

CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue, Dover, NH 03820
Meeting Date: Tuesday, April 8, 2008
Meeting Time: 7:00 pm

REGULAR MEMBERS PRESENT: Ron Cole, Marcia Colbath, Dean Trefethen, Frank Torr, Tony McManus, Perry Plummer, Donald Andolina

MEMBERS ABSENT: John Swartzendruber, Doug Steele

ALTERNATE MEMBERS PRESENT: Linda Merullo, Kirt Schuman, Ron Stock

STAFF PRESENT: Christopher Parker, Planning Director and Jacqueline Pease, Recording Secretary

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

Tony McManus sat in the audience and Kirt Schuman took his place. Ron Stock took Doug Steele's seat.

1. Citizens' Forum

Malcolm McNeill, a lawyer at 80 Locust St. stated that his sole reason for being there tonight was to speak for himself and his land use lawyers to say thank you to Jackie for her service. It is a heartfelt thank you coming from him because she has been coming to the meetings as long as he has and for all the assistance she provided. He ended by saying thank you from himself and the McNeill, Taylor & Gallow Law Office.

(Thank you Malcolm. It's been a pleasure!)

Ron Cole announce that Jackie has been with the Planning Department for 20 years and is retiring and presented her some flowers and read a card form the Board members.

(Thank you to the best Board.)

2. Approval of minutes of the minutes of March 25, 2008.

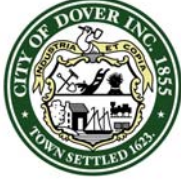
Frank Torr made the motion to approve the minutes.

Linda Merullo seconded.

VOTE U/A

3. New Business

Chairman Cole announced that **Item 4. c. Old Business - possible revote on the lot line adjustment for Doug Dodd** - would not be coming before the Board tonight.



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A. Consideration and acceptance of a minor lot line adjustment of land for Jonathan Towle & Mary Towle-McKenny, Assessor's Map I, Lots 67 & 67B, zoned R-12, located at 62 Back river Rd.*(P08-16)

Jason Pohopek represented the applicants and handed out revised plans showing a couple of revisions that the Planning staff made reference to. It explained that it is nearly an equal exchange of land.

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.

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

1. Add the owners' signatures to the plat.
2. Add the surveyor's stamp and signature to the plat.
3. Provide the Planning Department with a digital version of the plat.

Linda Merullo seconded.

VOTE U/A

4. Old Business

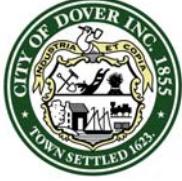
- a. Discussion and possible vote on a site plan of land and Conditional Use Permit for KAB Realty Management, LLC, (Owners: Jeannine & Monique Gagnon, Anne Marie Booth, Y & R Gagnon), Assessor's Map E, Lot 66, zoned RM-8, located at 46 Whittier Street.*(P07-64)(62 units)**

Dean Trefethen made the motion to take this item off the table.

Donald Andolina seconded.

VOTE U/A

Bob Stowell, Trittech Engineering, represented the applicant. He said that early February was their first meeting with the Board although they had started with their design process back in September of last year. The project has evolved since then. They have had a site walk and since then they have been to 2 Conservation Commission meetings. One of the major issues is that they are requesting a Conditional Use Permit along with the site plan for the impact to a wetland setback. They have a pocket of wetlands where the ordinance requires a 50' setback and they are asking to install pavement as close as 22 feet.



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They have worked with staff and the Conservation Commission to shrink that area of setback and have been able to pull that back to only 3,000 sq. ft. of encroachment. They have developed a mitigation plan. Page CE-1 shows a conservation easement that contains over 5 acres of land that would be set aside in a conservation easement in favor of the city of Dover that would place development restrictions on that land. It has a split of about 3 acres and 2 acres of wetlands but includes 1,150 feet along the Cochecho River. The second aspect of the mitigation plan is a public access long an existing trail that is at the site that winds through the property and along the river and there is actually a split that goes to the Addison Place property. They have agreed to provide an easement for public access within that existing trail. The third aspect of their mitigation that was where they have a reduced setback to the wetlands, they will supplement and fulfill the function of that wetland area with an intensive planting. Sheet L-1 and Sheet L-2 shows intensive groundcover plantings that will provide the same function in 22 feet that would normally be provided in the normal 50 foot setback. The main thing that they worked with the Conservation Commission was to also make sure that didn't have any impacts along the significant areas of the frontage of the Cochecho River. An interest to the Conservation Commission was an alternative parking lot that they presented to the north of the property that didn't require a Conditional Use but actually was closer to the river and probably more environmentally impacting even if it didn't need a Conditional Use. He believes all the engineering questions have been addressed except for the one relative to the pump station at Hampshire Circle. They will continue to work with them for a resolution. The applicant is agreeable to do whatever the Engineering Department requires. They are hoping that the Board could act on this and leave this as a condition to be worked out with engineering. The applicant would be glad to contribute to the Fast Trans that is mentioned in condition #15,

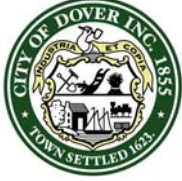
Chris Parker said that one of the areas they were concerned with the impact was the recreation.

Bob Stowell stated they have a two tiered recreation plan where they provide 50% of the required active recreation on site. The other 50% they are proposing a contribution to Dover Housing Authority to provide additional improvements to their recreation facilities in the neighborhood.

Ron Cole asked about what equipment they would be using.

Bob Stowell said that they have specified on Sheet SP-2 the 100% of the onsite recreation required. They have the specks show 50% and then they are proposing a \$9,000 contribution to Dover Housing Authority. He stated the total development area is just about 100,000 sq. ft., a little more than 2 acres out of the 8 acres. About 75% of the site is left in its natural state. He said that they have provided the elevations for the townhouse. He answered that all of the improvements both permanent and temporary are set back at least 100 feet from the river.

Dean Trefethen stated he had concerns with the large buildings and the parking right along the street that would be very visible and a dramatic change from what is there now. He asked if there was a way to eliminate the first couple of parking spaces that are in each row and perhaps add some additional



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landscaping. He was concerned with the green strip with the bushes and what would happen when the snow gets piled on them.

Bob Stowell said thought that the center line island is problematic because of site distance. They did significantly add screening north and south but the more they tried to hide the parking form the street they also hide the visibility. They are kind of handcuffed in that respect.

Dean Trefethen asked if they were looking for approval this evening.

Perry Plummer stated that he went to the site walk and was amazed how close building #2 was to the road. He has received calls with concerns that corner of the building will be so close to the road.

Chris Parker stated that an RM-8 zone is very dense with an 8,000 sq. ft. minimum lot size and setbacks of 15 feet. In this case the building needs to be 15 feet from the edge of the right-of-way. This is one of the roads that has been widened and at the most, the building is 20 feet from the edge of pavement. This is probably the last piece of land in the RM-8 zone that can be developed. It meets the setbacks and the density regulations for the zone.

Bob Stowell stated there might be 7 feet of green space between the edge of pavement and the right-of-way. The building is only 22 feet back off the pavement. They have put a lot more focus and effort on the river side to keep this buffered from the river.

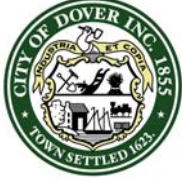
Chris Parker said that the Hampshire Circle development right across the street and it meets the 15 feet to a tee. His focus is to preserve as much as the wooded area as possible and to get the development away from the wetlands.

Perry Plummer said he can appreciate that but when this building starts going up people will not believe that the Board approved it. He is concerned about accidents. They have had cars in houses before. This is right on the road. If you did decrease the number of units and some of that parking, there is no way of moving those buildings back because of the wetland buffers.

Bob Stowell stated that it is a jigsaw puzzle. Just taking out a couple of units will benefit density wise but the building is a 6 unit per floor building. If they were to take a couple of units out it would be one of the townhouse units which are away from the road and it wouldn't help.

Chris Parker said it is an interesting case it is the wetland setbacks that is causing the problem.

Linda Merullo said that she knows that this project meets the requirements but she was having a hard time with the 3 stories and the amount of impervious surface. It is not the best and greatest design that she could foresee for this land. She said it is a beautiful area and she hates to ruin the landscape and hates to take out 2 acres of trees. She knows that there is nothing that is purely detrimental to say no to



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but this project is not one of her favorites. She wonders if the developer is amenable to cutting the units in half or cutting down the buildings to 2 floors which would reduce the parking. She said it is too much building for 2 acres.

Dean Trefethen said that this will have a different look and feel but he views this similarly to the project that the City approved going from third St. to Fourth St. When we saw the plans the Board had concerns and now that it is built, it is as bad as he envisioned. When he looks at this project his feelings are the same. Yes, they have met all the requirements to the maximum and just because we say based on square footage you are allowed this number of units, it doesn't mean that we have to approve that number. Building off what Perry said, if the front two buildings were two stories instead of three stories, it would reduce the parking and allow them to landscape. It would also greatly reduce the impact of those buildings and would be more in scale with the buildings across the street. The Addison Place is three stories but they are not on the street.

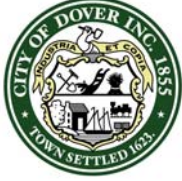
Kirt Schuman stated that he share the same concerns as Dean and Linda. It fits the regulations to a tee but there is no elbow room at all. He said that he doesn't recall seeing renderings of buildings.

Bob Stowell said that they are 3 story buildings with a center hallway with three units on each side and 6 units per floor, 3 floors and a New England style roof. The applicant has constructed this building in Rochester and the height is less than 40 feet and he can confirm that. Exterior materials are vinyl siding and brick masonry.

Ron Cole asked how much vegetation or woods will be left behind the buildings close to the river.

Bob Stowell stated they have 100 foot no-disturb setback to the river.

Frank Torr said that his is the same opinion of Linda, Dean and Kirt. He thinks it is a classic example of a marginal piece of property that we are going to be faced with, not just now but in the future. It's probably going to be overdeveloped if we approve it as is. If you look at some of the projects that we approved and you could ask why was it approved. He has a concern for the parking that it doesn't comply with the standards that we have. There is no indication of a fence along the retaining wall that is sizeable. This type of housing will draw children and an accident is bound to happen. There has been no mentioned of a crosswalk. It is a 30 mile zone but he can guarantee that is not what the speed is on the road. You have to protect the citizens that will want to cross the street. Simple striping would not satisfy the situation, perhaps a raised walk such as on Chestnut Street. He didn't see any indication or recommendation for the force main and the pump station. He said that he won't be voting in favor of this because of the parking situation and concerns with the drainage. Cutting back on the number of units in the project would help to comply with the parking. That is his basis of rejection.



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Chris Parker pointed out that Addison Place and Winchester Arms at the time they were approved needed 1.5 spaces per unit and currently we are now at two parking spaces per unit. The Conditional Use they are looking for is for the wetlands buffer encroachment, not the parking.

Frank Torr stated there are no spaces for guest parking.

Linda Merullo, 62 units will generate 124 cars. The road is already fast and dangerous. She asked if a traffic study should be required.

Chris Parker said that one of the reasons that we worked with the developer to come up with a Fast Trans contribution is that Fast Trans is a proposed inner-city bus service that will be utilized by the Housing Authority and they encourage residents in a project like this to use this service to cut down on vehicle trips. This system, like a bus, would travel a route and would stop at various places on that route and a taxi system where a person would call and say that they live at Cedar Cove and they need to go to the grocery store. It is like a wheel with a hub being at the transit center downtown and the vehicles will go out from that hub and one will go to Liberty Mutual, the Housing Authority, Dover Point, City Hall, Hospital, etc. That is why they asked for a contribution to encourage people not to use their cars but to utilize this system.

Linda Merullo said that people love their cars and that has to be factored in. It is a great idea especially because of the gas prices and she hopes that people will take advantage of it but there still will be 124 cars. She is concerned with the drainage running off into the river with that many cars parking. This project has a myriad of problems that she can see.

Bob Stowell said that 120 cars is not a lot for Whittier St. They can do a traffic study and it will tell us that there will be 1/2 of a % increase of the traffic on Whittier St. The study would cost \$6,000 and it would say that Whittier St. can handle all the traffic, it is a wide road. They were offering to give land to the City Engineering Department so they can re-align the bridge. They have a Site Specific Permit from the State of NH. They reviewed, at length with the Conservation Commission, the multi-tiered drainage study that they have that does 3 times the normal treatment of the runoff of the parking lot. They have all the parking together to get all the runoff together and properly treat it. He said that any one of the 3 treatments meet the requirements in the City of Dover and at the State level. Bob said that they couldn't meet the rules if there was too much on the property. Frank had mentioned the Conditional Use Permit, Bob said that they have an alternate they could build the 6 parking spaces that are not in that area but ultimately, they are closer to the river and not as aesthetically appealing and in the scheme of things, they would have more detrimental impact on the environment than where they have placed them. They are asking for a Conditional Use Permit which the Board can grant and grants on a regular basis. They have gotten a favorable recommendation from the Conservation Commission.



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Perry Plummer said that he would not want to see the parking spaces moved closer to the river as he thinks that would be a negative and not a positive. He still has concerns with the buildings being right on the road. He was concerned that the conditions seems longer than with other projects.

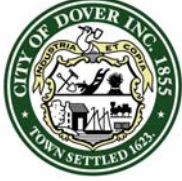
Christopher Parker stated that he is using a new format that is helpful to the developer and the staff. He said that the number of conditions is not uncommon. The project that was approved at the last meeting had 25 conditions.

The public hearing was opened.

David Bibber, Whittier Falls Way, said he was speaking for the Knowles family and well as the Jeanotte family with regard to some issues that they have with this project. He said he believes if you own a piece of property you should be able to do what you want to do with it providing it doesn't severely impact the people around you. If you put the Tolend Landfill on that piece of property it could not have more of a negative impact that this to the three abutters along the river. He hopes that there will be some type of compromise. It has been a number of years since Tim Sheldon was Planning Director and he told him at one time that they ought to rezone his property but at the time he wanted to keep a rural look in the area. He knows if somebody wants to make some money on that property, that's life. He is an abutter to the Whittier Hills subdivision and that is 15 homes crammed into 5 acres. He heard concern with leaving the trees in the 100 foot buffer. He was assured that there would be plenty of trees and a buffer between his property and the Whittier St. project and it was raped. There is no other way to put it. He addressed it with the City and he was told that it was not supposed to have been done but it is too late now. For all the promises with another 100 foot buffer, he doesn't believe it. He spoke of the runoff from the Whittier Hill subdivision where mud and silt can be seen running down into the river. The City agrees that it is a problem. This project will bring in 3 to 4 times more vehicles which will bring in more sand and more parking and he is to believe that there won't be a problem with silt coming in. They had to put in rip rap along Whittier St. when Addison Place went in. He's struggling with the Conservation issues. He's not a tree hugger. He doesn't want to see houses but he knows that something will happen there but there needs to be a compromise but three story apartments are not the answer. It is not characteristic of that neighborhood.

Chief Bibber said that was speaking a bit selfishly because he lives there. It's cut the legs out from under him as it will devalue his property. 100 feet of trees will not block much. He is hoping that there is a middle area where they can meet. There is a tremendous amount of traffic now during rush hour and backing up at Sixth St. and Whittier. Chris Parker advised him that there are no setbacks waived with regards to the 100 ft setback. He said that he appreciates what everyone does for the City but he is asking for some reconsideration on this so they can sit down and find a middle ground.

The public hearing was closed.



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Chris Parker stated that the applicant went before the Conservation Commission on March 24, 2008 and received favorable recommendation. He said that he did give some conditions of approval but he thought that it would be advisable to table this and try to work some of these issues out. He said that he hesitates on this only because it is an RM-8 High Density Zone. He fears that we will be getting into a situation where we haven't rezoned land and people are coming in to build on it and we are not allowing the density that the zoning allows. We have an issue. He will be looking at moving up the density and dimensional review on his list of things to do because we don't want to start leading developers and engineers down the road where they think they are meeting all the regulations and they come to the Board and tell them that we are not going to play ball. This is a high density zone, there are 62 units at Addison Place and you have 200 at the Housing Authority, duplexes, triplexes and single families. We need to be cognizant of the fact that we can't wish that we have rezoned something 5 years ago and then penalize the applicant for that. He isn't trying to sound like he is slapping hands but he wants to be honest and say that the developer came in and followed the rules and regulations.

Ron Cole stated that he felt that this project is in context. There are two neighborhoods divided by the river. He stated that he thinks that Chris has the right idea to table this. He cautioned the Board that that they need legitimate legal reasons to vote anything down. He stated he might not love this project either. It is workforce housing.

Ron Cole said that will be introducing a concept that shocked him from a book on what is transpiring and the fallacy that all of us in NH have had that by using age specific housing we are doing a wonderful thing. We are driving away the future of our state. We are driving the young people away because they don't have a place to live that they can afford.

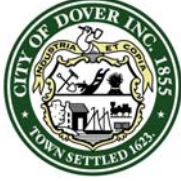
Frank Torr stated that he doesn't believe that the Shoreline Protection Act will be delayed. There is a major disagreement between the House and the Senate. It will come into play on this project.

Chris Parker said that this project meets the requirements. He made sure that this project met the qualifications of the Shoreline Protection Act and this meets the RSA as it was written.

Frank Torr said if the parking was not approved in the area where it is located, he is not certain that the alternative would be viable.

Chris Parker said that Bob Stowell brought that alternative to him and he said that it would create a new curb cut on Whittier Street and it is not pleasing, but it does meet the rules. He came in with the idea of a lift, double stack parking. It is an opportunity for innovation but that is something that will open up a dialogue between the developer and staff to flesh out some other ideas. This is workforce housing but it is also context housing in a high density area.

Marcia Colbath stated that she sits on the Conservation Commission also and the developer worked diligently with them to best meet the environmental needs of this project. What they looked at most was



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the protection of the river. Granted from Whittier St. this is not a very pleasing project and she did say she didn't like the way it looked but the alternative of placing parking farther in the site was not as protective of the river as the project as proposed. They looked at the alternative parking where they could add more parking which they could do from where they looked at it with an additional curb cut closer to the river and they did not feel that it was a viable alternative. She said she is surprised with the Board because although she doesn't like the project but under the law they do meet the zoning requirements in this case and it is in context with the neighborhood. Although she doesn't like the way it looks, she still feels that other than reducing the amount of units, which if you are idealistic, maybe they would do that. She may not like it but it does meet the requirements that it is best meeting the environmental interests.

Dean Trefethen made the motion to table.

Kirt Schuman seconded.

VOTE U/A

Bob Stowell asked what kind of direction the Board has for the applicant.

Ron Cole stated that he would like it if Bob Stowell could get together with Chief Bibber at some point and to listen to some of his concerns.

Bob Stowell stated that they would like to do that but they were not aware that he was back in town.

Ron Cole stated that he felt we could do that within the right to know law, to e-mail Mr. Parker with any of their concerns.

Frank Torr felt reluctant to see that happen. In his opinion it is conducting business off site and he felt that the concerns were pretty much stated. He doesn't want to be the thorn in the side but he feels that it is conducting business off site.

Ron Cole stated that he is not looking for Chris to respond. You can walk into the Planning Office and write your concerns down rather than e-mail.

Dean Trefethen felt that it would be ok for individual members sending to the Planning Director.

Frank Torr said that he would just like to be lilly white.

Perry Plummer stated that his understanding is that you cannot CC everyone.

Ron Cole said that they will look into this. He said that he admires Chief Bibber very much and this is very tough for him.



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b. Discussion and possible vote on a site plan of land and Conditional Use Permit for SGI Realty, LLC (Seacoast Geriatrics), (Owners: Strafford Trust) Assessor’s Map E, Lot 32-4, zoned ETP, located on Watson Rd. and County Farm Road.*(P08-08)

Linda Merullo made the motion to take this item off the table.

Donald Andolina seconded.

VOTE U/A

Dana Lynch, Civilworks, stated that the property is at the corner of County Farm and Watson Road and he is not only representing the project but he is an abutter. The parcel contains 13.80 acres and the entire site is mostly pasture land and a bit of scrub growth. On the site there are about 2.6 acres of wetlands. Besides the wetland buffer encumbers another 4 acres on the site so in total 6.6 acres of the site are encumbered by either wetlands and wetland buffers. This is in the ETP zone and they were granted a Variance in September of 2007 for 60 units of congregate housing. The applicant calls it assisted living. The project that they are proposing is for the first 30 units in one building. This footprint is a sister footprint for the facility located on Garrison Rd. called Bellamy Fields. This site will be called Watson Fields. The footprint is about 4.7% of the total lot area. In the ETP you are allowed up to 33% of the lot area for building coverage so they are no where near that threshold even with the second phase. The second phase is capable of holding an additional 30 units. The whole building footprint would be about 6 ½ percent and again no where near the 33% that is allowed. They are providing 48 parking spaces where 25 are required. They understand on occasions there has been an overflow of parking. 25 of the spaces are porous pavement so they are virtually transparent to the drainage pattern. Access will be off of Watson R. They asked for a waiver for a 24’ driveway with 2 foot shoulders on each side and is acceptable to the Fire Department and is in conformance with ASHTO latest guidelines for roads and streets under 400 vehicles per day. They will only generate 60 trips per day. Because it is elderly housing you have employees arriving and departing. That is not to say that you will have higher volumes of traffic possibly weekends and holidays. A comment came up in the review process and if in fact that there are people that cannot be accommodated on site they do not want people parking on Watson Rd. it has been determined that a parking plan will be put together that will employ a shuttle bus service. Very shortly there will be a park n ride facility less than a mile away where people could park there and be shuttled to the site. They will work up a document to codify that arrangement and make sure that it is adhered to. All but sewer will be off of Watson. Sewer line will come in from the back of the site. There are environmental considerations. They have applied for a Dredge & Fill that has been endorsed by Conservation Commission. A permanent impact will be necessary for the driveway access to both of the facilities. One of 760 and the other about 1,400 sq. ft. There is an old farm road that will be updated. There are 320 sq. ft. of permanent impact for the sewer. That is necessary to fill down there to cover the sewer so it will not freeze. There is a temporary impact of 2,680 sq. ft for the construction of the sewer which runs through some wetlands. They have prepared and put together a restoration plan that will restore the area. He explained the reason for the detention basin’s location. He said there will be an 8 foot wide stonedust pathway around the building,. It is not intended for a fire access lane it is intended primarily for a small vehicle to get in to be able to maintain



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the grounds in the back of the building. It will also serve as a walking path for the residents. There is an interior courtyard that allows for the same function. He said that they have a very generous landscaping plan that will serve a couple of functions other than beautifying the entrance. The site will be interspersed with some deciduous trees in various locations. The important thing to bring up is the slope adjacent to the pathway is to be treated with a number of species basically indigenous species that create wildlife habitat and bird feeding area. There are 3,500 plants going in there. The goal is to create some wildlife habitat to create a view for the residents and to attract some wildlife. There is a slope that is being re-vegetated above and beyond what it is right now which is a poorly mowed pasture. They have an Alteration of Terrain Permit coming in the mail. The drainage plan has been approved by the State. They had a site walk with the conservation Commission last night.

Chris Parker read the comments of the Conservation Commission as the applicant and the Planning Board are requested to evaluate the benefits of awarding the proposed filling of the wetlands setback area adjacent to the southern boundary of the site by incorporating a retaining wall in the grading plan.

Dana Lynch stated that there is some logic and he isn't trying to argue with the Conservation commission but he thinks what he is proposing has more benefit than putting up a retaining wall. Their proposal impact to the wetland buffer is 5,000 sq. ft. That is a small isolated wetland and the path of the runoff for the adjacent Measured Progress parking lot runs down into that wetland as well. They are not proposing to have any parking lot or roof runoff go to those wetlands. It is strictly a slope adjacent to it to support that access way in the back of the building and the courtyard. There is no wetland impact and no major trees to be removed, basically all scrub growth. They are proposing to replant the slope so that it creates a wildlife habitat that really does not exist elsewhere on the site in such a plentiful form. The retaining wall, it would need to be about 120 feet long and about 8 feet high at its high point and would taper off. Again, no trees would be removed and no wetland but they would still need to impact the same amount of the buffer to construct the retaining wall. In the final analysis it would impact 1,800 sq. ft. less wetland buffer so 3,200 sq. ft. of wetland buffer impact vs. 5,000. it would cost the applicant about \$40,000 to build the wall and there would not be a place to plant as plentiful a vegetative area along that slope as we are able to do now. He doesn't want to argue he just wants to provide the logic in doing as they did. They say it as the least intrusive way to develop the land. They have a very keen appreciation for the echo structure out there. it might be worth mentioning and it is not evident on the landscape plan but in the full of the property if you ran a line around the property this is 5.5 acres of land that will be mowed twice a year. The stewardship of the facility will take care of that land and maintain it as pasture land. It will not be developed and it cannot be developed and remains open space. There is a significant amount of 12.8 acres of green space when they get done with this project.

Marcia Colbath asked because Bellamy Fields also has a retaining wall. What are the dimensions of the retaining wall.

Dana Lynch said that they don't know how long it is but it is substantially longer.



CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – 288 Central Avenue, Dover, NH 03820
Meeting Date: Tuesday, April 8, 2008
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Marcie Colbath said that she does see Bellamy Fields from the back side and the least appealing thing is the retaining wall. She would much rather see the plantings than the retaining wall. She can't see any benefit to a retaining wall and would like to see it as natural as possible.

Dana Lynch said it was one of the point that was made of the planting that it was here feeling as well. Not many people will see that retaining wall it is very obvious from the Measured Progress campus.

Marcia Colbath asked if the driveway will be signed to say that there is no parking. She has the fear that people will park in the driveway and the fire department will have a hard time getting in.

Dana Lynch said that it will be signed.

Ron Stock stated that he has some issues about the wetland crossing he understands that the driveway coming in and phase two in particular, he has a problem of it not being necessary. He got the answer that it is an existing road. Just because someone used it to drive a tractor over it doesn't make it a road. There are wetlands there and it is an area next to the river. If we can avoid that impact he would like to see it. He understands the driveway coming in but that area seems unnecessary.

Dana Lynch explained that it is upland and not wetlands so they try to utilize that to minimize the impact. Dana went over the path of the runoff and the treatment. He ended that the only real impact is the crossing which they minimized for access to the second phase. He reiterated that the conservation Commission has also endorsed the application for the dredge and fill permit.

Perry Plummer said that it is not just as simple as removing that leg of that one way because you then you have to increase the increase the size of the other , radius so you would be removing impact at one place and put impact in another place and the farming road is probably the place to do it.

Dana Lynch said it would just be shifting the impact.

Perry Plummer said that he would not want to second guess the Conservation Commission because we went through the Fire station changing their 3 to 1 slope to a 1 to 1 slope to minimize some of the impacts. It is really pretty ugly compared to what would have been there with a 3 to 1 slope into the wetlands and with all those planting and they are increasing the wildlife opportunities. He doesn't know if the CC can live with that or not. We are not putting something into a shoe box. He felt they have taken every precaution in minimizing the impact to the neighbors, the environment. It is a joy to see something come through rather than filling every possible space, and get a couple of waivers to make it more profitable. He felt that they took the environment and the neighbors into consideration. He appreciates their parking solution and the pervious pavement. There are a lot of plusses with this project. He said that he likes the project and it serves a need in the community.



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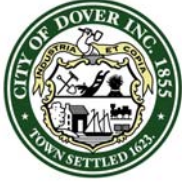
Chris Parker reiterated that he received the e-mail from Tom Fargo late today and he spoke to him at 5:30 and he wanted to make it clear that the board requested that the requested to evaluate. He believed that there are benefits to both and wanted the discussion to occur. He said that it is not going against the CC to say that they would rather see the slope and vegetation as opposed to the retaining wall. He said that the Conservation Commission was throwing out an option for the Planning board to consider. His question with regard to the landscaping when would the landscaping be completed? The reason he is asking is because they have some issues with the original Bellamy Fields.

Dana Lynch stated that this project has been designed with a certain amount of landscaping to address screening and the environment. There is another component to landscaping that is more of an amenity to the site. They have made an effort to be reasonable to that amenity planting. There are two separate categories. Even if we didn't put one busing around the building we still need the screening and to address the environmental concerns of their encroachment in the buffer. Later this week they are having a brief meeting regarding the courtyard plantings. He heard the feedback with the first landscaping plan and he felt it was too aggressive in the shrubs that are considered amenities.

John Hopkins the principal owner of Bellamy Fields. He said that they didn't hear about the retaining wall until today. He commented on behalf of the residents at Bellamy Fields. He said if you look at it from Portsmouth Christian Academy. People who live here is a precipice for them to look over the retaining wall is a very uncomfortable experience. When we walk people now they are very comfortable with the Portsmouth Christian Academy site of the building and you can lean over the fence but to look over the precipice of the retaining wall is very uncomfortable for older people. The look and the aesthetics of the civil engineer workers better for his clientele. He said what has happened on behalf of the clientele is that the families are asking for Mother's Day can they plant an azaleas instead of sending fresh cut flowers. It is a memory garden and the program they are suggesting it that it would be a lot nicer to plant a specimen tree or bush in memory or in honor of your Mother instead of spending \$75.00 on cut flowers. That is one of things that they would like to save some space to do that. They are finding families who are moving where they are giving up their home and would like to bring some of their flowers along. He would like to leave some room for the memory garden plantings would be very desirable. We hope to meet your expectations and leave us some space to do that too.

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

The applicant has submitted a landscape plan for your review. The applicant is scheduled to attend the April 7, 2008 Conservation Commission meeting. The applicant has applied for a waiver to Chapter 149-14-C(2) to allow a driveway width of 20 feet where 24 feet is required. The Planning Department supports the waiver request for the reasons specified in the applicant's written waiver request and to reduce the amount of wetland and buffer impact. The Planning Department recommends that the site plan and Conditional Use Permit be approved with the following conditions:



CITY OF DOVER

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Conditions to Be Met Prior to Signing of Plans:

1. Add the owners' signature to the plan.
2. Add the surveyors and engineer's stamps and signatures to the appropriate sheets of the plan.
3. Approval includes the granting of a Conditional Use Permit subject to any conditions recommended by the Conservation Commission (This was the Board evaluate the landscaping vs. the retaining wall.)
4. Approval includes the granting of the wavier request for the reduced driveway width.
5. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Wetlands Permit for the driveway crossings and add the permit number to the plan.
6. The applicant shall provide the Planning Department with a copy of the NH Department of Environmental Services Alteration of Terrain Permit and add the permit number to the plan.
7. The applicant shall provide the Planning Department with proof that the Environmental Protection Agency Notice of Intent Permit has been filed.
8. The applicant shall revise the plan to increase the parking space aisle width to 22 feet adjacent to the 6 and 7 parking spaces areas.
9. The application shall revise the plans to replace the project name "Seacoast Geriatrics II" with Watson Fields.
10. The applicant shall revise the plan by increasing the size of the sewer line up to sewer manhole #5 from 6-inch to 8-inch.
11. The applicant shall revise the plan by extending the rip-rap from FES-2 to the driveway culvert on Lot E, Map 32-3.
12. Revise the plat to identify those landscaping sections that are for environmental and screening purposes and those that are for aesthetic or amenity purposes.
13. The applicant misses _____ prior to the issuance of the Building Permit.

Conditions to Be Met Prior to Issuance of a Building Permit:

14. The applicant shall prepare a written Parking Policy to address parking plans for special events at the facility, including use of a shuttle bus to off-site parking areas and the NH Park and Ride lot. Said policy shall be reviewed and approved by the Planning Department.

Condition to be met prior to the issuance of a Certificate of Occupancy.

15. The environmental and screening landscaping portions have been adhered to.

Frank Torr made the motion to approve with the 14 conditions.

Ron Stock seconded.

VOTE U/A

Dana Lynch said that he would like to thank Jackie on behalf of the engineering and surveying community.

Chairman Cole left the meeting and Tony McManus took over.



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Chris Parker said that the agenda said discussion and possible posting of rezoning proposals. In looking at our regulation which requires a public hearing a 15 day notice period. He advised that we do not post these tonight but post them on the 22nd which allows that 15 day window to occur and we can have the public hearing on May 13th. It will also give us some time to work on some of the issues.

Earlier we went over the drive-thru and the flexible zoning. He said that the once that is the B-3, O & UMUD zones which restricts residential structures to the second floor and above. He went over the tables. He said that they added in the footnotes that dwelling units are allowed only in the 2nd story or higher. This is a copy of the wording in the B-2 zone today. He apologized because it is an earlier draft of number 9. It says the same that the dwelling units are only on second story or above. Subsequent to that he added a line saying only in existing structures. This would preclude the creation of new structures for the purposes of residential in the UMUD zones. Chris said one of the things he wants to look at if we want to adjust the UMUD and particularly the Pacific Mills and the Clarostat Building, He is curious why Pacific Mills is not in the B-2 zone and that the Clarostat. He said there may be opportunity to just get rid of the UMUD zone.

Chris Parker went over the amendment regarding an agricultural zone. He explained that up until 1979 the City had an Agricultural. It was changed at that time to an R-40 zone. He said that they will promoting this in an area off of Middle of Back Road due to several of the properties that were turned into conservation areas and the rural quality of the area.

Discussion ensued with concerns of taking the church use out of the picture because of the large amount of pavement that is associated with that use and to not be so concerned with the frontage as some farms have little frontage. The road width was discussed and the number of lots that would be affected.

5. Committee Reports

There were none.

6. Staff Communications

Chris Parker stated that Jean Glidden would be taking the minutes at the next meeting and they hope to have a new person on board who will take the minutes for both the Planning Board and the Zoning Board.

7. Adjournment

Frank Torr made the motion to adjourn.
Dean Trefethen seconded.

VOTE U/A