

**DOVER PLANNING BOARD
MINUTES OF MEETING
APRIL 10, 2001**

MEMBERS PRESENT: Pete Lavoie, Anthony McManus, Margaret Stevenson, Frank Torr, Jerry Reese, Charles Maglaras, Beth Thompson, David Landry, Ronald Cole, Brenda Whitmore

STAFF PRESENT: Steve Stancel, Planning Director; Bruce Woodruff, City Planner, and Jacqueline Freeman, Recording Secretary

Chairman Cole brought the meeting to order at 7:03 PM.

Brenda Whitmore did not sit on the Board.

ITEM #1: Approval of the minutes

Beth Thompson made the motion to approve the minutes.

Frank Torr seconded.

VOTE U/A

Abstained - Dave Landry and Anthony McManus

Chairman Cole announced that the Tuttle Subdivision would not be addressed at the request of the applicant. It will be heard at the meeting of April 24th.

ITEM #2: Old Business

a. Discussion and possible vote for Brooks Pharmacy, located at 683 Central Avenue.

Frank Torr made the motion to take this item off the table.

Chuck Maglaras seconded.

VOTE U/A

Attorney Malcolm McNeill, showed plans of the elevations of the retaining wall depicting how the property would look from the rear. The plan is a merger of four lots. The existing buildings will be torn down. The traffic study shows a reduction of traffic. They will widen Central Avenue in the vicinity of the intersection to provide for a more advantageous right turn lane down Oak Street and to also provide a right turn in lane coming northbound on Central Avenue to go into the primary customer service area of the parking lot. He explained the traffic pattern with regard to the pick up window, ATM and the loading door. Malcolm emphasized that the right turn in is extremely important to Brooks for the development of this property. They have gone to great lengths to make that entrance very unattractive to southbound traffic on Central Ave.

Malcolm McNeill said that they are in agreement with all 15 conditions of approval except for the Engineer's memo. He said that with all due respect to Engineering, from

the very beginning of this project, they have taken issue with Engineering with regard to its position to the right turn in lane. The Engineering Dept. is saying, basically, they feel that this represents a safety problem. They say that easy access is provided with the two main driveway cuts and can further be improved by readjusting traffic flow or adjusting the building. Malcolm said that they comply with all AASHTO standards with regard to the distance of the right turn in lane from the intersection and that they are in complete compliance with all of Dover's regulations with regard with placement of this kind of a roadway. He said they had hoped to show the Board on the site visit, with operating street lights in the usual and customary fashion, how queues of traffic going northbound would in most circumstances make very unattractive the left turn in across three lanes of traffic. He said that the day of the site walk the light was blinking. He said that people would have to make a 310 degree turn to get into that entryway. He said that the Planning Department and its traffic expert is comfortable with this proposal.

He said that they would very much like to change this area from unused space and empty buildings into a new modern facility that would make a significant investment in this community. This is a B-3 zone and the use is permitted. It is a unique B-3 zone and one that is very small and compact and one that inhibits their ability to change this building in a material way. They have done a traffic study and there hasn't been a dispute. He thinks that it is fair to say that they have done everything that the city has asked them to do.

There is a request that they provide improvements to the existing crosswalk on Central Avenue across from the market. They are more than happy to do that because of that concern with children possibly using that cross walk. They are bringing retail uses closer to the downtown and not placing them in shopping centers. Placing buildings close to the street and putting parking on the side, which has been a concern – is also being done here. They are requesting that this project be approved tonight and they are certainly willing to discuss any issues that the Board considers to be outstanding.

Frank Torr said that he was concerned with Item #2 of the City Engineer comments, because he has the same concerns. He believes that the diagram shows the sidewalk right adjacent to the street. He said that that in the winter that sidewalk is not usable.

Pete Lavoie said with regard to Item #3. He said that his staff was not concerned with the traffic when it was stopped, it is when there is continuous traffic that you could have some person cutting across those three lanes. He added it is similar to what happens when people cut across into Dunkin Donuts, on Miracle Mile. He said he agrees that it is impossible to get in there when the traffic is stopped. The problem is when the traffic is moving.

Chuck Maglaras suggested a sign saying "Do not enter" facing north.

Peter Hendricks stated that a lot of times they use "No left turn" signs as opposed to "do not enter" signs. Peter stated that the right turn in driveway is angled to make it as

minimally attractive as possible. There will be signs to "Do not enter". He said that someone would have to be very brave to face traffic that way.

Chuck Maglaras asked if something could be put in place so this could be revisited in a year from now to see if there were any accidents.

Steve Stancel stated that we might be able to take a letter of credit. He said that he is not sure how the applicant would feel about it, depending on how important that is to their business.

Malcolm stated that you could have their assurance that if there was a problem that they would look at it. But if there was an approval that was contingent upon the possibility of that being shut off in a year, it would create some very substantial problems for them. Malcolm stated that they are not opposed to the concern. If there were remedial measures such as a traffic quieting device, a speed bump or something similar, that would be one thing, but to lose that entryway would make this project economically unfeasible.

David Yetton stated that it is not that they are trying to create a safety hazard, that would be bad business. He was concerned that someone would shut it down because of a couple accidents that might happen because of the newness of the project. Just to arbitrarily say they think it's a hazard and they need to shut it down would be very difficult because his investment would already be there. He said if they even found it to be a problem, he would not want it open. The majority of their customers that will use that will probably be older and if they are afraid to use it, it will decline their business. They would not be opposed to re-addressing it but within some conditions to have remedial measures.

Tony McManus stated that if the Board approves something, it's approved, and we can't on our initiative six months or a year later say, "We've made a mistake, and we want to pull this back before the Board." He said that he doesn't believe that the Board has the authority to do that.

Malcolm McNeill believes that the Board can set conditions of approval. He is not inviting this condition of approval because they think that it is safe. He said that there have been other circumstances at Weeks', for instance, where roadways would be closed off with regard to the area of Papa Ginos and Applebee's. In terms of addressing this matter remedially, under certain circumstances, he thinks that the Board has that authority. If you approve the plan, the plan is approved, if you impose conditions, the conditions run with the approval. The concern that they have, having gone through this with your own people and extensive discussion, looking at the ASHTO standards, and most importantly, being in business with a clientele that is primarily older. He said that he has learned some things about drugs, 1) that the purchaser is generally are generally older, 2) they generally don't go at peak times, 3) only go if it is convenient. He said that it is foolish to do something unsafe and that doesn't work.

David Landry said that he doubts that the entrance would be a problem. He said that he'll support this project but he feels that they need something to have an opportunity to revisit this.

The public hearing was reopened.

There were no comments.

The public hearing was closed.

Ron Cole stated that by the time an application comes to the Planning there have been 20 or 30 discussions between an applicant and the Engineering, Police, Fire, Planning Depts. He has great admiration for the Planning Dept. and the traffic experts. He said that we have two City departments that are a little at odds. Ron said that he is sure that we can put something in that would make this thing happen. He said that he couldn't perceive that this entrance would pose any problem.

Steve Stancel stated that if you put Planning staff and Engineering staff in a room and we fought over this, we would probably come out with a consensus, however, sometimes he thinks it's healthy that we disagree and that the Board sees both sides. He said that initially, Planning was opposed to the right in and then they went up to the site several times and they started to look at it from a practical standpoint and it's green advanced heading south. If you wanted to turn in that entrance there will be cars queued back beyond that entrance heading north, it's an impossibility to make that turn. If the traffic is flowing, it would be highly unlikely that a car would just stop in the middle of the road heading south and attempt to cross three lanes at 310 degree angle, when you have a safe turning bay lane just down the road. It's not the same as Dunkin Donuts, because at Dunkin Donuts you have no other alternatives. He said that he wanted to address the fact that this is a transitional zone. He said that there have been letters to the editor about whether this use fits here. Steve said that they have struggled with that themselves but when you begin to take a look at it, this is a B-3 zone on both sides of the corners here and this is the same zone as the Miracle Mile. The reason why this is a B-3 is that at one time there was a gas station here, a bank, a Friendly's and an office space. The opposite corner had a car dealership at one time. Historically, these particular corners haven't fit in with this transition zone. The fact that you have a high number of vehicles traveling on Central Avenue in this location and the fact that you are at a signalize corner, lends this property to a higher use. When we begin to take a look at what else could possibly go here, he said that he becomes a bit afraid because of it being a B-3 and because of the 60,000 sq. ft. Steve said you could put a gas station in there, or a Dunkin Donuts. He said when he looks at the lesser evils, he begins to like a pharmacy. We do see this area as a transitional zone that needs to be protected and we will continue to do that. Steve said that they recommend approval of this site plan with the following conditions:

1. Add the owner's signatures to the plan.
2. Submit a completed Lot Merger Form to combine the four existing lots into one lot prior to obtaining a building permit.
3. Revise the Lighting Analysis plan to reduce the Uniformity Ratio to 6:1.

4. Provide the Planning Department with a copy of an executed access easement between the applicant and the owner of Map 27 Lot 222, prior to obtaining occupancy permit.
5. Waivers requested for the 5% interior parking lot landscaping requirement and minimum island size requirement (250 square feet minimum) be given. Enlarging island may require removing two parking spaces. (Thereby being able to expand that island slightly to add additional greenery to the inside)
6. Revise the plan to add the standard note regarding providing a letter of credit.
7. Revise the Existing Conditions Plan to tie the survey into the Dover GIS system and add the surveyor's stamp and signature.
8. Revise the plan to add a note that the applicant is responsible for trimming vegetation along Oak Street to provide safe sight distance.
9. Provide the Planning Department and City Engineer with engineering and construction plans for the widening of Central Avenue and associated restriping prior to obtaining a building permit.
10. The applicant shall prepare traffic signal optimization study and submit it to the Planning Department for approval prior to obtaining an occupancy permit.
11. Provide the Planning Department with a copy of an executed right-of-way easement between the applicant and the City for the Oak Street encroachment.
12. Revise sheet A1.5 to add low lying landscaping to the island adjacent to the ATM.
13. Possible improvements to existing crosswalk on Central Avenue across from market.
14. Revise plan to add engineer's signature to engineer stamps.
15. Include City Engineer's memo dated 04/06/01, excluding recommendation #3 as follows:
 1. GIS points need to be shown on the plan.
 2. The new sidewalk located in front of the former location of Marty's Market should be set back from the road and a grass strip installed between the sidewalk and curb.
16. Additional deciduous shade trees be planted along the southern and southeastern property lines.
17. The right hand in turn lane be revisited in 12 months and safety improvements made as required.

Malcolm McNeill stated that he had a problem with the terminology of #17 and the length of time. He said that one year is not going to give a true picture, and 6 mos. would be premature. The real issue becomes what is a safety hazard and what is a remedial measure. Malcolm said that the word remedial would make them feel better.

Frank Torr said that we have a commitment that they would take remedial action if it were necessary. He said that he takes people for their word and he believes they would make a good corporate neighbor and would not want the bad publicity. It's probably inevitable that some driver is going to go out the wrong way. To make the turn in is probably too much of a risk.

Malcolm stated that there could be a drunk driver that could come into this parking lot and go out through that accessway, resulting in a statistic. He said what Frank is talking about is a repetitive type of offensive movement where this would become an attractive feature. A solution is perhaps to put up a \$10,000 remedial improvement bond subject to visitation within 18 months and then to be released thereafter if there is no need for it.

Malcolm McNeill said that the concern of Mr. Yetton is kind of synonymous with what Mr. Torr is saying. They wish to make the commitment and fund it, but they don't wish to be exposed or be in a circumstance where they are going beyond a remedial type of repair. What he is asking them to consider is that the accessway be subject to a remedial safety bond that is reviewed within 18 months by the Planning Board/Planning Department. Malcolm said that he is requesting that the right turn in entryway be subject to a \$10,000 remedial safety bond, to be held for 18 months, subject to the Planning Board/Planning Department's review and evaluation.

Tony McManus stated that he is going to vote against the project. He said that he is going to start with Malcolm's comment about, "In order to make this work they need to have a building of a certain size." Having done that, they have created a situation where they cannot provide safe access in and out of this location because they don't have the room. He said that he is not aware of many places in Dover where they have a diagonal entrance to a major commercial store. His problem is not people coming south and making a left hand turn. He thinks what they'll do is come in opposite Ash Street and go in behind the building. His problem is the people coming northbound when the traffic is moving and somebody has to slow down in order to make a diagonal turn into a 12 ft. wide driveway. He said that would be a problem because you are going to have people piling up behind them. When you get into the parking lot from that driveway, you won't have a lot of maneuverability within the parking lot and he sees that as a safety problem. For those people who are coming southbound and make a left hand turn onto Oak Street, you will have most of the people accelerating at that point and you are going to have somebody decelerating because they are going to make a right hand turn into Brooks. He thinks that is a safety problem. He said the Board is denying reality. We all know the problems that exist now and this is not going to improve them. He said that he agrees with the Engineering Dept. If we approve that entrance, there is nobody in the world that is going to tell them 18 months from now that that driveway has to be closed. They are going to have an enormous investment and a vested interest in retaining that entrance. They will have a legal argument that will foreclose any ability to close the entrance. Remedial means they will fix it but they will not close it.

Frank Torr made the motion to approve with the 17 conditions.
Margaret Stevenson seconded.

Steve Stancel read what he had for the condition #17 as follows, "that the right hand turn entryway be subject to remedial action review after 18 months of opening and guaranteed by a \$10,000 bond."

Malcolm stated that that language was acceptable.

Frank Torr stated that that sentence was acceptable to him also. He said that this has gone through a long process and scrutinized to the umpteenth degree.

VOTE 6 – 2

Opposed – Jerry Reese, Anthony McManus

b. Discussion and possible vote for Tuttle Subdivision located on Dover Point Road.

This item was withdrawn at the request of the applicant and will be heard at the meeting of April 24, 2001.

c. Discussion regarding next step for growth management.

Steve Stancel stated that the minutes of the March 26th Growth Management Workshop were included in the Board packets. He said that in an effort to keep it simple he put the comments into a bullet statement. There were a lot of good ideas. There was a lot of good discussion. There was great representation from developers, the Council, School Board Members, the public and the Planning Board. He said that there are a lot of good ideas and research and development that needs to take place still. He said that he has gotten some phone calls from different people making some recommendations. He said that he has talked to Ron about the possible creation of a growth management task force to review the existing zoning and analyze options and to make recommendations to the Planning Board. Steve said that instead of having the entire Planning Board struggling with these potential ideas during the next 2 – 3 months, he would prefer to have a task force made up of a broad range of people to include a representative from the following:

City Council

Planning Board

General public

Jack Mette of Appledore Engineering who helped with the Master Plan called and volunteered his services.

School Department

Conservation Commission

Affordable Housing

Developer

A Civil Engineer/Surveyor

Ron Cole stated that most every other community is addressing a similar situation. He said the subject that keeps coming up is traffic. Ron said that he would like to see Jack Mettee serve as the Chair.

Jerry Reese suggested a Business Person/Chamber of Commerce.

David Landry suggested someone from Strafford Regional Planning Commission.

Brenda Whitmore suggested a representative of an Anti-growth group and a Realtor.

Tony McManus stated that a couple of people talked about the new smart growth approach. He said that the State is doing things related to that. He asked if anyone knew someone who is familiar and who could come in and give a presentation to the Board. There is something coming up in Concord on the 12th that he feels would be helpful.

Ron Cole stated that it is a great idea. We can contact someone from OSP.

Ron Cole read a letter from Tony, saying that he felt that he owed the Board an apology with regard to the School Board proposal. Ron said that he apologizes to the Board because he was quoted as Chairman of the Board for the comments. He said that he does not apologize for stating his own personal opinion. He explained when he was quoted with regard to new members of the Board, that he did not have anyone in mind. He apologized for making that comment in that manner.

Frank Torr stated with regard to the bus loop, we need to sit down with the School Board, the Engineer and Planning Board and talk about the issue. He said that he doesn't think that anyone who voted against the proposal was opposed to child safety. He said that he is speaking for himself, that he believes that their concern was Silver St. He said it is a very ill conceived plan to come out on Silver St. at the point they are going to come out. He said that the School has not come to a real broad view and if they did, we may come to a consensus. He said that he had driven by several times since then and the teachers are still directing traffic. He said that a workshop would be most helpful.

Steve Stancel stated that after that meeting, a few people called so they did some research as to how the Woodman Park issue could be re-addressed. Because we fall under Roberts Rules of Order, a motion to reconsider had to be made that evening or the next day. He said that they have talked to the City's attorney in regards to how this can be re-addressed again. He indicated that the cleanest way was to have Woodman Park reapply. They have done that and will be coming back on the 24th. He said that he was going to suggest that we do go out and hold a site walk with the school people. They have suggested next Tuesday morning at 8:00 AM, during a peak time, so the Board can understand the problem out there. He said that if enough of the Board Members can come, we can sit down after that and discuss it further. If not, then we can go for a workshop some evening.

Ron Cole stated that he has one comment that needs to be imparted to the School Committee/School officials that he doesn't want parents coming up to the Planning Board at 8:00 AM. He said that this should be an observation as opposed to a group meeting in front of 200 parents.

Steve Stancel stated that they have made some minor changes, primarily landscaping and extension of the sidewalk. He said there was a 2 ½ to 3 year process that occurred here and the broader picture was looked at and the School people would like the opportunity to explain the broader picture in greater detail to the Board.

Jerry Reese said that he understands that, but that set of plans that we were presented that night would not have been accepted from a private developer. They were terrible and they did themselves a disservice by not taking a big picture view of what they were doing. He said that they need to come back with better plans.

Steve Stancel stated that the busses come at about 8:15 AM and the teachers start showing up a little before 8:00, plus you'll want to find a parking space. Steve explained that the School Board can meet Tuesday evening but they wanted everybody to see the situation and they thought that it might be possible to hold the workshop after the site walk.

Frank Torr said he would suggest going with the Tuesday night workshop because there is a greater percentage of all of the Board being there.

Ron Cole set the site walk with the School Board for Tuesday morning the 17th, at 7:55 AM, meeting at the tennis courts. He said the workshop will be at 7:00 PM that night in the Council Chambers, of City Hall.

d. Letter Requesting a rezoning from Bob DeColfmacker for McIntosh Properties Inc.

Bob DeColfmacker, former President of McIntosh College, stated that McIntosh College has submitted and will follow through with a petition to seek to rezone the property known as the Bingo Hall, on Rutland Street. He said that it is the result of college's long-term strategic plan. There has been a change of command and the college is currently in an extension mode. They have recently finished renovating the culinary arts. He said that, as part of the school's long-term plan there would be a new program in graphics arts and visual communications. The bingo facility property is a convenient location for the school. They are currently in final negotiations with Forum Development to acquire the building for conversion to college use.

Steve Stancel stated that the building is currently zoned I-1 which is an industrial zone. That happens to be one of the few zones that do not allow post-secondary educational institutions. The zone immediately adjoining the I-1 is the R-12 zone.

Bob DeColfmacker stated that they recognize that the way that Bingo is structured, there are six non-profit agencies that run a fairly intensive Bingo operation there 7 nights a week. It is certainly in the interests of the non-profit organization and to the City, because many of them turn around and donate money to the City. All of the non-profits that currently do bingo there have signed on in working to find a new location in the City. The college has agreed to allow a transition time so the non-profits can find a new location.

Bob DeColfmacker stated that once they have their architectural plans, they would be holding a neighborhood meeting as this process goes forward. He said that there have

been rumors that it is for student housing and that is not true. It is to convert the building to a graphic arts and visual communications school.

Steve Stancel stated that it would be advantageous to hold a neighborhood meeting before the Planning Board meeting.

Tony McManus stated that he has a concern that we are being asked by a single property owner to rezone a single lot for a specific purpose, which is generally frowned on by the court. He said it could be looked at as spot zoning. It seems to him that it is an opportunity to look at the rest of the I zone to see if it makes sense to keep it on Rutland Street. Where we had so much trouble with expanding the Bingo the last time, it seems to him from a Planning standpoint, we should know more about what this proposal is and how it will affect traffic and congestion before we tackle the zoning issue.

Bob DeColfmacker stated that they will have student counts available for the use of the building. Their view is that it will dramatically de-emphasize the use of that facility. On certain nights there are close to 350 cars in that parking lot and close to 500 people there. He said that there is a shift from the evening programs to the day programs as part of the college's strategy. More of the new programs will be directed to full-time day students. Bob said that they would like the rezoning as quickly as possible. They traditionally like to start new programs in July in preparation for a September start.

Steve Stancel stated that they have spoken to Bob about providing the traffic numbers because that is a case for discussion regarding the rezoning. He said that he disagrees with Tony with regards to this being a spot rezoning because the applicant has two options. One option is to go for a Variance and the other is to petition for a change of zoning. He said that whereas you have an abutting R-12 zone and you're just extending that R-12, in his opinion, that is not a spot zoning. Secondly, we need to be cognizant, this is currently an I-1 zone and this Bingo hall will probably be sold whether McIntosh buys it or somebody else and he feels the McIntosh use will be more conducive to the neighborhood than what could potentially go into that building.

Pete Lavoie left the meeting at 8:45 PM.

Bob DeColfmacker stated that there would be more traffic during the day. He said that the Bingo hall runs 7 night a week and if you're there on Sunday night at 10:00 PM, the cars are lined up leaving the hall. He said that they would not be using the building on Saturday or Sunday evenings. They also have the flexibility to adjust the timing of academic programs so that they may not conflict with other uses. He said that he could have information available for the 1st meeting in May and will have had the neighborhood meeting by then.

Steve Stancel stated that he recommend sending this to a public hearing on the first meeting in May. He said they could look at the two abutting units on Cataract Avenue.

Jerry Reese made the motion to send this to a public hearing.

David Landry seconded.

VOTE U/A

ITEM #3: New Business

Anthony McManus left at 8:45 PM.

a. Discussion regarding Implementation of community Facility Fees (Impact Fees)

Steve Bird stated that the last time that we spoke about impact fees was at a workshop in January, and he discussed what was covered at that time.

He said that since that time there have been a few developments. There was some legislation filed at the State House. House Bill 512 which would restore the Planning Board's ability to assess off-site improvement fees even if you didn't have an impact fee ordinance in place. He said it was a court case that shook the planning community up quite a bit because it basically said that in order for a community to assess off-site fees for development, you can only do that if you had an impact fee ordinance in place. To rectify that, this house bill was filed that would go back to the way that it has always been done and to give the Planning Board the authority to assess off-site fees on a case by case basis. That bill is before the municipal and county government committee. There was a hearing on it recently and in talking to OSP today, it's still in committee. If that bill is successful and passes, that is going to solve the problems for a lot of communities that don't want to go through the process of adopting an impact fee ordinance. He said that another development since that court case was decided, is there have been about 20 municipalities that have either revised or adopted an impact fee ordinance. Many of those towns did that during the March town meetings. That was in direct response to that court case. A lot of communities felt that they needed to act quickly. They adopted a basic ordinance that gave them the authority to assess impact fees, and reinstated that authority that most Planning Boards have used in the past to assess off-site fees on a case by case basis. In order for us to move forward with impact fees, we need to discuss policy issues with the Planning Board and get some direction. We need to have a discussion as to what capital facilities we want to assess impact fees for. The legislation that was passed out at that meeting in January, lists about a dozen different areas that a community can assess impact fees for. We need some guidance on which of those facilities this Planning Board feels we should focus our attention on.

He said that Schools is an obvious one. He said that in looking at impact fee ordinances that have already been adopted in other communities, schools is by and far the most popular item. In 9 out of 10 it is the #1 municipal expense of those communities. He said that that is an area that we should focus on.

The second issue is a strategy on how we should proceed. Do we go for the basic bare bones impact fee ordinance to get us back on an even playing field, where we were before this court case, or do we do a more comprehensive approach. The more

comprehensive ordinance would incorporate impact fees for all of the different areas that we want to collect impact fees for.

The third area is probably the most important and that is that we want to make sure that the Planning Board is going to be supportive of impact fees when it comes up for approval. In order for us to adopt an impact fee ordinance, the Planning Board has to approve that ordinance and then it has to go to the City Council because it's a zoning amendment. It's a two step process and as a staff, we want to make sure that the Planning Board fully supports an impact fee ordinance before we proceed much further in spending a lot more staff time in developing it. Those are the three issues that we want to discuss tonight. He said that the Master Plan had several of the chapters recommend that the City investigate impact fees and pursue adoption of an ordinance. The Master Plan sets the background for such an ordinance.

Jerry Reese left at 8:55 PM.

Brenda Whitmore asked if Dover can fund all the necessary improvements required to support growth out of the General Fund accounts without raising taxes through the roof or seeking other additional funding.

Steve Stancel stated that the answer is no, because as residential development occurs, it generally doesn't pay for itself in terms of revenue received and services provided. As we continue to grow we need to grow all of our services and that costs money.

Peg Stevenson stated that she would be supportive of impact fees. They would help the City with its growth and the expenses that are incurred with the growth. When a developer comes in, he will know by the methodology pretty much what they are facing when they go in and thinks that the heads up will be beneficial to them.

Steve Bird explained the scattered or premature provision in the State law. He said that it addresses a situation where you have a development that's in a area where City services are not up to standards. The usual example is a big development on the outskirts of your town where you may not have water and sewer, your roads aren't up to speed. The scattered and premature provision in the State law is there so that a Planning Board has authority to deny that proposal based on it being scattered and premature. The remedy to the applicant is to fix that lack of service.

Ron Cole asked if anybody is opposed to the Board continuing the study.

Steve Stancel asked how the Board would like to proceed. We can go back and work some more on this and bring it to the entire Board or we can have another committee. He said that he was counting up all the boards and committees that his department sits on and advises and it is over 20.

Chuck Maglaras stated that he doesn't think we need another committee. If the staff continues with this, we ought to set a workshop instead of doing it at the end of the night because this could take some time. He said that he agrees with impact fees.

Steve Stancel said that he could get the Board copies of what the other communities have done by the next meeting and maybe have a workshop on the Tuesday after the next meeting. Steve Stancel stated that he feels it's a priority and should be done as soon as possible without moving hastily.

Steve Stancel said that the 1989 impact fees ordinance had School, North End Fire station and Recreation as their focus.

Brenda said she hoped that we could use streets and thoroughfare facilities because it's a problem that comes up continually before this Board.

Steve Stancel said if you look at the fees that would have been charged starting 10 years ago, we would have had a hefty amount when it came to some of the capital improvements we've had to make recently.

Frank Torr said that his recommendation would be to go with the basic plan first, and then go on to pursue the expanded.

Ron Cole asked Steve Bird to get us all the information he can.

ITEM #3: New Business

Ron Cole said that he is going to set a training session for all the Dover Planning Board members whether it's going to be Strafford Regional Planning Commission that does it or Atty. Ciandella or someone like that. He said that he would like to have a real workshop on what we can do and what can't do, etc. He asked if anyone has any input, he would like to hear it.

ITEM 4: Adjournment

Frank Torr made the motion to adjourn.

Beth Thompson seconded.

VOTE U/A