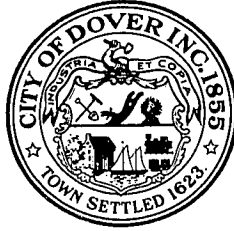


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# City of Dover, New Hampshire

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

## MEMORANDUM

TO:	Planning Board Members
FROM:	Planning Staff
DATE:	December 6, 2002
SUBJECT:	<i>Staff recommendations for agenda items for the December 10, 2002 Planning Board Meeting</i>

**ITEM #3: Public hearing on the following gravel permits:**

- a. **Public hearing and consideration of a request for an extraction permit by Dowaliby Trucking, Assessor's Map H, Lot 56, zoned R-40, located on Mast Road and Cold Springs Road.**

The Planning Department recommends approval of the extraction permit, subject to the following conditions:

1. Add a stamp of a licensed land surveyor or engineer to the plan submitted, within 30 days of approval.
2. Submit a letter to the Planning Department providing an estimate of the amount of materials (in cubic yards) to be removed during 2002, within 30 days of approval (amount missing on Notice of Intent to Excavate).
3. No off-site materials, fuels, lubricants or other toxic or polluting materials be stored on site without being in compliance with State rules and regulations pertaining to such materials and receiving approval by the Dover Planning Board. Any on-site refueling operations approved shall comply with the Best Management Practices contained in NHDES Technical Bulletin WD-WS-22-6.
4. The applicant shall obtain the annual license renewal from the Dover City Council for permission to cross City property to access this pit.
5. The provisions contained in the letter to the Planning Board received November 19<sup>th</sup> are considered part of the application and serve as requirements thereof.
6. That it is understood that the applicant wishes to conclude excavation this permit year and begin reclamation in 2003. Recommend that the Planning Board grant request to "daylight" to Mast Road and Severino pits.
7. The importation of off-site construction-site soils into the pit for storage or for use in reclamation shall be prohibited unless the applicant provides documentation that demonstrates that the material is not contaminated. The City's Environmental Projects Director shall be responsible for making such a determination.
8. Since this property is located within the secondary groundwater protection zone, the applicant shall not excavate below an elevation four (4) feet above the seasonal high water table observed when the associated water supply well has not been operating for at least two

weeks prior to the date of measurement. The applicant shall prepare and submit to the Planning Office an annual report (to coincide with the extraction permit application submittal) documenting compliance with this provision.

**b. Public hearing and consideration of a request for an extraction permit by Brox Industries, Inc., Assessor's Map C, Lots 12-A, 13, 14, zoned R-40, located on Glen Hill Road.**

The Planning Department recommends approval of the extraction permit, subject to the following conditions:

1. Add a stamp of a licensed land surveyor or engineer to the plan submitted, within 30 days of approval.
2. No off-site materials, fuels, lubricants or other toxic or polluting materials be stored on site without being in compliance with State rules and regulations pertaining to such materials and receiving approval by the Dover Planning Board. Any on-site refueling operations approved shall comply with the Best Management Practices contained in NHDES Technical Bulletin WD-WS-22-6.
3. The importation of off-site construction-site soils into the pit for storage or for use in reclamation shall be prohibited unless the applicant can demonstrate that the material is not contaminated. The City's Environmental Projects Director shall be responsible for making such a determination.

**c. Public hearing and consideration of a request for an extraction permit by James P. Griffin and Tyra, Inc., Assessor's Map H, Lot 60, 62, zoned R-40, located off Mast Road.**

The Planning Department recommends the extraction permit application be tabled for 30 days due to the following outstanding issues:

1. Half-size plans submitted with the application are not legible and do not conform with all the provisions in Dover Zoning, Chapter 170, Article VIII, Section 170-30, entitled Extraction Industries.
2. The City's Environmental Projects Director did not have any data on hand regarding the off-site materials imported into the pit; information and testing data must be submitted with the application as per condition #8 on the 2001 permit and the permit renewal letter of October 23, 2002.
3. Excavation taxes on the property have not been paid. Refer to the memo from the Tax Collector and attached Uncollected Report for details.
4. Required bond certificates have not been submitted.
5. Since this property is located within the secondary groundwater protection zone, the applicant shall not excavate below an elevation four (4) feet above the seasonal high water table observed when the associated water supply well has not been operating for at least two weeks prior to the date of measurement. The applicant shall prepare and submit to the Planning Office an annual report (to coincide with the extraction permit application submittal) documenting compliance with this provision.

**d. Public hearing and consideration of a request for an extraction permit by Mast Road Sand and Gravel, Assessor's Map H, Lot 53, zoned R-40, located on Mast Road.**

The Planning Department recommends approval of the extraction permit, subject to the following conditions:

1. No off-site materials, fuels, lubricants or other toxic or polluting materials be stored on site without being in compliance with State rules and regulations pertaining to such materials and receiving approval by the Dover Planning Board. Any on-site refueling operations approved shall comply with the Best Management Practices contained in NHDES Technical Bulletin WD-WS-22-6.
2. The 2002 reclamation and operational plan documents shall be considered as part of the permit and the hours of operation hours are as follows: 7:00 AM – 5:00 PM on weekdays with the gates opening at 6:30 AM, and 7:00 AM - 2:00 PM on Saturday.
3. Limit excavation at the property lines of disapproving abutters to no closer than 50 feet.
4. Continue the condition from the lot line adjustment plat that states no excavation shall take place beyond Cold Springs Road (So-called).
5. Revise plan to show the large piles of composted sludge material located adjacent to Mast Road and piles of recycled asphalt product to the rear of the pit. Insure that the material piles are properly stabilized to prevent erosion and control dust. Add the boundary line between the Severino (City) pit and this property to the plan. Submit the revised plan to the Planning Office within 30 days of approval.
6. Provide the Planning Department with a copy of the state permit for a stump disposal site or submit a timetable for proper grinding and storage/disposal of the stumps within 30 days of approval.
7. Cease the importation of off-site construction-site soils into the pit for storage or for use in reclamation. Such importation shall be prohibited unless the applicant can demonstrate that the material is not contaminated. The City's Environmental Projects Director shall be responsible for making such a determination. Contact Dean Peschel within 30 days of approval for his review and report to the Board.
8. Identify the areas of the pit that have been undercut and have a grade of 1:1 on a revised plan, and install a fence or other suitable barricade within 30 days of approval. Submit the revised plan to the Planning Office within 30 days of approval.
9. Since this property is located within the secondary groundwater protection zone, the applicant shall not excavate below an elevation four (4) feet above the seasonal high water table observed when the associated water supply well has not been operating for at least two weeks prior to the date of measurement. The applicant shall prepare and submit to the Planning Office an annual report (to coincide with the extraction permit application submittal) documenting compliance with this provision.

**e. Public hearing and consideration of a request for an extraction permit by Severino Trucking Co., Inc., Assessor's Map H, Lot 58, zoned I-4, located on Mast Road.**

The Planning Department recommends the extraction permit application be tabled till the second meeting in January due to the workload requirements of the applicant's engineer/surveyor. Please refer to the letter from the applicant's engineer.

**f. Public hearing and consideration of a request for an extraction permit by Proven Aggregates, Inc., Assessor's Map H, Lot 59, 60 & 61, zoned I-4, located on Mast Road.**

The Planning Department recognizes that no permit is required for these contiguous properties to a stationary plant as per RSA 155-E:2, III (a), however that same citation requires documentation on compliance with operational and reclamation standards. Therefore, the Planning Department recommends this item be tabled until the second meeting in January to give the owner sufficient time to prepare documentation certifying that he is in compliance with the operational standards expressly set forth in RSA 155-E:4-a; and the time to prepare reclamation plans in accordance with RSA 155-E:5 and 155-E:5a.

**ITEM #4: Application for a minor subdivision of land for Victor & Ruth McElheny, Assessor's Map N, Lot 2A, zoned R-40, located on Gulf Road. 2 lots (P02-65)**

The Planning Department recommends that the subdivision plat be approved with the following conditions:

1. Add the owner's signature to the plat.
2. Revise the plat to add the Conservation District's 100-foot buffer to Garvin Brook.
3. Provide the Planning Department with a digital version of the subdivision plat.

**ITEM #5: Application for a preliminary concept plan for a major subdivision of land for Business Partners, Inc (Owner Jensens, Inc.) Assessor's Map J, Lot 2, zoned R-40, located on Garrison & Seaborne Roads. (P02-66)**

Please review the packets for a concept open space plan and a conventional subdivision plan for the subject parcel.

**ITEM #6: Old Business**

**1. Discussion and possible vote on site plan for Sullivan Tire (P02-60)**

This item was approved at the previous meeting.

**2. Discussion and possible vote on driveway waiver for Walter Lewis, 11 & 13 Elm St. (P02-51)**

The applicant has submitted additional information supporting the driveway waiver request. The Planning Department recommends approval of the waiver with the following conditions:

1. The applicant, at his own expense, shall remove the granite curbing in front of the proposed driveway at 13 Elm Street, from the driveway at 15 Elm Street to the northern edge of the proposed driveway, a distance of approximately 18 – 20 feet. The granite curbing shall be salvaged and returned to the City.
2. The applicant shall install pavement from the edge of the street to the concrete sidewalk in the area that the granite curb was removed. The pavement shall be graded to match the elevation of the concrete sidewalk.
3. The bushes located in front of the porch shall be removed to provide the maximum parking area so the vehicles will not block the sidewalk.
4. All disturbed areas shall be loamed and seeded.
5. The parking spaces shall be paved.
6. All work within the City right-of-way shall be inspected and approved by the City Engineer.

**3. Discussion and possible vote on Capital Improvements Program (CIP).**

Please review the packets for a memo that lists each CIP project and indicates if and where there is a corresponding recommendation in the Master Plan Chapters.

**ITEM #7: New Business**