

**DOVER PLANNING BOARD  
MINUTES OF MEETING  
OCTOBER 27, 1998**

**MEMBERS PRESENT:** Anthony McManus, Frank Torr, Jerry Reese, Margaret Stevenson, Ron Cole, Brian Preston, Reuben Hull, Mike Bobinsky

**MEMBERS ABSENT:** Paul Beecher, Karin Crittenden, Charles Maglaras

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

Chairman Cole brought the meeting to order at 6:30 PM

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

Jerry Reese made the motion to approve the minutes.

Brian Preston seconded.

**VOTE U/A**

Ron Cole announced that Dover Self Storage and North East Credit Union have withdrawn.

**ITEM #2: Reopen public hearing for the proposed zoning amendments.**

Jerry Reese made the motion to take this item off the table.

Margaret Stevenson seconded.

**VOTE U/A**

Mr. Gitschier, 7 Cataract Avenue, stated he was speaking for the residents of 9C, 11, 12, and 14 Cataract Avenue and 91, 93, 96 Rutland Street. He stated that the traffic is an every day problem. He said when Route 16 went in, in order to service Agway, they changed the alignment of that railroad and moved it south about 10 or 15 feet to make room for the abutment. He said that means that the railroad property does abut Cataract Avenue. He said that he doesn't want an exit onto Cataract Avenue. He said that this is spot zoning and zoning creep. He said there are drainage problems that will affect his property both in the front and the back and he would like this to be considered. He stated that the area has no room for off street parking.

Roland Hoffman, Wellington Avenue, stated that he does not want any rezoning at all. He said he came to Dover with his own master plan to raise his family in a good City.

Joanne Dodge, 16 Summer Street, stated she is building a house on Harmony Lane, off Littleworth Road. She asked for an explanation of the changes to the rezoning.

Steve Stancel went over the changes to the rezoning in her area. He said that they changed the I-2 zoning to I-3 to better protect the residences in that area. He then went through all the uses that would be allowed in the I-3 zones. He explained that this rezoning will go to the City Council for another public hearing. Steve said that copies of the changes are at the Planning Office and the Library for review.

David Griswell, Remax, stated that he represents Bob Bates and is the seller of a property on Watson Road. He wanted to clarify that at a workshop meeting there was some confusion between parcels. He stated that the piece that he is representing is 31 acres and not the 62 acre piece that has a proposed housing development on it. He said that Mr. Bates has had this property under agreement for close to 2 years now. He said that most of the Board appears to be against rezoning this area he urges that this area be removed from the rezoning.

Carol Mairs, Roberts Road, stated that she went to the first workshop at St. Thomas Aquinas, and 99% of the people from the Dover Point area were against any changes on that road. She said she wanted to remind everyone that nobody on Dover Point has changed their mind. She added that they do not want strip malls.

Jim Oschman, Whittier Street, stated that he appreciates the Board's careful and thoughtful discussion of rezoning area #7. He said it seemed that just about everyone has something positive to say about removing that area from the rezoning. He said he appreciates that and urges the Board to remove that area from the rezoning to end the residents' uncertainty.

Joanne Fairchild, 77 Littleworth Road, stated that she was under the impression that by law when there a zoning change the homeowners involved had to be notified by registered mail. She said she is surprised that changes have been made and she did not receive any notice. She asked if she would be able to put on an addition to her home if it were rezoned and if she were to sell her house would she be able to sell it as a residence. Mrs. Fairchild said that her lot is 1.96 acres and the new proposal requires 2 acres. She asked whether her taxes would go up with this rezoning. She stated that it is strange to her that you are thinking of taking their homes and yet there is a new housing subdivision going in farther down on Littleworth Road. She feels that the old timers in the City are not being shown much respect.

Steve Stancel stated that it was discussed that there would be changes evolving. He said if the changes are not deemed to be negative they do not require re-notification. He said that these changes are positive, the density and the number of industrial uses is being decreased. He told her that she would be able to put an addition on an existing non-conforming structure up to 20% of the original size of the building. He stated that her lot size would be grandfathered so she would have a slight advantage because a user could come in and not have to meet the two acres. He said that as long as it was occupied as a residential house the taxes would not change. He said if he was to rent it out, the taxes may change.

Paul Vatcher, Richardson Drive, stated that Hampton Falls, NH controlled growth by only giving 15 building permits per year. He stated that he is upset because of the new development going in behind his property. He stated that the quality of life has changed from the 1980's. He added that he doesn't see any benefit for him, as a taxpayer, to the dredging of the Cocheco River. He said the taxpayers pay indirectly or directly. He feels that things should be left as they are and sees no need for added industry.

Bob Long, speaking for DEDC, stated that the purpose of the rezoning is for tax stabilization. He said that it is a documented fact that the average home does not generate in tax revenue the cost for providing services. He stated that the non-residential structures are positive cash flow for the City. He said the City is out of balance and if we do not move forward with the rezoning it will continue to get worse. Bob added that we are seeing a lot of residential pressure and if the Planning Board does not take action today, the City's choice in the future is continued escalation of the tax rate. We have to take advantage of the opportunity that we have right now. Bob asked the Board to keep in mind the long term benefits of this rezoning process and what it means to the entire community. Bob said if we don't do this now we may lose the opportunity forever.

Jack Picardy, 155 Columbus Avenue, said he feels that many members of the Board are just as perplexed as some of the residents of Dover as to how we got to this solution. He feels that the Master Plan is too ambiguous. He spoke on the soil types east of Columbus Avenue. He said he would like to see a more user friendly approach to the Columbus Avenue/Tolend Road/Littleworth Road area. He stated that he feels the Master Plan should be more comprehensive and not just address the economic issues but address the quality of life.

Steve Hallard, Superb Development Group, stated he is an option holder for a piece of property on Watson Road for the past 2 years. He said he has also been a planning board person and involved in commercial and residential development. He stated that the parcels that have been identified are not appropriate for the proposed new zoning. He thinks the process needs to be streamlined to identify the appropriateness of the parcels that are to be changed.

Mary Lou Staples, wanted to reinforce her position that it is a big mistake to rezone because these are neighborhoods and the lifeblood of the City. She said this is why Dover is here for the neighborhoods and that is why the Board is here, for the people. She said you can't buy quality of life, and once it is gone it is gone. She said that living next to business can really stink. She said that businesses do not make good neighbors because they don't live there.

Frank Barrett, Riverside Drive, off Dover Point, stated that they pay very dearly for that distinction every year and they get very little from the City. He said that you are going to take a residential neighborhood and turn it into a strip mall. He said he is against any changes on Dover Point Rd. He stated that Liberty Mutual built a big multi-million dollar facility and the taxes have not gone down, they have gone up again.

Mrs. Fairchild, spoke about the wildlife that is in her neighborhood.

The public hearing was closed.

Ron thanked everyone for their participation.

Frank Torr made the motion to hold a workshop so the Board would have an opportunity to look at all the changes.

Jerry Reese seconded the motion.

**VOTE U/A**

Chairman Cole set the workshop for Monday, November 2, at 7:00 PM

**ITEM #3: Consideration and acceptance of an application for a driveway waiver for Ronald Pfeiffer, Assessor's Map 12, Lot 22, zoned RM-10, located on 10 Summer Street.**

Ron Pfeiffer stated that they need to add 3 more parking spaces and they would like to reserve space for a garden and a yard. He explained his diagram.

The public hearing was opened.

There were no comments.

The public hearing was closed.

Brian Preston made the motion to approve the application.

Reuben Hull seconded.

**VOTE U/A**

**ITEM #4: Consideration and acceptance of an application for a minor lot line adjustment of land for John Reeves, Assessor's Map A, Lots 47-6, 47-8, zoned R-40, located on Reyners Brook Drive.**

John Reeves stated that he has acquired subdivision approval from the State.

Brian Preston 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.

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

1. Add the owner's signature to the plat.
2. Revise plan to amend note #2 to delete Peterson as an owner of record.

3. Revise plan to amend note #3 to add reference to lot line adjustment plan approved in September, 1998.
4. Revise plan to amend note #5 to delete reference to Lot A-47-4.
5. Revise plan to delete Peterson under plan title and owner signature.
6. Revise plan to delete property line to be abandoned between Lot A-47-4 and Lot A47-6 and change the property line between these lots from proposed to existing.
7. Revise plan to remove Lot A-47-4, which is not part of this proposal, and add abutter's name and address to Lot A-47-4.
8. Provide the state subdivision permit to the Planning Department and add the permit number to the plan in a note.

Margaret Stevenson seconded.

**VOTE U/A**

**ITEM #5: Consideration and acceptance of an application for a minor lot line adjustment of land for the Greek Orthodox Church & Martin J. Hegarty, Assessor's Map 9, Lots 53A & 55, zoned O & RM-10, located on Locust Street.**

Greg Koutrelakos explained the lot line adjustment.

Jerry Reese 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.

Frank Torr made the motion to approve with the condition that both owner's signatures be added to the plat.

Margaret Stevenson seconded.

**VOTE U/A**

**ITEM #6: Consideration and acceptance of an application for a site plan of land for Patco Construction, Inc., (Owner L & K Family Partnership), Assessor's Map G, Lot 4B-1, zoned I-2, located at 37 Industrial Park Road.**

Frank Paterson represented the applicant and explained the site plan.

Jerry Reese made the motion to accept the application.

Reuben Hull seconded.

**VOTE U/A**

The public hearing was opened.

Beth Thompson spoke for the Dover Economic Development Corporation and stated that there are protective covenants on the land. She said DEDC will be meeting with the owners and she is confident that they will come to an agreement.

The public hearing was closed.

Frank Torr made the motion to approve with the conditions of the Planning staff and City Engineer's Office as follows:

1. Add the owners' signatures to the plat.
2. The site plan shall be reviewed by the DEDC for compliance with existing covenants and agreements.

And the Assistant City Engineers comments as per his memo of 10/27/98 be adhered to as follows:

1. The driveway culvert does not have adequate cover. The engineer has been informed and says he will remedy this situation.
2. The pavement cross section should show a minimum of 4" of crushed gravel and 12" of bankrun gravel.

Mike Bobinsky seconded.

**VOTE U/A**

**ITEM #7: Consideration and acceptance of an application for Dover Self-Storage Units, LLC., Assessor's Map H, Lot 35C-1, zoned I-2, located on Sumner Drive.**

**This item was withdrawn by the owner.**

**ITEM #8: Consideration and acceptance of an application for a minor lot line adjustment of land for Daniel Philbrick, (Owners, Beech Tree Realty Trust and Ahern Realty Trust), Assessor's Map 25, Lots 43 G & 43 H, zoned B-3, located on Portland Avenue & Oak Street.**

Don Rhodes, of Norway Plains, stated that Dan Philbrick is the beneficiary of both trusts. He explained the lot line adjustment. He stated that this will allow room to expand Philbrick Sports Center and allow for more parking. He said that the building next to Philbrick's will be removed.

Mike Bobinsky 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.

Jerry Reese made the motion to approve the lot line adjustment with the following conditions:

1. Add the owners' signatures to the plat.
2. Add surveyor's stamp and signature and standard survey note to the plat.
3. Depict or identify as notes on the plat, the various access easements and cross-access easements required between parcels.
4. Revise the plat to correct the City's address on abutting parcels to read Central Avenue (not "Park")
5. Add building setback lines to the plat.

Mike Bobinsky seconded.

**VOTE U/A**

**ITEM #9: Consideration and acceptance of an application for a site plan of land for Daniel Philbrick (Owners: Oak Corner Enterprises, Inc., Ahern Realty Trust & Beech Tree Realty Trust), Assessor's Map 25, Lots 43, 43G, 43H, zoned B-3, located on Portland Avenue & Oak Street.**

Don Rhodes stated he would like to wait for Daniel Philbrick to arrive before starting his presentation.

Chairman Cole said they would come back to this item at the end of the agenda.

**ITEM #10: Old Business**

**a. Discussion and possible vote on a minor lot line adjustment and site plan of land for Northeast Credit Union, located on the Sixth Street Connector.**

This item was withdrawn.

**b. Discussion and possible vote on a major subdivision for MJS Engineering, located on Varney Road. (19 lots.)**

Jerry Reese made the motion to take this item off the table.

Tony McManus seconded.

**VOTE U/A**

Mike Sievert, of MJS Engineering, stated that he has some minor revisions. He stated that he has addressed all the original engineering comments. He said he has been before the Conservation Commission and received approval. Mike explained the drainage easement and said that they are swales with grass slopes.

Mike Sievert stated that the cul-de-sacs will be landscaped and the maintenance will be assigned in the deeds of abutting lots. Mike stated that the County keeps tabs on the registered historic tree.

Mike Bobinsky stated, in reference to the historic tree, that it is not the City's practice to interact on private property, but they can be called upon for advice and consulting. He said that they work closely with the Strafford County Extension Service.

Reuben Hull asked if there was a request for a waiver of the 1,000 ft. cul-de-sac length.

Steve stated that one of the cul-de-sacs is 1,050 feet and a waiver is needed for that.

Reuben Hull made the motion to approve the two waivers one for the 24 foot pavement width of the road, where 28 is required and the other for the cul-de-sac length of 1,050 feet where no more than 1,000 feet is allowed and to approve the plan with the following conditions:

1. Add the owners' signature to the plat.
2. Revise the plat to add the required notes #1, 6, 9, 11, 13, 17, 18, 19, 20, 21, 22, and 25 from the standard note sheets.
3. Address the Engineering comments under separate cover dated 10/27/98.
4. Agree by a note on the plat to preserve the existing "historic" Oak tree and place in the deed for that lot.
5. Provide Planning Department with the State Subdivision Permit and State Site Specific Permit and add permit numbers to the plat including Wetlands Permit.
6. Revise plat to add a note requiring the trimming of brush along Varney Road for sight distance.
7. Designate one adjacent lot owner to maintain cul-de-sac islands and place in deeds.
8. Revise plat to add note with information on the variance granted.
9. Revise plat to add the conservation easement and submit signed easement document, approved by the Conservation Commission, to the Planning Department as per Conservation Commission condition of approval, wetland area shall be referenced in each deed and illustrated on a plot that each purchaser will receive during closing process.
10. Rename streets to the satisfaction of the Building Inspector.

Mike Bobinsky seconded.

**VOTE U/A**

**c. Discussion and possible vote on site plan for Telecorp PCS, located on Spur Road.**

Steve Stancel stated that the Planning staff recommends that this application remains on the table. Steve said we need to seek out engineering assistance. He said that we haven't started looking yet, and we are still waiting for the detail information.

**ITEM #9: Consideration and acceptance of an application for a site plan of land for Daniel Philbrick (Owners: Oak Corner Enterprises, Inc., Ahern Realty Trust & Beech Tree Realty Trust), Assessor's Map 25, Lots 43, 43G, 43H, zoned B-3, located on Portland Avenue & Oak Street.**

Don Rhodes stated that it made sense to do the planning and engineering for both sites together. He discussed the convenience store and gas pumps on the corner lot. He stated the canopy would be connected to the building and there would be a drive-through that would exit out on Oak Street. He said there will be three driveways with this lot. Don Rhodes stated that trucks will use the rear exit to Oak Street. He said the addition to Philbrick's Sports Center would mirror the existing building. He said that the existing driveway to Philbrick's would be closed. He pointed out where the new driveway will be located and explained the traffic pattern. He said they would be closing close to 100 ft. of existing space to better define the driveways. Don said with this proposal there will be close to 80 parking spaces distributed around the building.

Discussion ensued regarding the stacking capability of the drive-through. Steve Stancel stated that he measured the stacking distance and it is quite significant. Don Rhodes stated it should hold about 6 cars to the end of the building. Dan Philbrick stated that there is 120 feet for stacking.

Dan Philbrick stated that he will work with the City in regard to the lighting. He discussed the gas tanks and their capacity. He stated that they would maintain the swale.

Tony McManus was concerned with the trucks possibly going through a residential zone on Oak Street.

Steve Stancel stated that on this particular project they are recommending that there be a sign place on the plan indicating "no right hand turns" for the trucks onto Oak Street.

Dan Philbrick stated that the property down the street is a grandfathered commercial use and the next one is the State Armory.

Steve Stancel stated that the staff recommends a site walk and said that the outstanding concerns are rather minor.

Jerry Reese made the motion to accept the application.

Margaret Stevenson seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments.

The public hearing was closed.

Brian Preston stated that he wanted to have a site walk.

It was determined that there was not a need for a group site walk and the members would go on their own at their convenience.

Dan Philbrick stated that he would be available to answer questions and the Board members could call him or George at 742-9333.

Don Rhodes stated that he would flag the driveways on Oak Street.

Anthony McManus made the motion to table.

Jerry Reese seconded.

**VOTE U/A**

Frank Torr stated in regard to the Northeast Credit Union, that he has a grave concern about access on the limited access road. He said he is not sure why the agreement with the abutter could not have gone further so that access could have been gained on Sixth Street. He said the State will not allow access on a limited access road, the only access is for the State garage and it is very limited. He said that at one time the Tamposi property could not gain access on the Connector Road. He stated that the slant of the road is a concern and wants to put that out for thought. He said Northeast Credit Union worked a deal with the Hams to expand their property and they might be able to work a deal to access the parcel from Sixth Street verses the Connector Road.

Discussion ensued in regard to the traffic on the Connector Road.

**ITEM #11: New Business**

**ITEM #12: Adjournment**

Jerry Reese made the motion to adjourn.

Tony McManus seconded.

**VOTE U/A**

Meeting ended at 9:00 PM.