

MEETING MINUTES  
DOVER PLANNING BOARD  
AUGUST 8, 1989

MEMBERS PRESENT: Harold Preston, Jim Caliendo, Kevin Mone,  
Pete Bouchard, Joe Etelman, Richard Lak,  
Tom Forbes (alternate)

MEMBERS ABSENT: Mike McDonnell, Otis Perry

OTHERS PRESENT: Bill Collins, Steve Stancel, Mike Casino,  
Joanna Childs - Recording Secretary

Meeting called to order at 7:03 PM

ITEM #1: Approval of minutes

Jim Caliendo motioned to approve.

Pete Bouchard seconded.

VOTE U/A

ITEM #2: Consideration of acceptance of an application for a  
site review of land owned by Phil Kubiak, Assessor's  
Map L, Lot 50, zoned RM-12, located on Spur Road.

Kristen Schwab of Kimball Chase represented the application.

Bill Collins asked what had been asked of the State in regard  
to the Cease and Desist Order for Bay Forest Condominiums,  
since Spur Road Condominiums is planning to tie into their  
systems.

Kristen Schwab replied that they were only seeking to have an  
area where they were planning to tie in lifted from the Cease  
and Desist.

Kevin Mone asked if all of the TRC comments had been  
addressed.

Bill Collins replied that they had asked for a conservation  
easement along the wetland between the two sections of this  
development, there is a question with previous recorded  
easements and their validity, the sewer service for the  
abutting parcel (Bay Forest) is not complete, a pre-  
construction meeting should be set up, a letter of credit  
needs to be posted for erosion control and a Conditional Use  
Permit is necessary for traversing the wetlands.

Kevin Mone motioned to accept the application.

Tom Forbes seconded.

VOTE 6-1 Jim Caliendo against.

Public hearing opened.

Jeff Davis representing Maine Savings Bank (current owner of Bay Forest Condominiums) stated that before the bank purchased this property by foreclosure there were recorded easements for utilities (water, sewer, electrical) at the Strafford County Registry of Deeds. However, at the time of the purchase the bank was not put on any type of notice that there would be easements included in purchasing this property. The current title which the bank has does not state anything about any previous easements. He believed that they are invalid.

Kristen Schwab replied that she had just heard of this in the afternoon, and would like the opportunity to discuss this problem with the applicant and his attorneys before any type of action (approval or denial) is taken.

John Adler a market analyst representing Maine Savings Bank stated that there isn't any feasibility at this time for this type of project and that the market will not support it either.

Kevin Mone motioned to recess the public hearing

Richard Lak seconded.

VOTE 5-2 Pete Bouchard and Jim Caliendo against

Kevin Mone motioned to table this item for 45 days to determine where the validity of the easements stand.

Joseph Etelman seconded.

VOTE 6-1 Jim Caliendo against

ITEM #3: Consideration of acceptance of an application for<sup>2</sup> an amended site plan of land owned by 6th Street Associates, Inc., Assessor's Map B, Lot 18, zoned R-40, located on County Farm Cross Road.

Michael Donahue represented the application.

Tom Forbes stated that when this amendment was passed that there would be room around the footprint.

Kevin Mone questioned lot 23, who would be responsible for the care of the driveway when lots 43-45 would have them taken care of by a H.O.A, because the driveway is shared, how is that fair?

Pete Bouchard wondered if a waiver was needed for the driveways.

Bill Collins replied that the developer will keep them five (5) feet away from the lot lines.

Public hearing opened.

No comment.

Public hearing closed.

Bill Collins stated that the cover page noted actual open space as being 24.5 acres, would that still be the same with the lot lines?

David Paolini stated that it would still remain the same.

Pete Bouchard stated that he was concerned about people putting up fences or barrier plantings.

Robert Paolini stated that fences are not allowed and it would be in the Homeowner's Association, but that they will also include vegetative barriers.

Jim Caliendo motioned to approve with the following conditions:

1. No fences or barrier plantings are allowed;
2. The Homeowner's Association must be approved by the Planning Director and the City Attorney; and
3. The five foot setback between driveways must be maintained.

Joseph Etelman seconded.

VOTE 5-2 Tom Forbes and Richard Lak against.

Jim Caliendo excused himself from the meeting at 8:15 PM.

ITEM #4: Consideration of acceptance of an application for and ADS Subdivision of land (concept only) owned by Glenwood Development, Assessor's Map E, Lot 19, zoned R-12, located on Glenwood Avenue.

Geoff Goulart represented the application.

Kevin Mone asked how far away is City sewer for this area.

Bill Collins stated that it is before the City Council and could be as soon as this fall or winter.

Pete Bouchard asked if the wetlands had been reviewed.

Bill Collins stated that from a visual inspection all of the proposed units were out of the wetland.

Public hearing opened.

Joe Smith - Glenwood Avenue - Questioned what the setbacks for this zone were. He also had a problem with this development having no sewer proposed.

Bruce Thoren - Glenwood Avenue - questioned if this was feasibly necessary, and also wanted to state that there is a cemetery on the land.

Greg Mikolaities - Glenwood Avenue - stated that he felt that this proposal did not meet the intent of the ADS. He also stated that most of the land is very wet. If the City accepts the road, what leverage is there to make sure it is kept clean, what would be done about existing drainage easements, would like to see an upgrade of Sixth Street and Glenwood Avenue, off-site improvements, does not see how the open space is being preserve, and will a HISS map be required.

Kevin Mone asked if there would be a provision for the sewer and that a feasibility study needs to be done.

Pete Bouchard stated that the northside sewer will not reach this area. He also felt that the fire flow in the area needs to be checked.

Site walk is scheduled for Monday, August 14, 1989 at 4:30

ITEM #5: Old Business

(a) Discussion of ADS Subdivision by Ray Martineau

Kevin Mone motioned to take this off the table.

Richard Lak seconded.

VOTE U/A

Bill Collins questioned where the placement of the house would be on lot 2.

Ray Martineau stated at the end of the driveway.

Pete Bouchard was concerned about the upgrade of McKone Lane.

Ray Martineau stated that he felt he should not have to pay for upgrade since he only has 300 ft. of frontage and that there are other parcels around him that would be able to put

in at least 100 units. He is only putting in three houses, and that is all, but would pay \$1,000 per lot for improvements on McKone Lane.

Tom Forbes motioned to approve with the following conditions:

1. Impact fee of \$1,000 per lot be paid upon issuance of building permits for the lots. The money will be spent on improvements to McKone Lane, and;
2. The Conservation District containing slopes in excess of twenty (20%) percent between contours 55 and 65 be added to lot 2.

Kevin Mone seconded.

VOTE U/A

(b) Discussion of ADS Subdivision for Jennison.

Tom Forbes stepped down as he is an abutter.

Dana Lynch represented the application. He stated that all concerns from the last meeting have been addressed.

Kevin Mone motioned to approve with the following conditions:

1. Homeowner's Association documents be reviewed and approved by the Planning Director and the City Attorney. It must be stated that there will be no fences or vegetative barriers along the property lines of the individual single-family lots;
2. Owner's signature must appear on the plans;
3. Surveyor's stamp must appear on the plans;
4. A Conservation Easement along the river must be signed and recorded before a building permit is obtained;
5. A Conditional Use Permit is granted for crossing a wetland with the road;
6. A Special Exception must be obtained from the Zoning Board of Adjustment for constructing a road and utilities within a Conservation District; and
7. Lot lines around the individual single-family units, one to two feet outside the footprints of the units are to be shown on the plan.

Richard Lak seconded.

VOTE U/A

(c) Discussion of ADS Subdivision for Rivers Edge II.

Malcolm McNeill represented the application. He wanted to get the consensus of the Board with regard to the distance between the driveways of their revised plan, and a consensus on the sidewalk waiver.

The consensus of the Board was that the driveway distances are fine, but that sidewalks on both sides would be required.

This item will be scheduled for final approval on August 22, 1989 under Old Business.

ITEM #7: Adjourn

Kevin Mone motioned to adjourn

Pete Bouchard seconded.

VOTE U/A

Meeting adjourned at 9:50 PM.