

**DOVER PLANNING BOARD**  
**MINUTES OF MEETING**  
**JULY 8, 1997**

**MEMBERS PRESENT:** Otis Perry, Anthony McManus, Reuben Hull, Charles Maglaras, Paul Beecher, Ron Cole

**MEMBERS ABSENT:** Mike Bobinsky, Brian Preston, Dennis Ciotti

**STAFF PRESENT:** Steve Stancel, Planning Director and Jacqueline Freeman Recording Secretary

**ITEM #1:** Approval of minutes.

Charles Maglaras made the motion to approve the minutes.  
Reuben Hull seconded.

**VOTE U/A**

**ITEM #2: Consideration and acceptance of an application for a minor subdivision of land for Wayne and Teresa Picard, Assessor's Map A, Lot 19, zoned R-40, located on Varney Road. (2 lots)**

Kevin McEneaney represented the Picards. He said the access is a common driveway between lots 19-1 and 19-2. He stated there are 2 wetland crossings. Kevin said the wetlands application has been made and he does not anticipate any problems. Kevin stated that the access is not on the frontage because there would be more wetlands impact.

Chuck Maglaras made the motion to accept the application.  
Reuben Hull seconded.

**VOTE U/A**

The public hearing was opened.  
There were no comments.  
The public hearing was closed.

Otis asked how an address on a private drive is dealt with, and if a private drive should be named.

Steve Stancel stated that the address goes with the frontage except where there is a private drive. He added that he will check with the Building Inspector about naming the private drive. Steve said there can be up to 4 lots on a private drive.

Otis Perry made the motion to approve with the following conditions:

1. Add the owners' signatures to the plat.

2. Add the 75 ft. setback line from very poorly drained soils to the plat.
3. Show existing and proposed well locations with their respective 75 ft. protective radii on the plat.
4. Provide the NH Wetland Council dredge and fill permit for the driveway wetland crossings to the Planning Department when received. The Conservation Commission has recommended approval of the application. A telephone conversation with Dr. Frank Richardson indicates that the application is slated for approval with conditions on July 11, 1997.
5. Address issue be resolved to the satisfaction of the Building Inspector.

Chuck Maglaras seconded.

**VOTE U/A**

Otis left his seat and Kathy Taylor took his place.

**ITEM #3: Consideration and acceptance of an application for a site review of land for Auditory Response Systems, (Owner, Barry T. Ryan), Assessor's Map 9, Lot 91, zoned O, located at 7 Church Street.**

Steve O'Neil represented Auditory Response. He handed out revised plans of the property. He said the westerly boundary line of the parcel has changed. Mr. O'Neil stated that originally, it went along the chain link fence and since then they found a pin which increased the lot area. He said Auditory Response, 113 Locust Street, would like to move into this structure and change the use from residential to office. He said they propose to remove the existing garage to give access to a parking area. He said they need to provide 8 spaces and they are providing 7 standard spaces and 1 handicap space. Mr. O'Neil stated they are asking for a waiver of the access from 24 to 22 feet. He said to maintain a 5' buffer and a handicap ramp only leaves 22 feet of pavement. Steve O'Neil stated that the drainage will run along a curb into a catch basin and then to Middle Street.

Paul Dubois, Treasurer of Auditory Response, stated there are 5 full time and one part time employee. He said it is strictly an administrative office. Mr. Dubois said they use independent contractors so there will be no vans parked on the site.

Chuck Maglaras made the motion to accept.

Paul Beecher second.

**VOTE U/A**

Chairman Cole stated that each person wishing to speak will be allowed 5 minutes.

The public hearing was opened.

Sister Monica, Principal of St. Mary's School, asked Mr. Dubois if he is planning to sublet space to anyone else.

Mr. Dubois said no, that they do not have any additional room.

Cornelia Mulder, 6 Middle Street, was concerned with the fence, scrubs, and the drainage as her property is on the downhill side of the project.

Paul Dubois stated they will maintain either fencing or shrubs.

Steve O'Neil stated that curbing will catch any runoff.

Norm Champagne, 13 Church Street, stated there may be a dispute with the boundary. He said he is concerned with traffic conditions because of St. Mary's and the First Parish Church. He added if this is a commercial venture someone should be responsible for putting in sidewalks and curbing to keep the children out of the road. He said he is concerned with the number of employees should they expand.

Barry Ryan, owner of the house, stated he has lived there for 7 years and there is a lot of activity in the neighborhood. He said that Mr. Dubois would be a strong addition to the neighborhood. He said the property is more fitting for an office than for a family. He added that the parking lot won't be putting more parking on the street and will alleviate a parking problem.

Paul Dubois stated they will be using the back entrance, which will also be the handicap entrance.

The public hearing was closed.

Steve Stancel stated that this plan did not need to come before the Planning Board, however, the Site Review regulations say it can be brought to the Board if it is controversial. He said the house is of a historic nature and paving the back yard will compromise the historic value. Steve stated he tried to work with the applicant regarding leased parking, but the applicant chose not to go that route. He added that Dover doesn't have any historic regulations so there is nothing to prohibit even a single family from paving the back yard.

Chuck Maglaras asked if Mr. Dubois would be willing to do the sidewalks.

Mr. Dubois stated that he felt the pressure to do the City's job and agreed to do the sidewalk on Academy street but there is no sidewalk on Church Street and it would be a great expense to put in a sidewalk where there is none.

Paul Beecher made the motion to approve with the following conditions:

1. Add the owners signatures to the site plan.
2. The application requires a waiver from the Board of the accessway width requirement of 24 ft., as the plan calls for a 22 ft. width.
3. Detailed landscaping plan or fence plan shall be submitted that details the screening of the parking lot area to the satisfaction of the Planning Department. Said screening shall take place along the full length of the western and northern property lines. Some additional landscaping may be required along the chain link fence on Church Street.

4. Depict the existing sewer easement on the plan.
6. Add to the as-built note that as-builts shall also be submitted in DXF digital form for GIS.

Anthony McManus seconded.

**VOTE U/A**

Otis took his seat.

**ITEM #4: Consideration and acceptance of an application for a site review of land for The New Meadows, Assessor's Map H, Lots 35A, 35B, 35D, 35E, 40A, zoned RM-20, located on Knox Marsh Road (4 buildings, 96 units)**

David Mackwell, introduced Dan Roberge and Mr. Pierce, the owner. He stated the site currently has 7 buildings and the proposal is to add 4 additional buildings on the foundations that are already in place. He said they will add a playground between buildings 6 & 7. He said the trail is of undetermined length, 5 or 6 hundred feet is an estimate.

Steve Stancel stated that the applicants have concerns with the wetlands crossing for the trail. He said we have to go back to the drawing board for a place that doesn't impact the wetlands and it may not be within 150 feet from the Bellamy.

David Mackwell explained the drainage and said it is consistent with the original plan. Mr. Mackwell said parking for the public to access the trail was never discussed but added that there is plenty of parking.

Steve Stancel stated that a traffic analysis was done and they do not need a signal.

Otis Perry made the motion to accept the application.

Anthony McManus seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments.

The public hearing was closed.

Steve Stancel stated that this application went through 2 TRC meetings. He said the Conservation Commission has some concerns. He said this project was approved in 86 or 87 prior to the Wetlands Ordinance. Steve said if you look at the entire site there may be a problem. He said that Frank Richardson, of the Wetlands Board, did not recommend looking at the entire site at this time. Steve said they came to a compromise to give approval for these 4 buildings, but they would have to look at the entire site for any other development.

Otis Perry said he did not feel comfortable approving something he doesn't see. He asked what would happen if the Wetlands Board denied the permit.

Steve Stancel answered that Chairman Cole would not sign the plan.

Anthony McManus made the motion to approve with the staff conditions:

1. Add the owner's signature to the site plan.
2. The remaining abandoned vehicles shall be removed from the property.
3. Submit the NH Wetlands Council dredge and fill permit to the Planning Department when approved. The applicant shall comply with the specific conditions of the dredge and fill permit.
4. Any future development on the site shall require a wetland delineation of the entire parcel, including proposed impacts or wetlands crossings.
5. The applicant design, construct and maintain a 20 foot wide trail and grant a public access easement. Plans and specifications for the trail shall be submitted to the Technical Review committee for approval prior to construction.
6. Another playground be developed.

Chuck Maglaras seconded.

Otis Perry made the motion to delete Item #5.

Paul Beecher stated that if #5 is deleted, the easement is lost.

Steve Stancel stated that the concept was to attempt to design a trail with no impact. He said they are trying to connect with an existing trail.

Otis stated they can come back in 4 weeks with a plan to do the trail. He said it could be tied into the Certificate of Occupancy of the first building and the trail be completed prior to the final CO.

Otis made the motion to delete his original amendment and to add to Item #5. that the applicant come back with an acceptable plan for the trail before the occupancy permit for the first building is issued, and the trail be completed prior to the final CO.

Paul Beecher seconded.

**VOTE U/A**

Vote on the original motion.

**VOTE U/A**

**ITEM #5: Consideration and acceptance of an application for a site review of land for Fuller-Jefferey Radio of New England, Inc. (WOKQ), Assessor's Map M, Lot 91A, zoned R-40, located at 292 Middle Road.**

Roy McCarty, represented the applicant and introduced Mark Erickson and Bret Poulin. He stated that the new building needs to be as close as possible to the existing structure. He said

there are 6,500 sq. ft. of wetlands and there is no problem with drainage. He stated there is City water but no City sewer. Roy said they will be planting maples, pines and evergreens to screen the site from the road. He showed the Board a rendering of the proposed building.

Paul Beecher left for the evening.

Otis Perry stated that he felt the project could be moved 25 or 30 feet parallel to the power line which would bring them out of the wetlands.

Mr. McCarty stated that doing that would impact approximately the same amount of wetlands.

Steve Stancel explained that the TRC was trying to balance a number of factors. He said it is a pristine residential area and they wanted the building away from the road and the parking in the back of the building. Steve said the Conservation Commission requested that they look at additional sites. He said that they hired an independent communications engineer who states that the present location is the best of the options.

Paul Beecher made the motion to accept the application.  
Anthony McManus seconded.

**VOTE U/A**

The public hearing was opened.

Kenneth Appel asked if this use is permitted in an R-40 zone. He also wanted to know what would happen if it was no longer used as a radio facility. He asked about the 64 parking spaces for the 25 employees.

Steve Stancel stated it is a permitted use and is considered a public utility. He added if the building is vacated, it can only be used by a permitted use.

Mark Erickson stated that the plan is to make WOKQ function better not larger. He said they presently have people sharing desks. He said the existing buildings will be used for storage. He said that there are 49 people employed either full time or part time but they are never there all at one time. He said that at times there are guests.

Dave Dickson, of Brickyard Estates, was concerned with the plan for the 68.5 acres, and why the facility is on septic and not on sewer, and what the impact of this will be on Brickyard Estates after the building is put up.

Mark Erickson stated there is no plan for the acreage because there is a lot of wetland. He stated this facility will bring the office into the 21st Century. He said they keep their property up and there should be no negative impact on the neighborhood.

Ray Spugnardi stated if there was a gravity line they would be on City sewer.

Bill Lawrence, Brickyard Estates stated he would like to see less parking.

The public hearing was closed.

Otis Perry made the motion to table to a site walk.

Reuben Hull seconded.

**VOTE U/A**

Chairman Cole set the site walk for Monday, July 14, 1997, at 4:30 PM.

Mark Erickson stated the corners of the building and the parking will be staked out.

**ITEM #6: Consideration and acceptance of an application for a major subdivision of land for Eldorado Corporation, (Owners, Frederick & Dorothy Schofield), Assessor's Map I, Lot 31, zoned R-12, located on Mast Road. (3 Lots)**

Anthony McManus stated that he once represented Mr. Chinburg on a family matter which is no part of this project, but doesn't have a conflict.

Mr. Chinburg, of Eldorado Corporation, explained the subdivision. He said it will be on City water and City sewer.

Otis Perry made the motion to accept the application.

Ron Cole seconded.

**VOTE U/A**

The public hearing was opened.

Tony Loupi, 3 Pond View Drive, stated he was not listed as an abutter, but the former owners of the property were. He was concerned with keeping the shrubs on Mast Road to provide screening, how far back from the road the houses would be, and what size and type of houses would be built. He was also concerned with traffic and the impact on the schools.

Mr. Chinburg stated that the front setback is 30 feet. He said there will be covenants patterned after a similar subdivision on Mast Road. He said he has no personal plans to clear off the shrubs on Mast Road but any buyer has the right to do that. He said there will be 1,600 sq. ft. of finished living space in the houses.

Steve Stancel explained the setbacks in relation to the poorly drained soils.

The public hearing was closed.

Otis Perry made the motion to approve with the following conditions:

1. Add the owners' authorized agent signature to the plat.

2. Correct the owners name for Map I, Lot 32.

Charles Maglaras seconded.

**VOTE U/A**

**ITEM #7: Old Business**

There was none.

**ITEM #8: New Business**

There was none.

**ITEM #9: Adjournment**

Anthony McManus made the motion to adjourn.

Charles Maglaras seconded.

**VOTE U/A**