

**DOVER PLANNING BOARD  
MINUTES OF MEETING  
AUGUST 26, 1997**

**MEMBERS PRESENT:** Brian Preston, Dennis Ciotti, Anthony McManus, Reuben Hull, Mike Bobinsky, Otis Perry, Charles Maglaras

**MEMBERS ABSENT:** Ron Cole, Paul Beecher

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

Vice-Chairman Reuben Hull called the meeting to order at 7:02 PM

Reuben Hull asked Karen Crittenden, the newly appointed Planning Board Alternate, to be seated on the Board. Because she had not signed and returned her paperwork, he asked that she not vote but to feel free to ask questions.

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

Otis Perry made the motion to approve.

Mike Bobinsky seconded.

**VOTE U/A**

**ITEM #2: Consideration and acceptance of an application for a driveway waiver for Evangelos Simos, Assessor's Map 37, Lot 34A, zoned O. located at 818 Central Avenue.**

Evangelos Simos stated that he is asking for a waiver from City Ordinance 149-15 which applies to the paving in the front of the property. He stated this is requested because of the hardship generated by the acquisition of a part of his frontage from the City. He said he is also requesting a waiver regarding City Ordinance 92-6. He added that he does not see the need for an expensive engineering drawing. He said the proposed parking lot is between City streets and a solid building and it is easily measurable.

Bruce Woodruff stated it is a strangely shaped lot. He stated that up to 7 cars park on the grass and should be paved for non-residential use. Bruce stated the Building Inspector has determined that 7 spaces are required given a pending permit to construct a roofed porch addition. He said Mr. Simos will need an easement from the City. He said the Planning staff has no problem with the waiver for the curb cut if he needs only 5 spaces. Bruce explained where Paige Street is located in relation to Ames Plaza. He stated if the Board does not vote on this tonight, it could be tabled for a site walk.

Anthony McManus made the motion to table.

Otis Perry seconded.

Anthony McManus withdrew his motion to table.

Charles Maglaras made the motion to accept the application.  
Otis Perry seconded.

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

Anthony McManus made the motion to table to a site walk.  
Otis Perry seconded.  
**VOTE U/A**

Reuben Hull set the site walk for Tuesday, September 2, at 8:00 AM, at the site.

**ITEM #3: Consideration and acceptance of an application for a minor subdivision of land for Southwest Partners Realty, L.L.C., Assessor's Map H, Lot 36B, zoned I-2, located on Knox Marsh Road.\***

Atty. Malcolm McNeill represented Southwest Partners. He introduced Mr. Phillips, the owner, and Chris Jacobs of Norway Plains. He stated he is not here to tell what the future of the property will or will not be. He stated that the lots have water, sewer, gas and an active railroad line. There is a total of 23.34 acres. Lot 1 is 9.44 acres and lot 2 is 13.90 acres. Malcolm pointed out that the frontages of these lots are three times the required size. Atty McNeill stated that this project has received the required permits from the NH Wetlands Board.

Chris Jacobs, of Norway Plains, pointed out on the plan where the wetlands crossings are located. He said NH Division 6 agreed with the two proposed entrance locations. Chris stated there is sufficient upland area to build on these lots. Mr. Jacobs stated that the Dredge & Fill permit is for 9,199 sq. ft. Chris stated that the Wetlands Permit is good for 5 years. He said that the driveways are approximately 120 feet apart and the State has agreed to give permits for the two driveways.

Otis Perry made the motion to accept the application.  
Mike Bobinsky seconded.  
**VOTE U/A**

Bruce Woodruff gave the staff recommendations.

Anthony McManus asked if the development is locked into the driveway locations by approving the proposal as is.

Bruce Woodruff answered it is not.

Malcolm McNeill stated that this land could be subdivided with out these permits. He added that they are locked into what the Wetlands Board has approved.

Bruce Woodruff stated that it is a buildable site.

The public hearing was opened.

Gregory McCrone, 239 Knox Marsh Rd., stated that he is opposed to this subdivision because of the wetlands and the affects it will have on his property. He said the soil is clay, silty and cannot drain. He said he questions even putting a road into the site. He added the land is like Jell-O and the structures will depress the land. He felt some of the run off will run onto his property. He said a 10-20 year rainstorm will fill the area with water. Mr. McCrone added that the second reason for not wanting the project is the impact on the quality of life for the citizens of Dover. He said the Conservation Commission reluctantly approved the project. He spoke of the birds and small animals in the area that need 20 to 30 acres of land in order to survive.

Malcolm McNeill stated that drawing a subdivision line will not impact the McCrone's land. He stated it is zoned industrial and is clearly in compliance with the regulations.

Karen Crittenden asked what the square footage of the upland areas are.

Chris Jacobs stated that the upland area on the left of the plan is 50,000 sq. ft. and the one on the right is 25,000 sq. ft.

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

1. Correct the building setback lines on the plat. Building envelope does not apply in wetland soils, the 75 ft. setback from very poorly drained soils, or Conservation District areas.
2. Depict the fill areas per NH Wetland permit #97-00039 on the plat.

Brian Preston asked if only page 1 is being approved?

Bruce Woodruff answered yes.

Dennis Ciotti seconded.

**VOTE U/A**

**ITEM #4: Consideration and acceptance of an application for a minor subdivision of land for the Estate of Esther Cormier, Assessor's Map A, Lot 35A, zoned R-40, located on Knox Marsh Road.**

Dennis Ciotti stepped down.

Kevin McEneaney, of McEneaney Survey Associates, stated that there is currently a single family home on one lot. He added that both lots meet all the City regulations. Kevin stated that lot #2 is a 16 acre parcel. He said they have applied for the State permit for subdivision and the approvals are pending. He stated that there is a State requirement that you reserve a 4,000 sq. ft. area of suitable land should the septic system fail.

Charles Maglaras made the motion to accept the application.

Mike Bobinsky seconded.

**VOTE U/A**

Kevin McEneaney stated that the taxes will be cleared up as soon as the house is sold.

The public hearing was opened.

Ernest Fleisher, Trustee of the estate, 106 Varney Road, stated that the land is "L" shaped and runs behind his property. He said he was attracted to the area because of the woodland behind his property. He said that he is worried that the new owners of the properties will cut down the trees and he finds that very offensive. He stated that lot 1 should be made rectangular and the remaining land be part of lot 2.

Bruce Woodruff stated that these are both residential uses in a residential zone and no screening is required. He added that should the large lot be subdivided it will have to come before the Board.

Mr. Fleisher stated that the lot does not have to be subdivided in order to be cleared. He added that it would make the turnpike visible to them, not to mention the noise.

Otis Perry stated that short of trying to buy some of the property, he is not sure what he can do.

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

1. Add the owner's signature to the plat.
2. Submit the NHDES WSPCC Subdivision Approval to the Planning Department and add the permit number to the plat when received.
3. Depict the building setbacks and proposed well location with 75 ft. protective radius on the plat.

Mike Bobinsky seconded.

**VOTE U/A**

Dennis Ciotti took his seat.

**ITEM #5: Consideration and acceptance of an application for approval of two Transfer of Development Rights parcels for Cramer Fabrics, Inc. and DIDA.**

Dana Lynch, of Civil Works, stated this is a plan for a TDR sending area for three parcels at Enterprise Park. He explained that the TDR ordinance allows owners to develop more intensely their property. He said this sets aside D/7-1 for the development of Cramer lot D/13-1, D/7-2 is for Cramer lot D/13-5, and D/7-3 is for DIDA lot D/13-4. Dana stated that the owners will own the sending areas and there will be covenants forbidding development forever.

Bruce Woodruff stated that the development rights on those parcels are gone.

Otis Perry made the motion to accept the application.

Mike Bobinsky seconded.

**VOTE U/A**

Bruce Woodruff gave the staff recommendations.

The public hearing was opened.

Beth Thompson, Economic Director, stated DIDA is very supportive of this plan and hopes the Board is also.

The public hearing was closed.

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

1. Add the owners' signatures of all affected lots to the plat.
2. Add the word subdivision to the title of the plat.
3. Planning staff to review the deed language for covenants or easements to be given to a Conservation group.

Charles Maglaras seconded.

**VOTE U/A**

**ITEM #6: Old Business**

**a. Consideration and possible vote on a site plan for Cramer Fabrics, located on Venture Drive.**

Dana Lynch of Civil Works, represented the application. He stated that the site walk was very fruitful. He said there were two issues that were outstanding. One was the treatment of the loading dock on the south side of the building and the second was the third access to the property. Dana went over the landscaping plan. He said they are providing a row of white spruce every 15 ft. and a raised cluster of white spruce will hide the loading

dock. He said they will enhance the landscaping to cut down the visibility of the parking area that is located in the front of the building. Dana said the third driveway has been eliminated. He added that all the TRC comments have been addressed and the parking and landscaping plans have been reviewed and approved by DIDA.

Brian Preston asked if the loading dock meets with the restrictive covenants in place for DIDA.

Beth Thompson stated that DIDA prefers the loading bay to be in the back if possible, but after reviewing it they saw that it was not possible.

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

1. Add the owner's signature to the plans.
2. Add exterior lighting to the rear of the structures.
3. Drainage plan and calculations be acceptable to the City Engineer.

Charles Maglaras seconded.

Anthony McManus was concerned with approving a plan when the developer doesn't plan to build for 10 years. He said a development is good for 4 years after which they must come back before for Board for an extension. He asked that it be looked into and a limitation possibly placed on the approval of site plans.

#### **VOTE U/A**

Charles Maglaras inquired about the status of the Master Plan update.

Bruce Woodruff stated that the Planning Department is waiting to hear from Russ Thibeault of Applied Economics Research (AER).

#### **ITEM #7: Adjournment**

Anthony McManus made the motion to adjourn.

Otis Perry seconded.

#### **VOTE U/A**