

**DOVER PLANNING BOARD
MINUTES OF MEETING
NOVEMBER 12, 2002**

MEMBERS PRESENT: Margaret Stevenson, David Landry, Parks Christenbury,
Anthony McManus, Joyce El Kouarti, Pete Lavoie, Frank Torr,
Beth Thompson, Dennis Ciotti, Allen Schintzius, Ron Cole

MEMBERS ABSENT: Charles Maglaras

STAFF PRESENT: Steven Stancel, Planning Director; Bruce Woodruff, City Planner;
Jacqueline Freeman, Recording Secretary

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

Ron Cole announced that **ITEMS #6 & 7** have been withdrawn. Under **Old Business #2**, the driveway waiver for Mr. Lewis has also been withdrawn.

ITEM #1: Citizen's Forum

John Sullivan, 78 Atkinson Street, stated that the hotel project sounds like a good one and will be great for the City but he hopes that there will be some discussion of impact fees. He said that he can guarantee that this project will be used to justify a Northend Fire Station.

Brian Stern, Chairman of the Dover Open Lands Committee, spoke on bonding monies to preserve open space. He said that there is a proposal in the CIP for monies in FY 2007 and not 2004 which is the first year for this CIP. He named the local communities that were already bonding money for open space. He said that the Open Lands Committee took a vote which says that the Open Lands Committee supports and encourages the Council to bond monies for the protection of open lands in an amount to be determined, but not less than 4 million dollars. Mr. Stern said that the City has conservation funds currently of \$600,000. He said that it sounds like a lot of money but they are looking at preserving large pieces of land that are subject to development. The parcels that they are looking at are hundreds of thousands of dollars each or more and \$600,000 doesn't go anywhere. He said that there are 4 parcels that are under serious consideration and they have to choose among them. He said that they have finally gotten to the point they are able to identify some land and some land owners. They are having a difficult time going forward because they don't have the funds to do it. The Planning Department supports the bonding of funds and asked it to be put in the CIP. He said that Mr. Beecher requested that it be moved from 2004 to 2006. He said that the anticipation of the Open Lands Committee and the anticipation of the Planning Department is that it would be in the first year. He said that there was a petition for the bonding of money for open space. He said they would like move the money from 2007 to 2004. The data throughout the State is that it's not going to cost the City money and moving this up to 2004 will save the City money and that will be positive. If you delay you will miss opportunity and the

cost of the land will increase. Moving it up will reduce the residential pressure and cause increases in the tax rate. He said that if these monies of 2.4 million goes in FY2004, it won't be necessarily spent in 2002 all at once. He said that the most they can do in 2003 is enter in a Purchase and Sales with people that will wait until 2004.

Citizen's Forum closed

Steve Stancel suggested having a workshop on November 19th to discuss the CIP and have each department head in to discuss the individual proposals. At the Planning Board Meeting of the 26th, there will be a discussion to formalize recommendations at the December meeting and them forward them to the City Council.

Chairman Cole set a Planning Board Workshop for November 19, 2002, at 6:30 PM in the Council Conference Room.

ITEM #2: Approval of minutes

Beth Thompson made the motion to approve the minutes of the Workshop of October 22. Frank Torr seconded.

VOTE U/A Abstained – Pete Lavoie

Beth Thompson made the motion to approve the minutes of the Meeting of October 22. Joyce El Kouarti seconded.

VOTE U/A Abstained – Pete Lavoie Absent – Parks Christenbury

ITEM #3: Consideration and acceptance of an application for a minor subdivision of land for Robert & Judith Weisner Rev. Trust, Assessor's Map H, Lot 44K, zoned R-20, located on Lisa Beth Circle. * (P02-59)

Paul Connolly spoke on behalf of the Weisners. He said that at some point the lot line between the two lots was dissolved and they have been taxed as a single lot. They now are seeking to divide the parcels again into two separate lots. He said that they don't have any problems with the recommended conditions of approval except for #4, which states that all pavement within 5 feet of the proposed lot line shall be removed prior to recording the plat. He said that the problem is that the bituminous pavement plants close around November 15th, and an approval from this Board is for 60 days, leaving them no time to accomplish this before that 60 day period expires. He said that one possible suggestion would be to attach a condition to proposed lot # 44K-2 that would say; "No Building Permit for Lot #44K-2 would be issued until compliance to the pavement removal of the adjacent Weisner driveway."

Tony McManus made the motion to accept the application.

Peg Stevenson seconded.

VOTE U/A

The public hearing was opened.

Robert Morin, 10 Lisa Beth Circle, was concerned with an existing drainage problem. He said that he has had 8" of ice in the roadway to his driveway. He wanted to make certain that it didn't get worse with the driveway cuts etc. He said that he spoke to David White of the engineering Department about the situation and he said that he was aware of the problem.

Paul Connolly said that he doesn't have any knowledge of a drainage problem. If there is a problem it is due to the existing pavement profile and alignment in Lisa Beth Circle. He said that he knows that there are some catch basins in the general vicinity of the parcels in question. It sounds like the land is very flat and this type of problem will occur when there isn't enough pitch.

Ron Cole stated that at this time we are just entertaining the lot line adjustment and when someone wishes to build the drainage will be addressed at that time.

Parks Christenbury said that it appears that there is already an existing problem and asked Mr. Lavoie to report to the City Council as to what the issue is and how it can be resolved. He told Mr. Morin that they would get it fixed.

The public hearing was closed.

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

1. Add the owner's signatures to the final plat.
2. Revise the plat by correcting the GIS point labels to refer to Note #8.
3. Revise the plat to certify that each lot contains a minimum of 20,000 square feet of non-wetland area.
4. All pavement within five feet of the proposed lot line shall be removed prior to the issuance of a Building Permit for Map H, Lot 44K-2.

Tony McManus seconded.

VOTE U/A

ITEM #4: Consideration and acceptance of an application for a minor subdivision of land for LaFrance Hospitality/Opechee Construction (Owner Peter Russell), Assessor's Map 39, Lots 78, 83, 89-94, zoned B-5, located at Weeks Crossing. (P02-42)

Mark Woglom, Opechee Corp., represented LaFrance Hospitality and Peter Russell. He explained that the site plan came before the Board and the subdivision was inadvertently left off the agenda. He said that there are currently 8 tax map lots and they are proposing to merge them to create 3 new lots. He pointed out a portion of land that was acquired by the State. There will be a public access connecting the two roads and there will be another access easement that will connect the proposed access road with the parcel of land where they will be placing the proposed hotel project.

Beth Thompson made the motion to accept the application.

Joyce El Kouarti seconded.

VOTE U/A

The public hearing was opened.

John Sullivan, 78 Atkinson Street, asked if the State land was acquired by open bid.

John Woglom stated that he was not sure. He said that it was basically a negotiated process. He said that it would not have been appropriate to put this out to public bid because they would have been creating a land locked property. Because of its limited access to the roadways around it, there would be no way for anyone to acquire it and utilize it.

The public hearing was closed.

Frank Torr asked if the City maintains the cemetery. He said that it may be larger than expected because one of the mobile homes is covering a part of it. He asked if the tenants would get some assistance for relocation because all of the tenants are tenants at will, which means that they are on a monthly basis.

Steve Stancel stated that he did speak with the Welfare Director and she indicated that if any of the people who reside there are qualified, there would be assistance available. He said that he spoke about the potential for CDBG to move two of the houses on the property involved but that is still in the works. There are no plans for CDBG monies for the tenants at this point. Steve Stancel explained that the City, on an annual basis, puts money aside using CDBG funds for rental deposits and that is funneled to the City Welfare Office.

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

1. Add the owner's signature to the final plat.
2. Revise the plat to add the metes and bounds for all existing lot lines.
3. Revise the plat to label the lot lines to be eliminated.
4. Revise the plat to add two GIS points.
5. Revise the plat to add the proposed tax map and lot numbers as assigned by the Tax Assessor.
6. Provide the Planning Department with a copy of the executed deed showing the deeding of the state parcel to Peter Russell.

Beth Thompson seconded.

David Landry was concerned that a great deal of care be taken when moving all the houses to insure that the cemetery not be disturbed.

Mark Woglom stated that there are State laws dictating that they cannot do any excavation or new construction within 25 feet of a cemetery. It is rumored that some of the existing trailers that are on the site are overlaying the burial ground. He said that the trailers will all be removed at once and his company will do whatever can be done to minimize the impact. He said that he would be happy to have City staff there at the time they remove the homes.

David Landry thought that someone should notify the Cemetery Department with regard to the location of the cemetery.

VOTE U/A

ITEM #5: Consideration and acceptance of an application for a site review of land for Coldwell Banker-Criswell/Wolcott Realty, Assessor's Map 39, Lot 113B, zoned B-5, located at 6 Old Rochester Road. (P02-58)

Bob Stowell, Tritech Engineering, represented the applicant. He stated that the bright green ranch house will be demolished and a three story office building will be constructed. He passed around a small rendering of the building. The site proposes 38 parking spaces which will be located between the building and the cemetery and will be shielded from the main travel way. The driveway is located off Old Rochester Road and to the most westerly portion of the site that they could to provide maximum separation from the driveway to Indian Brook Drive intersection. There is approximately 155 – 160 feet from their driveway to Indian Brook Drive. Water, sewer and gas will come off of Old Rochester Road. They will collect the stormwater runoff in a series of closed drainage systems and catch basins, properly treat the water and recharge it back into the groundwater. He said that they have looked at sidewalks and they feel, given the limited potential pedestrian generation and the fact that they have a sidewalk on the northerly side of Old Rochester Road, that the current sidewalk it is sufficient to provide for pedestrian circulation. They have looked at construction costs and have estimated the costs to be about \$7,000. They feel that the fact that they have an existing sidewalk directly opposite them on Old Rochester Rd. would be adequate.

Peg Stevenson asked if they have tenants in line and asked if they are medical offices because there are only 2 handicap parking spaces.

Dave Criswell, President of Coldwell Banker stated that they haven't identified any tenants at this point. He said that it is their intention to take the middle section and the tenants would be on either side.

Bob Stowell stated that the handicap spaces are generated by ADA rules which is not dependent on the use, it is tied to the parking lot in general and from 25 to 50 parking spaces is the category that they are in, requiring only 2 handicapped spots. The concept is trying to create a synergy with similar business such as title company or an architect or a business that will fit in with their business and probably not a medical office.

Discussion ensued with regard to whether there is a sidewalk or not on the other side of Old Rochester Road.

Water pressure was discussed and determined to be on the lower side of normal but that there is adequate water pressure.

David Landry was concerned with the landscaping in the long narrow strip because the sun usually beats on it and it usually doesn't look good for very long. He thought that it should just be left alone.

Bob Stowell stated that there is a 5' strip between the property line and the pavement. The other side is the cemetery grass area. He said that when they clear the site they will clear the tree line right to the cemetery.

Tony McManus asked Bob Stowell if anyone from the City had contacted him about locating the business in downtown rather than this space.

Bob Stowell stated that he didn't believe so.

Parks Christenbury stated that he is going to agree with the applicant. It always sounds good to request sidewalks and in reality we are probably building too many sidewalks. It actually puts a strain on the Public Works Dept. It makes no sense here, it's a professional office and people are not going to be walking in, they will be driving in.

Beth Thompson asked if the compact European Cranberry Bush would be tall enough to screen the vehicles in the parking lot from the cemetery.

Bob Stowell explained that it will start off at 4' high and maximum growth is about 6' high. It will keep the cars hidden.

Peg Stevenson made the motion to accept the application.
David Landry seconded.

VOTE U/A

The public hearing was opened.

Father Paul Gregoire, Pastor of St. Charles Church, was concerned with the buffer zone. He wanted to know if it had to be a certain width. He said that the cemetery is maintained all summer long and is an attractive piece of property. He said that there are already trees there and questioned why they couldn't remain and form the buffer. He said that he would rather have 15' high trees than a 6' high hedge. He said that they have no complaints other than that.

Bob Stowell stated that it was their preference to keep the trees and it received a lot of discussion. The base of the trees adjoining the cemetery are actually 8' from the property and they are big trees and by the time that they do the math, the trees would be extending

into the parking lot. The long narrow configuration of the parking lot does not allow enough room to keep the trees.

Bob Hamilton, 6 Page Avenue, wanted to reiterate what Father Paul said and was concerned that there was a 75' break in the buffer. Mr. Hamilton was concerned with the zoning line showing that an area was R-12 and another was a B-5.

Steve Stancel explained that the R-12 zone is a single family residential zone and at the property line it changes to a B-5 zone which is a business zone. It's an area that was rezoned 4 or 5 years ago from R-12 to the B-5.

Bob Stowell went to the plan and explained how the landscaping was contiguous to the woodland.

Father Paul asked if there is a width that must be kept between properties.

Steve Stancel stated that there is a 5' setback from pavement but the building setback from the side is 12 feet.

The public hearing was closed.

Parks Christenbury thanked the applicant for bringing the project forward and for being cognizant of the issues of the buffer because it is adjacent to a historical cemetery that has a lot of meaning to the people of Dover. As a matter of courtesy he asked that the applicant continue to keep Father Paul up to date with the issue of the buffer.

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

1. Add the owners' signatures to the final plan.
2. Add the engineer's stamp and signature to all sheets of the site plan.
3. The Stormwater Management, Maintenance and Inspection Plan shall be reviewed and approved by Dean Peschel, Environment Projects Manager.

Frank Torr seconded.

VOTE U/A

ITEM #6 – ITEM #7 - Withdrawn.

ITEM #8: Old Business

1. **Discussion and possible vote on site review of land for Lafrance Hospitality, located at Weeks Crossing/Old Rochester Rd., New Rochester Road. (97 hotel rooms) (P02-43)**

Frank Torr made the motion to remove this item from the table.

Beth Thompson seconded.

VOTE U/A

Steve Stancel stated that this item came before the Board two months ago and during those 8 weeks they have been working with the applicant and addressing many issues such as stormwater management and protection and primarily traffic issues with Bruce Woodruff, the City's Traffic Planner, and David De Baie of VHB, the City's traffic consultant.

Ron Cole welcomed Bruce Woodruff back after a year of active duty.

Mark Woglom gave a brief overview of the proposal. At the easel, he pointed out the parking and the location of the connector road. He said that on the 2 acre lot that is closest to the corner they are proposing to build a 97 room hotel. They have worked hard with the residential abutters to make sure that they are happy with the fencing and screening. He described the hotel as a 4 story building with a pitched roof. They received a height variance from the ZBA for the height of the building. The drainage system is basically unchanged with the exception that they have added some underground leaching basins underneath the pavement area, and a more appropriate maintenance system. He said that their traffic report got reviewed by both staff and VHB. He said that there were a number of comments and they have worked hard to address those concerns. The majority of the concerns had to do with the area to the north of the property and how they would merge in from their intersection. They revised their report and came up with entirely new striping scheme and they had to relocate the sidewalk.

Tony McManus asked if there is still an access planned off of Old Rochester Road into the parking lot area and if there is any right turn or left turn restriction off of that road.

Mark Woglom answered in the affirmative. He pointed to an area where they would be finishing the sidewalk to the end of their property line. He said that there will be a sign at the end of the access off of Old Rochester Road, stipulating that there is no access back to the Weeks Traffic Intersection.

Steve Stancel stated that they did have the consultant look at that entrance and exit to see if any turning lanes were needed onto Old Rochester Road and it was confirmed that there weren't any needed.

David Landry was concerned with the lights closest to Old Rochester Road.

Mark Woglom stated that that the lights would be 14' high on the west boundary. He said that they changed the plan to use a larger quantity of the smaller fixtures and have directed the lights towards their parking lot.

David Landry asked about the northbound approach and the number of cars that could queue.

Mark Woglom said that when they first came before the Board they indicated that the State would not review this proposed intersection and they have letters to that effect. Since then, the State, relative to the improvements done in Weeks Crossing, has asked to look at this to see how it relates to any changes they were making to what they previously did. One of the thing that they have indicated in the traffic report is that it would be nice to have as much possible stacking distance in the left hand turn lane as possible.

Bob Duval, of Kimbal Chase, explained that the queuing is spoken of in terms of percentages, and the ninety fifth percentile, which means 95%, or more of the time there should be only 1 vehicle waiting to make a left turn at that north bound left. He said that there is room for that one vehicle plus there is room for some deceleration. He pointed to where there were two left turn lanes and said that the stacking for the expected 95th percentile queue in the future years is approximately 85 feet.

David Landry asked about cars taking a U-turn from Indian Brook Drive to get onto Old Rochester Road. He said that the State had issues with people doing that. People coming over to old Rochester Road would then go all the way to the intersection and make a left and then he presumes that they would go not further than that traffic light where the queue is and take a left hand turn. He asked if that has been contemplated in the adequacy of the queue in the 95th percentile.

Bob Duval stated that those trips were counted and they were factored in and in addition they went beyond that and counted houses that are in the tributary area between the new connector road and Willand Road and took all the right turn out/left turn in traffic and distributed that back to the intersection to make sure that they were counting all of the potential diverted trips that would be using this connector. He said that he believes that when the connector is built that U-turn will be prohibited.

Steve Stancel said that that is a discussion that has to take place with the State. He said that the U turn was temporarily allowed until such time as there was an adequate access to get back onto Old Rochester Rd.

David Landry asked if there was a sidewalk so that if you wanted to walk from the hotel to go get something to eat there would be a safe crossing.

Bob Duval pointed out were the sidewalks were located and said that there will be painted crosswalks with pedestrian stop button control.

David Landry asked if overhead utilities issue has been resolved.

Steve Stancel stated that the applicant has agreed to the condition of the City Engineer to remove the overhead utilities even in the area of the mobile home park.

Mr. Woglom stated that the City Engineer's memo said to remove the utilities. He said that as a matter of clarification, they are proposing to remove all of those overhead utilities and visible utilities. He said that it may be, given the number of trailers in there,

that some to them have underground utilities and some of them would remain and they would need to come out at the time of future development. He said that all the visible stuff will come out and they are disconnecting at the street all of the utility services, even the underground.

Peg Stevenson asked if the merge lanes, as you come off of Indian Brook and try to merge into the one lane, would become shorter.

Bob Duval stated that the most significant comment of the City staff and of VHB was that they wanted to be sure that there was as long a transition north of that intersection as necessary to allow for adequate merging. He went on to explain that it would be adequate and would be about double to what there is now.

Beth Thompson wanted to hear from the City's consultant.

David De Baie, with VHB, stated that he affirms everything that has been said. He said that they have talked and compared calculations, etc., and what is here is the product of all the review. He said that there is still the need to get approval from DOT on some of the elements.

Steve Stancel stated that in terms of traffic, one of the thing that was different from the previous plan is that the right turn in only southbound on New Rochester Road has been eliminated as part of the negotiation process.

The public hearing was opened.

John Sullivan asked for clarification on where the stop light would be.

Mark Woglom went to the plan and explained it to Mr. Sullivan's satisfaction.

The public hearing was closed.

Ron Cole asked about impact fees for this project.

Steve Stancel stated that the staff is working on several different impact fees that would be put in place in the next 12 months. The school impact fee has been proposed and they anticipate that a North End fire station will be one of the next fees that will be proposed but at the current time, there is no impact fee in place for the North End Fire Station. That being the case, when a project comes before the Planning Board they negotiate on a case by case basis what offsite improvements should be with any given project. In this project, they thought that it was more than fair that the applicant is providing the main portion of the traffic signal at the entrance as well as the through road that connects New Rochester Road with Old Rochester Road. He felt that they have adequately contributed in relation to the project.

David Landry asked about the elimination of one of the entrances into Indian Brook Commons when the lights were put in.

Steve Stancel that it was agreed upon that one of the turning movements would be eliminated – the right out would be eliminated from that site. There would still be right turn in.

Steve Stancel read the staff recommended conditions:

1. Add the owner's signatures to the final plan.
2. Revise the intersection plans to reflect the changes agreed to in the VHB memo dated 11/6/02 and the Opechee memo dated 11/7/02.
3. Approval is conditional on NHDOT review and approval and incorporating any recommended changes.
4. Revise the plans to move the Willand Pond Road stop bar striping back away from New Rochester Road.
5. Revise the plans to show the required tip-downs at the sidewalk/crosswalk transitions.
6. Revise the plans to show crosswalk striping and interior diagonal lines, and ensure there is either existing adequate downlighting at crosswalk locations or provide additional lighting on the plan.
7. Revise the intersection plan to depict more existing features. (i.e. whether there is an existing sidewalk on New Rochester Road along the Western Auto frontage, etc.)
8. The applicant shall agree to make field adjustments to the traffic signal after installation of the signal equipment as required during the break-in period.
9. Revise the Operation and Maintenance Plan for the stormwater management system to the satisfaction of Dean Peschel and Tom Fargo.
10. Any other conditions recommended by the City Engineer (Steve said that they recommend that they all be instituted excepted for #1 because they feel that it would be addressed by future developments that would be coming off the Connector Road as opposed to requiring the applicant to do sidewalks now because if you look at the plan, it is not likely that anyone from the Hotel would be walking on that connector road.

Steve Stancel stated that he would like to add a # 7 to the Engineer's memo which incorporates recommendation in the bottom paragraph of their memo which would read, "Maintenance standard be developed for the private road to the satisfaction of the Community Services Director and the Planning Department."

Steve Stancel said that the Planning staff recommends # 2 through 7 of the City Engineer's Memo.

Ron Cole asked if it was have determined that the cemetery issue will pretty much take care of itself.

Mark Woglom stated that State regulations prevents any construction within 25 feet of a cemetery. He said that they have gone beyond that in terms of the distance that they have proposed. He said that he is happy to stipulate for the Board that they will have any

member of staff that the City deems appropriate there at the time for removing structures in that location.

Beth Thompson made the motion to approve with the conditions as follows:

1. Add the owner's signatures to the final plan.
2. Revise the intersection plans to reflect the changes agreed to in the VHB memo dated 11/6/02 and the Opechee memo dated 11/7/02.
3. Approval is conditional on NHDOT review and approval and incorporating any recommended changes.
4. Revise the plans to move the Willand Pond Road stop bar striping back away from New Rochester Road.
5. Revise the plans to show the required tip-downs at the sidewalk/crosswalk transitions.
6. Revise the plans to show crosswalk striping and interior diagonal lines, and ensure there is either existing adequate downlighting at crosswalk locations or provide additional lighting on the plan.
7. Revise the intersection plan to depict more existing features. (i.e. whether there is an existing sidewalk on New Rochester Road along the Western Auto frontage, etc.)
8. The applicant shall agree to make field adjustments to the traffic signal after installation of the signal equipment as required during the break-in period.
9. Revise the Operation and Maintenance Plan for the stormwater management system to the satisfaction of Dean Peschel and Tom Fargo.
10. City Engineer's Memo dated 11-08-02 - #2 through the new #7. Maintenance standard be developed for private road to the satisfaction of the Community Services Director and the Planning Department.

Joyce El Kouarti seconded.

VOTE U/A

Chairman Cole reminded the Board of the CIP Workshop, next Tuesday, November 19, 2002, at 6:30 PM, in the Council Conference Room.

ITEM #10: Adjournment

Beth Thompson made the motion to adjourn.

Joyce El Kouarti seconded.

VOTE U/A