

**DOVER PLANNING BOARD
MINUTES OF MEETING
SEPTEMBER 26, 2000**

MEMBERS PRESENT: Beth Thompson, Frank Torr, Anthony McManus, David Landry, Jerry Reese, Pete Lavoie, Reuben Hull

MEMBERS ABSENT: Ronald Cole, Margaret Stevenson, Charles Maglaras, Jeff Peasley, Jeff Mason

STAFF PRESENT: Bruce Woodruff, City Planner and Jacqueline Freeman, Recording Secretary

Vice Chair Reuben Hull brought the meeting to order at 7:01 PM.

ITEM #1: Approval of minutes.

Frank Torr made the motion to approve the minutes.
Jerry Reese seconded.

David Landry stated that on page 6, third paragraph, his statement should be "A person could be concerned about their house being robbed."

Reuben Hull stated that on the last page, where he personally thanked everyone who was on the Main St. Design Guidelines Committee, should be under it's own heading.

VOTE U/A

Abstained – Pete Lavoie

ITEM #2: Consideration and acceptance of an application for a site plan of land and a Conditional Use Permit for R&M Paving (Owner Business Partners, Inc.) Assessor's Map G, Lot 31-1, zoned I-2, located on Crosby Road.

Dana Lynch spoke on behalf of R&M Paving. He said that this lot is located almost across from Fibredyne. He said that the topo is fairly flat. He pointed out the upland parcels. He said that the lot is encumbered by a 100' wide conservation district around Knox Marsh Brook and a small portion of a secondary aquifer protection zone. He said that the site is proposed to be crossed by a 30' sewer easement as part of the Ezra Green proposal. He said that the office and shop will be accessed by a paved driveway and that 15 parking spaces are proposed. A recessed area will contain bins for landscape materials for wholesale distribution only, not for retail. There will be a gravel area for parking of some construction equipment. Dana said that no re-cycled asphalt or asphalt materials will be stored and no asphalt processing will take place on this site. He went over the drainage plans.

Dana Lynch said that they have their application before the Wetlands Board and they have received favorable recommendations before the Conservation Commission. Dana pointed out where the 4 foot high berms, planted with pine trees, would be placed to improve the visual aspect of the site. He said that as you drive by, you will only get a few opportunities to see the building. He said that they are asking for a conditional final approval subject to the response to all the TRC comments as well as to receiving the State Permit.

Jerry Reese asked if this parcel was on the market for so long because there was no sewer line? He said that the pines that Jensen's has on their berm are dying at the bottom.

Dana said that it would have been a difficult site to develop because of wetlands issues and the remaining soils are marginal. It would not support a very large septic system. A large industrial user would not be well suited to this site due to the small amount of upland and the lack of available sewer. Dana said that he was not familiar with the type of trees Jensens' chose for their berm.

Beth Thompson asked if there will be screening of the vehicles in the back.

Dana Lynch said that it is possible that the vehicles could be viewed from Littleworth Road which is about 700' away and from another area in the Industrial Park. He said that they are trying to create a visual screening from Fibredyne and to make the site a little more attractive. He said that they cannot be totally screened from every surrounding abutter, any more than they are screened from them. The other buildings are probably in excess of 100' away.

Frank Torr made the motion to accept the application.

Jerry Reese seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Bruce Woodruff asked if there would be any asphalt testing done in the proposed building and if a drainage report has been submitted to the City Engineer.

Dana Lynch answered that there will be no testing done. He said that he has not submitted a drainage report and has not submitted any revised plans. He said that they went to TRC on Thursday of last week and will address all those concerns. He said that they need to get a Site Specific Permit to connect to the sewer. He said that the conditions are all straightforward and will be easy to address.

Bruce Woodruff stated that he Department feels that many of the comments are minor and can be addressed. He said that this is a good proposal for the site because it is not land intensive. He said that if the sewer didn't materialize, a small septic system and a small office can be handled with the soil conditions. He went over the conditions of approval recommended by the Planning staff.

Dana Lynch said that while the sewer location is approved by the Planning Board, it is not yet installed. If for some reason they fail to do so, they have allocated an area for a small septic system.

Frank Torr made the motion to approve the application subject to the following staff recommended conditions:

1. That the City Engineer be satisfied as per his memo.
2. Add a wall light on the Crosby Road side of the building.
3. Add a note to the plan that says "No retail sale of products."
4. The applicant shall provide a septic system if the sewer line is not available.
5. Wetland and Conditional Use Permit by this Board be obtained.

6. A Site Specific Permit be obtained.
 7. Add a note to the plan that there will be no storage of materials and no asphalt materials stored on site.
 8. Adequate screening shall be provided for the open storage areas.
- Also approval of the Conditional Use Permit.

Pete Lavoie seconded.

VOTE U/A

ITEM #3: Consideration and acceptance of an application for a minor subdivision of land for Leigh Jerry, Assessor's Map B, Lot 6H, zoned R-40, located on County Farm Cross Road.

Bruce Pohopeck represented the applicant and stated that the original parcel was 22.54 acres. He said they are proposing to divide this parcel into 3 lots. He said that the lots will be serviced by a common 30 foot wide driveway which will be accessed off of County Farm Cross Road.

Frank Torr made the motion to accept the application.

Jerry Reese seconded.

VOTE U/A

The public hearing was opened.

Jeff Basseches stated that he is an abutter and doesn't have any issues but had not had the chance to see the plan.

Bruce Pohopeck explained the plan to him.

The public hearing was closed.

Bruce Woodruff stated that the lots measure 40,000 sq. ft. outside of the wetland areas and meets all of zoning and subdivision requirements. He said that the staff recommends that the plat be approved and gave the recommended conditions.

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

1. Add the owner's signature to the plat.
2. Provide the Planning Department with a copy of the State Subdivision Permit and add the permit number to the plat.
3. Add a note to the plat stating that all three lots shall use the shared driveway for access to the lots.

Jerry Reese seconded.

VOTE U/A

ITEM #4: Public hearing on the Transportation Chapter of the Master Plan.

Bruce Woodruff stated that he has three changes that he would like to propose to the plan that are not in the text. He said that the first change is to advocate for a new roadway corridor beginning at

Washington Street, near where Arch hits Washington where the railroad goes under Washington, it would start relatively parallel with the railroad and then loop over and would come out between McIntosh College Inn and the Petrol King. He said that the second change is to add a critical corridor in that section of Central Avenue where Durham Road starts up to Stark Avenue, and the third is to add some language in the industrial zone access section that talks about abdicating for a roadway from the former GE access road to Tolend Road, parallel to the turnpike, to open up that industrial zone, in addition to the Exit 8A Park & Ride plan.

The Board moved to the rear of the room so Bruce could better explain the changes using the GIS maps that were up on the bulletin board.

Bruce Woodruff stated that one of the reasons why these things changes should be added is so that we can have the basis to ask for Federal Highway Funds or State funds. He said that if none of these critical corridors are in the Transportation Master Plan, we will not be able to ask for funds from State or Federal Agencies.

Jerry Reese stated that these changes wouldn't mean that we would ever do them or spend a nickel on them but at least we would get the opportunity to study them and do some planning.

Bruce Woodruff stated that for clarification on new corridor issues, he is asking the Board to approve language that advocates preserving or reserving the highway corridor. He said that there is a State Statute that allows a municipality to preserve the corridor for up to 10 years until such time as it's deemed not doable.

David Landry stated that he wants to make sure that it takes more than what we are doing tonight to freeze that property.

Tony McManus stated that he has a problem with this. He said that he goes back to the position that the City took when he was representing the people out on Knox Marsh Road/Littleworth Road about the rezoning of the area to Commercial when the supermarket wanted to go in there. He said that the City took the position that this was in the Master Plan so this was a policy of the City of Dover that this was going to be a commercial area and we are doing what the Planning Board recommended and the City Council adopted. He said that the City can use the same argument on this. He said that there is nobody here for the public hearing and he is sure that the people who live on that side of Arch Street have no idea that the Planning Board is giving consideration to putting a road in their back yard. He said that to him, it is the worst kind of government to pass this in an almost empty room without notice to anybody. He said that he is sure when the people who live on Tolend Road wake up tomorrow and read the Foster's and Dover Times and the proposal that we are now advocating for a road that may end up dumping traffic onto the end of Tolend Road are going to be pretty upset. He said that this is the wrong time to bring something like this before the Board and to tack it on at the last minute. He added that it doesn't mean he will oppose it after the people have had an opportunity to respond to it and discuss it.

David Landry asked if these additional items are substantial enough in nature that it would suggest deferring the public hearing. He said the ideas sound good to him but there are people who will be upset by many portions of any Master Plan. He said, normally, we never hear anything from anybody, but these particular items are not in the Transportation draft so are not readily available to be read.

Bruce Woodruff said for those that have followed the process that began in December of last year and went on through June of this year, two of the issues were discussed and were inadvertently left out of the final draft. The GE access road, parallel to the turnpike, was addressed by all of the different groups. The critical corridor addition of Central Avenue on the south side is a no-brainer. The only real new corridor is the Washington Street to Silver Street. Bruce said we are just asking that the document advocate for moving forward towards preserving the corridor so that the issue can be studied and put before the public. He said that they are not asking or advocating building a road, he said that he doesn't think that a Master Plan can do that. He said that if you all have a problem with that, you can water that language down by saying study it first, and hold more public meetings, before preserving the corridor.

Jerry Reese asked if these three items were added tonight, would they go to the City Council. He said that he thinks that Tony has a valid point.

Bruce Woodruff stated that this would not go to the City Council, you would be approving the chapter as you have the other chapters and it would be approved. This is the last of the 5 chapters.

Jerry Reese stated that he does have a problem with the corridor that people don't know about. He said that he thinks it is a good idea to study it, but he does not want to add it if people will use the document to say that we ought to do this.

Tony McManus said that he doesn't have a problem in studying the corridor but to say that we advocate means that we have already gone beyond what we might learn in the study and we are saying that we already think it's a good idea.

Frank Torr asked if we can have the public hearing this evening and then recess it. He said that he is sure that the two reporters who are present will do a good job of putting the publicity out there and that will put the people on notice, particularly the people on Arch Street.

David Landry agrees that the Central Ave./Stark Avenue corridor is a no-brainer but once you change the wording to be study rather than advocate on the other two, he doesn't see any reason to defer it at that point. He said that there are a trillion things that we are studying in this document, but study and advocate are worlds apart.

The public hearing was opened.

There were no comments.

Reuben Hull recessed the public hearing.

Jerry Reese made the motion to table until the next meeting.

Frank Torr stated that you might find, as a result of this proposal, that some of those people in opposition to Motiva would be changing their thinking because it would change the impact on their historic neighborhood.

Tony McManus seconded.

VOTE U/A

Bruce Woodruff explained that the corridor study is a long process, with public informational meetings and public hearings and many discussions before anything were to happen.

ITEM #5: Old Business.

a. Review and discussion of proposed amendment to Scenic Road Ordinance.

Bruce Woodruff stated that the changes the Scenic Road Ordinance Amendment are made in bold print. He said that the Planning staff recommendation is to do one of three things with C. #3., either eliminate it entirely, reduce the amount of basal area to 25%, or replace that #3 with a Conditional Use approval that would be reviewed by the Planning Board. He said that they favor eliminating it entirely.

Jerry Reese asked if taking out #3 would give the Board more control, because the trees could not be taken down unless they come before us. He said that if we reduce #3 to 25%, they could cut 25% of the trees.

Discussion ensued.

Bruce Woodruff explained that Class 6 roads are not supposed to be plowed. Scenic Roads can be Class 6 or Class 5 roads. Class 5 roads can be dirt and still be maintained by the City, but Class 6 roads are not maintained by the City. He said that there are portions of Old Garrison that are Class 5 and there are portions that are Class 6.

Jerry Reese made the motion to amend by deleting Section C, 3.

Tony McManus seconded.

VOTE U/A

Tony McManus asked if a public hearing would be held on this?

Bruce Woodruff answered that it does have to go to the City Council and to a public hearing.

Tony McManus made the motion that the amendments to Chapter 170 and Chapter 143, as amended, be posted and referred to a public hearing.

Jerry Reese seconded.

Pete Lavoie stated that he has a problem with the underground utility lines. He said that you have a 12 foot road that was never built to standards, now you come and dig a trench 3 or 4 feet deep, put a power line in, back fill it and put in gravel, now all the water is going to that point and it's going to cause a maintenance problem. It isn't like our other subdivisions where we allow them to put underground utilities on the shoulder or behind the curb, here it would be in the wheel rut of the vehicle and that is going to be a maintenance problem.

Discussion ensued whether to have the lines underground and cut the trees or on poles and trim the limbs. It's a decision of which is the lesser of two evils. Bruce stated all the utilities are now on poles and it does seem to work. There have been a couple of cases where homeowners have been forced to come in and ask the Board for permission to cut some trees but there were not many, so maybe the poles might be the lesser of two evils.

It was decided to leave the underground utilities and discuss it again at the public hearing.

VOTE U/A

Reuben Hull stated that it will be posted as presented without item C, 3.

ITEM #6: New Business.

None

ITEM #7: Adjournment

Jerry Reese made the motion to adjourn.

Beth Thompson seconded.

VOTE U/A