

**DOVER PLANNING BOARD  
MINUTES OF MEETING  
DECEMBER 12, 2000**

**MEMBERS PRESENT:** Pete Lavoie, Jerry Reese, Anthony McManus, Margaret Stevenson, Frank Torr, Beth Thompson, Ronald Cole, Reuben Hull, David Landry

**MEMBERS ABSENT:** Charles Maglaras, Jeff Mason, Jeff Peasley, Charles Maglaras

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

Chairman Cole brought the meeting to order at 7:07 PM.

**ITEM #1: Approval of minutes**

Frank Torr made the motion to approve the minutes.

Beth Thompson seconded.

**VOTE U/A**

**ITEM #2: Consideration and acceptance of an application for a site plan of land and Conditional Use Permit for TK Properties, Inc. (Owner Tri City Dodge), Assessor's Map 38, Lots 34 & 35, zoned B-3, located at 13 Weeks Lane**

Kevin King represented TK Properties, Prompto. He said that they have 19 facilities in ME and NH. They provide a very basic oil change service. They average 65 vehicles per day which is about 130 trips in and out of the property per day plus the employee trips. Hours of operation will be 8 AM to 5PM, Monday – Saturday. An oil change will cost \$16.95. They will have 4 full-time employees. They do not do repairs, don't park cars overnight, don't change tires or do radiator flushing. He showed pictures of the new building they plan on constructing and said that it will be a block building with wood exterior. They have parking for 10 vehicles. 60% of the lot will be maintained as green space. They have been before the Zoning Board of Adjustment, the TRC, the Conservation Commission and are prepared to follow all recommendations. Mr. King explained with regard to the used oil filters and trash, they would go into a metal container and stated that the water would go through an oil separator. The groundwater will go through an oil separator for water, oil or dirt that comes off the vehicles and will go into a storage container on their site. He explained how the berm and the tanks would prohibit any kind of environmental disaster. Mr. King said that they sell minor accessories such as air filters, windshield wipers and windshield wiper fluid. He said that the ZBA has put some restrictions on them so that they can't become a garage. They do not do motor vehicle inspections.

Tony McManus asked about whether a traffic study has been done given the fact that Week's Lane is going to be the access for the new shopping center.

Kevin King said that they haven't done a traffic study because they do about 7 cars per hour and that would be minimal.

Beth Thompson made the motion to accept the application.

Frank Torr seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments.

The public hearing was closed.

Steve Stancel stated that the Planning Department recommends the site plan be approved, as well as, the conditional Use Permit, and he read the conditions.

Pete Lavoie stated that he has two concerns. One, that the inspection of the groundwater basins should be done by the Community Services Department. Two, he spoke with the City Engineer about the drain at the dumpster and he feels that there will be quite a bit of stormwater that could get in and they are concerned that it would all go to the sewer. He said if they do need to have a drain, it could be tied into the drainage system and therefore it would go right to the oil separator before it goes into their detention beds. They said they would rather see it go there than to have it go to the sewer. It would be extra water that would have to be treated at the WasteWater Treatment Plant.

Kevin King stated that they use a cloth called a smart cloth. He said that they use those in their regular retail stores, as well as, for absorbing oil. He said if you wanted to tie that drain into the oil separator out back it would not create any type of environmental hazard because they have already contracted with Clean Harbors for maintenance on a monthly basis. The system out back has been designed for a 10 year storm.

Reuben Hull said that at least 3 street names are wrong on the vicinity sketch.

Steve Stancel stated that condition #10 should be: The dumpster pad drainage plan to be approved by Engineering Department and Dean Peschel, Environmental Projects Manager.

Frank Torr made the motion to approve subject to the following 10 conditions:

1. Add the owner's signature to the plan.
2. Add the engineer's signature to the plan.
3. Includes the approval of the conditional Use Permit with the conditions that the applicant provide for third-party maintenance of environmental protection devices and prepare an environmental protection plan in accordance with Env-Ws 421 that is reviewed and approved by the conservation Commission.
4. Revise plan to add additional landscaping to provide screening between parking lot and Map 38, Lots 12 and 39. Screening must be a minimum of seven feet tall.

5. Applicant shall merge the two existing lots by completing a Lot Merger Form and having it recorded at the Registry of Deeds.
6. Revise the lighting plan on sheet #4 to comply with Chapter 149-14-E, including lighting levels on the entire parking lot and an analysis showing that the plan conforms to lighting level standards.
7. Revise plan to add engineer's stamp and signature to sheets #2 - #7.
8. Revise plan to add standard note #8.
9. The applicant shall comply with the conditions contained in the City Engineer's memo dated 12/8/00 as follows:

1. A drainage report needs to be submitted.
  2. Proposed rim and inverts should be shown on the plan for the drainage.
  3. The pipe sizes and type should be shown on the plans for water, drain, and sewer.
  4. The sewer service is shown on one plan to tie into the manhold and on another into the sewer line. Please show it being tied into the sewerline.
  5. Please show the approximate location of the sewer service for the remaining building.
  6. The existing catchbasin grate in Weeks Lane should be changed to a drain manhole cover.
  7. A note should be added for asbuilts to be done.
  8. The survey must be tied into the city's GIS coordinate system. Two points should be shown.
  9. The proposed grading doesn't seem to push the water into the proposed catch basins. Please adjust and provide spot grades.
10. Dumpster pad drainage plan to be approved by Engineering Department and Dean Peschel, Environmental Projects Manager.

Margaret Stevenson seconded.

**VOTE U/A**

**ITEM #3: Consideration and acceptance of an application for a site plan of land for Millstone Properties, Assessor's Map 16, Lot 15, zoned UMUD, located at 8 & 10 Back River Road. (64 units)**

Atty. Jim Schulte represented Millstone Properties. He said that the main building will have the 60 units and a smaller building will have 4 additional units of which two will be 1-bedroom units and 2 will be 2-bedroom units. The attempt is to attract single person tenants as opposed to couples or families. From the research that they have done, it is reasonable to expect. He said that Sawyer Mills has 68% of its units occupied by single individuals although many of those units are larger than these. For the 32 % that are not occupied by single persons, there are still only 8 children in the entire compound, only two of whom reside there full time. It would be possible, given the zoning for this site, to have greater density. If these apartments were constructed with garages underneath, 90 units would be possible. He said that instead of having 62 1-bedroom units to have about 52 – 54 2 to 3 bedroom units with the same parking requirements. The intent of the developer is not to add anything to the school population. He said that they are asking for

a Conditional Use Permit for having 1 ½ parking spaces per unit rather than 2 spaces per units. He said they intend to institute a parking sticker registration for the tenants. For the 1-bedroom units each unit will be assigned 1 space and some of the 1-bedroom units that are a little bit larger will have 1 to 2 spaces, and the 2 bedroom units will have 2 spaces. He said that by limiting the spaces and regulating it by the sticker system, they expect that there will be a certain amount of self-selection. The buildings will have an elevator in the hope of attracting older tenants for whom the elevator would be an attraction. Two of the units will be expressly handicap designed. The site is located several hundred feet from the bus stop at the intersection of Back River Road/Durham Road/Central Avenue. We don't anticipate a lot of college students; very few of the residents of Sawyer Mills are registered at the university.

Atty. Shulte said that traffic counts were done last spring and were updated again this November. The problems of that intersection are well known. He said that the day that school was not in session there was no morning traffic backup problem. It is related mainly with parents driving their students to middle school during a ½ hour period around 7:30 AM. During that rush hour period, the study indicates that using the national statistics at the request of the City, we did obtain actual numbers from a 72 unit, 1 bedroom apartment complex in Massachusetts, where the actual traffic counts were lower than what the national statistics were. He said that they used the national statistics because it was more conservative and would show a higher potential traffic flow from this project. He said that they anticipate a large amount of people who would be living in this complex would be working in Portsmouth or the Tradeport and many of those people would turn left and go to Portsmouth by way of Back River Rd. instead of going through the intersection. He said that they have made an offer to the City and are willing to contribute toward a resolution of that problem which is caused by factors beyond this project. The traffic counts clearly show the days that school is in session you have a problem in the morning, and when it is not in session there is no problem. He said that arguably, new residential developments in other parts of town which have middle school age children will contribute more to that intersection problem than this one. He said since they are closer and they will have some impact and they are willing to contribute their share to help resolve that. They are also addressing the potential impact on the sewerage pumping station and they are willing to contribute to that as well. They are also willing to defer the issuance of CO's for these buildings for about a year in the expectation that the City and School Department and the State will be able to address the traffic problems through that entire corridor. It is their hope that by the time those buildings are built and are ready for occupancy, the traffic problems will be addressed.

Atty. Schulte said they are proposing 102 parking spaces for the 64 units. The units will be approximately 600 sq. ft. Each of the units will have a separate office or computer room. He said that there is a large archway rather than a closed door so there will not be a means to close that room off. There will be a bedroom, a living room, a kitchen, a bathroom and this computer room which will be open to the living room. It will be very unlikely to be used as a bedroom. They are not asking for any changes in zoning. He said although they cannot prohibit any children from entering the complex, the design of it is intended to discourage families from renting in this facility. He said that they need to

submit an elevation for the smaller building and give a final version of architectural plans.

David Paolini stated that the price range for the single bedroom would be from \$750 - \$800. He said that they are getting \$675 - \$900 at Sawyer Mills.

An unidentified woman in the audience said that at Sawyer Mills they start at \$375 - \$850.

Jerry Reese made the motion to accept the application.

Reuben Hull seconded.

**VOTE U/A**

The public hearing was opened.

Peter Hoeksema, 14 Back River Road, passed out two photos of the property showing the existing foliage barrier that they would like protected. He said that he had no idea that this project was going to be so big until he actually saw the drawing this evening. He said that this is going to be a very big building in a small space and he has submitted letters voicing his concerns. He said that this project would have a very profound effect on their quality of life. They are concerned with the barrier because most of the trees fall on the developer's side of the property line. He said that removing that barrier would have a severe impact on their privacy. He said they were once told it was going to be a three story building, now they are told it will be a 4 story building and will have decks on their side. He said that they have been living there for 22 years and that traffic has increased quite significantly. He said that it is not uncommon to have bumper to bumper traffic at 4 or 5 in the afternoon from the intersection to beyond their house.

Ron Cole stated that he is going to keep the public hearing opened and schedule a site walk.

Reuben Hull made the motion to recess the public hearing.

Jerry Reese seconded.

**VOTE U/A**

Steve Stancel stated that the staff recommends that this be tabled and a site walk take place. He said that there are several outstanding issues that still need to be addressed. In terms of traffic, they believe that no C.O.'s should be issued until such time a fix for traffic problems in the corridor have been identified and funded and the applicants have agreed to pay their fair share of that fix. The other alternative is that the applicant can move forward in advance of that if they conduct their own analysis and propose off-site improvements that would mitigate the impacts of the traffic. He said that the School Department is in the process of going out to bid to get a traffic engineer to study the corridor in that particular area. It is anticipated that that study will be completed in May of this year. Landscaping in mitigation of the project to the abutters is a concern. He said that the site walk would be very important. He said that the parking space numbers

will require a Conditional Use Permit. He said in the Site Review Regulations, do allow just 1.5 spaces per unit, however, in the Zoning Regulations, 2 spaces per unit are required and the Zoning Regs. take precedence. He said that they have required from the applicant some studies of some similar projects in and around the area in order to verify that the 102 spaces would be enough for that number of units. Sewer capacity is an issue in that area because there are inflow problems. The everyday capacity is adequate, however, whenever there are major storms, inflow goes into the pipes. The City is in the process of addressing that issue and this applicant would be required to pay their fair share. Details of the retaining walls, sidewalks, guardrails, and handrails have not been received. Elevations need to be received to better visualize how this project is going to look once it's constructed. Drainage from the detention basin regarding erosion control needs to be reviewed and we need to verify that emergency apparatus can access and maneuver the lot given the slope of the drive and the turning radiuses. Snow removal needs to be addressed.

Jerry Reese made the motion to table to a site walk.

Reuben Hull seconded.

**VOTE U/A**

Chairman Cole set the site walk for Saturday, December 16, 2000, at 9AM and told the abutters they are welcome.

Reuben Hull stated that he counted 98 parking spots on the plan. He had a question on the location of the handicap parking. He said that he is hoping that there is going to be an architecturally designed façade on all publicly visible sides. He asked if there has been any discussion about bicycle amenities, either bike racks outside or a bicycle room inside. He said that would go a long way in terms of trade off for parking spaces.

**ITEM #4: Consideration and acceptance of an application for a major subdivision of land for Spaulding Turnpike Development (Owners Stanley & Joyce Goldberg), Assessor's Map G, Lot 24J, zoned R-20, located on Columbus Avenue. (6 lots)**

Kevin McEneaney represented the applicant. He said they are proposing a 6 lot subdivision which will be serviced by septic systems and municipal water. He said that lots 1, 2, 4, 5, 6 will have frontage on Columbus Ave. and will range in size from .7 acres to 1.3 acres. Lot #3 is the remaining land with a potential future roadway shown. They are proposing to construct a 12 inch water line that would connect from the existing water line in Tolend Road to lot #6. They would leave a stub in the event that future subdivision takes place. They will be installing 2 hydrants along the frontage. They are proposing to put in a sidewalk immediately in front of the lots they are creating which would start on the northerly side of lot 1 and extend to the southern side of lot 6. It will be a 5' wide sidewalk, separated by a 3' wide grass strip to the existing edge of pavement.

Frank Torr asked if there would be any road offsite improvements.

Kevin McEneaney stated that there are not.

Jerry Reese made the motion to accept.

Tony McManus seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments.

The public hearing was closed.

Steve Stancel gave the recommended conditions of approval.

Tony McManus said that the plan shows the potential future lot and roadway. He said that he assumes that the roadway will be a straight shot into lot 3 and asked if the Board should make a provision, that the driveway for the future lot be off that roadway so it will be clear later on.

Tony McManus stated that paragraph #2 should read, "The driveways for lots #3 and #4 and the potential lot as shown, will be off the future roadway".

Frank Torr stated that Columbus Avenue is a heavily used cross road. He said that we are generating a bigger problem out there. The stretch between White's development and this one is the worst section of the road. He said that this problem needs to be addressed. Steve Stancel stated that the unfortunate part of this is that the projects that are coming in are so small that we can't extract the monies out of them to upgrade the road. The amount and the speed of the traffic on Columbus Avenue has increased tremendously. He said that he feels fortunate that we have been able to get sidewalks on this project for people to walk on. He said that this particular road should be a priority in terms of being reconstructed.

Pete Lavoie stated that Columbus Ave. is not in the CIP and would cost big money.

Steve Stancel stated that one thing that was spoken about at the workshop are areas of the city that are currently zoned R-20 and R-12 that don't have city sewer. Those are areas that need to be looked at for possible rezoning. Columbus Ave. needs to be upgraded or we have to change the zoning to decrease the number of units that are going to occur.

Jerry Reese said that he agrees with Frank, and will probably make the suggestion at the Council Meeting tomorrow night because they will be discussing the CIP. He said that he also agrees with Tony and his suggestion should be put onto the plans so that when and if that land is developed it will be on record that those lots come off that proposed road.

Reuben Hull said that making Columbus Ave. straighter and broader is going to be detrimental and will make the road speedier. He said that there is a balancing act that needs to be done. We should make it a priority that Columbus Ave. needs to be visited.

Jerry Reese asked if Pete Lavoie would send him an e-mail with some rough numbers on the cost of fixing that road.

Tony McManus made the motion to amend his earlier amendment.  
Jerry seconded.

**VOTE U/A**

Jerry Reese made the motion to approve this with the staff recommended comments as follows:

1. Add the owner's signature to the plan.
2. Revise plat to show the future driveway locations for all the lots and add a note indicating that a shared driveway is required for lots #5 and #6. The driveways for lots #3 and #4 shall be located off the potential future roadway.
3. Revise the plat to add an engineer's stamp and signature to the detail sheet.
4. The sidewalk depicted on detail sheet and water line shall be completed prior to the issuance of a certificate of occupancy for any lot.
5. Revise the plat to add the new Tax Map and Lot numbers as assigned by the Tax Assessor.
6. Provide the Planning Department with a copy of the State Subdivision Permit and add the permit number to the plat.
7. The applicant shall comply with the conditions contained in the City Engineer's memo dated 12/8/00 as follow:
  1. The proposed 12" CLDI water main should be shown on the plans along with two hydrants, gates, endcap and the proposed water services.

Frank Torr seconded.

**VOTE U/A**

#### **ITEM #5 Old Business**

##### **a. Letter from Atty. McNeill requesting a 60 day extension for Motive on Silver St.**

Steve Stancel stated that the latest traffic study just came in on Friday at 4:00 PM and it hasn't been analyzed yet.

Reuben Hull made the motion to grant the extension.

Margaret Stevenson seconded.

**VOTE U/A**

##### **b. Discussion and possible vote on the Scenic Road Amendment.**

Ron Cole stated that he is still educating himself with regard to this item.

The Board decided to leave it on the table until the next meeting.

Ron asked if anyone minded not having a meeting of December 26<sup>th</sup>.

Steve Stancel stated that in December's NH Magazine, there is a write up of Dover, NH. He said the City was chosen as one of five communities of the future in NH. He said that we were chosen as the dark horse to be the community of the future.

Ron Cole stated that the next meeting would be January 9, 2001. He said that he would be running for Chair again.

Jerry Reese made the motion to adjourn.

Tony McManus seconded.

**VOTE U/A**