensive about voicing their opinions during the public process. He said that they went out and spoke to people during the break and stayed after the meeting to speak to people and he did not see anyone being very apprehensive about voicing their opinions during the meeting, before or after. He said that he is going to defend Mr. Stancel. He said that he has watched his career and his credibility has never been in question and it's unfortunate that when people disagree with you and call your credibility in question just because you have a different political philosophy. That's what makes it difficult to find people to work on these boards and commissions. There was a comment on the Gulf Road rezoning that it was because the Country Club needs a golf cart facility. He said

that they are going to get that facility and it has nothing to do with what we are proposing. He said that what he found interesting is that the next to the last paragraph states that the Planning Board's concerns seem to be to eliminate single family homes because they are not economical and expand the Office and commercial. He found this next sentence interesting. There are many other alternatives to rezoning that will protect the right of current property owners and allow for control of growth. These option alternatives need to be presented in detail to Dover residents so that an informed decision can be made. Parks said that the fact of the matter is that there are 41 proposals that are coming before us because of the hard work of a lot of people.

Parks Christenbury said if anyone knows this Planning Board, they know that we are a diverse group that represents every and all points of view of this community. He said that this has been a very open process. He said that he gets discouraged when staff's credibility is constantly maligned because somebody disagrees with the position that they have taken. He wants to publicly state that he thinks that staff has done an outstanding job and their credibility is second to none. Parks said that a lot of people left that meeting very satisfied with the presentation that staff made. There are still some concerns and we are working on those concerns but with the 41 zoning proposals, there are going to be some people who are just not happy and there is nothing that we can do about it.

Steve Stancel asked if the Board had given some thought about how they want to proceed in terms of a workshop next or did they want to discuss the proposals at the regular meeting on the 8th.

Tony McManus said that another workshop would be helpful.

David Landry asked if the next meeting would be light.

Steve Stancel stated that the only big thing would be the hotel if they are ready.

David Landry said that the maximum height can be 65 feet in the Office zone but given that it's a transitional zone and we are looking at it for the Central Avenue/Locust area and also New Rochester Road, it causes him a little heartburn. He said that when he thinks of a transitional zone, he doesn't immediately think of a 65 foot office building. He thinks that it is strange and sort of inappropriate. He said that the only other thing that he was curious about is the I-2 zones which he thinks have a 5 acre minimum and a 400 foot road frontage. Regarding the three parcels at issue, the one going from I-4 to I-2 and the two going from residential to I-2 all on Columbus Ave./Littleworth Rd., he is assuming that it would take a new road access to make them actually usable. His question is whether we have a good feel that a road is something that's feasible given the lay of the land in those particular areas. He wants to feel pretty certain that those pieces could be used very efficiently for the zone that we want to change it to. He said that he needs another workshop.

Steve Stancel said that some of the things that they hope to have for the Board's consideration before the Board votes definitively on any of these are the protective

covenants for the CWD parcel. He said that they hope to have those within the next couple of weeks, as well as, the school impact fee dollar amount. Those were two comments made during the public hearing and we will make sure that those are done.

David Landry asked if the Motiva was under appeal. He said that it seems that it got down to an issue of site distance because of the hedges.

Steve Stancel stated that he is not sure whether it is under appeal yet. Steve said that the Court sited site distance and traffic concerns.

ITEM #8: Adjournment

Parks Christenbury made the motion to adjourn.
Peg Stevenson seconded.

VOTE U/A