



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Tuesday, December 19, 2006**  
Meeting Time: **7:00pm**

Members Present: Tony McManus, Ron Stock, Marcia Colbath, Ron Cole, Kirt Schuman, Perry Plummer, Doug Steele, Frank Torr, Dennis Ciotti, Donald Andolina

Members Absent: Bryan Cahoon, John Swartzendruber, Dean Trefethen,

Staff Present: Steve Stancel, Planning Director and Jacqueline Freeman, Recording Secretary

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

### 1. Citizen's Forum

Dean Trefethen stated that he wanted to add a line item in the CIP for the Mast Rd./Spruce Lane rebuilding and sidewalk plan. This plan was endorsed by the Transportation Committee to build up the road bed of Mast Rd./Back River Rd. to Durham Rd. and to add sidewalks and curbing where there are none and to add sidewalks to Spruce Lane from Mast Rd. to Back River. The sidewalks are needed for safety and to connect a vast system of sidewalks that are in place. It would be a connection to the proposed shopping center. He spoke on the poor condition of the roads due to heavy traffic.

Councilor Trefethen proposed adding \$100,000 in FY 10 to Mast Rd. – Sidewalks, for engineering, and \$750,000 for the actual work in 2011. He proposed those years because they are out years and need to be planned. The estimates are very rough but they are a good starting point. He hoped that the Board would propose the amendment to the CIP at the appropriate time, followed by a full discussion and support.

Dean Trefethen said speaking as the Ward 4 Councilor; the people of Ward 4 want the proposed shopping center project to occur. Every person he speaks to is 100% for this plan because of the convenience and they will support it.

### 2. Approval of the minutes

Frank Torr made the motion to approve the minutes of the previous meeting.  
Perry Plummer seconded.

**VOTE U/A**

**Abstained – Donald Andolina**

Chairman Cole brought up Item #5 - New Business first.

**ITEM #5. New Business – a. Request for a School Impact Fee Waiver for Joyce Mackey, for land at 335 Dover Point Road.**





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Dennis Ciotti seconded.

**VOTE 7 – 1**

**Opposed – Tony McManus**

The public hearing was opened.

Mr. Webb, 1 Country Club Drive, stated that they are looking to downsize and stay in Dover. They have been up to Hookset to see the project that is similar to this one and he encourages the passage of this project.

The public hearing was closed.

Steve Stancel stated that they anticipate this project coming up again at the Planning Board meeting of January 9, 2007 and between now and then they will be working on the outstanding TRC comments from the Dec. 7<sup>th</sup> TRC meeting.

Donald Andolina made the motion to table.

Dennis Ciotti seconded.

**VOTE U/A**

**Deb Brewster addressed b. and c.**

Deb Brewster stated that they do want to start construction this winter and they are hoping to wrap things up in January. They have been to Conservation Commission and they have moved the restaurant outside the wetland buffer. The Conservation Commission did recommend support of the three Conditional Use Permits. There is no longer parking in the front along Rt.108; it is now on the side. She explained the driveway would be placed to the side to allow the turning movement for the trucks. During phase 1 they will construct a binder drive that will allow the trucks to access the loading dock. As soon as this phase is completed they will remove that binder and fill the gap in with a center roadway. She said that they are proposing a bus stop with a resting area for the bus.

**The public hearing was opened.**

Scott Torr, 217 Durham Rd., an abutter to the project, said he is probably the only person in Ward 4 that doesn't want the project to go through. At the beginning he didn't mind so much but events of the last few months soured him on the project. Originally, the entrance was different and now it will be a raceway only 25 feet from where his kids play. He has been ignored with regard to a fence or a berm. He felt the garbage from the site would blow into his yard and his privacy will be gone. His family doesn't appreciate the developer's arm twisting of his aunts who live on Mast Road and abut this project. They are constantly being called by the developer telling them if they don't give them the easement, this proposal is dead. One aunt is elderly and



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another is sick. He doesn't care to have his relatives harassed. He felt this needed to be said and if he didn't say it no one else would.

Bob Sterndale, Chairman of the Madbury Planning Board, was concerned with the potential traffic impact on Pudding Hill Road. Pudding Hill Road is not much of a road and they are want it be investigated thoroughly for any impact.

Steve Stancel went over the traffic report having to do with Madbury. It showed that here is an increase in traffic but it is relatively modest.

The public hearing was recessed.

Deb Brewster said that they are doing a follow up with regards to Mr. Torr's comments. Ms. Brewster said they are pursuing the cross access easement to the abutting property. If this property were ever developed there would be a connection.

Ron Cole asked the Planning staff to address the concerns of Mr. Torr.

Steve Stancel stated that they will be requiring, prior to approval, that all of the off-site improvements be completed as part of Phase I. Because they had concerns about delays exiting the site on Durham Rd., they feel that a significant number of people will have a tendency to take the Mast Road exit to utilize the traffic signals back out onto Durham Rd. Steve said that there will be some slight widening to the Mast Rd./Durham Rd. intersection with some additional lanes and sidewalk improvements and crosswalks.

Steve Stancel stated that the original entrance was changed mainly because of wetlands. The project has shrunk by about 25% or 30%. With the shrinkage and moving the project out of the wetlands, there was no need for a signal at the entrance. Without that signal, the entrance could be move closer to the Mast Rd/Durham Road intersection.

Ron Cole asked if the vegetative buffer would work to shelter the houses from the blowing sand.

Deb Brewster stated that they looked at that very closely. She said that they have between a 100 and 125 feet to the nearest residential unit. They have terraced the residential development down about 10 feet and along with the buffering it will lessen that impact.

Doug Steele felt that the tree buffer will be helpful and the wind does not blow in that direction.

Donald Andolina made the motion to table.

Tony McManus seconded.

**VOTE U/A**



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Frank Torr took his seat and Ron Stock went back to the audience.

#### 4. Old Business

**a. Discussion and possible vote on a lot line adjustment and Conditional Use Permit for Charles Kageleiry, John O'Neill and Michael Brigham, Assessor's Map K, Lots 19 & 26, Map M, Lot 4, located on Dover Point Road, Thornwood Lane and Middle Road (P06-51)**

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

Donald Andolina seconded.

#### **VOTE U/A**

Bob Stowell represented the applicant as Atty. McNeill could not attend. He said that earlier they discussed potential conditions of approval. The majority are the typical conditions that they anticipate. The buffer between Meadow Wood and the congregate care building will be 75' off the property line where 50' is required. They have submitted a landscape plan. He said that they have prepared a traffic analysis and the focus of that was the eventual signalization on Dover Point Rd. Questions arose on an impact on the Stark/Central intersection. Since then, the traffic consultants have looked at the impact of this project at full build-out at that intersection. The traffic study shows that there would be increased traffic flow from this project utilizing the Stark/Central intersection.

Kim Hazarvartian, TEPP, LLC, went over the findings of the traffic analysis for the Central Avenue/Stark Avenue intersection. The intersection operates with a moderate overall traffic delays at level of service C with or without the proposed phase I residential development. LOS D operation is projected for the 2017 no-build scenario. With build-out of the Phase 2 commercial uses, LOS E operation is estimated. Increased delays at the Central Avenue/Stark Avenue intersection may encourage some traffic to divert back to the Spaulding Turnpike.

Steve Stancel said that they are still reviewing the traffic study as they got it late today.

Dennis Ciotti was concerned with the additional north bound lane by Care Pharmacy.

Kim Hazarvartian showed where the two lanes would start and said they would continue through the signal. They designed a 200 foot long full double lane and then a 300 foot long taper to get back to a single lane.

Dennis Ciotti asked if the lane remains a double lane by Care Pharmacy. He said it is a very heavily traveled section of the road and he would like to see the double lanes extended past Care Pharmacy.



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Donald Andolina asked about traffic exiting E. Watson and wanting to go southbound on 108.

Kim Harzavarian answered that the only movement that has changed is the left turn into E. Watson, all movements out of E. Watson remain the same.

Bob Stowell stated that the only condition of approval that generated discussion with staff is relative to the thru road from Middle to Dover Point Road and the timing of that road. He said that they have submitted phasing plans. It is the applicant's desire to tie that connection at the point when they build that segment of road between the residential and the commercial at the time that would be the greatest need and that would be the shopping center. They have worked with Steve Stancel on developing some language that would have some certainty to the connection of the road between Middle and Dover Point Road and mechanisms to insure that it would happen.

Perry Plummer stated that an access point around the congregate care building can be traded off under the code for certain kinds of fire suppression systems. It may need an access point but it doesn't necessarily have to have one.

Marcia Colbath wanted a clarification with regard to congregate care that it is a residential use.

Bob Stowell stated that staff has classified it as a residential use even though it is on the commercial side.

Bob Stowell pointed out the phases of the road for the benefit of the Board.

Dennis Ciotti asked about the City maintaining the public road and when the City would take it over.

Steve Stancel said that the entire roadway would be constructed to meet public standards and would eventually become public. They are suggesting that during Phase I, the roads would remain private because they wouldn't be connected. When Phase II begins or at a maximum of 5 years, the roads would become connected at that point. Five years at a maximum, or at any time during site review it is determined that the rest of the road needs to be constructed and at that point, the road would then become accepted as public. The offshoots would not be public.

Frank Torr questioned what the distance was between the end of Phase I of the commercial and the beginning of Phase I of the residential.

Bob Stowell stated it was about 1,400 feet. The wetlands crossing and a round-about would cost a lot of dollars and they would like to wait until the commercial is built to support it.



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Frank Torr wondered if it should all be done at once so it would all be to City specifications as far as the quality of the street.

Bob Stowell said that their logic is that the road is needed to get people from Middle Rd. over to the facilities and early on, there won't be anything for them to go to.

Steve Stancel explained that they are pushing for roundabouts as they are used for traffic calming and they feel that this is a good site for one.

Doug Steel asked that the road be private until the two ends are connected. He has never worked with a round-about and said that he doesn't like the looks of it with regard to plowing.

The public hearing was opened on the lot line adjustment and Conditional Use Permit.

There were no comments

The public hearing was closed.

Steve Stancel said that the Planning Department recommends that the lot line adjustment be approved 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 correcting the location of the zoning boundary line between the R-12 District and the B-3 District.

And that the Conditional Use Permit be approved with the following conditions:

1. Completion of a formal agreement to be recorded at the Strafford county Registry of Deeds
2. The applicant shall revise the phase plans to include the off-site improvements, to the satisfaction of the Planning Department.
3. The applicant shall prepare concept design and cost estimates of the off-site improvements at Thornwood Drive/Dover Point Road intersection and the Stark Avenue/Central Avenue/Watson Road intersection, to the satisfaction of the Planning Department.
4. The applicant shall be required to construct a road that meets the public road construction standards. The roadway may be phased and the entire road shall be completed within 5 years of the date of condition Use Permit approval or earlier based on site review of Phase II uses. A bond for completion of the road shall be required at first building Permit of Phase II.use. The Roadway shall remain private until accepted by the City.



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5. The applicant shall revise the Fiscal Impact Analysis to the satisfaction of the Planning Department.
6. Future residential congregate care buildings shall be placed a minimum of 75 feet from property lines and the screening for abutting properties shall be approved by the Planning Department. Said Landscaping buffer adjacent to Meadow Wood shall be planted at first Building Permit received at Phase I. To allow time for the screening to grow.
7. Architectural renderings for non-residential buildings will be approved on a case by case basis at time of Site Review.

Frank Torr made the motion to approve with the lot line and Conditional Use with the conditions listed above.

Perry Plummer seconded.

Tony McManus stated that he was in favor of creating the mixed-use district. It is important for this type of project to be a real mixed use and this is not, to his mind, a mixed use. You are creating two separate lots and there are two separate developers. There is a very clearly delineated residential area at one end of the property and a commercial at the other and you are not willing to connect the two. This is far from his concept of mixed use. We have an opportunity to have a mixed use here and we are not doing it. He said that he is very disappointed. He is voting no. Not putting the street through at the beginning is a mistake.

### **VOTE 7-1                      Opposed – Tony McManus**

#### **d. Disussion of CIP**

Tony McManus felt that it might make sense to find a location or design for a Police Facility to incorporate the Police Storage into the same facility rather than spend \$350,000 for a separate building at the Public Works Dept. and then end up with a police building some distance away. He asked if it was possible to hold off on the Police facility for a year and plan for everything rather than do it piecemeal.

Captain Calarusso explained that it would be ideal if they had one facility in the downtown area but they don't see that happening. They want to build the Police facility downtown and there may not be enough footprint to include all the storage. Currently, they have vehicles in several places in the City and there are storage spaces that they are renting. They will be losing the riverfront storage facility and that would displace several spaces for vehicles.

The storage facility on Mast Road would provide adequate security for their needs.

Tony McManus asked if it could wait a year.

Discussion ensued on when they would loose the River St. facility.



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Perry Plummer said if the police station was approved in next CIP, it would still take 3 years before it was ready. Perry Plummer stated he would hate to see the building hold up the waterfront development or them be displaced with no place to go for storage.

Doug Steel said there is a perception that they have an exorbitant amount of room at the Public Works facility and they do not. The facility is completely full.

Dennis Ciotti suggested that someone ask Mr. Dickenson what the time table is from project approval and when he thinks that he will get to that building on the waterfront. If that were known it could determine how much time that the City has to find alternate storage.

Frank Torr said if he had his say, he would have the building out of there so there would be a clear path to develop the waterfront.

Dennis Ciotti asked if the space needs also includes record storage.

Steve Stancel stated that they did an RFP to look at space needs. There will be a recommendation at the City Council meeting in January

Captain Calarusso said that for pre-engineered construction it would take about 8 weeks to build once all the materials were on site. The new building would barely handle what they have.

Discussion ensued with regard to the temperature control of that storage facility.

Tony McManus asked about the cost of the bathroom in the concession building at Shaws Lane and asked if it could be done for less than \$190,000

Garry Bannon explained that there are 5 fields and on any given day there are approximately 500 people on site. They need a sizable facility. A 24 X 50 footprint of which 1/3 is bath, 1/3 concession and 1/3 storage. He said the drawing was done for free. The building is valued at \$250,000 and they think they can knock this price down as well. He said that there are lots of people with trades that can contribute to the project. If they don't get a lot of donations they believe they can do it with this money. They are now paying \$95.00 per port-o-let unit and they need at least 4 or 5 portable facilities.

Marcia Colbath said that she supports this as she sees the number of people who use that area and hopes it is made a priority.

Discussion ensued with regard to the vocational school doing the building.



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Perry Plummer asked where the money from the concession goes to.

Garry Bannon explained how they get a percentage of sales on top of their fees to help maintain the facility. He said that money is put in a savings account and the money goes back into the particular sport.

Garry Bannon spoke on the conditions of the various fields. UNH has come in and given them a formula to work with. There are certain areas where there is a lot of use and the fields need a lot of maintenance.

Marcia Colbath asked for a priority list.

Garry Bannon said that they are all important. Maglaras Park is his number 1 priority because of the waterfront development and he stressed how important this is. His minimum priority is getting his construction documents done so that the infrastructure can be tied into the riverfront.

Hw was asked about the economics of Maglaras Park.

Garry Bannon said that the main focus is the full size baseball field and stadium so that they can host a level of baseball higher than Legion and host a team in Dover. This is designed to be a destination.

Donald Andolina asked if there would be any security where would people park.

Garry Bannon said that it is a major project and it would be a fenced space so it can be managed for attendance. There are over 400 parking spaces on site and the top of the dredge site would also be looked at.

Marcia Colbath said that she doesn't want to see other facilities go into disrepair.

Garry Bannon said that the Thompson bathhouse needs updating. They would like to build a new one close to Oak Street which would allow a different traffic pattern. The tennis and basketball courts at the various schools all need to be done over.

Discussion ensued with regard to sharing of recreational fields.

Linda Marula, 21 Long Hill Rd. Ext. was concerned that the streets be repaired.

Frank Torr was concerned with the \$6,000,000 for water pressure in the North end. He said that pumps can be put into individual houses for that money.



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Doug said that they could not sponsor it or fund that.

### 5. New Business

Ron Cole asked Don Andolina to serve on the McConnell Center Governance committee as the Planning Board representative.

### 5. Community Reports

Frank Torr spoke on the Waterfront Committee and passed out a map. A survey was done by about 40 people and it came back with several recommendations. Those recommendations have been passed on to the board. He went over some of the features of the map he handed out.

Ron Cole stated that the next meeting will be on the 9<sup>th</sup> of January, 2007 where there will be a vote on the CIP and the election of officers.

### 6. Adjournment

Frank Torr made the motion to adjourn.

Perry Plummer seconded.

**VOTE U/A**