

**DOVER PLANNING BOARD
MINUTES OF MEETING
APRIL 13, 1999**

MEMBERS PRESENT: Reuben Hull, Jeff Peasley, Ron Cole, Jerry Reese, Jeff Mason, Anthony McManus, Frank Torr, Mike Bobinsky, Margaret Stevenson

MEMBERS ABSENT: Karin Crittenden, Chuck Maglaras, Paul Beecher

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

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

Jerry Reese made the motion to approve the minutes of March 23, 1999 and the workshop of March 30, 1999.

Margaret Stevenson seconded.

VOTE U/A

Ron Cole said that Item #3, Mark Phillips on Knox Marsh Road, has been removed from the agenda at the request of the applicant. Also, under Old Business, (a.) Heron Cove Subdivision, on Watson Road, has been removed from the agenda.

ITEM #2: Public hearing and consideration of a request for an amended extraction permit by Severino Trucking Co., Inc., (Owner, City of Dover, NH), Assessor's Map H, Lot 58, zoned I-4, located on Mast Road.

Paul Connolly, Civil Works, spoke on behalf of Severino Trucking. He said they have submitted the Site Specific Permit for the previously approved Phase I plan. He said that the proviso of the permit from DES was that upon revision of the plan, we would file the plan with the NHDES. He said they submitted copies of letters that were sent to Mr. Proulx and Mr. Martel, regarding continuing the excavation across the property line for the mutual benefit of the Martel parcel and the City parcel. He said with regard to the Proulx parcel, the letter speaks about the relocation of the access road to the rear of the premises and its relationship to the Proulx property line. Paul said they won't be taking all the trees down. He explained that the City's own forces will work in the City well area with regard to the removal of earth, vegetation and restoration, and temporary erosion control. He indicated the locations of the monitoring wells and the relocation of the recharge area.

Paul Connolly said that he has no objections to extending the no cut buffer zone adjacent to the Bellamy River to the point of excavation.

Pete Lavoie, Superintendent of Public Works and Utilities spoke on the recharge area. He said there has been a lot of top soil that has been brought there from the Middle School

and originally it was going to go for the ballfields, now we will use it to regrade this area. He said they would be using gravel from this area for the new Public Works Garage. He explained how it is better to keep the recharge basin where it is rather than moving it. The observation wells have been discussed with Tom Fargo, Chairman of the Conservation Commission, and he suggested moving a well closer to the maintenance pad that is being put in.

Jeff Peasley was concerned with the revegetation and the fertilizers.

Paul Connolly stated that they are following the guidelines in the "Best Management Practice" set forth in the Rockingham handbook.

The public hearing was opened.

Bob Ford, 64 Bellamy Road, stated that he has a problem with the air pollution. He said it is a dust storm when the west wind blows. He said that the soil contamination from the firing range is another concern. He said that there must be 300,000 lbs. of lead buried in the sand.

John Torr thanked the City for sweeping the road. He said that there were 37 trucks in a half hour yesterday. He said that the wind was blowing about 40 miles per hour and you could not see across the field. Mr. Torr stated that he is opposed to more stripping until they start reclaiming. He said that the pits gets deeper and bigger and he does not see any reclaiming. He said that there is 100 acres of open sand and now we are opening another one. He questioned when the reclaiming will start.

Peter Lasapio, 69 Bellamy Road, lived there 44 years and in the last 10 years he has seen an increase of sand in the air. He stated that something should be done about reclaiming. He said that you just can't keep stripping and expect any reasonable living condition in the neighborhood.

Tom Severino explained how they stripped a layer of gravel off the top of the sand off their pit in Raymond and reclaimed it with 2 to 3 inches of loam and re-seeded it. He said that the pit area will re-grow grass as they excavate the sand. He explained that once they get the whole area saturated with water, it doesn't take as much to keep it maintained to keep the dust down.

John Torr stated that he is not saying it is Severino's fault but he just does not want it to get worse in the years to come. He said he would like to solve the problem we have now.

The public hearing was closed.

Mike Bobinsky stated that we may need to seek a legal opinion. He said that we probably have to enforce our conditions and rules of operation, particularly the enforcement of the revegetation. He said that an option is to bring the active operators together and work together.

Pete Lavoie stated that there is a non-toxic product for dust control that he will look into.

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

1. Submit the revised plan to the NH Department of Environmental Services, as required by Site Specific Permit #WPS-5252 and submit revised permit to the Planning Department.
2. No off-site materials, fuels, lubricants or other toxic or polluting materials be stored on site without being in compliance with State rules and regulations pertaining to such materials and receiving approval by the Dover Planning Board.
3. Minimum setbacks from property lines be flagged in the field to facilitate inspections. The pit operator shall contact the Planning Department when flagging is completed for inspection..
4. Hours of operation shall be restricted to 7 AM to 5 PM weekdays and 7 AM to 2 PM on Saturdays, with gates to the site opening no earlier than 6:30 AM.
5. Submit the surety bond for reclamation to the Planning Department
6. Relocate the monitoring wells as recommended by the Conservation Commission and Water Department.
7. Extend no cut zone to proposed excavation limits.

Mike Bobinsky seconded.

VOTE U/A

Ron Cole stated that ITEM #3 for Mark Phillips was removed from the agenda.

ITEM #4: Consideration and acceptance of an application for a major subdivision of land for Ashton Rollins Trust, Assessor's Map N, Lots 2,3, 4B, 4A, zoned R-40, located on Three Rivers Farm Road.*

Ron Cole stated that he has done business with the family but that there is no conflict.

Kevin McEneaney, of McEneaney Survey, represented the applicants. He introduced Ginger Sheehan and Peter Laughlin. He said the subdivision consists of 108 acres. He said there are 5 tax map parcels and of those 5, there are 8 existing dwelling units. This proposal will create 11 additional lots and adjust the lot lines on 3 of the existing lots in order to increase the right-of-way of Three Rivers Farm Road. He said that the road is gravel and is maintained by the City. Kevin said the road will be upgraded and paved 18 feet wide with gravel shoulders and a hammerhead turn around at the end. The right-of-way will be 50 feet wide and will be deeded to the City. He stated that they went to the Zoning Board on January 12, 1999, and received relief of the frontage requirement on Lot 11. Kevin stated that lots 5, 6, 11, N4A will access their property through an existing driveway and at a later date lots 5, and 6 will have the ability to create their own driveway.

Steve Stancel asked if there is a caveat that there be no further subdivision of any of these lots in the future. He also asked if there will be a perpetual conservation easement placed on the plan.

Kevin McEneaney stated that it is in the covenants and will be in every deed and he will add a note to the plan. Kevin said it is anticipated that the perpetual conservation will be placed on lot 11, but it is not in place right now, and what you will be approving tonight is a separate lot. Kevin stated that it was agreed at TRC that the road would be 18 feet wide and he said that it should be a waiver request.

Virginia Sheehan stated that she represents the trustees. She stated that the ZBA approved Lot 11 as a single family house lot. Ms. Sheehan said the lot will be co-owned by all the owners in the Three Rivers Farm subdivision. There is a cemetery on the lot and they want to keep it in the family for common use but they don't want it to be a condition of the subdivision because there won't be any income tax benefit to them. She said that it was not their priority to make money off this plan, it was to preserve the land. They were forced to sell the main house because they could not afford to keep it. The only other part of the property that has emotional ties for the family is the point. The trustees own all of the land except for the main house lot and the 4 that were sold earlier this year, and the lots that are deeded out to 3 of the heirs. They will each have a 1/14 interest and it is anticipated that it will never be able to be sold by just one person.

Jerry Reese made the motion to accept the application.

Reuben Hull seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Frank Torr asked if we could get some documentation regarding lot 11 other than the verbal commitment.

Virginia Sheehan stated that the conservation easement will be one of the first things that will be done but to have it be of some value to the heirs, it can't be a condition of approval. She said that the omission of any type of conservation easements notation on the plan was intentional, it is for the benefit of the heirs and for tax purposes.

Frank Torr thought that it need not be made a condition of approval but he feels we need documentation down the road.

Virginia Sheehan stated that she faxed a draft of the conservation easement to Steve Stancel so he would know it is in process and they have been in contact with the Strafford Rivers Conservancy. She said that you could never get all these people together to sell this land. She said that they have had people offer them large amounts of money for the property and they would not take it and they are not wealthy people.

Reuben Hull made the motion to approve with the waiver for the road with the following conditions:

1. Add all of the owners' signatures to the plat.
2. Amend plat to add the Riverfront Residential Overlay District to note #6.
3. Amend plat by adding a note stating that no further subdivision that creates additional building lots shall be permitted, place the same restriction in the deeds for each lot, and submit copies of deeds to the Planning Department.
4. Amend plat to add new map and lot numbers as assigned by the Assessing office.
5. State driveway permits for lots on Gulf and Eliot Road shall be required.
6. Obtain a State subdivision permit, add the permit number to the plat and provide a copy to the Planning Department.
7. Add engineer's stamp and signature to Plan and Profile sheets and Detail Sheet No. 1.
8. Fire Department recommends sprinklers be utilized in the structures because of lack of City water and longer response times.

Frank Torr seconded.

Tony stated that he represented a couple of the parties involved twelve years ago but he does not have a conflict.

VOTE U/A

ITEM #5: Consideration and acceptance of an application for a minor subdivision of land for Roger and Joan Boisse, Assessor's Map A, Lot 30, zoned R-40, located on Blackwater Road.

Bob Stowell represented the Boisses and explained how there are two residences on the property and this subdivision will subdivide the two residences.

Jerry Reese made the motion to accept the application.

Jeff Mason seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Jerry Reese made the motion to approve with the following conditions:

1. Add both the owners' signatures to the plat.
2. Add all owners' signatures to note 12 on the plat.
3. Add surveyor's stamp and signature to the plat.
4. Amend plat by adding a note indication the soil types found on the property.
5. Obtain a State subdivision permit for Lot 30-1, add the permit number to the plat and provide a copy to the Planning Department.

6. Amend plat to indicate if the wetland areas are poorly or very poorly drained soils.
Add a 75 foot setback to any very poorly drained soils.
7. Amend plat to add note indicating the source of the topographic information.

Mike Bobinsky seconded.

VOTE U/A

ITEM #6: Application for a minor subdivision of land for Megan Martineau, Assessor's Map G. Lot 4G, zoned I-2, located on Littleworth Road and Industrial Park Road.

Paul Connolly of Civilworks explained the subdivision request.

Reuben Hull made the motion to accept the application.

Mike Bobinsky seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

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

1. Amend plat to add note indicating the source and date of the wetland delineation.
2. Amend plat to indicate if the wetland areas are poorly or very poorly drained soils.
Add a 75 foot setback to any very poorly drained soils.
3. Amend plat to add existing and proposed water and sewer lines.
4. Amend plat to revise not #6 to correct the dimensional requirements for the I-2 District.
5. Amend plat to add standard subdivision plat notes #1, 9, 11, 22, 23 and 24
6. Amend plat to correct the rear setbacks on all the parcels to be ten feet.
7. Receipt of State Driveway Permit be obtained and brought to the Planning Department.

Peg Stevenson seconded.

VOTE U/A

ITEM #7: Consideration and acceptance of an application for a minor subdivision and minor lot line adjustment of land for Janathan & Joyce Cherry and Robert & Joann Rouleau, Assessor's Map K, Lot 7 & 7A, zoned R-40, located on Back Road.

Bob Stowell of Trittech Engineering, represented the applicants. He said that lot 7A has an existing well and septic on it. He stated that lot 7 and 7-1 will tie into a private sewer line owned by Dan Ayer. Bob said that he provided documentation to the staff to clarify the issue of the sewer that was constructed back in 1983.

Reuben Hull made the motion to accept the application.

Peg Stevenson seconded.

VOTE U/A

The public hearing was opened.

Peter Rousseau, Henry Law Avenue, questioned how much a 4" pressure line can take. He also asked if that private line was registered with public utilities for taxation. He said that there are 4 buildings on that 4" line. He said that he would like to see this held up until he can get an answer to the taxation question. He wanted to know if other people can tie into this line without going to the Council.

Mike Bobinsky said that a permit was granted for installing a 4" line in the public right-of-way by the City Council. He said that the Council has in the past allowed private force mains to be in public rights-of-way. He said that the line will handle that pressure.

Steve Stancel stated that this line received approval in 1983. Since then there have been two additional households that tied into the line. They went through a review process with the Engineering Department to verify that the capacity was there. He said there was a caveat placed on the approval that it is understood that the project will remain private and it is not City maintained. He said that there will be a review process when a Building Permit is requested.

Dan Ayer, 10 McKone Lane, stated that he designed and installed the line in 1983 and went through the proper procedures in doing that. He stated that there is ample room for that house and a lot of others as can be substantiated by calculations. This line is not unique to other lines in the City of Dover. He said that he does not think that the soils in that area are acceptable for sub-surface disposal systems so at considerable expense he put the line in and has excellent results.

Public hearing was closed.

Mike Bobinsky made the motion to approve with the following conditions:

1. Add all of the owners' signatures to the plat.
2. Amend plat to add existing and proposed sewer lines to satisfaction of the Engineering Department to verify capacity and design standards and address any Public Utilities Commission issues.
3. Amend plat by adding a note indicating the soil types found on the property.
4. Amend plat to indicated if the wetland areas are poorly or very poorly drained soils. Add a 75 foot setback to any very poorly drained soils.
5. Amend plat to add surveyed tie lines indicating setback of house on lot 7A to the side lot line
6. Add surveyor's stamp and signature to the plat.

Jerry Reese seconded.

VOTE U/A

ITEM #8: Consideration and acceptance of an application for a preliminary Alternate Design Subdivision (ADS) of land for Katz Development Corp. (Owner, Free Trade, Inc.), Assessor's Map K, Lot 18, located on Middle and Hawthorne Roads. (35 lots)

Steve Stancel gave an overview of the ADS concept.

Atty. Malcolm McNeill represented the applicant Erik Katz, and the owner Peter Widmark. He stated that this project had been approved as an ADS concept in 1990 for 45 lots and is the former Adams Estates. He said that since 1990, the municipal regulations have not changed except for State wetlands regulations. He said to use the same concept now the maximum number of lots would be 35. He stated that the project is 46 acres of land of which 38% is in open space. He said that the difference between the old and the new is 3 less lots being proposed. He showed prototypes of the houses that will sell in the range of \$225,000 and \$250,000 and will be 3 to 4 bedroom single family homes.

Malcolm McNeill showed a grid of a regular subdivision that could be built on the land. He explained that there would be 38 lots with no designated open space and the length of the roadway would go from 3,000 linear feet to 4,200 linear feet resulting in more roadway, and there would be no open space. He said with the ADS there will be significant open space, less roadways, less people, less school children and there will be less pressure on the neighborhood. He said that this area is serviceable by water and sewer. He said that there is a reasonable balance being struck between the developer, the City and the neighborhood. He stated that the open space is 717,000 sq. ft., about 38% of the total project. He said that the people who are spending a quarter of a million dollars for a piece of property with the benefit of open space should have the benefit of that open space. Malcolm stated that a homeowner's association would control the open space in the interest of the lot owners.

Atty. McNeill said that the ADS does require an impact statement and they estimated that there will be approximately 25 children in public schools. The mix of users in Mr. Katz's Exeter project is broken down to about 20 - 25% owned by empty nesters, 25% younger couples and the remaining 50% owned by families. With regard to the increase of vehicular traffic, they utilized the ITE Trip Generation Manual which estimated approximately 300 vehicle trips based on standards for single family homes. He said they don't feel that a project of this size should require a traffic study but they believe the traffic trip ends for the project are reasonable. He said they utilized the Dover Master Plan at 3.28 residents per household to come up with 115 people. He said that they've estimated the cost of \$5,408.00 for each student as per the School Dept. He obtained the municipal services portion of the budget and allocated \$1,005.00 per unit and adding both figures, they come out to a cost to the City of approximately \$6,400.00. He estimated on the low end that the income would be approximately \$6,000.00 in taxes to the City. He said that he believes the City will break even or even make money.

Atty. McNeill said that the municipal water and sewer system can adequately handle the load generated by this project. The project will not have an adverse affect on public safety. They have been to TRC and they expect to fully comply with the rights with regard to drainage. He said that he does not anticipate there will be any increase in the consumption of groundwater and will not create air and water pollution. With regard to land erosion and loss of tree cover, almost 40% of the site will be left open space. He said that this property will be developed. It is one of the most attractive pieces of development in the community because of the availability of resources, the neighborhood, the municipal infrastructure, etc. We believe that this type of development is in the best interest of the City. He said that the criteria for the project are the following: It be an area that creates areas of usable and accessible open space; that it prevents disruption of natural topography and drainage systems; and that it maintains the rural and open character of the undeveloped area of the City. The project allows for attractive site design and encourages a lesser, more practical street network, given the fact that 1,200 less feet of road are being proposed and 3 less houses, plus 40% more of open space than a conventional subdivision. Malcolm explained that the open space will be controlled by the owners, which removes the City from any liability or maintenance. He said that they feel that this project meets all the relevant criteria and will be a credit to the City of Dover. Malcolm added that any speculative projects that may or may not be built at some time, have no impact on a project. He said that the Planning Board is not the Superior Court in terms of resolving title issues.

Reuben Hull stated that he feels that we should have cluster development by right.

Malcolm stated that they are willing to discuss alternatives types of recreation for the City and whether there may be other playgrounds that could benefit as a result of this project going forward but they prefer that the common space be owned by the people. He added that it is not their intent to fence it in.

Chairman Cole called a 5 minute recess at 9:15 PM.

Chairman Cole called the meeting to order at 9:20 PM.

Jeff Mason made the motion to accept the ADS concept.

Frank Torr seconded.

VOTE U/A

The public hearing was opened.

Mrs. Becky, 53 Applevale Drive, stated that the stream on the plan is caused by a catch basin which drains across her property. She said that she has to have the Fire Department twice a year to pump out her basement of 6 inches of water. She said that this matter was taken to court 5 years ago. The City of Dover was suppose to do something but it has not. She said there is not enough room to build 4 houses on Hawthorne Road and the land is all clay.

Mr. Hadid, 23 Hubbard Road, inquired if the water and sewer line would go through his land.

Kevin McEneaney answered that there is an existing sewer line in that easement and it will depend on whether the water line has to be looped as to whether it will be placed in the easement. If it occurs, it won't be until this summer.

Mary Buese, 45 Middle Road, said that the schools are operating at maximum capacity. Garrison School is filled and Woodman Park is almost full. She said it is a very wet piece of property. She said that a traffic study would be wise because things have changed since 1990. She asked the Board to consider the impact on the school, the ecology, and the flow of traffic.

Wes Tater, 12 Landing Way, member of the adhoc committee that is considering municipalizing electricity, said that they are conversing with a company that is proposing to establish a power plant on the Eliot Rose property. He wants the developer and everyone aware of this.

Craig Williams, Middle Road and owner of Eliot Rose Co., said they have an understanding with Energap Corporation to construct a power plant on the property which will reduce Dover's power costs by 40 or 50%. He said that on July 18, 1767, a part of Middle Road was deeded to the City of Dover. He showed the Board the map of Middle Road. He said that there is a 35' path between Middle Road and Stark which is excluded from the deeds. He said that the deed was originally written to have a conservation easement, and in his opinion, this property was restricted to farming. He said that if the developer does not own all the property and the City owns some of it, it is an issue that should be addressed before going forward.

Craig Williams lent his copy of the deed and the map of Middle Rd. to Steve Stancel.

Ron Cole explained that the Board will have 30 days to make a decision as to whether they want to approve the ADS concept. If it is approved, it will go through another TRC, then back to the Planning Board and the abutters will be re-notified.

The public hearing was closed.

Anthony McManus made the motion to table the application.

Jerry Reese seconded.

VOTE U/A

ITEM #9: Old Business

a. Discussion and possible vote on Heron Cove Subdivision, located on Watson road.

Ron stated that this item will not be discussed tonight.

b. Portsmouth Christian Academy request for a 30 day extension.

Jerry Reese made the motion to approve the extension.

Peg Stevenson seconded.

VOTE U/A

c. Discussion on RFP for Conservation & Recreation and Community Facilities sections of the Master Plan Update.

Steve Stancel asked for any comments on the RFP's. He said that the Transportation Chapter outline won't be sent out until July 1, 1999. Steve said that he will talk to Ron to create a sub-committee to assist in reviewing the proposals when they come back.

d. Extension for Mark Phillips, Wingate Condominiums, located on Back River Road.

Mark Phillips explained how he did not come in for another extension in February as he was told the permit would be in hand at any minute and it did not come in until March.

Tony McManus made the motion to grant the extension through April 15th.

Jerry Reese seconded.

VOTE U/A

e. Discussion and possible vote on an application for a gravel permit for James Griffin and Tyra, Inc., located off Mast Road.

Jerry Reese made the motion to remove this item from the table.

Tony McManus seconded.

VOTE U/A

Paul Griffin asked if it would make sense to remove lot H62 from the permit process. He said that H-62 is the lot that is involved in litigation. He said that he really doesn't own the property so he won't pay the taxes on it. He said that what he is asking for is an Excavation Permit for Lot H-60 as modified by the court decision on September 1997. He said they are not excavating from Lot H-62 and they haven't since 1995 but it has always been part of the earlier application. He said that he doesn't have the authority to excavate from it because it is under appeal to the Supreme Court. If it should turn in his favor he would excavate on H-62, but right now, the only ones that can excavate H-62 are the heirs to the Proulx estate and they would have to come and apply for a permit. Paul Griffin stated that access to the pit was granted from the City of Dover to Griffin and the court ruled that the City of Dover has the right to do that and it can never be challenged again.

Paul Griffin stated that the Severino people have agreed to allow them to enter in through their pit at 6:30 am so they will not be disturbing the residential people. He said that they have started doing that a week ago and it seems to be working well. He said that as far as

the gate locking, they are one of three people that are accessing our pit through that gate at the corner of Mast Road. He said they lock it when they are there, the City of Dover will have to take the responsibility of locking it when they go there, and Martel will have to take his responsibility and lock it also. Mr. Griffin said that they want to keep it locked because they don't want kids down fooling with the equipment and breaking windows. Paul said that they are ½ mile from the Pudding Hill Road and Frechette Road intersection. He said that Martel is working probably 100 yards from the streets where these people are residing but that his pit is in Madbury.

Mr. Davis stated that it would be nice if they could all enter and leave the back way.

John Torr stated that the trucks are coming up Mast Road at quarter of six in the morning.

Mike Bobinsky offered to pull together a group meeting with all the pit operators and discuss dust control, etc.

Steve Stancel stated that there was a court decision in the fall of 97 giving a portion of Lot 62, to H-60. He said it is his understanding that that portion is not in dispute. He said that according to the City's records it still shows as part of 62, and therefore, Griffin is being taxed for all of Lot H-62. Steve Stancel stated that the only way for the City to adjust that is to record the plan as court ordered.

Tony McManus stated that if that portion was approved by the court, then there should be a lot line adjustment plan brought to us for approval and then recorded.

Paul Griffin stated that he discussed it last spring and it was requested by this Board that we all go out there and erect the monuments and then bring forward a plan of the new lot line, which they did.

Steve Stancel stated that there is a question as to whether it's a lot line adjustment or a boundary dispute decision.

Griffin stated it is the actual boundary that existed, the mistake was made by the surveyors.

Steve Stancel stated that Mr. Griffin has to record that plan that we got last year.

Tony McManus moved to amend condition #10 to say that the owner shall agree to cooperate with other users to be responsible for locking the gate.

Jerry Reese seconded.

VOTE U/A

Anthony McManus made the motion to approve the permit with the following conditions:

1. No off-site materials, fuels, lubricants or other toxic or polluting materials be stored on site without being in compliance with State rules and regulations pertaining to such materials and receiving approval by the Dover Planning Board.
2. Minimum setbacks from property lines and the conservation District adjacent to the Bellamy River be flagged in the field to facilitate inspections. The pit owner shall contact the Planning Department when flagging is completed for inspection.
3. Update existing conditions contours on the plan to reflect current extent of excavation.
4. Ensure that the stored loam be clean and free from contaminates and hazardous materials.
5. Complete the "Professional Signoff" page of the application.
6. Add a note to the plan providing an estimate of the amount of material in cubic yards to be removed during 1999.
7. Record a (court-ordered) boundary plat with the Registry of Deeds that incorporates the adjusted disputed common boundary between lots 60 & 62. Provide copies of the recorded plat to the Planning and Assessing Offices.
8. Pay back taxes due on former disputed area that is now included in lot 60 after computation by Tax Assessor.
9. Identify the areas of the pit that have a grade of 1:1 and install a fence or other suitable barricade to warn of danger or limit access to the site, as required by RSA 155-E:4-a, VI.
10. Operational hours shall be 7:00 am to 5:00 pm on weekdays and 7:00 am to 2:00 pm on Saturdays, with gates to the site opening no earlier than 6:30 am. A sign listing the hours of operation shall be posted at the driveway. The owner shall agree to cooperate with other users to be responsible for locking the gate.
11. Extend surety bond beyond 2-28-2000 to 5-1-2000.

Jeff Peasley seconded.

VOTE U/A

Discussion ensued regarding the regulations, enforcement, violations, and fines. Steve Stancel stated that the City could withdraw the permit or we could go to court which would be a misdemeanor. He said that at that point we could charge \$275.00 per day for any violation that continues after the court decision.

Anthony McManus asked about a site walk for the ADS subdivision. Chairman Cole called the site walk for 5:00 PM next Monday the 19th, meeting at the end of Hawthorne Road.

ITEM #10: New Business

There was no new business

ITEM #11: Adjournment

Jerry Reese made the motion to adjourn.

Anthony McManus seconded.

VOTE U/A