

**DOVER PLANNING BOARD
MINUTES OF MEETING
AUGUST 12, 1997**

MEMBERS PRESENT: Anthony McManus, Brian Preston, Ronald Cole, Mike Bobinsky,
Kathy Taylor, Dennis Ciotti

MEMBERS ABSENT: Reuben Hull, Paul Beecher, Charles Maglaras, Otis Perry

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

Chairman Cole brought the meeting to order at 7:08 PM

ITEM #1: Approval of minutes.

Anthony McManus made the motion to approve the minutes.

Mike Bobinsky seconded.

Brian Preston pointed out that at the bottom of Page 5 it should be added that the possibility of CDBG funds should be looked into as a means of addressing the problem intersection of Whittier and Pleasant View Circle.

VOTE U/A

ITEM #5: Consideration and acceptance of an application for a minor lot line adjustment of land for ZLGH Development Inc., Assessor's Map A, Lots 39-25 & 39-26, zoned R-40, located on Fieldstone Drive.

Kevin McEneaney, of McEneaney Survey Associates, represented the application. Kevin stated that ZLGH owns both lots. He said there is a house constructed on one lot but unfortunately, it is too close to the side lot line. He said this lot line adjustment will make the house conform to the setbacks. He added that the lot areas being exchanged are equal in size.

Anthony McManus made the motion to accept the application.

Mike Bobinsky seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Kathy Taylor made the motion to approve with the following conditions.

1. Add the owner's signature to the plat.
2. Add the building setback lines and 75 ft. setback line from very poorly drained soils for Lot A/39-25 to the plat.

3. Correct the abutter call-out for Lot A/39-34 on the plat to correspond with the abutters list.
Brian Preston seconded.

VOTE U/A

ITEM #3: Consideration and acceptance of an application for a Conditional Use of land for Raymond H. Bardwell (Owner Brian H. Bardwell), Assessor's Map L, Lot 481 & 48R, zoned R-40, located at 197 Spur Road.

Ray Bardwell stated his son is the owner of the lot. He said he went to the ZBA and received a Variance for the 55 ft. front setback. He said he has received a NH Wetland Permit for the driveway and the Army Corps of Engineers has given him a verbal approval. Mr. Bardwell stated he is asking for approval upon receipt of the Army Corps of Engineers Permit.

Mike Bobinsky made the motion to accept the application.

Dennis Ciotti arrived.

Anthony McManus stated he was abstaining.

Brian Preston seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Kathy Taylor made the motion to approve with the following conditions:

1. Provide the Army Corps of Engineers permit when received.
2. Follow all general and specific conditions of approval of said permit.
3. Correct note 13 on the application plan to read Dover Flood Insurance Study, as opposed to Portsmouth.
4. Show utilities easement over property sewer lines.

Mike Bobinsky seconded.

VOTE U/A

Abstained - Anthony McManus

ITEM #4: Consideration and acceptance of an application for a minor lot line adjustment of land for Dover-RA-Central & Oak L.L.C., (Rite Aid) Assessor's Map 28, Lot 19, zoned B-3, located at 701 Central Avenue.

George Conway stated the lot line adjustment is to give Dean Fournier 2,600 sq. ft. of land that holds the trees and the vegetation.

Brian Preston made the motion to accept the application.

Mike Bobinsky seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Mike Bobinsky made the motion to approve with the following conditions:

1. Add owners' signatures of both affected lots to the plat.
2. Show all of Lot 28/18 on the plat or ask for a waiver from that requirement of the subdivision regulations. Final lot areas for both lots should be called-out on the plat.
3. Show the GIS coordinates on the plat.
4. Clearly identify new lot lines and lot lines to be abandoned on the plat.
5. Identify existing property corner markers and call-out new property corner pins. New corner markers shall be installed in the field.

Brian Preston seconded.

VOTE U/A

ITEM #5: Consideration and acceptance of an application for a minor lot line adjustment of land for Piscataqua Cabinetmakers & Builders Inc., (Owner Cramer Fabrics Inc.), Assessor's Map D, Lot 13-1, zoned I-4, located at 20 Venture Drive.

Dana Lynch, of Civil Works, represented the application. He said the lot line that goes across the Cramer land has a 42 foot jog in it. Dana said this lot line adjustment will eliminate the jog. He added that the abutting land is owned by DIDA.

Anthony McManus made the motion to accept the application.

Dennis Ciotti seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Brian Preston made the motion to approve with the condition that the owners' signatures of both affected lots be added to the plat.

Mike Bobinsky seconded.

VOTE U/A

ITEM #6: Consideration and acceptance of an application for a site review of land for Piscataqua Cabinetmakers & Builders Inc., (Owner Cramer Fabrics Inc.), Assessor's Map D, Lot 13-1, zoned I-4, located at 20 Venture Drive.

Dana Lynch, of Civil Works, stated that Cramer Fabrics owns the lot across the street and is asking to put the property under TDR for a long range planning arrangement to create a sending area. He said the sending area that is located south of Foster's site will allow more development on the site. He stated that Phase I and II will increase the office space to 1,000 sq. ft. and the

manufacturing space to 79,800 sq. ft. Dana explained the loading docks and the additional parking. He said he feels that the loading docks are located on the sides of the building and not in the front. He showed on the plan where they will be creating a mound and planting some evergreen trees as screening.

Dana stated that Phase II will include an addition to the back and to the side of the building. He stated that the buildings have been squeezed onto the site without impacting any wetlands. He said there will be a maximum 75 employees on the maximum shift and they will be providing 75 parking spaces. He said the City Engineer is completing the drainage calculations and they will be meeting with him on Friday.

Mike Bobinsky asked what the schedule was for Phase III.

Dana Lynch answered that Phase I and II will be started in September or October and Phase III within 10 years.

Mike Bobinsky stated he has concerns with the three driveways. He asked if anyone has looked into repositioning the northern driveway.

Dana Lynch stated they are trying to minimize the traffic. He said they could provide signage. He explained that there are two loading dock areas because one is for deliveries and the other is for the finished product.

Kathy Taylor made the motion to accept the application.

Brian Preston seconded.

VOTE U/A

The public hearing was opened.

Martha Haley, 47 Sixth Street, abuts the entrance to Venture Drive. She said they purchased their home 14 years ago. She asked if they are considering plantings to provide a natural buffer and wanted an explanation of the sending area. She asked if there are future plans to develop the land across from the facility. She asked if they will be adding any external exhausts and noise. She stated that she would like to see a sign between the Sixth Street Connector and the entrance to Enterprise Park to warn tractor trailer trucks that the entrance to the park is up ahead. She said there is a problem with them bypassing the entrance and then having to back up.

Dana Lynch stated that Cramer wants to preserve the right to develop that property.

The public hearing was closed.

Steve Stancel read the following list of outstanding TRC notes:

1. Show light locations on the building
2. Loading bays need to be located to the rear of the building

3. Note 10 needs revision
4. Dumpster needs to be located on the plan and screened
5. Landscaping plan needs to be submitted
6. Landscaping and building facade will have to be approved by DEDC
7. Possible sidewalk to be public walkway
8. Guardrail needed on the plan
9. Concrete retaining wall detail needs to be submitted.
10. Spec. for light pole on the plan
11. Show catch basin by loading dock
12. Roof drain size and type needs to be listed.
13. Second entrance elimination issue at third phase was discussed and recommended by Engineering
14. Northern loading bay needs landscaping
15. Have to take closer look at drainage (engineering)

Steve Stancel stated that the loading bays for Phase I & II are considered in the front of the building. He said that the City learned that companies that have front loading docks all look very poor in a short period of time. He said there are concerns with the 3 entrances onto the property and asked if there is a possibility of eliminating one entrance or making it one way. Steve stated that they will have to get the approval from DIDA for the facade and the landscaping.

Anthony McManus made the motion to table to a site walk.
Dennis Ciotti seconded.

VOTE U/A

Chairman Cole set the site walk for 8:00 AM, Tuesday, August 19, 1997, at the site.

Dana Lynch stated he will stake off the building.

ITEM #7: Old Business

- a. **Consideration and possible vote on a minor subdivision of land for James T. Gaunya.**

Steve stated that he recommends combining both plans into one set.

Mike Bobinsky made the motion to take this item off the table.
Brian Preston seconded.

VOTE U/A

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

1. All items be added to the plan submitted at the July 27, 1997, Planning Board meeting. That plat shall be used for recording in the Registry.
2. Setbacks to the property lines and to the wetlands be added to the plat.

3. Deed references be added to the plat.

Dennis Ciotti seconded.

VOTE U/A

b. Possible vote on Woodland Crossing revisions.

Steve Stancel stated that the number of residential units has been reduced from 26 units to 20 units and the petitioner shall construct an 18 inch concrete barrier wall to act as a buffer between the Lord and Keenan fuel tank facility and the 20 residential unit buildings.

Chairman Cole said the Board does not have to hold a public hearing but he will open one to hear comments.

The public hearing was opened.

Alan Avery, 49 Fifth Street, asked if the notice in the newspaper was sufficient notice to the abutters of this meeting. He felt that the Grove Street intersection to Fifth Street could be made one way because that end of Fifth street is narrower.

Ron Cole answered that written notification was not legally necessary.

Steven Stancel stated that making it one way would require the approval of the City Council and would take some serious checking.

Alan Avery asked if there will be any kind of fencing or shrubs between Dover Station and Lord & Keenan. Mr. Avery commended the Planning Board because he felt they acted properly. He said that Mr. Kageleiry is the winner and he feels the abutters are the losers.

Steve Stancel answered that there will be screening between Dover Station and Lord & Keenan.

An abutter to the project wanted to know how many people will be living in that area.

Ron Cole stated there will be a total of 51 bedrooms.

Margaret Avery, 49 Fifth St. wanted to know if the railroad property is still included as part of the parking lot and if the Housing Partnership is still involved.

Steve Stancel answered that the former railroad property is not included as part of the parking lot and the Housing Partnership is no longer involved.

Tom Duffy, 19 Forest Street, represented an abutter at 49-50 Fourth Street. He had some questions regarding the entrance on the Fifth St. Connector. He said he feels this application should have come back with a proper public hearing. Tom stated he was concerned that the

building could be rented to all college students and there is no third parking space for the 3 bedroom apartments. He thought the extension should possibly have no parking on one side.

The public hearing was closed.

Ron Cole stated that if we turned the project down as submitted, it would go to court and we would loose. He said it went through all the court proceedings and the Board met with the City Attorney three time in executive sessions. He said the Board did some serious negotiations. He said it became obvious that the reasons it was turned down would not fly in a court of law. He said if we didn't negotiate, it would cost the tax payers a lot more money. Ron said that looking back at the Board's decision, it was made on an emotional standpoint. He said the project probably should not be there, but playing by the rules established by the Community, it works.

Steve Stancel stated that this property is zoned for multy-family use. He said that 70 apts. could be put on this lot. He said it has gone from 30 units to 20 units, which will be stick built and town house style. He stated it is better than what was originally proposed.

Kathy Taylor stated she would like to see "potential" taken out of the note "Area reserved for potential dedication to City of Dover."

Dennis Ciotti agreed that potential should be scratched out.

Anthony McManus stated that the note refers to the landscape area, not the right-of-way.

Mike Bobinsky concurred with Tony. He suggested a stop sign at the entrance to the Fifth Street Extension. He said it would be logical for people leaving the development to stop.

Kathy Taylor asked if the lot line adjustment gives him the property that is Fifth Street Extension.

Ron Cole and Steve Stancel both answer that it did not.

Steve Stancel stated that approving this plan will also approve the lot line adjustment.

Mike Bobinsky made the motion to approve the Settlement Agreement and Stipulations with the following conditions:

1. Add a note to the plan indicating that the existing chain link fence shall be repaired and extended to the end of the western property line. If the abutter does not allow this, a new fence on the applicant's property shall be constructed.
2. Add the owner's signatures to the plan and plat.
3. Remove the northern-most speed bump, and move the speed bump in front of the building to the north approximately 70 ft.
4. Extend the site plan to the end of the property line showing the walking trail.

5. Depict a future access easement on the plat and site plan over the gravel walking trail. Said easement shall be provided to the City at no cost upon request. Maintenance of the walking trail shall continue to be the responsibility of the property owner.
6. The final utility easement plans should be acceptable to the Engineering Div. and the Planning Department.
7. Additional stop sign be added to exit onto Fifth Street.

Dennis Ciotti seconded.

VOTE 4 - 1

Opposed - Kathy Taylor

c. Possible vote on Sprint/Spectrum site review of land owned by George Parsons.

Scott Backman stated that the delay was caused when Mr. Parsons decided to construct the road himself rather than post the bond. He said that the roadway is now completed and it allows them to move forward. Scott stated that he needed the extension of approval for a period of two weeks until the 26th of August.

Dennis Ciotti made the motion to approve the extension of approval until the 26th of August with the following conditions:

1. Provide copies of easements to the Planning Department.
2. GIS coordinates need to be tied into the North American Datum (NAD) 1927 and provided to the Planning Department in digital DXF form.
3. Change Note 11 on the sheet C1 to read that the space on the tower will be made available to the City of Dover for placement of communications equipment at no charge.

Anthony McManus seconded.

VOTE U/A

d. F.W. Webb extension.

Dana Lynch stated that this plan was approved in May, 1997. He stated that all the conditions of approval have been met. He said the delay was in getting the owner's signature.

Dennis Ciotti made the motion to extend the approval.

Mike Bobinsky seconded.

VOTE U/A

Steve Stancel explained that the cost of the upcoming Municipal Law Lecture series and the PSNH Seminar will be paid by the Planning Department if anyone chooses to go.

Anthony McManus made the motion to adjourn.

Dennis Ciotti seconded.

VOTE U/A