

Steve Bird read the Planning staff's recommended conditions of approval.

Dean Trefethen asked how, by doing the lot line adjustment, would it protect the land from multi-family development.

Ronald Huml said the current frontage is only 134 feet and it would require 150 feet for multi-family.

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

1. Add both of the owners' signatures 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.

Beth Thompson seconded.

VOTE U/A

ITEM #4: Pursuant to NH RSA 674:4 & 675:6, a public hearing will be held to consider the adoption of the Downtown/Riverfront Redevelopment Traffic Circulation & Parking Study as Addendum #1 to the Transportation Chapter of the Dover Master Plan. Copies of the Study are available for public inspection in the Planning Department in City Hall and the Public Library and on the City website at www.ci.dover.nh.us.

The public hearing was opened.

There were no comments.

The public hearing was closed.

Steve Bird stated that the version that was posted has a February 14th date on it. There have been last minutes editing corrections, but nothing major. He said that Bruce Woodruff came to the January 25th meeting and gave a presentation and answered questions at that time.

Tony McManus asked if a later report was distributed to the Board.

Steve Bird answered that this version came in after the packets were sent out. He brought extras with him for any of the members who wanted them. He said that they only received 10 copies so he didn't have enough for everyone.

Dean Trefethen asked if the changes were typographical and not in the form of recommendations.

Steve Bird said that it is his understanding that the changes were made as a result of the meetings that were held at the Transportation Advisory Committee meeting. He asked Bruce Woodruff what the nature of the changes were and Bruce answered that the changes were minor and there were no major changes to any of the recommendations.

Ron Cole said that it was not imperative that this be approved and passed this evening.

Steve Bird stated that he could get a list of the changes if that would make the Board more comfortable.

Frank Torr stated that he would be more comfortable if he could see the specific changes that took place. He felt that it would not be proper to adopt something that they haven't seen the final version of.

Steve Bird stated that he would have Bruce Woodruff prepare a summary of the changes and they would be inserted into the packets for the next meeting.

Chairman Cole postponed taking action until the March 8, 2005 meeting.

ITEM #5: Old Business

a. Discussion and possible vote on a site plan for Business Partners, Inc. for Motiva Enterprises, LLC, located on Old Rochester Rd. (11 units, 2 bldgs.) (P04-62)

Beth Thompson made the motion to remove this from the table.

Frank Torr seconded.

VOTE U/A

Paul Connolly stated that he was representing Dover Business Partners. He said that he was following up on his original presentation to the Board in January. He said since that time they have made all the revisions and additions to the plan pursuant to that meeting and that he has addressed the final concerns of the Engineering Department. He said that he doesn't take any exception with the requests regarding the sidewalk.

The public hearing was opened.

There were no comments.

The public hearing was closed.

Steve Bird read the six conditions recommended by the Planning staff.

Ron Cole asked why the City needs the 5,150 sq. ft. portion of the project.

Steve Bird explained that it is the portion of the property that may be needed for the intersection improvement project that the State and the City are jointly working on. The State, about five years ago, designated a proposed right-of-way along Long Hill Road. He said by attaining this property as a condition of approval, will be one less thing to do to getting the project underway.

Frank Torr asked if the sidewalk is to be coordinated with the new construction of the intersection.

Steve Bird stated that the State/City project is going to be municipally managed so that we will have control over the final design of the sidewalk. The idea is to build this portion now, and then the sidewalk that will be constructed as part of the improvement project, will blend in with what is there. He said that they looked at both options of asking the developer for money for his portion and then doing the sidewalk when the State project happens, but they felt that this was the best way to make sure that the sidewalk gets built when the project is ready for occupancy.

Paul Connolly stated with regard to the existing right-of-way that exists over the Shell Station parcel, and runs and butts into this parcel, that as a part of this arrangement between Business Partners and Motiva, it is understood that that right-of-way is to be deleted. He wanted confirmation that, in no way, would this adversely affect the status of the existing Shell Station operation and the validity of that site plan approval.

Steve Bird stated that the right-of-way was asked for when the Motiva station was approved with the assumption that they might want to have a shared access, not another driveway on Long Hill Road. That was part of the access management request at that time.

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

1. Add the owner's signature to the plan.
2. Add the Surveyor's signature and seal and the Engineer's signature and seal to the appropriate sheets of the plan.
3. Revise the plan by amending note #12 on sheet #3 to add the correct year of adoption for the IBC and NFPA.
4. Revise the plan to relocate the recreation area closer to the buildings in order to preserve the stand of trees at the rear of the lot and to add additional recreation equipment such as a swing-set, slide, benches and picnic tables, to the satisfaction of the Planning Department.
5. The applicant agrees to deed a 5,150 square foot portion of the subject parcel (as shown on the site plan) to the City of Dover prior to the issuance of a certificate of occupancy.
6. The applicant shall prepare a sidewalk construction plan that shall be reviewed and approved by the City Engineer, prior to the signing of the plan. Said plan shall depict the construction of a five-foot wide asphalt sidewalk, separated from the roadway by a grass strip, and associated drainage improvements along the Old Rochester Road frontage of the property, from the northern property line to the proposed right-of-way. The sidewalk shall be constructed prior to the issuance of certificate of occupancy.

Dennis Ciotti seconded.

VOTE 7 -1

Opposed – Tony McManus

Tony McManus explained that when the Board talked about the Motiva project, it was pointed out that this was a B-3 zone and an ideal location for some commercial enterprise. He said that he can't think of a worse location for houses with small children.

b. Discussion and possible vote on an OSS subdivision, Tolend Road Properties, LLC, located on Tolend Rd. (76 units)(P03-36)

Chairman Cole announced that this would not be discussed this evening.

c. Discussion and possible vote on an OSS subdivision and Conditional Use application for Daniel & Jacqueline Ayer, located off Back Rd. (5 lots)(P04-61)

Beth Thompson made the motion to remove this item from the table.

Frank Torr seconded.

VOTE U/A

Dan Ayer stated that he feels that he has addressed all the staff's concerns.

Frank Torr asked Mr. Ayer if there has ever been any discussion between himself and the City relative to taking over the force main and the pump station.

Dan Ayer stated that in discussions that he has had with the City Engineer, it was mentioned briefly. He said that the work that has been done, at the request of the City Engineer, has been very thorough. He met with the consultant today and addressed all concerns.

Frank Torr said that he assumes if something occurs down the road where the line needs maintenance; someone is going to have to get permission from the City to even repair it. That is his concern.

Dan Ayer stated that that has been the practice. He has never had to repair the main, but he did modify it by permit of the City. That permit required him to attach his line to City lines as it progressed towards him and he did that. In the process of doing that, he was required to get a paving permit/excavation permit. He added that that would be the procedure until the City takes it over.

The public hearing was opened

There were no comments.

The public hearing was closed.

Steve Bird went over the 9 recommended conditions of approval of the subdivision plan and the Conditional Use Permit.

1. Add the owner's signature to the plat.
2. Add the surveyor's signature and seal and the Engineer's signature and seal to the appropriate sheets of the plan.

3. Approval includes granting a Conditional Use Permit with the condition that on Lot #2 the maximum encroachment into the wetland setback be limited to a 10 ft. by 80 ft. area.
4. The applicant agrees to contribute \$2,500 to the City for upgrades to McKone Lane at the time that a building permit is issued for Lot #5.
5. Revise the plat to incorporate the changes recommended by the Assistant City Engineer in a memo dated February 4, 2005.
6. Revise the plat to show the relocation of the driveway for the existing house on Map N, Lot 21 to access Falcon Drive instead of Back Road. As this would make five lots using the private road, a waiver from Chapter 155-60 – Definitions of Private road is recommended.
7. The applicant shall submit to the Planning Department for its review and approval, a copy of the proposed homeowner's association document for the five new lots, prior to signing the final plat. Said document shall address maintenance of the road and drainage facilities, and the management and preservation of the open space.
8. The applicant shall prepare a homeowner's association document for all existing and proposed homes tied into the private sewer force main. Detailing each owner's responsibilities and obligations in regards to maintenance and repairs of the sewer line. The Planning Department shall review and approve the document prior to signing of the final plat.
9. The sewer system capacity engineering study shall be reviewed and approved by the City Engineer.

Steve Bird added that the Engineering issue was to be sure the private sewer main had adequate capacity for these new homes and for the homes proposed as phase II in this OSS. Mr. Ayer hired a third party engineer to conduct that study and that was given to the City Engineer, late last week. Paul Vlasich's conclusion was that, overall, the system would work and have the capacity. He said that condition #9 could still stay as a condition, but he wanted the Board to know that there has been some work done on that already. He indicated to a memo in the packets from the Assistant City Engineer with 6 recommended conditions. The applicant has agreed to all the changes.

Beth Thompson made the motion to approve with the 9 conditions listed above, as recommended by the Planning staff.

Donald Andolina seconded.

Dean Trefethen questioned the driveway waiver.

Steve Bird stated that it was his thought that the wording of #6 addressed it.

VOTE U/A

d. Letter from Reuben Hull, Civil Design Engineering Consultants, requesting an extension of approval to March 31, 2005, for Cottswold Subdivision (P03-68)

Dean Trefethen made the motion to grant the extension of approval.

Donald Andolina seconded.

VOTE U/A

ITEM #6: New Business

Chairman Cole said that the CDBG applications would be heard at the next meeting. He asked for any suggestions to cut down on the amount of time that was spent listening to the applicants that are heard every year. He explained that the Planning Board has a certain amount of money to administer for the Federal Government and folks come up and explain what they do and what they need. Most agencies come before the Board every year and we attempt to portion the money in such a way that everybody gets some, if it works out that way. He explained that it can be a long and tedious night.

Steve Bird stated that Rick Jones, the Community Development Coordinator, is suggesting that a letter be sent to all the human service providers indicating that if they have received funding in the past and the Board is familiar with the proposal, that their public presentation be optional. The agencies will have a representative present to answer those questions that the Board may have, but we would first focus on the new requests, or requests that may not have been funded before and give them 5 minutes each for those agencies to give their presentation. The idea is to try to shorten the amount of time that the public hearing takes. Steve Bird said that every agency will be given the chance to make a presentation if they feel that they need to.

Steve Bird explained that if the CDBG notebook is ready before the Friday delivery date, members can come in the Planning office to pick one up.

Ron Cole asked that the Planning secretary e-mail the Board when the CDBG books are ready.

ITEM #7: Committee Reports

Frank Torr stated that the Waterfront Committee will be finalizing the Charette at their next meeting, next Monday.

Ron Cole stated that he received a call from Baltimore, from a freelance writer who works for a marketing journal. He had gotten some information from Foster's Daily Democrat and was calling with regard to the waterfront. Ron Cole said that he was pleased with the call and asked if it has been determined that the Housing Authority would be in charge of the project.

Dean Trefethen said that what remains to be done is the naming of the advisory committee which, for the most part, will be the present members. Dover Housing Authority will be the controlling entity.

Tony McManus stated that his term with the Strafford Regional Planning Commission was up. He said that he brought this up a year ago and asked if anyone else was interested in taking over. They are looking for a replacement.

Ron Cole said that he is asking Councilor Trefethen to advise the City Council that they be notified that Tony McManus' term is up and we are one member short on the SRPC. He then asked if anyone on the Board would like to fill that gap.

Frank Torr stated that he would be interested.

Ron Cole stated that SRPC is getting a lot more aggressive and involved in the local communities and assisting them with the planning. He said that Frank Torr would be a great representative of the City.

Dean Trefethen asked about the gravel pits. He said that he spoke to Steve Stancel last year and expressed the concern that he did not want to see a repeat of what we had this past year in terms of the waivers and the non-conformance. This is their ordinance that they put together for themselves and then none of them were ready for it. He asked the Board to be tough. The pit owners have had two years now to accept the new regulations. He said that there is no room for any leniency whatsoever on this. You are either ready or you're not.

Ron Cole asked Steve Bird to advise Bruce Woodruff that he communicate with all of the gravel pit operators and advise them that there will be no grace period.

Steve Bird stated that they could do that in the form of a letter reminding them of the renewal date and the concerns that the Planning Board had when they granted the permits the previous year. Steve Bird reminded the Board that they have received the conference packets a meeting or two ago for the State Planning and Zoning Board Conference. If anyone is interested in going to please get that in to Jackie Freeman as soon as possible.

Donald Andolina asked if everyone has passed in their surveys and if the Board would get their results.

Steve Bird stated that he had received about 5 surveys.

ITEM #8: Adjournment

Beth Thompson made the motion to adjourn.

Frank Torr seconded.

VOTE U/A