



CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820
Meeting Date: **Tuesday, June 26, 2007**
Meeting Time: **7:00 pm**

MEMBERS PRESENT: Donald Andolina, Tony McManus, Perry Plummer, Kirt Schuman, Marcia Colbath, Ronald Cole, Frank Torr, Dean Trefethen, Perry Plummer, Doug Steele, Ron Stock, Linda Merullo

MEMBERS ABSENT: John Swartzendruber

STAFF PRESENT: Christopher Parker, City Planner; Jacqueline Pease, Recording Secretary

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

1. Citizens' Forum

Marilyn Follansbee, 25 Dover Point Road, stated that the City looks nice; it's green and clean. She said that people ought to do some cleaning too. She walks her dog in Henry Law Park. She saw two pieces of pizza that were close to, but not in the receptacle. She asked the citizens of Dover to clean up their parks a little better. The weather has done a lot of damage in the past two years and there is a lot of work that needs to be done. She hopes the young people that use the park would pick up after themselves. The City looks good. The staff gets criticized all the time and nobody comes up and says "good job." She had a bear cub in her back yard and wants to alert people that there are bears in Dover. She hopes that the people that use the parks will help to keep them picked up. She said that she saw very little dog waste, which is good. She would hate to lose the use of the park because people don't take care of their dogs.

2. Approval of the minutes.

Frank Torr made the motion to approve.
Doug Steele seconded.

Tony McManus stated on page 2, near the top, it would be a good idea - should read it is a good idea. On page 6, downfall, should be replaced with rainfall. On page 8, the vote should reflect that Ron Cole was the sixth vote.

Discussion ensued with regard to the votes.

VOTE U/A

Chairman Cole announced that item #7.c. Community Bank would not be heard.

3. Consideration and acceptance of a Conditional Use Permit for the City of Dover, for bridge construction, Assessor's Map 22 Lot 1, located on Washington Street.*(P07-35)



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Jeff Cicerello, Louis Berger Group, stated this project is being run through the Municipal Aid Bridge Program. NH DOT and the City of Dover are working together to prepare the roadway and bridge design to extend Washington St. across the river. The main goal is to restore vehicular traffic over the river. They went through a variety of studies and evaluations considering the site restrictions of the pump station, the waterfront development, the existing pedestrian bridge and the utility bridge. They are extending the sidewalk on both sides of the roadway and across the bridge. During construction they will maintain the existing pedestrian bridge until the new structure is built. The pedestrian bridge will be removed and stored on the City owned property for future consideration. The new bridge alignment will force them to remove the existing sewer and gas line and place it underneath the new bridge in a permanent location. During construction the line will be attached to the exterior of the pedestrian bridge to maintain flow into the pump station. The new bridge will feature ornamental lights, overlooks, ornamental railing and sidewalks on both sides. The funding becomes available October 1st. The project will be advertised shortly after and should be under construction during the winter season. The new structure will not impact hydraulics or flows.

Perry Plummer asked if there was a completion date.

Jeff Cicerello stated they hope that the contractor begins in winter of 07 – 08 and it should be completed by winter of 2008. There may be some minor things that run into 2009.

Ron Cole asked what the width of the road would be and if there were specific lanes for bicycles.

Mr. Cicerello answered it is an 11 foot roadway, 22 feet with 5 foot sidewalks. There are also shoulders. Bicycles can use the sidewalks or the shoulders.

Christopher Parker said that it is a municipal project and is covered under 674:54. They are looking for guidance to see if it fits and conforms of the local land use regulations. The Board can submit non-binding written recommendations for this project. It is not necessarily an approval or disapproval, but whether it conforms or not.

Tony McManus made the motion to accept the application
Dean Trefethen seconded.

VOTE U/A

Joseph Allis, lives in Newmarket, stated that he owns land that abuts the bridge. He asked if there were two proposals for the bridge. He felt this scenario is more costly than going straight. He said he heard that the pump house was being moved.

Mr. Cicerello, said that the recommended path is the skewed alignment. He added that he had no knowledge of the pump house being moved.



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Joseph Allis said they are talking of taking his land. He said that this bridge is supposed to take a year but the bridge project in Madbury is 3 years old and they are still working on it. There would be no reason for taking his property if they put the bridge straight across. They would have to take the pedestrian bridge down first, and then put it down the end of Young St. He had plans to put up a building next to the bridge. He asked for the cost and who was paying for it.

Mr. Cicerello stated the cost is a little over 2 million dollars.

Joe Allis asked what would happen if it goes over the 2 million.

Chris Parker answered that it is a state aid project. Federal dollars and state dollars are predominantly paying for it. The money will be there on October 1st. The project is in the budget and the money is there. The difference between the bridge in Madbury is that it has traffic going over it and this bridge is not currently a vehicular bridge, therefore they won't have to divert traffic and will have complete control of the site.

Joseph Allis stated that the City has not been right on an estimate yet.

Marty Coil, Grove Street, asked who would receive the non-binding written recommendation.

Christopher Parker said the City and the Planning Board makes that recommendation.

Marty Coil thought that this had to do with Dickenson Development.

Dean Trefethen explained that there is no money for this bridge connected with Dickenson or the waterfront development.

Marty Coil asked if there would be prevailing wage language written in the contract as it is a federal project.

Chris Parker said that Davis Bacon wage rates apply to federal projects. He said that he would get back in touch with Mr. Coil.

Dean Truax, Back River Rd., who works for the City, stated their sidewalk tractor is 5 feet wide and the sidewalks are 5 feet but there are light posts. It will not get taken care of in the winter.

Doug Steele stated that he will bring it up with Engineering.

The public hearing was closed.



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Ron Cole asked who the Planning Board recommendation would go to.

Chris Parker said in this case, it would go to Engineering.

Chris Parker stated that RSA 674:54 provides for the Planning Board's review of governmental land uses and nonbinding written comments relative to conformity or nonconformity of the proposal, with normally applicable land use regulations. The applicant appeared before the Conservation Commission on March 5, 2007. The Planning Department recommends that the Planning Board make the following recommendation:

1. The applicant shall provide documentation that a NH Department of Environmental Services Wetlands Permit has been granted.

Perry Plummer asked for a clarification on the pump station being moved.

Doug Steele stated when they first started looking into the bridge, it was a consideration but the cost was tremendous. A similar pump station in Portland Maine was moved at a cost of 30 million dollars. It would cost 20 million dollars to move this pump station, therefore not an option. The City has had some appraisals on Mr. Allis' land and as soon as those are received, they will discuss that with him.

Tony McManus said that he is in favor of the recommendation but the issue of plowing the sidewalk is important. The idea of the development is to encourage people who are living there to walk to the downtown. If they can't do it safely in the winter time, it nullifies five months' use of the bridge.

Tony McManus motioned to recommend the project with the caveat that they look at the question of the sidewalks.

Christopher Parker worded the motion as: The applicant shall review the sidewalks and is encouraged to accommodate a 6 foot width sidewalk, if possible.

Dean Trefethen seconded.

VOTE U/A

4. Consideration and acceptance of a minor subdivision of land for John Janetos, Assessor's Map N, Lot 13, zoned R-40, located on Gulf Road.*(P07-33)(2 lots)

Kevin McEaney, represented the applicant. He explained that the parcel is 63 acres in size. There is a single family home with some outbuildings on the parcel. They are subdividing off a lot of 12.5 acres. Of the 12.5 acres, 3.7 acres is upland, which is more than sufficient. There may be the possibility to access city water on Oak St., but at this point they are planning on



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individual septic and well. He handed out a revision to the plan. It shows that the driveway of Map N, Lot 13A is over the line on the Janetos property. An easement would fix that but planning staff suggested a lot line adjustment. They are swinging the line over 20 feet to include the entire McLaine driveway. He hoped they could include this as a condition of approval.

Christopher Parker explained that the Planning Department thought that they could make it a shared driveway but it was not feasible. The argument could be made to re-notify for a separate agenda item but he felt it could be done as a condition of approval. The applicant has come forward with a condition of approval and everyone knows that the lot line adjustment is going to be done. He was okay with approving it as a minor subdivision.

Tony McManus said that it just means that there will be an adjusted mylar.

Marcia Colbath asked if there was enough space in between the property lines for the driveway without getting a Conditional Use Permit for impacting the buffers.

Kevin McEneaney said that he believes that there is sufficient room.

Chris Parker said that they looked at that and that's why they suggested the shared driveway. When they came back with the lot line adjustment, they found there was adequate space.

Donald Andolina made the motion to accept the application.

Tony McManus 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. Add the owners' signature to the plat.
2. Provide the Planning Department with a digital version of the plat.
3. Add the Surveyor's signature and seal to the subdivision plat.
4. The applicant shall revise the plat to adjust the eastern lot line (labeled L3 on sheet 1) of Map N, Lot 13A so that the existing driveway is located no closer than five feet to the new property line and adjust lot size notes accordingly.
5. The new lot shall be subject to the Impact Fee Ordinance (Chapter 170-28.7) and the school impact fee shall be assessed prior to the issuance of a building permit.

Donald Andolina seconded.

VOTE U/A



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5. Consideration and acceptance of an Open Space Subdivision of land for Back River Road Realty Trust, Assessor's Map 16, Lot 20, zoned R-12, located on Back River Road.*(P07-32)(20 lots)

Christopher Parker explained that this subdivision was approved 4 years ago. The project was conditionally approved and the conditions were never met. The Planning Department staff felt it was necessary to go through the process like it was a new application.

Bob Stowell, represented the applicant, and stated it is a 15 acre parcel on Back River Rd. Their access is across from the day care. They have left a significant buffer for the abutters. They kept the units focused on the easterly side of the proposed road. They did an intensive site walk in 2004, went to Conservation Commission and received a favorable recommendation, as they did this time with similar conditions. They have some minor impacts to slopes greater than 20%. There is a small footpath that traverses the property along the Bellamy River. As part of their process the last time, they agreed to allow public access along that trailway, which starts at the parking lot at Sawyer Mills and traverses their property. He said that he is not sure if it goes much further than their site but in the event it can be extended in the future, the City wanted a 30 foot wide easement along the existing trail.

Bob Stowell explained that Tepp Engineering performed a traffic impact study. One issue was the site distance at the entrance. There were fiscal contributions for improvements that would be taking place at Back River Rd. and Route 108. They were calculated at that time and now they feel they have more accurate data.

Ron Cole asked if the traffic count took advantage of the development across the street.

Christopher Parker said that it took in the project across the street, the Martineau project, as well as the project further up off of Mast Road Ext.

Bob Stowell stated as the condition of approval, they had to contribute to the study, not to exceed \$6,000 and to contribute to improvements, not to exceed \$15,000. He said that he thinks the study came in at much less than that.

Tony McManus asked if they would give a conservation easement to the City for the area of the open space and conservation area, in addition to setting aside the walkway.

Bob Stowell said that they propose the public access along the trail. They will provide protective covenants, through the homeowners association, but they did not need to deed a conservation easement.



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There was some discussion on the hammerhead with the 5 houses on it.

Chris Parker stated that, initially, there were two street names and through discussions with the Fire Dept., it was decided to use one street name and number the units in a more logical pattern. He said that the school impact fee would apply to this project.

Donald Andolina made the motion to accept.

Frank Torr seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Dean Truax, Back River Rd., was concerned with the house on the road because of the elevation. He asked where the drainage would go.

Bob Stowell explained the closed drainage system.

Dean Truax asked about the curve to the property line on the left hand side and asked what the distance was.

Bob Stowell said that it is about 16 feet.

Dean Truax asked if it was taken into consideration that the traffic at 7:30 am, until about 9:00 am is backed up and it is the same when the schools get out. He asked if they needed to leave the existing house on the property.

Bob Stowell stated that the existing house was discussed at length. There was a debate on if it was more in keeping with the neighborhood and would hide the driveway, etc. After much debate, the house stayed. It keeps the streetscape as it is now.

Dean Truax asked about the buffer in the back of his property. He was told it was 30 feet. He asked if the fence would be discussed during the site walk. His concern with the house is the visibility.

The public hearing was recessed.

A site walk was scheduled for Monday the 2nd of July at 600: pm. Parking will be in the driveway of #22 Back River Rd.



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Tony McManus asked when the traffic study was completed.

Christopher Parker said that Bruce Woodruff is looking at the relevancy to make sure that it does adhere to current traffic counts.

Tony McManus said that the next project will have traffic coming out in the same general flow in that intersection. He said it would be a good opportunity for the Board to make some sort of determination, on the ground, if the earlier predictions are actually a reality at this point.

Frank Torr made the motion to table.

Perry Plummer seconded.

VOTE U/A

6. Consideration and acceptance of a site plan of land and a Conditional Use Permit for Orchard Street Realty Investments, LLC, (Owners Donald & Miriam Walker) Assessor's Map 16, Lots 31, 34 & 36A, zoned UMUD, located at 38 Mill Street.*(P06-62)(64 units)

Malcolm McNeill represented the applicant, and stated they are proposing a 64 unit building in the UMUD zone. He said that the UMUD is permissive in terms of its dimensional requirements, and is intended to stimulate and permit intense development. Mill Street ultimately connects to Route 108. The lot consists of 3.9 acres, is bordered by the north by the Spaulding turnpike, on the south by Mill Street, on the west and east by parking lot areas and forested areas. The project is a 4 story building with a total of 132 parking spaces. Of the 132 spaces, 54 of them will be under the building. The lot coverage is 38.5% where 70% is permitted. The number of units permitted is 239 under the ordinance, and they are proposing 64, which is 25%. The general characteristics of the building are consistent with the mill renovations that occurred at the end of the street a few years ago. It is not uncharacteristic with the Sawyer Mill and there is another large apartment building called the Ten Commandments. The TRC reviewed this project once on Jan 11, 2007, and again on March 22, 2007. The comments are reasonable. They appeared before the Conservation Commission on April 2, 2007 because of the steep slopes and they were unanimously endorsed, subject to 3 conditions. One is that there is a stormwater outlet monitored post construction, to insure that erosion is kept to a minimum. The Commission asked them to return with a plan for recreational alternatives and opportunities at a later date. They asked that a yearly Stormwater Management System Maintenance Report be filed with the Environmental Programs Office. The applicant is committed to comply with those conditions. An access way across the street, and down by the river, is proposed. There was discussion with the Conservation Commission about a possible kayak launch further down from the parking lot and further beyond the mill, which would lead into the Bellamy River. They are very willing to discuss recreation in the area. He said when they did the mill building there was a concern about a turn. Some call it a pinch point. It was



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also a concern of Steve Pernaw, when he looked at the access into this site. Their position is that the improvements they are proposing to this site post development will be better than the existing conditions. The traffic flow to the site has been discussed with Bruce Woodruff and they believe there is general concurrence with the traffic plan. Their goal is to have the project accepted, have a site walk and then come back for another public hearing to have the plan approved.

Joe Coronati, stated the biggest improvement will be to widen 1,400 feet of Mill Street, adding a sidewalk and curbing. When the sidewalk is completed, the land will be deeded to the City. They have been working with the TRC extensively. They will be cutting into the hill so there is very little filling and very little erosion. The drainage design allows for curbing on all parking lots to catch all the stormwater behind the building and the parking lots. It would bring it out to the Mill St. area and then under the road. They have property on the other side of Mill St. and at that location they have an outfall from the stormwater on their side of Mill St., into a downstream defender to treat the water and daylight out to a flat area that enters the Bellamy River, which is not far from the tidal section. Currently, there is very little drainage that goes under Mill Street, it mostly puddles up their side of the street and sheets across the road. There are very few cross culverts on the road. This will help the drainage in that sense. They met on site with Public Works to look at sewer. There is an existing drain line that runs through the site now and an existing sewer line. They are proposing to supply the City with easements, as well as replacing the sewer line for the section on their property and across Mill St. The pump station at the end of Mill street has the capacity for this project. They will have extensive landscaping in the front of the project. There will be a drop off loading zone, and visitor and handicap parking. They will work with the utility company to take the power from one side and put it underground in the front of the building.

Dean Trefethen asked if they were just catching the stormwater and sending it under Mill Street or proposing some type of detention.

Joe Coronati said that everything goes under Mill St., through culverts. He explained that the main focus is treatment. It goes under Mill St. to a downstream defender and then there is an outfall on the opposite side of Mill St. from the building. He said that they are sending all the water to the river.

Christopher Parker asked him to explain how the blasting will be handled and if they are concerned with any affect on the Spaulding Turnpike.

Joe Coronati said that it will take one week to demo and prepare the site and the blasting will take two weeks. He does not see any large charge blast. They will use tire mats to cover the blasts so there will be no blast rocks shooting through the air.



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Tony McManus asked how high the building would be and if the top units would be overlooking the turnpike.

Joe Coronati answered that it will be 55 feet. There will be 10 or 12 feet above the turnpike. They will address that with a row of trees and a fence on top of the slope behind the building. There is also an existing canopy. He stressed again that the stormwater will not be detained but will be treated.

Marcia Colbath stated that when it came to Conservation Commission, they looked at the runoff from the building and the downstream defender is the form of treatment. The river is tidal and the concern they had, which was addressed, was a heavy rainfall where there may be erosion where the drainage hits the river. It will be monitored to be sure that erosion doesn't occur.

Dean Trefethen stated that he thought with new development, the stormwater needed to be contained on the property and the flow leaving would be no greater than it was undeveloped. This project seems 180 degrees from what we required from other developments.

Joe Coronati said that the difference with this project is the proximity to a tidal river. They could do detention on the property but they still would be out-letting it into a tidal river, which fluctuates 8 to 10 feet per day. He said that they felt they could save the land and not have to build another pond. The focus is treatment and that is the goal. The underground parking helps because the parking lot becomes smaller.

Tony McManus said that they just did Wallgreens and they made them put in a stormwater detention system so that by the time it got into the storm system, it had taken out the contaminates. That is a long way from the Bellamy. He was concerned that the water would go directly off the parking lots in a culvert and directly into the river.

Joe Coronati explained where the downstream defender would be located on the river side of Mill Street, which is being purchased by the developer. It's a device to take out sediment, separates gasses and oil. They focused on treatment, not detention.

Christopher Parker added that the drainage report will address this.

Ron Cole asked if it would be one building.

Joe Coronati said that it is one building that could be built in phases. There is a central area for the lobby and elevators. The lobby could be built with the first building or it could be built all at once.



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Donald Andolina asked for an overview of the defender and who would maintain this device and what happens if the system fails.

Joe Coronati explained it is an oversized catch basin. It is a 6 foot in diameter catch basin and inside is some metal components that allow for oil and water separation. Basically, the water comes in through the bottom of the system and then outflows at the top where there is a device that keeps the water level higher than the pipe so that the oil stays up high and the sediment settles to the bottom. They have used these at the beach and they work fairly well. The maintenance is based on how much sediment gets into the system. The condo association would be responsible for any maintenance, and as part of the package, there are spec sheets and an Operations Maintenance Manual. It will need to be done at least once a year. They are supposed to monitor every three months in the first year, to see what the rate of sediment is. It would need to be maintained more often if it's high. Joe Coronati went to the easel to explain that there is a peninsula of land that the water goes across before going into the river. It is a heavily vegetated peninsula so there wouldn't be a contaminant issue.

Malcolm McNeill explained that the new Home Depot in Portsmouth has used a downstream defender.

Doug Steele asked if all the drainage from the entire site goes through one unit.

Joe Coronati said he wouldn't say all of it, the only portion that goes to the south is the parking lot on the right side of the building, but everything else goes through catch basins or roof drains.

Dean Trefethen asked if the outfall of the downstream defender goes onto land that is not owned by the applicant. What is the mechanism that keeps that land in the state that it is now and will this add to the filtering treatment?

Joe Coronati explained that the land is a flood plain. He said when the dam was taken out he felt that the land was covered by water and now that the water level has dropped, that land is basically flood plain. He felt that it could never be built on, which will be made clear at the sitewalk.

Marcia Colbath said that the Conservation Commission made some recommendations. One was the monitoring and a Stormwater Management Maintenance Report must be filed with the Environmental Programs Office each year. The only potentially contaminated water would be the water from the parking lot. The water coming from the roof would be rain water.

Steven Pernaw, Traffic Operations Engineer, prepared the study for this proposal. He gave an overview of what was done and what they came up with. They first met with the staff in August of 2006. They were asked to look at 3 intersections on Route 108 – Charles St., Mill St. and



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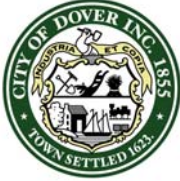
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Back River Rd. He went over all the counts that they did at morning and evening peak hours. They are all in the report. They did an 11 ½ hour traffic count on the area between the mill buildings to observe how vehicles and pedestrians were progressing thorough that area. The highest one was early in the morning from 7:30 to 8:30, where they counted 31 trips. They did traffic projections for 2008 and 2018. They included all the developments which are listed in the report. They based their estimates of how much traffic a project like this is going to generate in the ITE Trip Generation Manual. They are looking at approximately 30 trips during the am and pm peak hour. In the am, most are leaving the site and in the evening most will be coming back home. On Route 108, the net impact due to this development is approximately 1%. The level of service will not change. He had a chart stating their recommendations: a) Realign Mill St, in the pinch point area, b) Widen Mill St. 20 feet, which will be appropriate after the development is occupied, c) Pavement markings (traffic calming), d. Speed limit signs of 15 mph, e) Install curve signs in advance of the reverse curve, f) Install a separate sidewalk for pedestrians. He said that they, over the 11 ½ hour count, counted 79 people walking in that area. Currently, the residents walk in the middle of the road. On the left side of the road is a continuous 5 foot sidewalk, which will improve the safety by removing the pedestrians. When he looks at the post development conditions, a 20 foot road and a 5 ft. sidewalk, is a lot better than the existing conditions. Comparing the two, this is a net plus.

David White, architect from Goffstown, NH, stated that the building is a 5 story building. The lower or ground level of the building is parking lot level, the upper three floors are residential and the top floor is also residential. Because we are in a mill district, they tried to emulate in stucco a brick type building. They have a parapet, two feet above the cornice level, to hide some of the air-conditioning condensing units, plumbing stack, vents, etc. The clock tower in the center of the building is where the lobby, elevator and central stair is located, as well as the entrance of the building. The back of the building will look the same as the front except for the clock tower. From the turnpike level, only 4 levels are visible. One story is located higher than the turnpike, which is good because you are not looking down on the roof level of the building. The building is 55 feet from the base level of the building to the roof line. The ordinance does allow a 75 foot building. The parking garage will be basically a type 1 structure; steel, concrete, non-combustible materials separated by a 2 hours floor between the parking garage and the residential, which will be wood frame. The bays on the front of the building will be living rooms. This is not a 55 and older development.

Chris Parker said that he wanted to see an elevation from the turnpike side and a sample of the material at the next Planning Board meeting.

David White said that he will bring a rendering. They have 64 units, 8 one bedroom units and 56 two bedroom units. Maybe 10% of the units might have children that will probably be under school age. Generally when children get to school age the couple is ready to find a house. This is not a 55 and older project, it's a market rate project.



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Linda Merullo stated that abutting the Spaulding Turnpike is very loud and noisy. She asked if they are concerned about filling up these units because of the noise. She was concerned with what it would look like and the noise level.

Donald Andolina made the motion to accept the application.

Kirt Schuman seconded.

VOTE U/A

He opened the public hearing.

Mr. Grossman, owner with his wife Holly, of 25-34 Mill St. He said that it was said that the zoning allows intense zoning in this area. Just because it does, doesn't mean it is good. It's a tight area between the turnpike and the river. It is a dead end road. He was concerned with the safety and quality of life, not just for his tenants, but for other residents on the street including the 64 units going into this building. He was confused by the traffic count because they have 10 units and 15 drivers and they are in and out every day and that is 30 trips. The potential for congestion and accidents is huge. Concerned for real emergencies, such as fires, accidents or the need for an evacuation. He said that 15 mph is the suggested speed and not an enforceable speed. He loves his building and the pastoral setting, the turkeys and deer. 35 – 34 Mill St. is 6 feet from the street. Currently, folks can sit on their stoop. There are small children and the potential danger because they live 6 feet from the street. You can't hear the turnpike from his building but after they blast and cut some of the trees, they will. Their building is 150 years old and should be preserved. They can have their insurance company fix anything that breaks but he would not like to see it break.

Holly Grossman, owner of the 10 Commandments, said they have a parking lot across the street. She understood that there would be a 3 foot sidewalk, not a 5 foot sidewalk in front of their building. Her building is maybe 6 feet to the road. Across the street is the parking, which is right on the road. She was concerned that if they put a 3 foot sidewalk on one side and then a 22 foot roadway, she would have to blast to get her parking. The traffic is a major concern with how her tenants would back out of the parking lot. How will they cross the street? It's dangerous and since the building down the road was built, it is more dangerous. People travel too fast. She doesn't know if she would have to rebuild her parking lot. She said that it cost her \$7,000 to have a curb put in. She said she spoke to Steve Stancel last winter and he told her that 12 units would be right for that piece of property. She is concerned with the blasting and where the drainage would go and if NH DES has approved this. Her tenants love the wildlife. She felt that the woods would now be concrete. She asked if the turnpike drainage would go down onto the concrete and what happens to the estuary. She said that this has been her business for 17 years and she made it into a great place to live. She sees this development as a threat to what



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they have down there. She said that Steve Stancel said if this doesn't go through, the zoning should be changed so that it doesn't come up again.

Jared Simis, 32 Mill St., stated that the residences on Mill St and Charles St. all date from the Mill Era and there is no other place in Dover like that. They love the history, the view and the animals that they see. The animals are loosing their space to live. He was concerned with the traffic. Charles St. is being used to avoid the lights. There are a lot of students on Charles St. The space between the two buildings is a very dangerous spot. They had a downed power line and the fire truck had to go all the way to the end to Bellamy Mills.. It had a difficult time because of the snow. The dumpster and the recycling trucks at Sawyer Mills block the traffic. There are 3 entrances for Sawyer Mills and there are continually worker trucks, moving trucks and cars parked to unload groceries, etc. He has two children. The construction will create a lot of dump truck runs. The children like being out there and riding their bikes on the road. They won't have a place to ride their bikes or play because of all the construction traffic. If a sidewalk is installed, there will not be any grass. There are too many traffic and safety issues.

(Lady) She didn't identify herself, stated that she has lived there for 10 years. Before she lived there it was a tough neighborhood and now it is a lovely place to live. At one time there was a speed sign of 20 mph that nobody paid any attention to. A vehicle has to pretty near come to a stop to make the turn at Sawyer Mills. People who are familiar with the curve will be going very fast. They are proposing a parking lot across from their apartments. At the moment they look at their parked cars and the woods up the slope to the highway. There won't be as much of a buffer when they put in the parking lot. They will get the exhaust fumes, the dirt and the noise from the highway. The sidewalk will probably be about 6 feet from their windows. It will greatly impact their area. The intersection at 108 is already very congested. To take a left going into Durham you have to force your way into the traffic. She asked if the oil and gas in the parking lot in front of their building will also be treated. She can see 5 or 6 houses or a 15 unit apartment building, but she cannot see anything more than that.

Sarah Gagnon, lives at the Ten Commandments, stated she would be most impacted. She submitted pictures and a letter to Ron Cole. Traffic increase is a concern because 30 vehicles would double the traffic going around the corner and the amount of people that could be walking and putting themselves in an unsafe position. She is concerned with the blasting. She asked how long will it take. It would disrupt their lives as people work at home or are sleeping during the day and working at night. Have they discussed relocating the residents? She said there are turkeys, deer, blue herons, and turtles. Where is the salt runoff going to go? She is concerned with their peace and if the blasting will be contained so that their cars won't be impacted.

Jonathan Paul , 29 Mill St., stated that he agrees with all the statements that have been made. It is a nice place to live. It's a quiet spot. He doesn't think he would live there if the apartments are built. The parking lot is across the street from them and it is dangerous as it is.



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Andrea Hartness, 29 Mill Street, stated that everything everyone has said is true. It is a unique place in Dover. It is a very small plot of land and rises very steeply. It is a tight spot to put in such a large development. She asked the people involved to reconsider. She has been there for 12 years. She compliments the development down the road as it went very smooth. 30 cars could be just their development and it is not counting for the 64 people that will be there. 30 mph is the lowest speed limit the City will go. If she wants it changed, she was told she would have to petition the Legislature. The sidewalk will be very tight. It isn't safe now but they love it and put up with it. The traffic will be very significant.

Holly Grossman handed letters from people that could not come to Ron Cole.

The public hearing was recessed.

Holly Grossman asked if they would be re-notified when they come back before the Board.

Christopher Parker stated that they will be notified by first class mail.

Christopher Parker said that the Planning staff recommends that this be accepted, the public hearing be held and then recessed to a site walk. He said that they had concerns about the parking spaces for 25 – 34 Mill St. He said that they asked the applicant to talk with the Grossmans on incorporating these spaces into the overall parking lot for their safety. They don't like the idea that they currently back out into the road. They would like to see them incorporated in that parking lot as a separate area, which would allow the sidewalk to be moved from that side of the road to the opposite side. They encourage the applicant and the Grossmans to reconsider that opportunity for an access management and a safety management opportunity. They also asked that the building, the parking lot and the area of the downstream defender be staked off.

Frank Torr made the motion to table.

Donald Andolina seconded.

VOTE U/A

Holly Grossman said that she took a rough estimate of cars going in and out of there and she figured it was about 1,600 per week.

The site walk was scheduled for Monday, July 9th, at 6:00 pm. Parking at the site.

7. Old Business

Kevin McEaney said that this Board approved on the 10th of April, a subdivision called Schooner Landing. He said that a condition was to provide NHDES Subdivision Permit, Septic



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Design Permit and add the permit numbers to the plat before the signing the plat. He said that it was a cluster subdivision and they were in the process of getting Subdivision approval and septic approval at the same time. Normally, they get the subdivision approval first. They thought in the interest of time, they would do them all together. As it turns out, the state gave them a subdivision permit but he cannot even get a return call on the septic permit. The Engineering Department reviews the individual septic systems to make sure that they meet with their approval. There are 9 septic systems sitting on someone's desk in Concord. He asked the Board to consider amending that condition of approval to allow the signing of the plat with only the subdivision approval. That will allow the applicant to move ahead. He said that they are hoping for the septic approval to come in the next two weeks. He said that he would like an extension on that as well.

Kevin McEneaney stated that the only difference would be that they would not have to have the septic systems numbers on the plan. They cannot get a building permit until the septic approvals come in.

Chris Parker said that staff agrees with the applicant and they support the approval amendment with the condition that the septic approvals are in place before the Building Permit.

Tony McManus made the motion to amend condition #4 to strike the Septic approval prior to the signing of the plat.

Donald Andolina seconded.

VOTE U/A

Chris Parker explained that he can extend the approval but will need a letter from Kevin McEneaney requesting the extension.

Christopher Parker announced that there is a parking garage meeting this Thursday at the McConnell Center. He encouraged everyone that is interested to attend.

Christopher Parker said that included in the packets is a memo discussing what the ZBA did and the ZBA will receive a similar memo. Also included is a TRC Agenda to keep everyone in the loop.

10. Adjournment

Frank Torr made the motion to adjourn.

Perry Plummer seconded.

VOTE U/A