

**DOVER PLANNING BOARD  
MINUTES OF MEETING  
SEPTEMBER 23, 2003**

**MEMBERS PRESENT:** Margaret Stevenson, Donald Andolina, Ron Cole, Allen Schintzius, Dennis Ciotti, Beth Thompson, Peter Lavoie, Anthony McManus, Eric Tooke, John Swartzendruber

**MEMBERS ABSENT:** Parks Christenbury, Frank Torr

**STAFF PRESENT:** Steven Stancel, Planning Director and Jean Glidden, Recording Secretary

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

**ITEM #1: Citizens' Forum**

No one spoke.

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

Beth Thompson made the motion to approve.

Dennis Ciotti seconded the motion.

Tony McManus said that on page 4, the large paragraph on line 12, where it is states "three or four of these intersections" should read "three out of four intersections."

**VOTE: U/A Abstained-Allen Schintzius**

**ITEM #3: Consideration and acceptance of a preliminary concept of an Open Space Subdivision of land for Coldwell Banker – Criswell/Wolcott Real Estate. (Owners Michael & Kevin Barry and Sheila Robinson), Assessor's Map E, Lots 67 & 69-A, zoned R-12, located on Sixth Street & Whittier Street. \*(14 lots) (P03-48)**

Ron Cole explained that the plan is a preliminary concept of an Open Space Subdivision that has been submitted to the Board for approval of the concept. If the Board accepts and approves the concept it would come back before the Board again for the approval of the final plan.

Bob Stowell, Tri-Tech Engineering represented the applicant. He stated that the properties are located at Whittier and Sixth Streets. The project has been in the works since last year. He stated that they have 14 ½ acres, which under the current zoning, requires that in an R-12 Zone you do an Open Space Subdivision. He stated that he has been working with the staff to develop a good Open Space Subdivision plan for this property. He submitted a plan, which was an 18-lot subdivision with a 1000 foot long cul-de-sac, off Whittier Street with one wetland crossing through the middle of the property, ending in the cul-de-sac. He stated that there are wetlands and some steep slopes that they needed to plan around focusing the development into a five acres area on Whittier and

Sixth Street and leaving the balance of the 9 ½ to 10 acres in Open Space. He stated that they have been to the Conservation Commission and received a favorable recommendation regarding the steep slope issue. He stated that they have been before the Technical Review Committee and discussed the extension of City water down to Whittier Street, past the development road and to the end of the property, on Whittier Falls Lane. They also discussed the extension of a sidewalk in that same area. Potential public access has been discussed with the Conservation Commission and TRC. He stated that the City has been working on a trail system that utilizes the old railroad bed. The City has been working with other developers in acquiring easements or rights-of-way to create a trail system. Bob Stowell said that he would like to work with the Board by using their open space area and extending the trail system. He stated that they are asking for a waiver to the 100-foot buffer requirement to the existing streets.

Tony McManus asked if this is intended to be a private roadway.

Bob Stowell stated that it is a proposed City street.

Ron Cole asked if any of the trails run from the downtown area to the proposed area.

Bob Stowell stated that his understanding is that a few projects starting back at Woodland Crossing on Fourth St. (Tammany Park) have a dedicated trail but he was not sure what has been worked out with the abutting property.

Steve Stancel explained that the Planning Department has been obtaining easements from various developers as they have constructed on Fourth and Sixth Streets. He stated that there is a continuous easement from Fourth Street, all the way along Sixth Street, to Whittier Street and they will shortly control access on the other side of the turnpike, all the way to Watson Road. He stated that they have approximately \$600,000 dollars in the Transportation Improvement Plan in coming years to extend the trail into the south end of the City from Fourth Street.

Dennis Ciotti asked what the finished grade of the road would be when it is completed.

Bob Stowell stated that he has worked with the road designer and will be cutting across the grade with the roadway and would maintain the 6% grade from Whittier to the cul-de-sac.

Ron Cole asked about the sight line coming out on Whittier Street.

Bob Stowell stated that this was the only place that they could come out where they would have a good line of sight in both directions. He stated that the area is posted 30 mph and the road is located about 300 feet from the lights.

Beth Thompson made the motion to accept the application.

Margaret Stevenson seconded the motion.

**VOTE: U/A**

Public hearing open

Ron Cole stated that Mr. Oschman, 31 Whittier Street, was present earlier and asked that the Board be advised that he and his wife are in favor of the concept and are pleased that some of the land would be kept as Open Space.

Mrs. Eagan, 150 Sixth Street, stated that she is part owner of the land that is directly across from the entrance of the proposed subdivision. She stated that over the last few years she has heard a lot about open space and has a couple of concerns because the value of the open space does not seem to be useable and is blocked by all of the boundaries. She is also concerned with the setback on Whittier Street and the traffic on Sixth Street.

David Bibber, 1 Whittier Falls Lane, stated that he is not in opposition to this project. He stated that he is also speaking for a neighbor that could not make it and they have some opposition with the conservation trail coming along that right-of-way. He stated that he has made a number of phone calls and nobody seems to know if the State has looked to see if the trail would go anywhere near the turnpike. He stated that he has sent a letter to the lawyer for the project containing seventeen questions and some have not been answered and there are others that he is not satisfied with the answers. He stated that he and his neighbor are opposed with the conservation trail coming down on the right of way.

Ron Cole asked if he could have a copy of the seventeen questions that was sent to Attorney Chris Wyskiel, who is working with the developer.

Norbert LeCompte, 177 Sixth Street, stated that he is not opposed to the plan and his only concern would be the traffic. He stated that they already have a problem with people leaving their driveways safely.

Susan Fearon, 159 Sixth Street, stated that she is the only one that lives directly across from the four units abutting Sixth Street and is about the only house that is directly going to overlook the development. She stated that there is no advantage to her if they cluster the houses and would prefer not to look at the back of four houses in comparison to looking at the back of two. She asked why the road could not come out on Whittier Falls Way, with one entrance on Whittier Street.

Bob Stowell stated that they picked the best location for sight distance and that Whittier Falls Way has very poor sight distance and would create a hazardous intersection.

Public hearing closed

Steve Stancel recommended a site walk after hearing some of the comments.

Ron Cole stated that the site walk would be held at Whittier Falls Way on Monday, September 29 at 5:30 PM.

Beth Thompson made the motion to table the item.

Dennis Ciotti seconded.

**VOTE: U/A**

**ITEM #4: Consideration and acceptance of an application for a minor subdivision of land for David & Leona Wood, Assessor's Map I, Lot 80, zoned R-12, located on Garrison Road. \*(1 lot) (P03-51)**

Kevin McEneaney represented the applicant and stated that the existing house and structures around it would be on approximately 2.14 acres, and David Wood's son would build on the second vacant lot consisting of 1.34 acres. Both lots meet all the requirements and are serviced by sewer and water.

Peg Stevenson made the motion to accept the application.  
Allen Schintzius seconded.

**VOTE: U/A**

Public hearing open  
There were no comments.  
Public hearing closed

Beth Thompson 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.

Margaret Stevenson seconded.

**VOTE: U/A**

**ITEM #5: Consideration and acceptance of an application for a minor lot line adjustment of land for Raymond Martineau, Jr., Assessor's Map I, Lots 52 & 56, zoned R-12, located on Back River Rd./Grady's Lane. \*(P03-52)**

Bob Stowell, Tri Tech Engineering, represented the applicant and stated that Mr. Martineau has a significant piece of land left over from the Grady's Lane subdivision. He stated that thirty acres presently have frontage on Grady's Lane. He would like to disconnect the 30 acres from the land at Grady's Lane and connect them to a lot that he owns on Back River Road for future development. He stated that there are no specific plans at this time.

Beth Thompson made the motion to accept.  
Margaret Stevenson seconded.

**VOTE: U/A**

Public hearing open

Tracy Vorel, 53 Mast Road, stated that she owns the adjacent lot that goes along the entire side of his lot. She stated that they subdivided the lot into three lots and in order to make sure her lot was of equal proportion, they gave her the additional piece of land that runs along his lot. She stated she could build an additional house next to hers and use that piece for her septic and leach field. She asked if he were to divide and build, could he have access to a drive to get to Mast Road and

could she build a home on the lot. She stated that she does not see the ultimate proposal for the applicant and stated that she is opposed to the lot line adjustment and she is not satisfied with the specified plans.

Steve Stancel stated that the access for the lot would come directly off from Grady's Lane and he could build a house on the lot, then continue Grady's Lane into the thirty-one acres and put quite a few homes in the back using Grady's Lane. He stated that the affect of the lot line adjustment effectively closes off Grady's Lane and leaves it a dead end cul-de-sac. He added that any future developments from this lot would have to come off from Back River Road. He stated that he does not see it negatively affecting her lot. Steve Stancel stated that he does not know what the rest of her lot looks like and how much road frontage on Mast Road she has, but that will determine whether she could put another house on her property in the future. He read the setback requirements to Mrs. Vorel.

Abutter Karen Hiller, 10 Grady's Lane, stated that she and her family are in favor of the lot line adjustment. She said that she was worried that he would put in a street off of the cul-de-sac. She stated that she is in favor of the lot line adjustment.

Public hearing closed

Steve Stancel stated that the staff recommends the approval of the lot line adjustment 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. Add the surveyors stamp and signature to the plat.
4. Revise the plat by adding minimum building setback lines to both lots.
5. Revise the plat by adding a note that each lot contains a minimum of 12,000 square feet of contiguous non-wetland area.

Beth Thompson made the motion to approve.

Margaret Stevenson seconded.

**VOTE: U/A**

Ron Cole stated that they would skip to **Item 8: a New Business** and then go back to Items 6 & 7.

**ITEM #8: New Business**

**a. Request for an Impact Fee Waiver for Tod Trask, Assessor's Map 33, Lot 98, located at 10 Iona Drive.**

Ron Cole stated that they have an explanation of the Impact Fee Waiver request and the Planning Department recommends that the waiver be granted.

Allen Schintzius made the motion to approve.

Beth Thompsom seconded.

**VOTE: U/A**

**ITEM #6: Planning Board Workshop to discuss possible changes to the Open Space Subdivision Regulations**

Chris Parker proposed seven amendments to the Open Space Subdivision Ordinance and briefly explained the goal of each amendment.

Discussion ensued with regard to the proposed amendments.

Steve Stancel stated that if it is the Board's consensus that they are heading in the right direction, the changes will be put in an ordinance form and will be brought back at the next meeting to be posted for a public hearing and vote.

**ITEM #7: Old Business**

Steve Stancel stated that Mr. McEneaney was present with regard to some minor changes on the lot line adjustment plat that was done for Palmer Drive.

Kevin McEneaney stated that on the Palmer Drive lot line adjustment plan, there was a driveway that went across one of the lots on to an existing shed or garage. It was suggested that it may be problematic and he assured the Board, with the owner attending, that it was not problematic at the time. He stated that it would be easier to sell one of the lots without having a driveway across it. He stated that the adjustment increased the lot size from 10,000 square feet to one acre. The proposal tonight would shrink the lot down to .8 acres and would lose the necessity to have the easement for the driveway to access the garage or shed in the back. He stated that, if the Board agrees with the insignificant change, it would not need another public hearing.

Eric Tooke confirmed with Mr. McEneaney that the zone is R-40 and that the lot size shows that it falls below the 40,000 square feet and this lot is only 35,397 sq. ft.

Dennis Ciotti asked why he did not bring it up to 40,000 square feet.

Kevin McEneaney stated that they could do it and it would make sense to make it conforming, although it would still be non-conforming because of the road frontage. He stated that he was just following the instructions of the owners.

Ron Cole asked the Board if they felt it was significant enough for re-submittal.

Anthony McManus stated that he was not present for the submission and asked if anyone opposed the lot line adjustment.

Ron Cole stated one person had some concerns but once the questions were answered, he was in favor of the adjustment.

Beth Thompson made the motion to approve the revised plans.

Dennis Ciotti seconded.

**VOTE: U/A**

**ITEM #8: New Business**

Ron Cole stated that he strongly urges anyone that is running for a City Council seat to contact him, the Planning Director or the Planning office with any questions or suggestions about things that they would like to do for the community.

Steve Stancel stated that at a recent Council meeting there were several public comments about a problem on Old Garrison and David Tuttle Road between the abutters. It was suggested at the meeting that the Planning Board should look at the situation. He stated that the Department would like to request that the Board authorize a creation of a sub-committee of Planning Board members, staff members and some of the abutters and stakeholders to investigate issues regarding Old Garrison and David Tuttle Roads, both Class VI roads. He stated that in the past they have looked at the possibility of turning Old Garrison Road into a municipal trail, which is a category that allows public access but eliminates vehicular traffic.

Anthony McManus made the motion to create a subcommittee.

Dennis Ciotti seconded.

**VOTE: U/A**

Ron Cole stated that the next meeting is October 14, starting at 6:00 PM for the workshop program for new members of the Planning Board.

**ITEM #9: Adjournment**

Beth Thompson made the motion to adjourn.

Dennis Ciotti seconded.

**VOTE: U/A**