



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

**MEMBERS PRESENT:** Donald Andolina, Tony McManus, Perry Plummer, Dennis Ciotti, Kirk Schuman, Marcia Colbath, Ron Stock, Linda Merullo, Ronald Cole, Frank Torr

**MEMBERS ABSENT:** John Swartzendruber, Doug Steele

**STAFF PRESENT:** Bruce Woodruff, City Planner; Rick Jones, Community Development Coordinator and Jacqueline Freeman, Recording Secretary

Chairman Cole brought the meeting to order at 7:00.

Chairman Cole moved the CDBG Items to the top of the agenda while everything was fresh in everyone's mind.

Frank Torr made the motion to accept the CDBG recommendations by the Planning Department as submitted.

Tony McManus seconded.

Ron Cole explained that the motion is to accept the recommendations and to send them to the City Council. One change that will be made is the recommendation of only funding \$11,625 for AIDS Response and increasing Seymore Osman Community Center by \$1,375, thereby, fully funding it to \$8,125.

Rick Jones explained that the recommendations will be posted in the newspaper and on the City's website.

Ron Cole explained that he accepted the motion and the amendment at the same time.

Frank said that he was comfortable with the amendment to the original motion.

Perry Plummer said that the City could be on the hook for the AIDS money and he recommended leaving it as is.

Donald Andolina stated he would like to see a roll call on the school issue.

Ron Cole said that the Board discussion is going back to the original motion to accept the recommendations of the Planning Department. He added that the motion was seconded and that the motion and the second of that motion was taken back.

Tony McManus moved to amend the original motion by providing for full funding for Seymour Osman Community Center and taking the difference from AIDS Response.



CITY OF DOVER

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Meeting Type: Regular Meeting  
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Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

Marcia Colbath seconded.

**VOTE7 – 1**

**Opposed - Perry Plummer**

Ron Cole asked for the vote on the main motion.

**VOTE U/A**

Frank Torr made the motion that the minutes be sent to the School Board.

Donald Andolina seconded.

**VOTE U/A**

Ron Cole explained that Steve Stancel was leaving the employ of the City of Dover and that it is the end of era. Ron described him as the consummate professional. His knowledge of the community and what is going on and his connection with the citizens is astounding. Ron stated that he marveled on how Steve could keep all the balls in the air. The citizens of Dover are unquestionably better off now, because Steve Stancel was the Planning Director. He said that he had a calm, reasoned approach in dealing with the items that came before the Board. He made his job look easy a lot of the time.

Perry Plummer said that his work will be beneficial to the community long after he is gone. His work will still be affecting the City long after he leaves.

### **Citizens' Forum**

Mary Hebbard, 97 Spruce Lane, asked Ron Cole to speak the names out loud when taking the votes. She spoke about Seacoast Geriatrics, d/b/a as Bellamy Fields. Bellamy Fields is located on Garrison Road, next to Portsmouth Christian Academy. The Board approved the site plan with conditions. She said that there was no discussion of Bellamy Fields providing food service for anyone outside of their own facilities. In 2005, a congregate care facility on Back River Rd. came before the Planning Board. She read from the Planning Board minutes where Chris Wyskiel said that the intent was for some type of breakfast, lunch and dinner be provided to those who want it and need it. She said that the negotiations Ray Martineau had since the site walk, and prior to this meeting, is trying to establish a relationship with the Bellamy Fields facility. They have a kitchen and a chef so meals could be planned and delivered. The food could be prepped off site and delivered for people to dine there. She stated her concerns are that the Bellamy Fields facility was not approved to provide this service. She felt they should have to come back before the Board to be granted approval for that additional function. At a February 2006 Planning Board meeting, Chris Wyskiel spoke of delivered food service and the covenants being prepared for the Back River Road congregate care facility. At that same evening the Planning Board approved the application with a vote of 4 – 1 with Tony McManus opposed.



CITY OF DOVER

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Meeting Type: Regular Meeting  
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Meeting Time: **7:00 pm**

Mary Hebbard stated that the congregate care facility is currently under construction. Tony McManus was opposed of approval for a number of reasons. In the minutes of the meeting it is stated with regard to the food service, that Tony felt the Board was creating a commercial use in a zoning district that doesn't allow a commercial use. He felt it was setting up a catering service, which is prohibited by the zoning ordinance. She said catering is clearly not allowed in the R-40 zone. She read Chapter 170-52.3 - Special Exception – where it says that a Special Exception has to be a benefit to the general public. She read the three conditions that must be met to get a Special Exception. She said that it is obvious that it would not meet the conditions because it is not essential or desirable to the public convenience or welfare. A catering use is not allowed. If Bellamy Fields were to go before the ZBA it would still not meet the basis for the exception. The exception would only benefit one entity. She asked the Board to bring this project back for review and give the community an update publicly on where it stands, as soon as possible. She also wanted an explanation of how this is proposed to be accomplished within the Codes of the City of Dover.

### **2. Approval of the minutes.**

Tony McManus motioned to approve the minutes.

Dennis Ciotti seconded.

Frank Torr said that Dean Trefethen was shown as being absent.

**VOTE U/A**

### **3. Consideration and acceptance of a minor lot line adjustment of land for Alta Hartdorn, Assessor's Map 14, Lots 10F & 10G, zoned R-12, located on Cataract Ave.\*(P07-10)**

**Withdrawn at the request of the applicant.**

### **4. Consideration and acceptance of a minor lot line adjustment of land for Paul & Penny Seaver, Assessor's Map H, Lots 6 & 6-4, zoned R-20, located at 103 & 105 Durham Road.\*(P07-11)**

Jason Pohopek represented the plan and explained the purpose of the lot line adjustment.

Discussion ensued with regard to the plan and the driveway easement.

Bruce Woodruff said that there are conditions to be met before the plan is signed. He added a condition that the driveway easement be noted on the plan.

Dennis Ciotti made the motion to accept.

Perry Plummer seconded.

**VOTE U/A**



CITY OF DOVER

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Meeting Type: Regular Meeting  
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Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

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

Dennis Ciotti made the motion to approve with the following conditions:

1. Add the owners' signatures to the plat.
2. The applicant shall provide the Planning Department with a digital version of the survey.
3. The applicant shall revise the plat by adding a note certifying that each lot contains a minimum of 20,000 square feet of contiguous non-wetland lot area.
4. Add the driveway access easement note to the plat.

Perry Plummer seconded.

**VOTE U/A**

**5. Consideration and acceptance of a Conditional Use Application for Raymond Bardwell, PE (Owners: Arthur & Joy Bettencourt) Assessor's Map L, Lot 48Q, zoned RM-20, located at 201 Spur Road.\*(P07-12)**

Arthur Bettencourt explained that they want to move the existing building closer to the road and convert it into a garage and add a new building approximately where the present building is located.

Frank Torr made the motion to accept the application.

Perry Plummer seconded.

**VOTE U/A**

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

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

1. The applicant shall prepare a planting plan for the vegetative buffer area between the Bellamy River and the proposed house. Said plan shall be reviewed and approved by the Conservation Commission prior to the issuance of a certificate of occupancy.
2. The applicant shall install and maintain proper erosion and sediment control measures during construction.

Perry Plummer seconded.



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
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### VOTE U/A

**Abstained – Tony McMannus**

- 1. Consideration and acceptance of a minor subdivision of land for Bowden Dover LLC, (Owner: Northeast Credit Union) Assessor's Map D, Lots 18 & 18-1, zoned B-4, located on Members Way.\* (P07-08)(2 lots)**
- 2. Consideration and acceptance of a site plan of land and Conditional Use Permit for Bowden Dover, LLC, (Owner: Northeast Credit Union) Assessor's Map D, Lot 18-1, zoned B-4, located on Members Way.\*(P07-09)(Hotel & Restaurant)**

Ron Cole stated that both items would be discussed at the same time and then voted on separately.

Mark Woglom, Opechee Construction, represented Bowden Dover LLC and NE Credit Union. He explained that there are about 47 acres of land. They are proposing subdividing a 5 acre parcel from the 47 acres. They are in the TDR zone and they will be providing 2 acres of sending area. They propose a 4 story, 90 unit extended-stay hotel and an 8,000 sq. ft. Margaritas. Access will come off of Members Way and they will have 226 parking spaces, which is 20 more than the ordinance requires. They feel that this is appropriate based on the use of the restaurant. He went over the sewer, water and gas service. This property is located in the Secondary Groundwater Protection District. Accordingly, they need a Conditional Use Permit for that and for some work in the wetland buffer. The Conservation Commission has recommended approval, based on the changes incorporated into the plan. He showed renderings of the buildings. Drainage is handled by a series of catch basins and detention basins that are located along the edge of the wetland.

Kirt Schuman was concerned with the dumpster location.

Mark Woglom explained how the trucks would access the dumpsters. He said that they will not see a problem in front of the dumpster as no one can park in front of it and it doesn't get serviced on a daily basis. He explained that all the water is first channeled into the catch basins and then to a series of water quality inlets and from there it goes to the three detention basins and through a series of outlet structures where it is discharged to the wetlands.

Bruce Woodruff stated that Engineering was not done reviewing the drainage.

Marcia Colbath asked if the screening around the dumpster would be high enough to catch some of the flying debris from the trash truck. She didn't want to see the wetlands full of trash.

Mark Woglom said that the screening would be at least 2 feet higher than the dumpster.



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

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Meeting Time: **7:00 pm**

Frank Torr asked what separated the hotel from the Credit Union property. He also asked about the lighting.

Mark Woglom stated that there will be green space and additional plantings can be added. The Planning staff asked them to lower what they had proposed for lighting, so they have a larger quantity of smaller downward directing light poles.

Linda Merullo asked if the parking spaces would be visible from Indian Brook Drive.

Mark Woglom stated they are partially visible.

Linda Merullo said that she would like to see more landscaping along the front of Indian Brook Drive. She suggested deciduous and fir trees. She said that some of the abutters across the street are concerned with the lighting being too bright.

Ron Stock made the motion to accept the application.

Frank Torr seconded.

**VOTE U/A**

The public hearing was opened on **#6. Consideration and acceptance of a minor subdivision of land for Bowden Dover LLC, (Owner: Northeast Credit Union) Assessor's Map D, Lots 18 & 18-1, zoned B-4, located on Members Way.\* (P07-08)(2 lots)**

There were no speakers.

The public hearing was closed.

Bruce Woodruff stated the Planning staff recommends that the item be accepted and then tabled so a site walk can be scheduled. He said that there are a couple of major outstanding Technical Review Committee items remaining. One item is a discussion of the cost share of off-site roadway impact by this development. He said they would like to see additions to the landscaping plan, particularly around Indian Brook Drive.

Chairman Cole said that he will rescind the closing of the public hearing and recess the public hearing. He explained that when a site walk is scheduled, he recesses the public hearing.

Tony McManus was concerned that the sidewalk on Indian Brook Dr. didn't extend all the way to the end of the applicant's property.

Bruce Woodruff stated the applicant has agreed to construct that sidewalk to the easterly end of their property line.



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
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Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

Frank made the motion to table.

Marcia seconded.

**VOTE U/A**

### **7. Consideration and acceptance of a site plan of land and Conditional Use Permit for Bowden Dover, LLC, (Owner: Northeast Credit Union) Assessor's Map D, Lot 18-1, zoned B-4, located on Members Way.\*(P07-09)(Hotel & Restaurant)**

Frank Torr to accept the application

Perry Plummer seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments.

The public hearing was recessed.

Bruce Woodruff stated that the Planning staff recommended that this be tabled and a site walk be scheduled.

Frank Torr made the motion to table.

Marcia seconded.

**VOTE U/A**

The site walk was scheduled for **Monday, March 26, 2007 at 5:00 pm**. The meeting place will be in the Credit Union parking lot. Mark Woglom was asked to flag the corner of the buildings.

### **3. Consideration and acceptance of a minor subdivision of land for Jay Palmer, Assessor's Map F, Lot 16, zoned R-40, located on Palmer Drive.\*(P07-13)(1 lot)**

Kevin McEaney explained that the plan is a minor subdivision on Palmer Drive. He said that this went before the ZBA in November and received a variance to allow for a subdivision of 2 lots with both having insufficient frontage.

Dennis Ciotti motioned to accept.

Donald Andolina seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments.

The public hearing was closed.



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
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Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

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

1. Add the owners' signatures to the plat.
2. The applicant shall provide the Planning Department with a digital version of the survey.
3. 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.
4. The applicant shall revise the plat by amending note #11 to add the condition of approval from the Zoning Board of Adjustment that there be no further subdivision of either lot.
5. The applicant shall revise the plat by adding a note indicating that the owner of Lot 16 will grant a right-of-way over Palmer Drive to the owner of Lot 16J.

Dennis Ciotti seconded.

**VOTE U/A**

4. **Consideration and acceptance of a minor lot line adjustment of land for Groen Builders (Owners: John & Cynthia Bressoud and John & Tammy Melnick, Assessor's Map E, Lots 72F-1 & 72F-2, zoned R-12, located on Amy Lane.\*(P07-14)**

Warren Groen stated that the purpose of this lot line adjustment is to correct a setback problem. They are moving the line over 2 feet.

Dennis Ciotti 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.

Warren Groen explained when they first proposed the addition; they measured the lot and determined that they were too close so they shrunk the building by 9 inches. When they went for their foundation certification they discovered that a corner of the garage was in the setback. They went to ZBA for an Equitable Waiver and were turned down so that is why they are here for a lot line adjustment.

Dennis Ciotti approved with the following conditions:

1. Add the owners' signature to the plat.
2. The applicant shall provide the Planning Department with a digital version of the survey.

Donald Andolina seconded.



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

### VOTE U/A

#### 5. Old Business

- a. **Discussion and possible vote on a residential site plan and Conditional Use Permit for Charles Kageleiry, John O'Neill, Michael Brigham, located on Middle Road. (P06-55)(48 units)**

Dennis Ciotti made the motion to take this off the table.

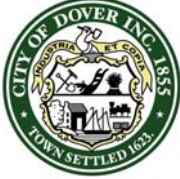
Donald Andolina seconded.

### VOTE U/A

Malcolm McNeill stated the development team has been working on this project for more than one year. The Conditional Use Permit was granted on Dec. 19<sup>th</sup>, 2006. On January 23, the plan was being proposed for the residential component. The plan had basically not had any changes. In the interim, all they have been doing is finalizing conditions of approval. They are here to have the plan approved. A lot of time has been put into this project because of its unique nature. Despite the fact that there are 13 conditions of approval, most are very mundane. A significant effort has been done to complete the development agreement. They have finalized the off-site transportation improvement plans, which relates to the front door of the project and Stark Ave. repairs. They've had discussions with the Planning Department with regard to the fair share allocation of the cost of the front and the back door of the project. The developer is picking up the entire cost and not requesting any help from the City. Engineering has signed off on the Varney Brook Pump Station. They represented the Tolend Road project, which is a 55 and older development and they will use the same type of restrictive language with regard to the homeowners document. They have requested a waiver with regard to the School Impact Fee because this is a 55 and over development with the same language as the Tolend Road project. The Route 108 project was different because it is manufactured housing, and it resulted in a lesser fee in his opinion. He respectfully submitted that during the last 5 to 7 years of 55 and older buildouts, the frequency of children never approaches the 20% range. It is more likely to be in the 2% to 4% range. The engineering items are all technical items that are readily resolvable. The developer is very anxious to get going on the project. This is creative planning, transforming areas to benefit the people of the City. It is a fiscally positive project that meets a demographic need. The front part clearly relates to uses beneficial to the community. They are very excited to get going on this project.

Tony McMannus asked about a detailed report from NHDES with regard to concerns. He assumes that the approval would require the applicant to meet all DES requirements.

Atty. MckNeill stated that they would. The development agreement says that they will obtain all necessary state, local and federal permits and shall comply with their terms. State permits shall



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

include appropriate approval for the remediation for any hazardous waste on the site, as well as any of the approvals for the dam. The applicant met with environmental officials last Friday and they are close to finalizing their discussions with DES.

Tony McManus stated that the previous owners did not maintain the dam and there is a serious downstream problem.

Malcolm McNeill stated that engineers have made it clear that the drainage components of the site is somewhat dependent on the dam so their agreement provides there be no Certificate of Occupancy, even for the residential, until the dam is fixed.

The public hearing was reopened.

There were no comments.

The public hearing was closed.

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

1. Add owner's signatures to the site plan.
2. Add the Surveyor and engineer's stamps and signatures to applicable sheets.
3. The applicant shall complete the formal Development Agreement, addressing timing of the commercial development, timing of the completion of the through City road, environmental remediation completed to the satisfaction of the NH Department of Environmental Services, and off-site transportation improvements, prior to the signing of the site plan.
4. The applicant shall finalize the Conditional Use Permit plan for signature by the Planning Board Chair.
5. The applicant shall finalize off-site transportation improvements plans for review and approval by the City Engineer and Planning Department, prior to the issuance of a building permit.
6. The applicant shall complete the Varney Brook pump station study for review and approval by the City Engineer, prior to the signing of the plan.
7. The applicant shall provide the Planning Department with the NH Department of Environmental Services Wetlands Permit and add the permit number to the plat.
8. The applicant shall provide the Planning Department with the NH Department of Environmental Services Site Specific Permit and add the permit number to the plat.
9. The applicant shall provide the Planning Department with proof that the Environmental Protection Agency Notice of Intent Permit has been filed.
10. The applicant shall amend the phasing plan to change the bank building to a retail or office building and keep it in phase 1.
11. The previously approved lot line adjustment plat shall be recorded prior to signing of the site plan.



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

12. The applicant shall submit Homeowner's Association Documents, addressing road and utility maintenance, open space preservation and maintenance, and 50-foot buffer remaining in its natural state. These documents shall be reviewed by the Planning Department, with consultation by the City Attorney on the proper form of the documents, prior to the signing of the plan.
13. The Planning Department recommends that the Planning Board agree to reduce the school impact fee due to this being a 55 and over development. Since federal law permits up to 20 percent of the units to be excluded from the 55 and over requirement, the applicant has agreed to pay a school impact fee equal to 20 percent of the single family housing impact fee per unit, at the time of the building permit application.
14. Other issues from the City Engineer as follows:
  1. How will the phasing of the watermain and the drainage be handled?
  2. Sheet C-2. The UGE is over the sewer main in two locations- stations 92 and 93. Please adjust one or the other to avert this conflict.
  3. Sheet C-2. The Hydrant is close to the edge of the road and tight up against the UGE. Please provide a greater setback from the edge of road and from the UGE.
  4. Sheet C-6. There is only 1.7 ft of cover over the drain line at the low point in the road. Please increase the cover over the drainline.
  5. Sheet C-6. Note W-25 calls for C-900 water pipe. This is not an acceptable water pipe material in Dover. Please specify ductile iron or HDPE bluestripe for the gas main crossing. Please also supply a report on the possible affects and mitigation required for the gas main crossing of the water main.
  6. Sheet C-8. Please note that the gates for 6 inch water services should be at the main and anchor tees used.
  7. Sheet C-8. Place a headwall on the upstream side of the twin 36" pipes to intrude as little as possible into the existing stream bed.
  8. Sheet C-8. Please show the proposed UGE on the plans.
  9. Sheet C-8. On the downstream side of the twin culverts some streambed/banking stabilization needs to take place. Please provide notes or details to what and how this will be done.
  10. Sheet C-9. Relocate the hydrant to the opposite side of the road and move it to station 15+00.
  11. Please note some drainage is located outside the proposed City right of way. Will this be private and tie into the City system?
  12. Please change the roundabout detail to include an inner concrete truck apron and the sloped granite curb on the inside of this.
  13. Please update, revise and resubmit the drainage report. Also include more detail of the improvements required for the dam outlet structure.

Kirt Schuman seconded.

VOTE U/A



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
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Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

**b. Discussion and possible vote on an Open Space Subdivision plan and Conditional Use Permit for Six High Street LLC, located on Back Road.(P06-54)(10 lots)**

Ron Cole stated they would not be voting on this item this evening.

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

Donald Andolina seconded.

**VOTE U/A**

Kevin McEaney represented the applicant. He added that Bob Battles and Paul Connolly, from Civil Works, were present to answer any technical questions.

He said this is a 10 lot OSS subdivision on Back Road. They have been before the Board several times. They have been to TRC and to the Conservation Commission and have received approval for the wetlands impacts, the buffer impacts, and the endorsement of the waiver for 20 foot wide paving and the slope to 10%, which would result in a smaller wetland impact. They have submitted a yield plan with the topo added to prove it is a viable plan. They submitted homeowner documents, prepared by Atty. Battles. They have completed a Forestry Management Plan, which will become part of the homeowner's association document, and will dictate what can be done regarding forestry and especially with regard to the waterfront portion of the property. They completed individual septic designs for all the lots and have submitted them to the Engineering and Planning Departments. There were concerns from Mrs. Hollinger with regard to title issues with the property.

Chairman Cole stated that those issues do not concern the Planning Board.

Atty. Bob Battles stated that they wanted to address the title because it was a concern of an abutter. The concerns were expressed with regard to a deed into the Tuey Trust 2003. There is a memo in the file that outlines it. What occurred is the property was originally conveyed to Mr. Frangos by Shamut Bank in 1991. There were two parcels in the original deed of transfer. Parcel 1 was later transferred by Frangos in 1993, to the Hollingers. After that time, Mr. Frangos established the Tuey Trust of 2003 and they conveyed, at that time, the description that was the same as the earlier deed into the trust. That deed depicted parcel 1 and parcel 2 as being conveyed into the trust. Legally speaking, the fact that both of those parcels are described in the deed of transfer had no legal effect in the ownership of the Hollingers, because that lot had already been conveyed out. There were concerns by the Hollingers to the fact that a P & S with the Six High St., LLC developers purports to have a conveyance to that earlier deed. This doesn't need fixing legally, but with respect to comfort levels to the Hollingers, they have done what they can to allay their concerns.



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

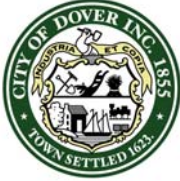
Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

Paul Connolly, on behalf of the applicant, stated that there was a Feb 9<sup>th</sup> memo from the City Engineer to Doug Steele and to the Planning Dept. regarding plan review comments. He said it contained seven review comments. He went over them with Paul Vlasich on Feb 27<sup>th</sup>, and went over the five remaining items of discussion. He said that those items were resolved at that February 27<sup>th</sup> meeting. They made a couple of plan revisions and submitted a couple of technical documents. They continue to work on the drainage. They are submitting that drainage analysis report tomorrow. He said that they have successfully addressed the City Engineer's issues which shows that there are not adverse impacts. They are in good shape for an approval this evening.

Kevin McEaney stated that the dumpster location and screening of the dumpster was a concern. The dumpster is 200 feet from Mr. Hollinger's house and it will be properly screened. They felt that it would be better to provide that service rather than having the garbage bags of 10 houses sitting along the road. He said that they spoke to Mr. Paskerella and he is the abutter in the southeast corner. His house is the closest and is facing the Frangos property. He was concerned that people building on that lot would look into his house. They agreed to screening close to the property line, which could be a condition of approval. There is about 210 feet from the closest point of his house to the closest point of Mr. Paskerella the new house on lot 8.

The public hearing was opened.

Christina Hollinger, 346 Back Road, thanked the board for not rendering a decision on this item tonight. Her concerns are that Atty. Battles addressed the quit claim deed they are about to execute and has yet to be recorded at the registry. She wants to give them the chance to get that recorded. The dumpster is a concern as it is 200 feet from their property and they want to be moved back farther and closer to the house lot they are proposing. She felt it wouldn't be a financial burden. The next abutting property would be looking at this dumpster from their porch. It will create a devaluation of the nearest properties. There are neighbors that couldn't come today because they thought that the next meeting would be at the end of March. She is speaking in behalf of her husband who thought that he would be back by the end of March and would address their concerns. At the time of the site walk, the 30 people who were present had concerns that this subdivision will be in a rural setting and all of the City regulations will not be observed. They would like to figure out what will happen in this rural setting as this is a very small piece of land. Their neighbors are concerned with regards to the 200 feet, as they have measured it and it was 80 feet. They would like that formally addressed. She said that the leach field of one of the abutting houses is 50 feet from their property. The other concerns of the people that have spoken to her is the traffic. The curve where they are going to put the driveway is an area that in the previous years they have had numbers of accidents. It is a dangerous curve and a blind spot. They would like that address. They are the city's tax payers they would like the developer to consider moderating the plan. The number of houses will have a negative impact in their environment. They appeal to the Board that it be tabled to a later date



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

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Meeting Date: **Tuesday, March 13, 2007**  
Meeting Time: **7:00 pm**

as there are people who would like to express their concerns. She asked the Six High Street, LLC to show good will to their neighbors. She asked if the developers, as a good gesture, could sit down with the abutters and find out their concerns and work together to address them. Most concerns will not be a financial burden.

The public hearing was recessed.

Bruce Woodruff stated that the Planning Department would like to recommend tabling to March 27<sup>th</sup>, mainly because the drainage report will not be submitted until tomorrow.

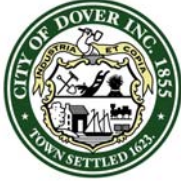
Kevin McEaney stated that Ms. Hollinger made a statement at the last meeting that there was 80 feet between the property lines. The 80 feet is the number that the proposed house will be to the property line and not between the two houses. It is in excess of 200 feet. As far as the leach field being 50 feet from the abutter, the closest leach field is 60 feet from the abutter. NHDES requires 10 feet so they are well in excess of that. He said that this is the 4<sup>th</sup> recess of the public hearing for 10 lots. At some point, they would like to cut off the input and get down to conditional approval. He asked that the chair consider closing the public hearing.

Ron Cole stated that he makes that determination. This is a 10 house subdivision. The abutters are not happy, the applicant is not happy and we are not quite ready to take action this evening. He said that the abutters would like action to never be taken. We are in a position where we can't make everybody happy but we have a process to follow. As long as an item is before the Board the public hearing remains open. He asked if the applicant has ever had a sit down with the abutters.

Atty. Battles said that he has spoken to Mr. Hollinger for ½ hour on the phone to go over his the list of concerns. He tried his best to address all of them this evening. He hasn't spoken to all the other abutters but Kevin has spoken to the other abutters.

Ray Donner stated that he is half owner of Six high Street LLC. At the site walk he invited all the neighbors to continue the walk down to his house to give them an idea of the style and size of houses that would be built. At that time he told the abutters that they are welcome to come to him to ask any questions. He met Mr. Hollinger in City Hall and asked him if he had any questions. He said that he did not. They were invited to his house to ask any questions and no abutter has ever contacted him.

Ron Cole stated that he received notification that there was an understanding on the part of some of the abutters that when we last addressed this issue on the 13<sup>th</sup> of February that it was said by him that we would not address this until the 2<sup>nd</sup> meeting in March. He researched that himself and looked at the minutes and watched the DVD and there was never any mention of the second meeting of March being a target date. There was no discussion of that occurring on the 27<sup>th</sup>.



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

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Donald Andolina made the motion to table this item.  
Tony McManus seconded.  
VOTE U/A

### 11. New Business

- a. **School Impact Fee Waiver request for Dover Vocational Trust, Assessor's Map 10, Lot 3-1 located at 35 Prospect St.**

**This item was withdrawn.**

### 12. Committee Reports

Donald Andolina stated that he asked about updates on the Zoning Ordinance as he hadn't received any for a couple of years. The changes are on the City's website. He asked the Board if they really need to have a paper copy. He thought not have paper copies would ease the burden on the City Clerk.

Tony McManus said that it is work but copies have to be made to fulfill request of the general public, and if they are going to make 15 copies, they might as well make 30.

Bruce Woodruff explained that there is a memo from the Office of Engineering & Planning to sign up for the OEP Spring Conference for Planning and Zoning Board members.

### 13. Adjournment

Frank Torr made the motion to adjourn.  
Perry Plummer seconded.  
VOTE U/A