

**DOVER PLANNING BOARD
MINUTES OF MEETING
OCTOBER 23, 2001**

MEMBERS PRESENT: David Landry, Anthony McManus, Beth Thompson, Frank Torr, Chuck Maglaras, Ron Cole, Pete Lavoie

MEMEBERS ABLSENT: Jerry Reese, Brenda Whitmore, John Sullivan, Dennis Ciotti

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

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

ITEM #1: Approval of minutes.

Frank Torr made the motion to approve the minutes of the October 9, 2001 meeting. Chuck Maglaras seconded.

Beth Thompson stated that on page 3 she would prefer that the word inquiry be replaced with Technical Review.

Tony McManus stated that on page 8 on the last sentence of the first paragraph, it should be the size of the house and not the seawall that might set precedence. On page 11, very last paragraph, he stated that Frank also asked about looking into the status of replacements or alternates for Beth Thompson and Pete Lavoie. Frank Torr said that his concern was they have a regular Board member sitting in place of two municipal personnel.

David Landry said that on page 6, second paragraph said that aesthetics should be replaced with aspects. Then two paragraphs from that, the third line privy should be replaced with purview. He said that on page 7, the second to last paragraph privy should be replaced with purview.

VOTE U/A

Ron Cole announced that Rokon International, Inc. would be postponed until November 27, at the applicant's request.

ITEM #2: Consideration and acceptance of an application for a Minor Subdivision of land for John & Robert Torr, Assessor's Map H, Lot 4, zoned B-4 & I-4, located on Durham Rd/Mast Rd. (P01-54)

Frank Torr stated that he wanted to clear any potential conflict. He said that the Torrs are about 9th cousins and there is no financial interest.

Ken Moore represented the applicants. He said that that the Torrs want to take out 5.4 acres from the 60-acre parcel.

Chuck Maglaras 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.

Peg Stevenson motioned to approve with the following staff recommended conditions:

1. Add both of the owner's signatures to the plat.
2. Add the surveyor's signature to the plat.
3. Revise the plat by adding the proposed tax map and lot numbers as assigned by the Tax Assessor.
4. Revise the plat by revising Note #3 to add the Groundwater Protection District.
5. Revise the plat by relocating the I-4/B-4 zone line so that it is 1,000 feet from the centerline of Route 108.

David Landry seconded.

VOTE U/A

ITEM #3: Consideration and acceptance of an application for a Conditional Use Permit for Robert LaBrie & Maureen Kelliher, Assessor's Map L, Lot 58Y, zoned R-20, located at 27 Cote Dr. (P01-55)

Robert LaBrie stated that he is asking to replace a retaining wall that is deteriorating with a fieldstone wall.

Frank Torr motioned to accept the application.

Chuck Maglaras seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Frank Torr motioned to approve with the staff recommended conditions:

1. Provide the Planning Department with a copy of the NH Wetlands Bureau Permit.
2. The applicant shall utilize best management practices for sediment erosion and run-off control, including the use of a silt fence and hay bales during the construction process.
3. The applicant shall provide a buffer strip re-vegetation plan, subject to the conservation Commission's approval.
4. The State's Shoreland Protection Act, specifically the elimination of fertilizer use within 25 feet of the shoreline, shall be adhered to.

Chuck Maglaras seconded.

VOTE U/A

ITEM #4 & ITEM #5: Will be moved until the November 27th meeting at the request of the applicant.

ITEM #6: Old Business

a. Discussion and possible vote for Motiva, located on Silver Street.

Frank Torr motioned to take this item off the table.

Chuck Maglaras seconded.

VOTE U/A

Malcolm McNeill represented Motiva. He said that on Oct 18th he supplied a letter requesting a postponement of this hearing. A Superior Court has found that the requested uses are permitted on the site, which was also the position of the City of Dover. He said what was presumed to be the final public hearing was scheduled for Sept. 11, 2001. That meeting was cancelled because of what happened in Washington and New York. The case was rescheduled for Sept. 25th. On Sept. 25th a very expansive public hearing was conducted and a 60-day extension was granted. Mr. McNeill stated that they also made known their plan for a conditional approval of this project, without the Dunkin Donuts. On that date they presented extensive testimony and the written traffic report by Don Rhodes, dated August 29th, indicating that they perceived the minimal increases in traffic that would occur without the Dunkin Donuts. They represented to the Board that in the event that the Board could not approve the Dunkin Donuts, they would expect the Board to conditionally approve the plan by deleting the Dunkin Donuts. They also argued that the City had made improvements to Silver Street that contemplated the Motiva use and which have been shown to be working safely and reasonably. He said that all of the recent improvements made by the City to Silver St., basically, came from their plans and was approved by the City engineers.

Malcolm McNeill stated that the Planning Department scheduled the continuation of the Sept. 25th meeting for October 9th. He said that Preston Samuels' report was not supplied to them in time for them to respond in a timely fashion. He said that the first time that they got the letter was on October 9th. He said he let Mr. Stancel know that they would not be prepared to proceed because they could not make effective comment on the report and they agreed that the meeting would be continued. He said that subsequent to that October 9th meeting, they then looked at the Preston Samuels letter and formulated a response. Bruce Woodruff also advised them that further traffic information would be necessary with regard to the alternative non-Dunkin Donuts use. They found that out after the October 9th meeting. He said that that came as a surprise to them but recognizing the nature of this case, they proceeded to endeavor to provide that information. They were also told after the October 9th meeting that in addition to the supplemental traffic report for a non-Dunkin Donuts, that they also needed to revise the plan to show more clearly what would occur if the Dunkin Donuts was not there. He said that the part of the store where the Dunkin Donuts was going to be would have shelves and become part of the convenience store. The drive-up window would not be used and basically the roadway system would be the same as it was before. They submitted a plan the latter part of last week. They requested in a letter of October 18th,

that the case should be postponed. He said that given the nature of this case, the Planning Department felt unable to respond to that postponement request and felt that it needed to be decided by the Board. He said that their sole reason for the request for the postponement was the presumption that there would be objection to the amount of time allowed reviewing the materials. Similarly, they also presumed that the non-Dunkin Donuts plan would be reviewed by the City's traffic consultant. Mr. McNeill stated that they didn't expect that they would walk in and get an oral report anymore than the Board would expect to get traffic information from them that wasn't in writing.

Malcolm McNeill stated that they have attempted to provide for additional due process within their extension period. After providing the information, they presumed that the Board would either grant an extension of postponement or not, because they presumed that the case would be considered in the alternative. If the Board voted down the Dunkin Donuts, they would condition the approval on a deletion of the Dunkin Donuts. He said that Planning Boards have historically done this for years. He said that he found out between 12:00 and 1:00 this afternoon that the City's attorney had advised the Department that that kind of an alternative approval would not be permitted. Mr. McNeill said that he takes vigorous disagreement with the attorney's opinion. When he became aware of that position at noontime today, the Planning Director asked if his plan was the Dunkin Donuts plan because, if it was, it would be acted on in that form and only that form. He said that Steve Stancel wouldn't consider a non-Dunkin Donut plan because they wouldn't be ready to proceed, as the abutters would not have had enough notice. Mr. McNeill stated that he believed that a plan where traffic has been the major issue and if it is revised that you should get a written report from a traffic consultant and they should be allowed to respond to it. He said that after speaking with his client they wish to modify their plan to the one he is presenting on the easel tonight. One of the reasons why they felt it would be appropriate, aside from the fact that they really disagree with Atty. Ciandella's position, is that they took seriously Preston Samuels report of October 3, 2001, where the last line read as follows: "Therefore, the proponent should either modify the development proposal to reduce the offsite traffic impacts or be prepared to mitigate the impacts as required."

Mr. McNeill asked that they be authorized to amend their plan to delete the Dunkin Donuts. They would like a postponement of the final hearing to allow time for the Planning Department an opportunity to review the revised plan and make comments. He said that they would also like a written report from the City's traffic consultant with regard to the modification so that they can respond to it in a timely fashion. They are requesting that this matter be put over until November 13th for a final hearing. Malcolm explained the sequence of events of their previous extensions. He said if the Board chooses to not allow them to amend the plan and postpone the hearing, then they are prepared to go forward tonight and address all of the issues relating to the non-Dunkin Donuts plan. He said that they feel that they have a right to proceed with this project with this amendment. The bottom line is they would like to modify the plan and they would like a postponement until November 13. If the Board is not inclined to do that, they would like to proceed tonight.

Ron Cole stated that there has been a lot of discussion. He said when he received the letter from Atty. McNeill, he made the judgment call that he would bring this to the Board so the Board can make these decisions. He said that he didn't feel it was his place or Mr. McNeill, or the Planning Department's place to do this. He said that Mr. McNeill has done a good job at getting everything out into the open.

Steve Stancel stated that Mr. McNeill would have the Board believe that these delays have been the result of the Planning Department's requests and reviews but it is not the case. He said that they were told on Sept. 25 that the applicant would like them to look at conditional approval of the project, without a Dunking Donut. The applicant was told from the very beginning that the Planning Dept. did not feel comfortable with that. Furthermore, they received the City's traffic consultant's report on October 3. That was sent to the developer's attorney on October 5th, not October 9th. He said that even before that, Bruce Woodruff had discussions with Don Rhodes regarding the fact that the Planning Department wanted additional traffic information. Some of which was information that had been requested for months. After October 9th, the staff told the developer's attorney that they did not have a concern with conditional approval without the Dunking Donut. That information came in on Friday, at noontime, which was early enough to have been placed in your packet. With that information, the City's attorney was contacted. Atty. Ciandella thought that the Board should not react to two separate plans that would require fundamental changes to both the onsite and offsite improvements. He felt that the Board would be better off to react to one application. He felt that the proposed changes were too significant to decide conditionally. Steve said that they contacted Atty. McNeill and indicated that their recommendation to the Board would be that the Planning Board not look at the conditional approval concept, but ask the applicant what his application is. And if it is the Dunking Donuts the Department is prepared to make recommendation for denial, but if it is the withdrawal of Dunking Donuts, then they felt that the abutters did not have proper time to react to that for this evening. He said that if it is going to be just a convenience store and a car wash, they still have questions. Steve said that they were surprised at 5:00 PM today that the applicant chose to forgo the Dunkin Donuts. His recommendation was that he would like to move forward with the applicant showing the Board what his traffic impacts are with just a convenience store and a car wash but that he is not sure if the City's consultant will be able to respond to that this evening. He said that he would like to get public input as to the concept of just a convenience store and carwash this evening and recommend postponing the decision until November 13th.

Ron Cole explained that the Board is discussing this because the abutters and the people in the neighborhood have been concerned that they've been kept in the dark. He said that he wants everything out in the open and the Board to make the decision.

Tony McManus asked if Atty. Ciandella will be giving any kind of opinion in writing on the issue about two separate plans and whether you can simply take a plan and revise it and go forward on that.

Steve Stancel stated that he spoke to him about the concept of conditionally approving the plan without Dunkin Donuts and also if the applicant chose to suddenly switch gears and gives us a revised plan, which has occurred, what the options of the Board would be. He indicated that if the Board was thinking of just throwing out the application on a procedural issue, he thought that legally, that would be murky at best if we ended up in court. He said that they discussed the fact that the Planning Board has allowed revisions to plans and when those revisions are significant enough the Department re-advertises. He said that most recently there were two projects, one on Washington St. and one on Tuttle Lane where the plans changed enough so that they were re-advertised. He said that he asked Atty. Ciandella what the options of the Planning Board would be if they wanted to move forward and make a decision tonight on just the convenience store and the car wash. Atty. Ciandella indicated that the Board could move forward and make a decision, but he suggested that two questions be asked. Is it felt that there is enough information to make an intelligent and legally binding decision on the revision? And have all the potentially interested parties had adequate opportunity to review the changes to the proposal?. Atty. Ciandella stated that his answer to those two questions is, no.

Tony McManus stated that he felt that the Board is dealing with two separate applications that are fundamentally different. He asked if they were withdrawing the previous proposal with the Dunkin Donuts so that it is not out there someplace. He said that he would like clarification on that because the abutters needed to know that that it would not be resurrected in the future.

Mr. McNeill answered that they are taking out the drive up window, the footprint of the building is exactly the same, and there is a minor modification of the lane into the site.

Tony McManus stated that his view, as a Board member, he doesn't buy that. It is a brand new plan with a substantially different use and he thought that the Board ought to treat it as a new proposal and not a modification of an existing plan.

Malcolm McNeill said that he views that as totally unfair. It would be as if they were coming in here with a 40-unit project and they took out a unit or made a change in the road design or a parking space. All of which happens all the time. What is being considered here is that they are taking out a drive-up window.

David Landry asked if there was a reason why the drive up travel lane is still in the plan.

Atty. McNeill said that he is asking the Board to delete the drive up. He said that they wanted to change the plan as little as possible so that there were no significant changes in the plan. If requested by the Board, they will remove the hedgerow in the rear.

Anthony Guba, Ayoub Engineering, stated that the reason that the divider between the lanes is there is because there is a two-foot drop and it provides a grading feature. They wanted to continue to have pavement around the building for loading and access to the building. If you don't want to see that divider, they could take it out but they would have to change the grading plan significantly in the back to make it work. He said that they

have some lighting that is in that area and that would have to be reworked. They were trying to change the plan to the minimum.

Malcolm McNeill said if anyone is asking if it is being left there just to put in a Dunkin Donuts later, it is not what they are proposing to do. Any kind of change to the plan that you would approve would have to come back here. He said that he doesn't think that there is any doubt that if they tried to serve Dunking Donut through that window that you would know about it.

David Landry stated that if it looks like a drive-through it might be perceived to be ok to have a drive-through in the future. He felt that it should be clear that it is not the message that the Board wants to send.

Steve Stancel stated that he would like the one way in and one way out entranceways on the plan clarified. One of the things that he would like explored is the island and without the Dunkin Donut proposal, the one-way traffic flow may no longer be needed.

Frank Torr asked if it is correct that when the Woodman Park School entrance took place there was no consideration of Motiva's actions in the future.

Steve Stancel stated that it was correct. The way that it was presented was that Motiva may or may not be approved and that any improvements that were made to that road infrastructure were required just given the existing traffic conditions in that corridor.

David Landry asked Steve if at some future point the applicant decided that they wanted to sell Dunkin Donuts from within the store, if it would be a significant enough change to require them to come back to the Planning Board.

Steve Stancel stated that the Site Review Regulations do allow the Building Inspector to send anything that he deems a concern to abutters to the Technical Review Committee and ultimately to the Planning Board. So there is no minimum threshold that could occur if it is deemed to be an impact to the neighbors.

Malcolm McNeill stated that he wanted to comment on Mr. Torr's comment. He said that he is not here saying that the Woodman Park School improvements were planned around the Motiva modifications. He said that his argument is that those improvements are compatible with the non-Dunkin Donut modifications to Motiva. If you presume that the City was thorough in its review of existing conditions when it made that plan, especially where it provided for a left turn lane into this site to work with the bus turning lights, and if you presume that that action was reasonable, and if you find that the facts indicate that Motiva does not make a substantial change in the traffic conditions, then their position is that the improvements that are made are compatible and enhance the safety of this site.

Ron Cole went over the options. He said that we know that there won't be a donut shop there. He said if the Board opted to act this evening, we would be acting on the modified

plan without the donut shop. He said that several people have stated that that is not advisable because we have traffic studies that we haven't gotten any kind of report on. Ron said that we could open a public hearing because the abutters have not had an opportunity to speak on the fact that there is no donut shop. The abutters or neighbors have not had an opportunity to view or hear a traffic report. He said that the Board could act on it or postpone it to November 13th. He said that he brought this to the Board so that the Board can make the decision.

Beth Thompson stated that she would like to hear the preliminary report.

Tony McManus stated that he thinks that the Board would find itself in the same position at the November meeting because between now and then Preston will have a written report that he will make available to Don Rhodes. Don Rhodes needs to review it and make his written report. He said that the Board needed to look at both written reports and the people in the neighborhood need to see both reports well in advance of any further public hearing so that everybody has got all of the information. He added that that would be the last meeting before it was voted upon.

Preston Samuels stated that they have received a supplemental report from Don Rhodes on this new development and they have had a little bit of time to review it and come to some very preliminary conclusions. Some of them affect some of the concerns that have been addressed about the way this application has been handled. He said that when they review a traffic report they always have a plan that comes with it and the two have to jive and at the present time they do not. The report that was submitted last Friday called for two separate in and out driveways from the revised facility. Everything that has been heard tonight indicates that the traffic pattern would still be the same which would mean one in and one out and that needs to be clarified in a document that stands for the record. He said that in the review that he has done thus far, there were some concerns about the idea of analyzing these two driveways as combination in and out driveways. The report alludes to the fact that it would be cutting down the exiting traffic from the original single drive. It is basically watering it down when you have two drives handling the same or less traffic. The problem is that at an unsignalized intersection the analysis is based on the concept of accepting gaps in the through traffic stream. He said that what he sees here is that when one person tries to exit one of these drives into an acceptable gap, the gap disappears from the availability of the other driveway. Mr. Samuels said that he had some technical questions about the analysis. They were looking into the ASHTO Manual trying to get some answers. He said that over the course of this study they are now on their fourth submission. He said that all the studies should be put under one cover once and for all. He urged the Board to require the developer to prepare a proper traffic study from cover to cover for this revised site plan and they will review it in the accepted manner.

Ron Cole asked the Board if they wanted to open a public hearing. He said that some folks came here to speak on the original application.

Chuck Maglaras stated that if the plan is going to change, why would we want to open the public hearing. He said that if the abutters haven't had a chance to review the plan, they would only say that they are against this proposal when they haven't even seen the new plan.

Frank Torr stated that he would like to see a definite meeting date and he would like to see this placed as ITEM #2 on that agenda so these people would not have to sit all evening long to be able to participate.

Ron Cole and Malcolm McNeill agreed that December 11th would be the date of the next meeting for Motiva. Mr. McNeill said that he had an extension through Nov. 16th and asked for an additional 45-days or conditionalized on the date when the final public hearing would be conducted.

Ron Cole stated that this is scheduled for December 11, with the understanding of the basic parties, that the Board will be taking action on the 11th. Ron said that he would not open a public hearing because no one had the information to speak intelligently on this.

Atty. Don Bryant stated that this whole thing is rather wearing upon the people in the neighborhood who have an interest in this matter. He said that he didn't know until 6:00 PM when Steve Stancel called him that Dunkin Donuts was going to be withdrawn. He said that Mr. Samuels traffic report has been in the hands of Mr. McNeill and in the hands of his traffic expert and he has responded to it. He said that he doesn't see what more needs to be done as far as the traffic issue. Whether or not this is good for the community is a very important issue particularly with regard to violation of the Master Plan and the safety of school children. The neighborhood has been subjected to hearing after hearing and after a while people get worn out and don't come anymore. We don't want that to happen here. It would not be in the best interest of the City of Dover. Mr. Bryant stated that he came here prepared to hear and to argue against Motiva's present proposal to put in the food mart and the carwash without the Dunkin Donuts. He said that he is personally prepared to go ahead with that. He clarified his position by saying that he only represents Bernard and Eleanor Duffy. Atty. Bryant said that Mr. McNeill is trying to shortcut this process tremendously by saying that he is just going to amend his plan without filing a new plan. He said Steve Stancel stated that Mr. McNeill, in order to comply with the requirements of the Planning Board, would have to file a new plan and start the process over. He said that Mr. McNeill should be required to file a new plan if the Board decides not to hear this tonight

David Landry asked how it is determined whether or not a plan has changed to a degree that warrants a new application.

Steve Stancel stated that it is a gray area that determines whether or not a plan has changed to a degree that warrants a new application. If you choose not to accept the revision, Atty. McNeill would come into the office at 8:00 AM tomorrow and submit a new application. He said that he is not sure what is gained by doing that.

Tony McManus made the motion to table.
Beth Thompson seconded.

Frank Torr wanted to modify the motion to add that it will be the second item on the agenda of the December 11th meeting.

David Landry stated that he would like to see an artist rendering of this project.

VOTE U/A

Peg Stevenson made the motion to give a 60-day extension.
David Landry seconded.

VOTE U/A

Chairman Cole called a recess at 8:25
Chairman Cole brought back to order at 8:30.

Ron Cole stated that he spoke with someone from the neighborhood and they were mildly concerned that no representative of the neighborhood got an opportunity to speak and to let the Board know that they do not want anything there. He told that person that he would pass that along.

ITEM #6: Old Business

b. Discussion and possible vote on Bellamy Mill Apartments.

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

VOTE U/A

Atty, Malcolm McNeill stated that he represents the applicant. He said that the application is for 30 units. This parcel consists of 2.5 acres on one side of the river and .5 acres on the other side of the river. He said that since the public hearing they have tried to be responsive to all the concerns of the City with regard to offsite improvements. He said that everything that the City asked for, they have done. He said that in the first paragraph the Planning Board Memo there are financial commitments made by the applicants to widen Mill Street, to relocate approximately 200 feet of sloped granite curb, to contribute \$2,000 to the City for the Central Avenue corridor improvements and signal coordination project and to contribute \$10,400 to the City for the Charles Street sewer pump station upgrade. As for any matters relating to Engineering, they believe that those were successfully resolved today with the City Engineer. He said that the remainder of the conditions of approval is acceptable to them.

Atty. McNeill said that despite the title examination done on this property, they became aware during the process that the City right-of-way extended further into the site than they had expected. They made a request to the City which they feel will not be faced with any opposition to abandon that roadway. That has been filed with the City Manager and that will be a condition of approval. They have also provided that they will complete all the other conditions that the City has requested with regard to wetlands permits, lighting and other matters that are somewhat perfunctory with regard to the approvals.

He said that this will create 30 quality apartments that will be ideal for the occupants and not place an undue burden on the City of Dover. This will provide necessary housing, alternative forms of housing for people in this City, which is needed. It will be very closely monitored in terms of its oversight, both by management and by the financing authority. This will also be a tax-paying project.

Frank Torr asked Dana if he checked with the State to see if there was concern about the abutments that you are placing.

Dana Lynch stated that they contacted the Bureau of Turnpikes and he spoke to Ken Russell, the Encroachment Engineer for the Turnpike Authority and sent him plans in early September and he has discussed them in detail with him over the phone. He is preparing a punch list letter which lists what their technical requirements will be for the issuance of an encroachment permit and by that, he will be asking for things such as boring logs, stamped engineered drawings for the retaining walls and those types of things that assure the Turnpike Authority that their right of way is not jeopardized in any way. He said that they will perform those tasks before they'll issue the encroachment permit at the time walls will be built. They won't issue it prior to that. Dana Lynch explained where the existing utility poles were located and which ones were going to be moved back and where they would go underground.

Chris Davies, of Great Bridge Properties, explained that the land across from the project is so steep that he doesn't think that it ever would be accessible by anybody and certainly it is not usable. It was there because of the dam across the river. He said that he would be happy to talk to the City with regard to a Conservation Easement.

Dana Lynch stated that they have discussed the water system with the Water and the Fire Departments and there is adequate flow to not only provide for the domestic supply but also for a sprinkler system. As far as the sewer goes, the sewer from this building runs down to the pump station at the end of the property. From there it is pumped up to the Charles St. Pump Station that is located at the other end of Mill Street. That is the pump station that seems to be having some difficulties. It has been slated for studies and improvements for about \$650,000 worth of work. Their daily flow, in proportion to the flow to the pump station, works out to be \$10,400. with the understanding that the Charles Street Pump Station is the one that needs to be upgraded.

Steve Stancel stated that at the applicant's request, the City's Attorney, George Wattendorf, has drafted a resolution for a future Council Meeting requesting that they abandon the right-of-way.

Dana Lynch stated that they are proposing that the last 200 feet of that right way be discontinued.

Chuck Maglaras asked about the roadways and the widening the roadway between Sawyer Mills and the Ten Commandments to the project site to 20 feet. He was concerned that the folks would be stepping off their porches into the street.

Dana Lynch stated that the goal would be to match the grades and the end of their sidewalks coming out of their door staying wholly within the City's right of way.

Dana Lynch discussed the roadway and the width at certain areas along the way. He explained how there will be chain link fences along the back of all of the retaining walls and they are creating a 4 foot lap that sticks out from the face of the wall on the ends to prevent walking up along the walls.

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

1. The applicant has agreed to the following off-site improvements:
 - Widen Mill Street to 20 feet of pavement with a new overlay and one foot gravel shoulders from Sawyer Mills and "Ten Commandments" to the project site. Engineering plans depicting these improvements shall be submitted for approval prior to the signing of the plan. Improvements shall be completed by the applicant and accepted by the City prior
 - Relocate approximately 200 feet of sloped granite curb and associated pavement widening along the easterly side of Mill Street in front of Sawyer Mills. Engineering plans depicting these improvements shall be submitted for approval prior to the signing of the plan. Improvements shall be completed by the applicant and accepted by the City prior to the issuance of an occupancy permit.
 - Applicant agrees to contribute \$2,000 to the city for the Central Avenue corridor improvements and signal coordination project. Said contribution shall be paid prior to the issuance of an occupancy permit.
 - Applicant agrees to contribute \$10,400 to the City for the Charles Street sewer pump station upgrade. Said contribution shall be paid prior to the issuance of an occupancy permit.
2. The applicant shall resolve the Mill Street right-of-way issue to the City's satisfaction.
3. The applicant shall provide the Planning Department with a copy of the NH Wetlands Bureau permit and add the permit number to the plan.
4. Provide a lighting plan and analysis that complies with Chapter 149-14E.
5. Provide a floor plan to insure that each unit is a minimum of 600 square feet.
6. Revise plan to add two GIS points.
7. The applicant shall prepare and submit a storm-water facility maintenance plan to the Conservation Commission for their approval.
8. Revise the plan by adding metes and bounds for the property line at the southern end of the Mill Street right-of-way.
9. Revise the plan to add a line table to Sheet #2.
10. Add the owner's signature to the plans.
11. Add surveyor and engineer stamps and signatures to the appropriate plans.
12. Additional issues contained in the City Engineer's memo dated 10/19/01.

Peg Stevenson seconded.

VOTE U/A

New Business

Steve Stancel stated that copies of the proposed CIP are on the tables this evening. The City Council will be looking at this at the same time as the Planning Board. He said that they have scheduled a workshop for presentations for this on Thursday, at 7:00 PM, and the Planning Board is invited to that presentation. He said that he would recommend that the Planning Board invite some of the Department Heads to do their own presentation here at a future date. He believes that the Council will be voting on this at their meeting in December. He said that he will get together with Ron Cole and they will work out a schedule for workshops.

ITEM 7: Adjournment.

Beth Thompson made the motion to adjourn.

Frank Torr seconded.

VOTE U/A