

**DOVER PLANNING BOARD  
MINUTES OF MEETING  
AUGUST 12, 2003**

**MEMBERS PRESENT:** John Swartzendruber, Donald Andolina, Dennis Ciotti, Allen Schintzius, Eric Tooke, Parks Christenbury, Frank Torr, Ron Cole, Beth Thompson

**MEMBERS ABSENT:** Margaret Stevenson, Anthony McManus, Pete Lavoie

**STAFF PRESENT:** Steven Bird, City Planner and Jacqueline Freeman, Recording Secretary

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

Chairman Cole introduced John Swartzendruber, Donald Andolina and Eric Tooke, the three new alternates to the Board and congratulated them on their appointment.

The three new alternates sat on the Board in the place of the absent members.

**ITEM #1: Citizens' Forum**

No one spoke.

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

Parks Christenbury made the motion to approve.

Beth Thompson seconded.

**VOTE U/A Abstained – John Swartzendruber, Donald Andolina, Eric Tooke**

Ron Cole skipped over Item #3 and went to Item #4 because it was a quick item.

**ITEM #4: Consideration and acceptance of an application for a minor lot line adjustment of land for Ezra Green's Farm, LLC, Assessor's Map F, Lots 23A-36 and 23A-37, zoned R-40, located on Ezra's Way. (P03-41)**

Tim Noonan, Project Manager of Ezra Green's Farm, stated that it is an equal area swap between the lots in order to better accommodate the driveway.

Frank Torr made the motion to accept the application.

Beth Thompson seconded.

**VOTE U/A**

The public hearing was opened.

There were no speakers.

The public hearing was closed.

Parks Christenbury made the motion to approve with the following conditions:

1. Add the owner's signature to the plat.
2. Provide the Planning Department with a digital version of the final plat.
3. Revise the plat to add the bearing and distance of the lot line to be eliminated.
4. Revise the plat to add the abutters' names to all lots.
5. Revised the plat to add the existing and proposed monumentations.

Dennis Ciotti seconded.

**VOTE U/A**

**ITEM #3: Application for a preliminary approval of an Open Space Subdivision of land (OSS) by Charles Robbins (Owner Richey & Dyanna Leger), Assessor's Map F, Lot 18F, zoned R-40, located on Westwood Circle. (3 Lots) (P03-40)**

Bob Stowell, Trittech Engineering, represented the applicant and explained that this is a 4 ½ acre lot off of the Westwood Circle Subdivision. He stated that the S-3 plan shows how the plan would have come out as a conventional subdivision with a cul-de-sac off of the Circle, with a 40 foot roadway and three new building lots. Bob said that that was the starting point and an example of what could be done. He said that they have a similar layout with a private drive and three new lots under the cluster configuration. He said that in dealing with staff they realized the existing house doesn't meet the OSS regulations. The OSS requires that all structures be set back 100 feet from the roadway and the existing house does not meet that requirement. He said that in the R-40 they are required to do an OSS subdivision but due to the fact that the house is located where it is, it doesn't qualify. He said that one of the options that the staff presented was to ask the Board for a waiver for that requirement. He said that another alternative that they looked at was moving the house over so it would comply. He said that they developed Option #1, which is the S-1 drawing and the proposal that they are requesting is a waiver of that requirement. He said that to make that more palatable to the Board and the abutters, they were proposing only two new building lots. He said that if the Board likes that plan they will proceed with just a two lot OSS configured as 18-1 and 18-2. Bob stated that the soils are quite good, the test pits have been done and they are in the process of getting State subdivision approval. The lots will be serviced by City water.

Bob Stowell explained how the open space would be accessible from all three lots and would not have public access. He said that the driveways will be a common drive for the back two lots.

Beth Thompson made the motion to accept the application.

Dennis Ciotti seconded.

**VOTE U/A**

Chairman Cole reminded everyone that this plan is a concept only plan and is for preliminary approval only.

The public hearing was opened.

Peter Stoykovich, 35 Wetwood Circle, stated that he is an abutter to Item #3 and Item #5 and wanted it clarified that these two projects were independent of each other.

Ron Cole answered that that was correct.

Mr. Stoykovich was concerned with the driveways. He said that his back property backs up to the watershed for Portsmouth and he is concerned with the delineation of the amount of wetlands. He feels that it is more substantial than what is shown on the plan. He asked who would own the Open Space and who would be paying taxes on that land. He said that he has seen the rapid growth happening in Dover and his real concern is the integrity of Westwood Circle and how the houses would fit in architecturally. He used the development by Tuttle's as an example and said that he felt that the development did not fit very well with the area. He said that the Westwood Circle neighborhood is mainly made up of ranches and capes.

Ron Cole explained that as a Board, they are constrained by the rules and regulations put forth by the State and by the City and not so much with aesthetics because aesthetic are an in the eye of the beholder kind of a thing. He said that the Board deals with setbacks, lot sizes and zoning. He said that the houses by Tuttle's Barn fit all the criteria and the Board cannot arbitrarily say that it just doesn't like the looks of a project because the City would end up in court. He said that they have guidelines that they have to work with.

Rob Cartmel, 41 Westwood Circle, stated that he is an abutter on the driveway side. He said that he is concerned with how it will affect not only the neighborhood, but his property also. Mr. Cartmel said that he wasn't against progress but felt that the Board must take into account what is already there. He said that he was concerned that this would create a corner lot out of his property. He said that he wasn't sure how this plan would affect his taxes or the value of his property.

Bruce Robichaud, 20 Westwood Circle, stated that he is an abutter across from the proposed OSS. He had a safety concern because there is only one entrance to Westwood Circle. He stated that he overheard the fire department say that if there were any more houses added to the neighborhood, there would have to be another way out of Westwood Circle. He was also concerned with the additional traffic going into the circle.

Elisa Stoykovich, 35 Westwood Circle, asked what would happen if they tore down their house and asked for an OSS and if the neighbors also did the same. She said that they would have subdivision after subdivision. She said that the Hoginskis just had a plan approved for one-home on a lot that corresponds to this one. She asked how people would know where the open space is located and who would pay the taxes. She said that