

**DOVER PLANNING BOARD
MINUTES OF MEETING
JUNE 27, 2006**

MEMBERS PRESENT: Marcia Colbath, Perry Plummer, Donald Andolina, Doug Steele, Tony McManus, Dean Trefethen, Frank Torr, Ron Stock

MEMBERS ABSENT: Bryan Cahoon, Kirt Schuman, John Swartzendruber

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

Chairman Cole brought the meeting to order at 7:02 PM.

ITEM #1: Citizens' Forum

There were no comments

ITEM #2: Approval of the minutes.

Frank Torr made the motion to approve.

Doug Steele seconded.

Marcia Colbath stated that on the last page her name wasn't spelled correctly.

Tony McManus stated that on page 8, John Burke should be Arthur Burke.

VOTE U/A

ITEM #3: Reconsideration and acceptance of a minor subdivision and lot line adjustment of land for Summit Land Development (Owners Summit Land Development: Alan L. & Sherrilyn Hatch; Valerie L. Harvey, and Henry, Robert & Phyllis Howard), Assessor's Map 31, Lots 4D, 14, 19 & 20, zoned RM-8 & B-2, located off Third St., Fourth St., & Grove St.*(P06-21)

Chairman Cole explained that this was voted down at a previous meeting. There was a motion to reconsider it at the last meeting.

Atty. Chris Wyskiel represented Summit Land Development. He said that this plan will facilitate the easements and accesses for this same parcel of land that had been previously approved in May. A Board member had voted in opposition of it being approved and asked to reconsider that vote.

Atty. Wyskiel stated that the plat seeks to subdivide the parcel into two parcels. Lot 4-D is the location of the condominium development that was previously approved. The creation of a residual lot, Lot 4-D-1, had been designed for no development and left for some future use. Now the subdivision is being presented because there is a buyer was

found for the lot. Summit will no longer be doing the actual development which was approved by the site plan. The residual parcel is what Summit sought to bank for some future use, most likely with infill development. Summit can retain that land that was not designed for development and the parcel on which the development is located can be sold. On the last plan there were parking spaces developed to facilitate parking for the neighbors who had historically used the old railroad site to park. The site plan facilitated this by having Summit grant easements to the abutters so those spaces could be used as a matter of right. By this boundary line adjustment the neighbors who will be using the spaces will actually own them. It will create a straighter and simpler boundary line and have each respective abutter own the land. Lot 4-D-1 comes into existence so that Summit can retain the parcel of land for some future use. He said at the May 23rd meeting there was concern that the cutting off of this parcel would expose it to some future development. This configuration that was approved by the Planning Board when the site review was approved could always come back in the future for some other type of approval. There was no dedication or reservation of that area requiring it to be open space. The owner just seeks to keep it for the future and any concerns could be addressed at that time. Density was another concern expressed. This lot is in the B-2 zone and has enough land after subtracting the wetlands, for a 13 unit development so that should not be a concern. The RM-8 has a requirement for frontage but the B-2 has no requirements. Access will be provided to this lot by an extended easement off this private drive just as the abutters have the easement right to traverse the private drive to access their parking spaces so too if someone wants to come in this vacant lot. He said that this plan complies with all the dimensional and density requirements.

Tony McManus asked if most of the lot is RM-8 and requires 8,000 sq. ft.

Chris Wyskiel handed out a letter from Tritech to Steve Stancel confirming that his calculations are in accordance with the reading of the regulations that shows in the RM-8 side it is a 4,000 sq. ft. density.

Dean Trefethen stated that he has voted against this project both times that it was before the Board. The first time because even though it meets the regulations, he believes that taking into consideration the slopes and encroachment on the conservation areas, the level of development that is being proposed is too dense. Right or wrong, it was never his impression that the lot was an extra lot. He has no problem with the lot line adjustments. He has trouble with the density. Being told that it will become denser, he becomes more concerned. He feels that it is within the Board's realm to say that even if it meets the requirements, there are situations that just don't cut it.

Chris Wyskiel said there is no subjective standard under subdivision approval regulations. He said that it is a reasonable submission to be approved.

Frank Torr made the motion to accept the application.
Perry Plummer seconded.

VOTE U/A

The public hearing was opened.

Ron Cole read a note from Phyllis & Dano Howard, addressed to Steve Stancel regarding this application and Chad Kageleiry giving the abutters parking spaces in lieu of an easement. It says that Chad has gone above and beyond to solve any of the problems that could arise with the abutters. He has their support with the construction he plans to do. His project will improve the neighborhood which has been used as a dumping ground for years. Chad has given the abutters land for their tenants and wants to improve the property around them. They asked the Board to give him a chance.

The public hearing was closed.

Steve Stancel explained that this proposed lot, as well as the lot line adjustment, was part of this project. It was approved in August of 2005 and included 13 units. It was a close vote 4 – 3. At the time the total acreage was 1.4 acres. Given that the site is located in the urban core with two of the highest density zones in the City – the B-2 and the RM-8 zones. Many more units could have been proposed for the site and could in the future still come forward for an expansion. It's important to note that what is happening is in-fill development which is recommended by Smart Growth and the City's master plan. The higher density projects are to be located closer to the Urban Core where the infrastructure is. The parcel being removed from the original lot is not required for the density or the space requirements for the original site plan, therefore, they recommend approval of the plan subject to the following conditions:

1. Add the owners' signatures to the plat.
2. Add the surveyor's stamp and signature to the plat.
3. The applicant shall prepare an access and utility easement deed from Map 31, Lot 4D, in favor of Map 31, Lot 4D-1, and vice versa. Said deeds are to be recorded concurrently with the plat.

Perry Plummer asked if approving the lot lines would be a good thing from a planning standpoint and if the plan met all of the regulations.

Steve Stancel stated that it would be a good thing.

Dean Trefethen asked if this application could be separated.

Dean Trefethen made the motion to separate the question.

Marcia Colbath seconded.

VOTE 5 – 4

**Opposed – Doug Steele, Frank Torr, Perry Plummer,
Ron Cole**

Dean Trefethen restated that he has no problem with the lot line adjustments because it is a good idea.

Ron Cole said that he would take a motion to approve the first portion of the application which is the lot line adjustment of land for the parking.

Steve Stancel explained if the Board chooses to move down this path, he recommended that it be very specific. There are a couple of lot line adjustments occurring between Map 31, 14. He said be specific.

Dean Trefethen made the motion to approve the lot line adjustment between Map 31, Lot 20, Map 31, Lot 19 and Map 31, Lot 14.

Perry Plummer asked if one half of the application passes and 1 fails, would it mean that the applicant has to give those parking spaces.

Steve Stancel didn't know the answer to that.

Perry Plummer was concerned that a project like that is doing something that is good should be looked at as a whole. He feels that it is worth it. In separating the vote, and a part of the project down, then those parking spaces may not be advantageous to do. The overall project has the support of the neighbors, which is unusual. It was stated that the developer did everything possible to try to make the area better with regard to the problematic dumping situation. If one section is approved and the other is not it may not guarantee the abutters will get their parking spaces.

Steve Stancel was concerned that if the Board approves one and not the other, the applicant may not want to record the plan.

Tony McManus stated that he had a lot of problems with the original proposal and he has a lot of problems with the request to subdivide.

Ron Cole stated that it is the Board's duty to fulfill the ordinances and the statutes as they read and not particularly to interpret something because the Board doesn't think that it fits properly. The applicant is doing a nice job of trying to satisfy the regulations and it doesn't make any sense to not give the applicant that opportunity. This is the Urban Core.

Donald Andolina said he didn't know if it was too late but he voted in the affirmative to do the split, but he was assuming that there would be some discussion. Since there wasn't any discussion, if it's not too late, he would like to change his vote.

Ron Cole said that on a motion to subdivide, the Board is governed by Roberts Rules and it is not allowed on a motion to subdivide.

VOTE 7 – 1

Opposed – Tony McManus

Ron Cole said they would now do Item B the portion having to do with the minor subdivision of land.

Perry Plummer asked if the Board must approve this to have those parking spaces. He said that he doesn't think that it's fair to deny this section that meets the regulations and is recommended by the Planning Department. This is an Urban Core development which is recommended by the master plan. With all due respect to the people who live there, this area would not be hurt by some revitalization and this is a step towards it.

VOTE 6 - 3 Opposed – Dean Trefethen, Marcia Colbath, Tony McManus

Both motions carried.

Ron Cole moved #6 up.

ITEM #6: Consideration and acceptance of a site plan of land per RSA 674:54, for the Dover School District (Woodman Park School) Assessor's Map 13, Lot 4, zoned R-12 located at 11 Towle Ave.*(P06-30)

Gary Goudreau with Goudreau and Associates, introduced John Scott with Rist-Frost-Shumway Engineering, who will be doing a presentation relative to their site design. The additions will be placed in the south west quadrant of the site. One of the parking lots will be eliminated for the purpose of building the addition. They will take that lost parking and build another lot just to the south of the addition. They will then continue with an extension loop road that will connect back around to the road then cuts between the tennis courts and the existing school. They will improve the parking to the east side of the building, adding some diagonal parking to the parent drop-off and pick-up area as well as an additional parking lot to the northeast of the one that is there adjacent to Silver Street.

John Scott said they will be increasing the parking spaces from 128 to 179 spaces with the new plot in the northwest corner. Both additions will have a fire suppression system. He went over the sewer connections and the drainage in the parking lot area. The roof leaders from the new addition will be directed to a small detention pond on the south side of the parking lot. He went over the way that the drop off and pick up area will work and the area that the school busses use to stack up. The exit off of Silver St. will be one-way so no one will be exiting the site that way. He pointed to the portions of the road that would be two-way. Staff would be allowed to come in either way.

Perry Plummer was concerned with the timing of the parking and asked if the other parking lot would be removed before the new one is put in.

Gary Goudreau stated that they would be building the parking lots in the early parts of the summer so that by the time school starts the new areas will be viable parking lots. He said that the 24 spaces taken up by this addition will be easily replaced.

There was discussion on how the traffic flow would affect the neighbors both positive and negative when this is changed. John Scott explained how it would be in the positive.

Tony McManus asked why note #11 says existing parking spaces 91 – Proposed parking spaces 139, which is less than the figures that John Scott quoted.

John Scott will make a recount and put down the correct number.

Tony McManus asked why there was such a necessity for such an increase.

John Scott stated that if the gymnasium was filled to capacity you still don't have the required number of spaces. You can stipulate the number of occupants you are willing to allow that gymnasium to hold with the Fire Department's input, and then you can say that is the maximum number allowed. If you set out as many chairs as you can in the gym with the proper isles and widths and the number of exits, he could get enough people in there that would require 200 spaces. There is not enough room for 200 spaces.

Tony McManus asked if there is any change in the bus loop.

John Scott stated that it would stay just as today with the exception of the gate issue.

Steve Stancel explained that the Planning Department disagrees a bit on the traffic flow and the traffic gate. They recommend that the gate be moved closer to Silver St. The original reason that the gate was put in there was to stop people from cutting through there from Silver St. to Towle Ave. The gate can be set up so that there is a Knox box there but as long as it's closed it inhibits people from driving through the school property. Staff recommends that the bus area be one-way towards Towle Ave. They have concerns with the busses and people trying to drive past there. As long as it's two-way it will be very difficult to police and be more dangerous.

Tony McManus said that one of the recommendations is to add a stop sign at the Towle Ave. and Clifford St. intersection. He thought that it was part of the previous approval and asked if it had never been done.

John Scott said that there is a stop sign on Towle Ave. but there is no stop sign going from Towle Ave. toward Silver St.

Gary Goudreau spoke about possibly creating a new playground in another area that would allow the students not to have to cross the newly created access road and parking area to go to play. They saw that as a safety concern.

The public hearing was opened.

Cheryl Dwyer, 7 Towle Ave. was concerned about the gate. They would like the gate closer to Silver St. There is a stop sign at Towle but a stop sign at Clifford St. might be a good idea. She said that it seems that having two-way traffic is the only way that it can be done with the busses and the teachers going in there. She does see that as a problem when the busses are queuing up and the cars are trying to get around the busses. She said

that the gate is not closed a lot of the time and there is traffic going through at all hours of the day and night. It is more often not closed and traffic is cutting through all the time.

The public hearing was closed.

Steve Stancel stated that the Planning staff recommends approval with the following non-binding recommendations:

1. Designate a reserved parking area for drop-off for preschool and kindergarten parents
2. Add signage and direction arrows to plan
3. Add one-way arrows
4. Add sign to limit access to authorized vehicles only behind the school
5. Revise the angle of the parking spaces along tennis courts to 45 degrees and add more spaces
6. Add stop sign at Towle Ave./Clifford Ave. intersection with driveway
7. Revise the plan to add existing and proposed parking space numbers
8. Move gate towards Silver St. end of driveway and provide key to police and fire departments or leave gate unlocked
9. Need NH Wetlands Permit if new parking lot near Silver Street is built
10. Reduce width of parallel spaces to 8'
11. Extend sidewalk at SE corner of site to fill in gap
12. Look at drainage in SE corner
13. Add guardrail on south side of new parking lot
14. Make driveway two-way from Parker Street to entrance of new driveway
15. If alternative parking area in northeast section of the plan near silver St. is constructed, additional vegetation should be reviewed to mitigate visual impact to abutting residences.

Tony McManus said what shows in the plan are 70 new parking spaces, not including the spaces along by the tennis courts.

Frank Torr asked if the vegetation recommended is in addition to addressing the problem of the original parking lot. He said that he is interested in the single house on Silver St. There is no screening there.

Steve Stancel stated that they didn't make any further recommendations because that parking already exists.

Frank Torr said that there is no vegetation now. He said that he wants to add that as a recommendation.

Ron Stock asked about speed bumps. He thought that the public wouldn't use it because of would be less convenient.

Steve Stancel stated that they would have slower speed but the general public would still be cutting through there to get around the traffic signal at Arch St. and Towle.

Perry Plummer stated that he wanted to stay involved with the gate. The placement of the gate would need to be looked at to be sure that fire apparatus would be able to park off Silver Street. They want to stay involved in those discussions.

Steve Stancel thought that the concerns of the Police Department not wanting the gate to be locked was because of quicker access to the site if there was a problem. Steve Stancel stated if you had a gate and it wasn't locked you could still get access through there. The public probably wouldn't pull up stop the car and open the gate and drive through.

Frank Torr said regarding the area from Towle Ave. back to the access for the teachers and the buses and the discussion of possibly going one-way that he didn't think that it was advisable. He said that the safest way to get in there is through the intersection of Towle Ave. and Silver St. because of the light. He said that it is just a recommendation.

Dean Trefethen made the motion to approve with the non-binding recommendations as stated above.

Donald Andolina seconded.

VOTE U/A

ITEM #4: Consideration and acceptance of a site plan of land for Central Avenue 798, LLC, (owners David Richards & Casey Kim) Assessor's Map 37, Lot 28, zoned O and R-12, located at 798 Central Avenue*(P06-18)

Tony McManus recused himself because he owns property two or three lots down on the same side of the street.

Kevin McEneaney said that the lot is directly across from The Wentworth Home. Mr. Richards purchased this single family home and wishes to use it as office space. They are proposing a parking area to the south of the building which will include 17 parking spaces and one handicap parking space. The first 100 feet of the property is zoned Office and the portion on the back side of the garage is zoned R-12. They will seal off the existing driveway to construct a parking lot to the south of the building. They will construct a catch basin in the middle of the parking lot. They will increase the fencing to 7 feet and add landscaping which is shown in detail on the plan. He said that the existing garage will be used for storage

Ron Stock was concerned about the trees. He asked if the tree on the edge of the parking area could be saved by eliminating one of the parking spaces.

Kevin McEneaney said that they are trying to maximize the number of spaces that they can. He said if you look at the spaces as a medical use it would require more spaces and they might have a need for the 17 spaces or perhaps more.

Steve Stancel said technically, they could reduce the number of parking spaces and still meet the regulations. The problem occurs when a higher use goes in there that requires those spaces. Vehicles ending up on the street would be a problem.

Don Andolina made the motion to accept the application.

Ron Stock seconded.

VOTE U/A

The public hearing was opened.

Ken Costello, 4 Page Avenue, is concerned with the existing drainage as it slopes down toward Page Ave. It seems that the drainage will now be going sideways and asked that it be addressed. They are required to put in a 7' fence but the parking lot would be another 4 ½ to 5' higher behind that. The fence location is at the bottom of the retaining wall so the cars will be visible from Page Ave. He asked if they would have to come back at a later date to use the garage for a commercial use.

Kevin McEneaney explained that they are collecting the drainage in the parking lot and forcing it to go toward Central Ave. He said that there would be decreasing drainage moving towards Page Ave. He explained how they believe that the vehicles would not be visible from Page Ave. He said with regard to the garage use if a lot is split by two zones, you are allowed into the less restrictive which would be the R-12 up to a distance of 50 feet. About 23 feet of that garage would be in the R-12 zone so he believes that they could use that as a commercial use.

Steve Stancel stated that what Kevin McEneaney has indicated is correct.

The public hearing was closed.

Steve Stancel asked if it was possible to move the fence to the top of the retaining wall.

Kevin McEneaney stated that it may be possible.

Donald Andolina made the motion to approve with the following conditions:

1. Add the owners' signature to the plan.
2. Add the surveyor's stamp and signature and engineer's stamp and signature to the plan.
3. The applicant shall revise sheet #1 of the plan to indicate the removal of the existing driveway cut and associated pavement once the new driveway is constructed.
4. The applicant shall revise the plan to add a note that states that the owner shall not allow the office space to be occupied by medical or professional uses unless the Building Inspector verifies that the parking provided complies with zoning ordinance requirements.
5. The applicant reviews the possibility of moving the fence to the top of the retaining wall in the rear southwestern portion of the property

Ron Stock seconded.

VOTE U/A

Tony McManus took his seat.

ITEM #5: Consideration and acceptance of a minor lot line adjustment of land for Prime Circle, LLC and RW Realty, Inc., Assessor's Map D, Lot 2A and Map 38, Lots 15A & 15B, zoned B-3, located on Central Avenue/Indian Brook Drive.*(P06-31)

FX Bruton represented the applicants. He explained that the minor lot line comes from the recent approval of the Microtel Hotel. He explained from the plan where the sidewalk is located and how it goes up to Central Ave. from Webb Place. There are 7 parcels that are in question when they move the boundary lines as proposed. They are identified as A through G. He said that 4 of those parcels will create the sidewalk in question. Those 4 parcels are A, B, D and F.

Frank Torr made the motion to accept the application.

Donald Andolina seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Dean Trefethen made the motion to approve with the following staff recommended conditions:

1. Add the owners' signature to the plat.
2. Add the surveyor's stamp and signature to the plat.
3. The applicant shall provide the Planning Department with a digital version of the survey.
4. The applicant shall seek approval from the City Council for the public's rights to be extinguished on the Old Rochester Road right-of-way, prior to the signing of the plat.
5. The applicant shall deed Parcel D (1,277 square feet) to the City of Dover upon completion of the sidewalk construction.

Donald Andolina seconded.

VOTE U/A

ITEM #7: Old Business

- a. Consideration and possible vote on an open space subdivision of land (OSS) and Conditional Use Permit for F. Doyle Skeels, located on County Farm Cross Rd. (3 lots)(P06-19)**

Marcia Colbath made the motion to take this item off the table.
Doug Steele seconded.

VOTE U/A

Ron Cole stated that he received an e-mail from Kirt Schuman, who couldn't be here this evening, stating that he was in favor of this item as long as the trail is continued.

The surveyor for the project stated that he had not made any changes to the plan. He said that there were a few comments at the site walk on June 19th. They will add the driveway standards for common driveways along with erosion control notes to the plan.

Mr. Skeels, owner of the property, stated that he met with Steve Bird and Marcia Colbath and told them that he basically agreed that it would be permissible to build a trail as long as it goes from the conservation property next door parallel to the river and then across on the existing stone bridge. He said he would have his lawyer put together a document.

The public hearing was opened.
There were no comments.
The public hearing was closed.

Perry Plummer said that he will give Mr. Skeels a copy of code. It states that you have to have 20' wide unobstructed access for the Fire Department and you can trade that off for sprinklering the homes.

Frank Torr made the motion to approve with the following conditions:

1. The applicant shall provide the Planning Department with a digital version of the survey.
2. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Subdivision Permit and add the permit number to the plat.
3. The applicant shall revise the plat by adding a detail of the cross-section of the proposed shared driveway.
4. The applicant shall revise the plat by adding a note indicating that at least 30,000 square feet of the open space lot is useable uplands.
5. The approval includes granting of the Conditional Use Permit for the driveway closer than 50 feet to wetlands and the septic system closer than 75 feet to wetlands.
6. The applicant shall revise the plat to add a note indicating that the open space lot shall be owned jointly by the three house lot owners in a homeowners association.
7. The applicant shall revise the plat to show the 50 foot external buffer around the perimeter of the original lot.
8. The applicant shall provide the Planning Department with a copy of the proposed homeowner's association documents that address the open space ownership, the common driveway maintenance and the preservation of the 50 foot external buffer in its natural state.

9. The applicant shall agree to grant to the City of Dover a conservation easement on the entire open space lot, with public access allowed on all of the lot except for a 100 foot buffer from the northerly boundary of lot 10C-3. Said conservation easement shall be reviewed and approved by the Planning Department and the City Attorney prior to recording the subdivision plat.
10. The applicant shall provide the Planning Department with a copy of the proposed driveway access easement and the open space access easement prior to signing the plat.
11. The applicant shall ensure that the proposed access complies with the NFPA code.

Doug Steele seconded.

VOTE U/A

ITEM #7: Old Business

- b. Consideration and possible vote on an open space subdivision (OSS) (6 units) and a major subdivision (11 lots) of land and Conditional Use Permit for MPJ Development LLC, located on Upper Factory Road.*(P05-72)**

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

Marcia Colbath seconded.

VOTE U/A

Bob Stowell represented the applicant. He said with regard to the 4 clustered houses, it is open field and so the 50 foot buffer doesn't have the normal effect that it would. There was discussion with regard to adding some evergreen screening. They will incorporate that in their final plans. He said they have looked at options with regard to the abutter to the road. The road is now lined up directly opposite from the abutter's driveway and they feel sure that is an appropriate location for it. He said that the driveway straight across is the safest scenario. If they try to move it too far to the left they get into geometry issues trying to meet the private drive scenario. He spoke about the Conservation Commission meeting. He said that more room for parking was an issue. They will be sprinklering two of the houses.

Discussion ensued with regard to driving down to the river.

Tony McManus stated that the first lot on the woods road is larger than what is required by zoning and asked if that line could be adjusted to include the part of the woods road and the turn-around area in the public right-of-way. This would in effect be taking that area of land away from the first lot. He thought that it would be reasonable to try to provide a space to be used, as it has been used and to him, would be a minimal impact to the development.

Bob Stowell explained that it was discussed with Steve Bird. That lot is committed to the Chagnons.

Dean Trefethen understood that they were proposing to do some type of additional off-site improvement in the right-of-way.

Bob Stowell stated that they were going to create something similar to what is there if it means clearing some trees within the right-of-way and putting down some gravel so that people could continue to get down there in the manner they are accustomed.

Tony McManus felt that the most appropriate use of that property would be an OSS. He said he was concerned with the lots that are along the river and the built up septic systems and what that would look like. He was interested in having the City make some arrangements with extending public access along the river in the existing path. There is enough of a setback from the river that a very narrow pathway could be kept. It would be substantially benefiting the City and not detracting from the overall plan. The benefit to the City would be substantial.

Bob Stowell said that they did meet the requirement for the OSS but the problem is that they are on well and septic out there and they didn't have a massive area that was exceptional. He spoke about the pockets of areas that would have been suitable for common septic system. He said that he can sit with staff to see if there are angles that they haven't looked at. He said that once they go the conventional lots they feel that it is detrimental to have public access because of the expectation from people that this is their property and public access is not a good fit with that. With the OSS they think that it is a good fit and are happy that it worked out but they don't think that it is appropriate on the southerly side.

The public hearing was opened.

Craig Labrie, 59 Back River Road, said that he is opposed to the access across from his driveway. It opens up the site line to his privacy in his back yard and the lights will glare into his living room. He said he would be dealing with traffic from three directions as he backs out of his driveway. He felt it is a safety hazard. He doesn't see geometry issues and he stated that he is a former designer and wants to know what the geometry issues are. In 1977 when his lot was originally surveyed the lot depth was 349 feet and now it is about 340 feet. He found on his north boundary line there was about 9 feet that was lost from the original surveyor's point. The original point is still in the ground. He was never notified that he lost 9 feet and was never notified or compensated. He wants his land. He offered to move the access road across from his north boundary line so it would be between the two houses. He wants to minimize the impact on him and believes that he is being fair.

Steve Stancel said he would have the Engineering Department go look at his concerns and will speak to the applicants' engineer about the 9 foot difference.

Bob & Linda Mikula, abutters to the project are concerned about traffic on the road. If there are going to be 17 units, averaging 4 people for each family that is an additional 68 on the road. They don't feel that the narrow road, 1/3 mile long, would be sufficient.

People speed on that road and it would be very dangerous. They picnic down by the river and probably would not be able to do that any more. She is concerned with the wildlife. They were concerned with the excessive traffic in downtown Dover.

Arthur Burke, 2 Union St., asked how much acreage the City is losing to development. He said that this land has been vacant virtually for ever. To deny the family from building houses for the members of their family he would feel bad about. It would be their right to do that and it would be good. Now it is going to go to homes and condominiums and strangers would be coming in. Upper Factory Road is a country road and one of the last left in Dover. Widening it would create traffic problems and it would interfere with people fishing there who have been fishing there for years. You build houses and they will not want fishermen coming through their back yards.

Steve Stancel stated that he could get him that number. He added that there is a report of the City's web site about the growth in the City and growth management that is occurring in the community. Since the last Master Plan there have been more than 90 regulation changes made by this Board and the City Council aimed at managing and controlling growth that has occurred. The City is working on setting aside large amounts of money to purchase open space and development rights which is the only way you are going to stop growth on properties such as this. You have to buy it because people have a right to develop their property in NH.

Marcia Colbath said that approximately 20% of Dover is now permanently under conservation easement. They are still working on more acreage.

Linda Mikula, said that the increase in taxes is a concern. Her other concern was that they wanted to purchase some land next to them and have not gotten an answerer on that. They are interested in purchasing some land if possible.

The public hearing was recessed.

Frank Torr made the motion to place this on the table.

Marcia Colbath seconded.

VOTE 7 – 1

Opposed – Ron Stock

c. Review of Extraction Permits status.

Steve Stancel said on May 9th the gravel pits were approved. Several of the pits were given 60 day periods to get conditions done. First the Griffin Extraction Permit was approved for 60 days only. The Martel pit was approved for one year. Severino Extraction Permit was approved for a year with conditions. He said that the \$75.00 still needs to be paid. Mr. Proulx's permit has been approved for a year with several conditions. Brox Extraction Permit was approved for a year and the \$75.00 has been paid.

Steve Stancel explained that on the July 11th Planning Board meeting they will be coming back to give a report on whether the conditions have been met or they will recommend that their permit be withdrawn.

Donald Andolina stated that he felt that this is a dismal report card. He felt it looks similar to last year. The fee should be collected up front.

Doug Steele stated that he will be keeping an eye on the pits and he thinks that the Proulx's, the Martel's and the Severinos have made an effort to comply with what the City has asked them to do. The Griffin pit has done absolutely nothing. His concern is that the pit looks striped and abused like they have taken their bags and left town. He has a great concern for the condition of this pit.

Perry Plummer asked what recourse does the City have.

Steve Stancel stated that technically you could pull the permit. Bruce Woodruff was concerned because of the rain, it has been very difficult to get out and do the work in the pit.

Dean Trefethen stated that the pits would not be having a water problem if they hadn't broken the regulations to begin with. You can move gravel around in the rain.

Frank Torr felt that the City should go through the State. The State issues a gravel permit also and the State can enforce it.

Frank Torr asked if there was anything with regard to a downtown Master Plan. It came up as a discussion by several members of the Waterfront Committee. He felt that there should be separate session of Speak Out Dover for the downtown area.

Tony McManus said that the design subcommittee of Main Street is also working on a Downtown design program for signage and to try to make it more beautiful. There will be a proposal made through Main Street relating to the downtown. This is in the works separate from the Speak Out Dover.

Steve Stancel, in talking to several people, said he feels that what they are looking for is more of a specific downtown master plan. We don't have that in Dover. We do have a master plan and transportation plans and several different types of plans that deal with the downtown. He felt that there is a vision and a plan for downtown but it is all in different sections and reports. He said that at some point, given time and money, it would be good to pull everything together as part of our Master Plan to be more specific with what our vision for the downtown is.

Donald Andolina said that they are making headway.

The speak out schedule will be July 13, Horne St. School – July 18, Public Library – July 27, St. Thomas Aquinas – Aug 1, Garrison School – Aug 10, Strafford County Court House – Aug 16, St. Johns Methodist Church – August 29, City Hall Council Chambers

ITEM #10 Adjournment

Frank Torr made the motion to adjourn.

Marcia Colbath seconded.

VOTE U/A