

**DOVER PLANNING BOARD  
MINUTES OF MEETING  
FEBRUARY 9, 1999**

**MEMBERS PRESENT:** Anthony McManus, Margaret Stevenson, Jerry Reese, Mike Bobinsky, Brian Preston, Reuben Hull, Karin Crittenden, Charles Maglaras, Jeff Peasely, Ron Cole (late)

**MEMBERS ABSENT:** Paul Beecher, Frank Torr

**STAFF PRESENT:** Steven Stancel, Planning Director; Rick Jones, CD Coordinator; and Jacqueline Freeman, Recording Secretary

Vice-Chairman Reuben Hull brought the meeting to order at 7:02.

Reuben introduced Jeff Peasely, the new alternate to the Board and asked him to take his seat on the Board.

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

Jerry Reese made the motion to approve.

Mike Bobinsky seconded.

Brian Preston wanted it added to the last minutes that Mike Bobinsky had stated that the City had accepted Alumni Drive as a City Street in 1964.

**VOTE U/A**

**ITEM #2: Public hearing and consideration of a request for an extraction permit by Severino Trucking Co., Inc., (Owner, City of Dover, HH), Assessor's Map H, Lot 58, zoned (existing R-40), (proposed I-4), located on Mast Road.**

Paul Connolly represented Severino. He explained that the pit is a City owned parcel on Mast Road and sits between Pruven Concrete to the west, the Martel pit to the east and the Bellamy River is to the north. He stated that the Ireland Well, along with a pump station is on the parcel. They are proposing a Phase 1 excavation which will be about 500 feet deep and cover about 9 acres of land. He said that the middle of the site is used for the Police Department firing range. He said they will be clearing the site of trees and stumps, except for 10 foot buffers on the side lines, fifty foot buffers along Mast Road, 150 foot buffer against the Bellamy River, and a 400 foot buffer along the existing well. He said the lowest point is at elevation 108 and they are going to use that cavity as an area in which to dispose of the stumps that will be taken from the rest of the site.

Paul said they propose silt fencing along the river and the well site so there is no migration of materials into these areas. He pointed out the recharge area and the location of the Pease navigational beacon. He said that they have filed for a Site Specific Permit with DES and they have had an onsite walk with Denise Frappier of DES and their permit

is at the top of the pile. Paul said they met with the Conservation Commission last night. They are looking at a clear cut situation and they will be coming back in shortly with a phase II, III etc. Paul said for the purposes of economy and efficiency, they need to strip the entire site. He stated that each phase will have to be approved by the Planning Board and they will have to provide copies to NH DES for their review.

Tom Severino stated that they came up with phase I to get things started and to get the remainder of the site cleared. They need to do borings on the remainder of the site to see what types of soil is in what location. He said that Phase I will ultimately be the whole pit because there is gravel in some areas, sand in some, and fill in others. He said that he needs to operate the entire pit as a whole and slowly work it down to grade. He said that once he finds out where the materials are, they can come up with a better 10 year plan. Tom said that there is only 26 acres left to be cleared. Tom spoke on the need for a clean operation, to get the trees and the grubblings, strip the loam, and separate the materials. He said that every material must be salvaged. They plan on having a very organized operation. Tom stated that there are a couple of test wells on the property.

Mike Bobinsky stated that they want the excavation to be done in conformance with the State, as well as our local regulations. He stated that the Conservation Commission had some concerns with the clear cutting of the site.

Paul Connolly said that they will go in and clear cut, clear stump it and then stabilize it. Paul said it is the way to run a pit. He said that the reclamation procedure and protocols set forth in their reclamation plan were as if Xeroxed out of Best Management Practice. This is what the Rockingham County and the State says are the best practices for reclamation. He said that the most problems they have had with erosion and migration of soils has been due to off road vehicles using the side walls of the pit.

Tom Severino stated that every type of materials is not in that first 10 acres. He said that you would not take that entire cut, you need to take 10 or 20 feet off the whole top of the 20/30 acres then proceed down to the next layer. He said from an erosion standpoint, its just the opposite. That is why the City pumps water up to the recharge basin because of the types of soils around here. He said when it rains out everything goes directly into the ground especially when this area is stripped off it will be more susceptible to perk and take on the groundwater.

Paul Connolly gave the elevations of the recharge basins. He stated that as they excavate by that recharge area they would reshape the pit floor as a recharge basin.

Discussion ensued regarding the blowout of the pit walls and he recharge areas.

Brian asked about why they have Phase I when they are going to clear cut.

Mike Bobinsky stated that the Council awarded the extraction of sand and gravel to Severino based on the proposal that they submitted. He said it followed the RFP. He said we ended up with a general amount of income that would be generated out of the pit.

He said with regard to actual volume, he does not know if it was defined by year. He said that he thinks it is an income based on a certain amount of activity that their firm would do per year.

Tom Severino stated that they did not want to just come in and show some master pit plan. He said they wanted to be able to expose all the material, do their test pits, get more data, come up with a more refined plan so they don't have to come in with something that has to be amended 14 times. He said they did not have a phase built into that contract it was basically to manage the pit for next 10 or so years.

Jerry Reese made the motion to accept the application.

Brian Preston seconded.

**VOTE U/A**

The public hearing was opened.

Richard Proulx, Pruven Concrete, stated that his main concern is safety which is a major issue with the truck traffic on Mast Road. He said that he supports the Severino application.

John Torr, an abutter, stated that he figures they will be taking out two million yards and he has figured it out to be 55 trucks which will add 110 trucks per day over what is already there. His problem is with the maintenance of the road and the intersection. He can sit in his back yard and see the dust float across the field. He said that the people can't open their windows for the dust. He said they would like to have the road swept once in a while and the pot holes fixed. He was also interested in the hours of operation.

The public hearing was closed.

Steve Stancel gave the staff recommendations. He said that they do agree with the Conservation Commission that the site should not be entirely clear cut up front for dust and noise reasons. He said that they are being shown a Phase I plan and if that is the only area that is being extracted that's the only area that should be clear cut at this point. He said that we have a unique opportunity to work with the developer and City as owner, to create a model gravel pit.

Chuck Maglaras asked about the hours of operation. He asked if that meant that they can't operate any equipment before 7 AM. He asked if someone could work there until 5:00 on Saturday afternoon.

Steve Stancel stated that that mean the trucks can't go up and down the road before 7:00 AM. Steve stated that the times of operation are only for the trucks.

Jeff Peasley was concerned with the reclamation of the pit in regard to the fertilizer.

Paul Connolly stated that in his experience the fertilizer only penetrates a couple of inches. He said that the requirements are the same as for residential

Steve Stancel asked if they could provide something saying that the amounts of fertilizer used would not be a detriment to groundwater.

Mike Bobinsky stated that there is an environment compliance component that the City will have with the contractor. This is a well head area and we just got done cleaning up the Griffin Well by putting in a fairly expensive air stripper unit. He said that he feels that the developer shares his concern over groundwater protection and the groundwater monitoring will have to occur to his department's satisfaction. Mike mentioned a report prepared by Aires Engineering that looked at this site for a future use but it addressed some environmental and runoff issues, and re-vegetation issues. He says that he feels comfortable with the contractors following those principals.

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

1. Provide the Planning Department with a copy of the State Site Specific Permit and add permit number to the plan. Any conditions imposed as part of the permit shall be incorporated as part of this approval.
2. Incorporate recommendations made by the conservation Commission as follows:
  1. The current level of the water table should be determined prior to commencing excavations based on 'assumed' levels. There appears to be test wells in the area that might be utilized to this end.
  2. Assess the water quality today, and establish an ongoing monitoring plan and reporting system to ensure the quality of the water is maintained as the project goes forward. (The applicant has agreed to do.)
  3. In compliance with RSA 155E:5-A, the reclamation of the area should be protected with a sure bond with expirations sufficient to assure the reclamation and reestablishment of vegetative cover actually survive. (Which they are complying with.)
  4. There should be a test well placed between the recharge pit and the Phase I pit to evaluate the potential for blowout since the recharge pit water levels will likely be some 50' above the base of the Phase I pit. This test well would also enable water quality assessments today and with the monitoring suggested in item 1, assure continued water quality protection.
  5. Consider restricting tree/vegetation removal to a phase by phase approach to protect the surrounding areas from the negative impacts on air quality because of dust; noise because of loss of buffer and the disturbance of wildlife in the area.
3. Amend application form to change "Finished Elevation" from 100 to 120 feet.
4. Provide Planning Department with a copy of the Intent to Cut permit for the tree clearing planned.

5. No off-site materials, fuels, lubricants or other toxic or polluting materials be stored on site without being in compliance with State rules and regulations pertaining to such materials and receiving approval by the Dover Planning Board.
6. Minimum setbacks from property lines be flagged in the field to facilitate inspections. The pit operator shall contact the Planning Department when flagging is completed for inspection.
7. Hours of operation shall be restricted to 7 AM to 5 PM weekdays and 8 AM to 1 PM on Saturdays.
8. Submit the surety bond for reclamation to the Planning Department.

Chuck Maglaras seconded.

Jerry stated that he is going to vote against this because he feels that they should be able to clear cut and re-seed.

**VOTE 6 – 2**

**Opposed – Jerry Reese and Chuck Maglaras**

Ron Cole arrived at 8:00 PM and took his seat.

Reuben Hull left the meeting at 8:00PM

**ITEM #3: Consideration and acceptance of an application for a Conditional Use Permit for Norman Hendricks, Assessor's Map 7, Lot 21, zoned R-20, located at 401 Dover Point Road.**

Norman Hendricks stated that they want to build a house and they need to connect to the sewer line which is in the Conservation District.

Brian Preston made the motion to accept the application.

Jeff Peasely seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments

The public hearing was closed.

Anthony McManus made the motion to approve the application with the condition that they provide the Planning Department with a copy of the NH Wetlands Board Permit.

Margaret Setevenson seconded.

**VOTE U/A**

**ITEM #4: Consideration and acceptance of an application for a minor lot line adjustment of land for Gregorios & Helen Koutrelakos, Assessor's Map B, Lots 19K & 19I, zoned R-40 located on County Farm Road & Erik Drive.**

Kevin McEneaney represented the applicants. He explained the lot line adjustment and stated that the driveway for the larger lot is off Erik Drive.

Mike Bobinsky made the motion to accept.  
Karin Crittenden seconded.  
**VOTE U/A**

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

Peg Stevenson made the motion to approve with the following conditions:

1. Add both of the owners' signatures to the plat.
2. Revise plat to add minimum building setback lines to Map B, Lot 191.
3. Revise plat to add stream and easement as shown on reference plan #1.

Mike Bobinsky seconded.  
**VOTE U/A**

**Item #6: Old Business**

**a. Discussion and possible vote on site review for Middleton Building Supply, Inc., located at 58 Old Rochester Road.**

Margaret Stevenson stepped down for this item.  
Jerry Reese made the motion to remove it from the table.  
Mike seconded.  
**VOTE U/A**

Steve Stancel gave the staff recommendations and stated that condition #5 of the Engineer's memo regarding truck traffic on Longhill Road is going to be up to the Board.

Jerry Reese stated that he understands why they would want the exit for trucks off Long Hill Road but we have enough trouble with the City streets and we do not need to put truck traffic on a road that was not built for trucks. He said he is not going to support that condition and said that he feels that selling that land was a mistake from the beginning.

Mike Bobinsky stated that an option may be that the Board approve it as originally proposed without the access on Long Hill Road and see how successful that is. He said if it does not work out maybe they can come back with a solution on how the condition of the road can be addressed.

Karin Crittenden was concerned with the safety of the trucks going through the parking lot. She said trucks and pedestrians don't mix.

Kevin McEaney stated that the exit on Long Hill totally eliminates the need for conflicts within the parking lot. He said they are not asking for a lot, they are just looking for a better solution for the traffic flow.

Paul Connolly stated that Middleton could put up a 1 year a surety bond of sorts of \$1,000 as a contributory surety available for the City's use if there is deterioration because of truck traffic. If there is no visible deterioration, there will be no need to pull the bond but if there is the bond is there

Kevin McEneaney stated that he has no issue with the first 3 conditions. As far as the 5 engineering comments, the landscaping is not a problem, he said he believes that the corners show as already being pinned. He said that as far as taking over maintenance of the drainage facility, Middleton is willing to take over maintenance of the drainage facility on site, as well as the detention pond with the stipulation that they come to an agreement that any additional runoff that would be generated from other sites that may be developed in the future, if there is an impact to the drainage system that is currently flowing through the Middleton building site, or upgrades needed, then those would be reimbursed to Middleton or at someone else's expense. They are willing to maintain the structures that are there, the lines that are there and to allow the City to flow the water that currently flows there right now. He said the only other issue is item #5 which needs to be discussed.

Steve Stancel stated that in regard to the drainage, it would be a written agreement signed between the City and Middleton Lumber which would be recorded at the Registry.

Kevin said that there is currently an existing easement that allows the City to drain onto that property. He said he would suggest that we would revise that easement and incorporate the maintenance agreement with it and then have it recorded at the Registry.

Larry Huot, one of the principals for Middleton Supply, said if an exit onto Longhill Road is viewed as a serious impact, they would like to minimize that. He said the police saw that exiting trucks from our existing entrance is a safety issue. He said that using Longhill Road would make it a much easier flow. He said that as far as deterioration to the road, they are not expecting a free ride. He said they are willing to put up a token bond.

Mike Bobinsky stated that they can document the current condition of the road base and evaluate it on an annual basis. He said that some cash contribution toward repairs would be good so that the General Fund does not have to take the impact.

Mike Bobinsky made the motion to approve with the following staff and engineering comments and amending #5 to include that the applicant agrees to be responsible for any road surface deterioration as a result of that exit on Longhill Road during their operation of their business.

1. Add the owners' signatures to the plat.
2. Revise plan to specify that no storage will be allowed in the parking lot.
3. Note on the plat indicating no retail activity will take place in the storage building.

Engineering comments are:

1. Additional landscape screening to be done between the existing parking lot and Longhill Road and Old Rochester Road.
2. The property corner shall be pinned or the subdivision plan included showing the property pins to be set.
3. The Drain Division still needs to do some investigative work on the drainage system to verify the location of the drain pipes and flow paths. (which you have on the plan)
4. If as proposed, Middleton takes over the maintenance of the drainage system a written agreement should be done between the City and Middleton lumber. The agreement should address future expansion of the drainage system on Old Rochester Road and nearby sites and define who is responsible for repair of the drainlines.
5. The applicant agrees to be responsible for any road surface deterioration as a result of that exit on Longhill Road during their operation of their business.

Brian Preston seconded.

**VOTE U/A 5-1**

**Opposed - Jerry Reese**

**Abstained - Jeff Peasely**

**ITEM #5: Public hearing to hear Community Development Block Grant (CDBG) Funding Requests Fiscal year 1999. Estimated to be available: \$435,000. All applicants for CDBG funding will be given the opportunity to present their applications to the Board.**

Steven Stancel explained the Community Development Block Grant program. He said that this year we are roughly just about \$9,000 short of being able to fund all the proposals. He said the Board can vote on the proposals on February 23, and then it will go to the March 3 City Council Meeting, and they will refer it to an April 14<sup>th</sup> Council Public Hearing, where they will vote on the final recommendations.

Rick Jones stated that over the past year the CDBG Program expended over one million dollars and that was a record for the City of Dover. He said that they were able to close out two program years and he said that the Board should be commended for the approvals that they have made over the past program year.

Brian Preston stated that he would like the applicants to state how many members they have on their Board of Directors and how many are Dover residents. He said he would like to know if they are requesting money from other CDBG programs and how much.

### **A Safe Place**

Ceilia Michau, Financial Director, explained the services that A Safe Place provides She introduced Carmella who is the Director of Communitiy Services in Strafford County. She stated that there are 12 members on the Board of Directors, of which 2 are from Dover. She stated that they have 4 staff people from Dover and 16 volunteers so the City is well represented. She said that they also run a support group in Dover. She said that

they get \$10,770 from Portsmouth CDBG and that supports their children's program, and they get \$6,000 from Rochester CDBG to support shelter and support services.

Carmella stated that last year they provided shelter to one resident from Dover. Their shelter has 12 beds and they serve 58 towns. She said that in all they have helped 11 Dover residents. She added that they anticipate to help 5 Dover residents this year.

### **Sexual Assault**

Diane Stradling, Executive Director, said that they have been serving the City of Dover for 20 years. She explained the services that they provide. She stated that they have 8 Board member and 2 are Dover residents. She said that they are requesting \$5,000 from Rochester and \$5,000 from Portsmouth.

### **Ready to Learn**

Mary Ellen Sheffield, Director of the HUB Family Support Center, explained the program. She stated that they have moved their location from the corner of Central and Silver Street to the Rutland Street campus of McIntosh College. She stated that there are 14 Board members and 8 are from Dover. She said that they do not receive any other CDBG funds.

### **Cross Road House**

Tamara McKenzie, Vocational Coordinator, said that she is filling in for Betsy Kelly the Director. She explained the services that they provide. She stated that they served 726 people and 47 were from Dover. She stated that they have 13 Board members but she does not know how many are from Dover. She said that they applied for CDBG Grants from the surrounding towns but she does not know how much. She said they are asking for \$3,500. She said that she would call Rick tomorrow and provide him with the number of members that are from Dover.

### **American Red Cross**

Mellisa DeVore, Executive Director, explained what they do. She stated that they have 14 Board members and 10 are from Dover.

### **The Clinic**

Chuck Wiesen, Executive Director, went over the services that The Clinic provides. He said that they are requesting \$5,000 to focus on the low-income single parent where there is risk of abuse. He stated that they request an equal amount of money from Rochester CDBG. He stated that there are 13 members to their Board and 4 are Dover residents.

### **Strafford County Family Violence.**

No one came to represent this application.

Chuck Maglaras asked Rick to clear up the meaning of #7 of their application. Rick stated that he would find out.

### **Strafford Guidance Center**

Ann Murphy, stated that 100% of the funds go to the residents. She said that they have 11 Board of Director members, and 7 are Dover residents. She said that they are not receiving any CDBG funding from any other towns. She explained her program. She stated that the Division of Behavioral Health is moving away from community residences or group homes. She said that they work with My Friend's Place and Janet Poulin.

### **AIDS Response-Seacoast**

Wendy Noyes, spoke about her organization. She stated that they have 9 full time staff and 2 are from Dover. They have a 15 member advisory council and 1 is from Dover and 13 Board of Director members, none are currently from Dover. She stated that they have received \$5,000. from Rochester CDBG, and \$14,000 from Portsmouth.

Dr. Wilcox spoke on the AIDS epidemic. He said of the 135 clients they serviced last year, 13 live in Dover. He said that this a 20% increase over the year before.

Brian Preston asked them to send a letter to the Dover School Department offering their services of education to the high school.

### **Dover Welfare Security Program**

Rick stated that they are asking for \$5,000 over last year's allocation for their security deposit program. Rick stated that Dover Welfare has more people to help. He said that Janet Poulin is working with the landlords to keep the deposits to \$500.

### **Dover Friendly Kitchen**

Marguerite Sharp, program coordinator. She stated that they are a soup kitchen for the area. She said they have 5 members on their Advisory Committee. She said that she coordinates the program and gets a stipend, the other people are all volunteers.

### **Friendship Expressed**

Nancy Craig, Executive Director, explained the program. She stated that they have 8 Board members and 2 are Dover residents. She stated that 1/3 of the volunteers are Dover residents.

Karin Crittenden asked if they have approached any PTO organizations and made any presentations for promoting more mentors into the program, or gotten in touch with human service people from large corporations.

Nancy Craig said they would probably get more requests from the PTO than mentors, but she would look into that. She said that their requests come through the guidance councilors and teachers in the school. She said that they have made presentations to local organizations and have written letters to local service clubs.

### **My Friends Place**

Bob O'Connell, Executive Director, stated that there are 11 Board of Directors and 8 are Dover residents. He said they have applied to Rochester for \$4,500 and they were told that since they do not have an office in Portsmouth, do not bother to apply.

### **Strafford County Community Action Committee, Inc.**

Jim Mathes, Weatherization Director, explained the program. He stated that they received \$25,000 from Rochester. He said that he is not familiar with the Board but he can find that out and forward it to Rick.

### **Dover Day Care Learning Center**

Christine Ruckerfeller, President of the Board of Directors introduced Mary Lou Beaver, the Executive Director and explained the need for the funds they are requesting. She stated that there are 15 Board members and 9 are residents of Dover, she said of the remaining 5, 3 have offices in Dover and 2 are born and raise in Dover but do not live here.

### **Southeastern NH Services**

Ray McGarty, Director, explained what Southeastern NH Services provides and the need for the new carpeting. He stated that they have 12 Board members and 7 are from Dover. They have not applied for CDBG funding anywhere else. He stated that the State purchases services from them. He said their agency has been in Dover since 1979.

Tony McManus stated that he is working on the Main Street Project. He stated that some communities are able to use some funds from the CDBG program as a contribution. He asked Rick if that could be done here. He explained that they would hire a downtown manager to coordinate commercial activities with the community and to revitalize the downtown area.

Rick Jones said that in the past, CDBG funds had purchased some of the houses on School Street and Main Street to revitalize the area. Rick said that he would have to know a little more about the program.