

**DOVER PLANNING BOARD
MINUTES OF MEETING
DECEMBER 14, 1999**

MEMBERS PRESENT: Frank Torr, Jeff Peasley, Charles Maglaras, Anthony McManus, Pete Lavoie, Jeff Mason, Ron Cole, Margaret Stevenson

MEMBERS ABSENT: Paul Beecher, Karin Crittenden, Jerry Reese, Reuben Hull

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

Chairman Cole brought the meeting to order at 7:03 PM.

ITEM #1: Approval of minutes.

Frank Torr made the motion to approve the minutes.
Margaret Stevenson seconded.

VOTE U/A

Abstained – Jeff Mason

ITEM #2: Consideration and acceptance of an application for a minor subdivision of land for Gary Allen, (Owner Michael Clark) Assessor's Map E, Lot 48B, zoned R-40, located at 169 Tolend Road.* (2 lots)

John Berry, of Berry Surveying & Engineering, represented the applicant. He stated that the parcel is 29.6 acres and he is looking to subdivide it into 3 lots. He explained that one of the lots received a variance for having a reduced frontage of 137.97 feet where 150 feet is required. He said that the woods road would be updated for a combined driveway for the 3 lots. Mr. Berry stated that the City Engineer prefers that they tie into the 16" water line that runs up Tolend Road. John Berry stated that it will be written into the deeds that the three parties will be responsible in maintaining the driveways.

Pete Lavoie stated that he was concerned with the one water line. He said he would like an access easement and curb boxes for each lot so they can be shut off if a customer doesn't pay.

Margaret Stevenson made the motion to accept the application.
Jeff Peasley seconded.

VOTE U/A

The public hearing was opened.

Arthur Burke, 2 Union Street, asked how far in off of Tolend Road the houses be? He also wanted to know if the 19 acres would be developed.

John Berry said that the closest house to Tolend Road would be approximately 400 feet in from the road because of the wetlands along the front of the property.

Steve Stancel stated that one of the conditions of approval for the Variance was that there be no further subdivision of the three lots.

The public hearing was closed.

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

1. The owners signatures be added to the plat.
2. Revise plat to change the map from lot 4B-2 to 48B-2.
3. Per condition of approval of the Variance, that a note be added that there be no further subdivision of the 3 parcels.
4. Access easements be given to the City for the purpose of water line access.

Tony McManus seconded.

VOTE U/A

ITEM #3: Consideration and acceptance of an application for a minor lot line adjustment of land for Philip & Bonnie Jennison, Assessor's Map E, Lots 42, 42-13, 42-16, zoned R-40, located on Willow Street.*

Paul Connolly represented the Jennisons. He said that in 1992, small capes with garages were the style and they would have all fit on the lots. He said that the market has driven the housing size larger than what they anticipated. There is a zero setback sidelines but there is a 40' minimum separation between buildings. He said that they need a little bit more land on 42-13 to make it a viable lot. He said they were careful not to push the line over any farther than they did on lot 42-14 because of a sewer line. He said that on lot 42-16, the left corner of the garage is a mere .8 feet from the lot line. It's acceptable in this ADS, but they felt it would be appropriate to give them more comfort of their own land on the left hand side of the garage. He said they are taking roughly 2,800 sq. ft. of land out of the common land area and distributing it between the two lots. This lot line adjustment will also show a leach field easement on lot 42-14 and 42-15 because that represents the as-built condition of the leach fields.

Tony McManus made the motion to accept the application.

Peg Stevenson seconded.

VOTE U/A

The public hearing was opened.

There were not comments.

The public hearing was closed.

Margaret 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 a note indicating the purpose of the plan.
- Chuck Maglaras seconded.

VOTE U/A

ITEM #4: Consideration and acceptance of an application for a site plan of land for The Richmond Company, Inc., owners of record George Foster & Co., Inc., Ethel Schweitzer, Peter & Kathy Smithson, Daniel & John Sullivan & Kathleen Catalano, Raymond & Anna Blanchett, and State of New Hampshire, Assessor's Map 39, Lots 6, 7, 8A, 9, 9A, 9B, 12, 13, 14, 8, zoned B-5, located on Indian Brook Drive and High Street.

Debra Deitz, stated that she is with the Richmond Company, a Peabody based shopping center development firm. She said they have exclusive clients such as TGIF, Longhorne, Bugaboo Creek, CVS, Wallgreens. She said they have been working with the City on an engineering level for about 6 months. She added that they are here for the long haul. She introduced the development team. She said that Millette Sprague & Caulwell are the surveyors, VHB are the site and traffic engineers, GZA Environmental Engineering is doing the environmental assessments for the site, and Geworski Geotech is doing the subsurface exploration. She said that the site includes 17 properties and 5 owners. There are 4 residential houses that are located along Willand Pond Road, the Sullivans, the Blanchetts, Smithsons, the Schwitzers. The remaining properties including the Chinese Restaurant are owned by the Fosters. The Dover/Somersworth line divides the site. Ms. Deitz stated that the site will contain 2 restaurants, 2 anchor tenants that will be the main focus of the site, and then a smaller retail tenant, most likely a tire service center. She said that the next stage will be submitting the subdivision application that will provide a consolidation plan to bring the 17 properties and 5 owners into one lot. She said that they are in the beginning stages of completing the TRC and engineering comments. Ms. Deitz went over the landscaping plans.

Mike Leo, Project Manager for VHB, said that there are 7.1 acres in Dover and 6.4 acres in Somersworth. He pointed out the Main entrance to the site and the other access is at the signal for the Chinese restaurant. He said that the house located at the corner of 108 and Willand Pond Road will remain. He stated that water and sewer will be brought in from the City of Dover. He went over the storm drainage plan and said they employed the Best Management Practices. The site will have 779 parking spaces. The electric, telephone, and cable will come in off of Rt. 108 and will be underground.

Marty Kennedy, with VHB, stated that he prepared the traffic impact study and submitted it to the City, NH DOT and the City of Somersworth. He summarized the study. He said that they laid out roadway tubes and found there were approximately 20,000 vehicles per day along Rt. 9, and approximately 23,000 along Rt. 108. The volume will be higher east of Weeks Lane. He said that in addition to the road tubes, they went out and collected turning movements at six of the study area intersections. Those counts were done during the weekday evening peak periods and Saturday mid-day peak period which are the peak times for retail development. He said they also did traffic light counts and went over the

locations. He said that they projected a growth rate of approximately 2% per year compounded over 10 years. The traffic study has been reviewed by City staff and one comment was that they could expect a higher level of growth projections than they have included in the traffic study. Mr. Kennedy said that in response to that, they have prepared some additional calculations although they believe their projections are appropriate. They have run some numbers with higher growth rates, as well as, including potential development projects in the area and the end results is that the operational conditions and level of service numbers do not change either way. He said that they have estimated that the volume of traffic that would be generated by this project during the weekday evening peak hour is approximately 700 vehicles. During the Saturday mid-day peak period the volume is a total of 980 vehicles and a good portion of that traffic is already on the roadway systems. The actual volume of new traffic on the roadway would be approximately 470 vehicles during the weekday evening peak hour and approximately 670 during a Saturday mid-day. He said that each of the signalized intersections would be able to maintain an acceptable level of service. At the main site driveway, they would be able to maintain a level of service C condition. At the secondary driveway where the existing restaurant is, a level of service B condition, and at the Rt. 9 through 108 intersection would be level of service D condition. The exiting movement coming out from the driveway on the 108 unsignalized location would have a level of service D condition. At the intersection of Willand Pond Road under an unsignalized condition as it exists today, there are not a lot of left turns exiting but that operates as a level of service F, all other movements at that intersection operate well. He said that the signals are not coordinated. He said that he called the State DOT and they found that the Weeks intersection was built so that the signals would be tied together and coordinated but it was never turned on. This can be rectified by fairly easily by the State going out and turning those on. He explained how they would be installing a left turn lane at their main driveway and aligning the intersection at Weeks Lane.

Tony was concerned that Rt. 108 was not being widened at the point of Willand Pond Road.

Marty Kennedy said that two lanes are not needed at this point. He said that they have had some discussions with City staff about some longer term plans that the City has relative to the intersection of Willand Pond Road and there may be some widening in the future.

Chuck Maglaras asked how many vehicles can stack up at the left turn lane going into the project on Indian Brook Road and how many trucks per day would be entering into Willand Pond Road? Chuck was also concerned that out of 159 spaces, he saw only 4 handicapped spots for the two restaurants.

Marty Kennedy answered that about 15 vehicles could stack up in the left turn lane.

Debra Deitz stated that she did not know how many trucks would be coming in on Willand Pond Road. She explained that it will be one way truck circulation that will be exiting on High Street at the Chinese Restaurant.

Steve Stancel stated that he will have Tom Clark check on the handicapped spots.

Jeff Peasley asked what the height of the building would be.

Debra Deitz said that the building height is around the 30 foot range. They are looking at fronting the entire center with a brick, there will be some canopies and clapboard type of styling to promote the New England look. She said when the elevations are done they will be submitting them to Steve for his review. She said that there are mezzanines in the main retail A and retail B.

Discussion ensued in regard to the size of the trees. It was stated that the trees are defined by caliper and not by height. The trees will be 2 ½ inch caliper and the trees grow wider and not higher.

Tony McManus wanted to know how much of the area will be covered by impervious materials.

Debra Deitz stated that the minimum open space requirement is 15% and they are at 20%. She stated that at TRC they did bring up a number of areas where they would request more sidewalks and pedestrian crossings and she pointed them out on the plan.

Frank Torr asked what the plans were for upgrading Willand Pond Road. He also asked about the quality of the storm water once it leaves their treatment system to go into Willand Pond.

Debra Deitz stated that that was also a concern at TRC. They are undergoing their sub surface explorations and during that process along with getting borings for the buildings, and the parking fields, they are going to go ahead and get some pavement cores along Willand Pond Drive to be able to evaluate whether it is adequate for the trucks.

Mike Leo explained that there will be oil separators and he explained how they work. He stated that they have gotten a list of concerns from the City of Dover and will work through this with the City staff before coming back to the Planning Board.

Discussion ensued in regard to a gate being placed just passed the rear entrance on Willand Pond Road to stop people from parking and leaving cans and bottles. Pete Lavoie stated that the City does not need the continued extra maintenance.

Debra Deitz stated that they think it is a great idea.

Jeff Peasley was concerned with the water quality and the automotive fluids and salt that would drain into the catch basins.

Debra Deitz stated there will be a grease trap and all the catch basins will be able to catch the sediments from the salt and the snow plowing activities. Debra said that they have

had two meetings with NHDES because they are very sensitive to the fact that they do lie within the Groundwater Protection Zone along Willand Pond.

Mike Leo stated that they have met with the DES. He explained the stone collection system, the series of catch basins and the detention pond. He said that the pond is an extended dry pond for DES standards and explained how it worked by allowing most of the suspended solids in the water to settle out at the bottom of the pond. They also have an underground storage area composed of crushed stone.

Jeff Peasley felt that that did not address the melted salt problem and wanted to know how the water quality would be monitored. He said that that is something that should be looked at so we will know what will be going into the pond.

Frank Torr made the motion to accept the application.

Chuck Maglaras seconded.

VOTE U/A

The public hearing was opened.

Chairman Cole read a letter from Tom Fargo, Chairman of the Conservation Commission. The letter stated that he is concerned that a project of this magnitude and potential negative environmental impact could go through the review process with no requisite Conservation Commission review. He felt that this project could negatively impact the natural resource value of Willand Pond. He said that he has prepared a letter outlining technical aspects which he hopes will compel the Planning Board to open up the project for Conservation Commission review. He requests that their concerns be addressed.

Steve Stancel stated that he wanted to clarify that he doesn't necessarily agree with everything that Tom has said in his letter. The applicant does not have to go to the Conservation Commission because none of the technical conservation requirements are triggered. Steve said when the plan came in he immediately called Tom Fargo and recommended that he take a look at the plan and if the Conservation Commission had any interest, they could work with the planning Department and the Planning Board. He said that he wants to clarify that he does not think there has been any subversion or attempt by the developers to skirt around the issues or the Conservation Commission. He said that the developer will say that they are more than happy to go before the Conservation Commission and that all of their concerns are being addressed or will be addressed before the approval of the project.

Peter Russell stated that he is an abutter and the owner of 4 ½ acres across Rt. 108. He said that he has brought Bob Duval, of Kimball Chase Engineering, to explain some of the concerns that they have. He said that in general, he is in favor of commercial development at Weeks Crossing. He said that he has owned the property for 28 years. He said that he went through the rezoning process so that development could get going in this area and when the design was done for the Crossing, it was his understanding that no

other access points would be allowed because that would impede the traffic flow of the original design. He questioned why the DOT would be granting access and egress on Rt. 108, just 350 feet from the main intersection and 350 feet from Willand Pond Road. He said that some of the property owners, the City and the State worked together to realign Willand Pond Road so that it could be signalized with the general understanding that when development occurred, the Willand Pond Road intersection would be improved and signalized. He said that at previous meetings it was often discussed that Willand Pond Road would be the route of a bypass connector for Weeks Crossing. He said if it was connected at Kellwyn Drive it would go to the intersection of Willand Pond Road and 108 and then go straight across to Old Rochester Road. He said that those possibilities should be preserved because it may be a good way to take cross cutting traffic from the front of the development and onto the backside where it might be safer. His main concern is improvement and signalization of the Willand Pond Road intersection with Rt. 108. He stated that if the right turn in and right turn out is granted, it may make it more difficult to get approval for signalizing an intersection that is only 350' away from another access and egress point. He asked about parking in the front of a commercial development and parking ratios. Mr. Russell asked if there would be any difference in his requirements when he develops, than the Foster parcel will be held to.

Steve Stancel stated that they would be the same.

Bob Duval, he said he is an engineer with Kimball Chase Co. He said that most of the issues that he saw have already been brought up but he has a few to add. He said that there are 2 types of safety problems here both internally and externally. He said that the biggest is that on Rochester Rd. which actually has 2 lanes running straight through, plus a lane entering on the right turns from Rte 9 as well, so there are three vehicles competing for 2 lanes and very quickly merging to a single lane. He said that as these 3 cars are trying to weave their way into a single lane, immediately will be another source of traffic which is the egress which will provide another group of vehicles trying to merge into that situation and very quickly after this egress, the two lanes go to one lane. He said that there will also be truck traffic trying to turn right onto Willand Pond Road. He offered a solution of widening of Willand Pond Road and a right hand turn lane all the way to Willand Pond Road. He said that it would probably need the taking of a property to be effective otherwise the road would be merely a foot from the existing structure. He said to signalize an intersection at Willand Pond Road, to have another driveway midway between those two would reduce the effectiveness of the other intersections. He used the plan to point out the things that he felt were safety problems internally. He also said that he is afraid that the traffic heading for Dover would try to exit left onto 108 and make a U turn. He stated that truck traffic has to wind through the site and compete with foot traffic and that is a problem.

Betsy Andrews-Parker stated that she is a resident of Maplewood Avenue, also City Councilor elect for Ward 1. She said that in her platform she was for business development but not at the sake of the safety of the people who live in the area and not at the sake of taking properties. She said that once Weeks's Crossing was developed people found shortcuts. She spoke on the no left hand turn onto Willand Ave. She said that they

have seen an increase of traffic on Old Rochester Road and people can't even walk safely now. She said that people take the U turn to get on that road to avoid Rt. 108. She said that the Willand Pond water quality is something that needs to be addressed. She encourages the Conservation Commission to look at this. She spoke about the closeness of the traffic signal to the existing traffic lights. She thinks these things should be brought more into the public forum so people in the area who will be affected will have a chance to comment on it.

Steve Stancel stated that there is money in the City's TIP, to put in a sidewalk along the entire length of Rt. 108 and that will be occurring in the next couple of years. He said that a traffic signal will occur at the intersection of Rt. 108 and Willand Pond Road, when development takes place on Peter Russell's parcel. It is anticipated that there will be a road that will go from Rt. 108 to 16B which will work as a relief valve for the people who are now taking the U turns to get onto Rt. 16B or Old Rochester Road.

Beth Thompson, Economic Development Director, stated that as the person who markets the community for business and industrial development, this is an exciting project. She has every confidence that all the issues that have been brought up tonight will be resolved and the intent and purpose of the zoning for commercial development at the Weeks's Crossing will be met. She added that it will be to the benefit of the community. She said that the last two Master Plans have stated that Dover has consistently lost shopping dollars to other communities. She stated that she supports the development.

Art Burke, stated that we should do everything to save Willand Pond. Spoke about the trying to rejuvenate the heart of Dover, Downtown Dover. He said that we have enough shopping south of us. He said it is an awful traffic mess, a neon jungle – a nightmare. He said that he does not support this plan, and he is opposed to it.

Chairman Ron Cole recessed the public hearing.

Ron Cole stated that this will be discussed again at the first meeting in January, Tuesday the 11th. He set a site walk for Saturday, January 8, 2000, at 9:00 AM. Meeting at the Chinese Restaurant parking lot. He said that he would like to get this information out to the public.

Steve Stancel asked for the corners to be staked for the site walk.

Steve Stancel recommended that the developers get in touch with Tom Fargo and possibly meet with the Conservation Commission if they feel a need to do that. He said that the Conservation Commission will be invited to the site walk.

Jeff Peasley recommended to the Board that it request that the developers go before the Conservation Commission.

Ron Cole said that he will get in touch with Tom Fargo.

Mike Leo stated that, if possible, he would like the meeting with Conservation Commission some time other than the day before the Planning Board meeting.

Frank Torr made the motion to lay this item on the table.

Peg Stevenson seconded.

VOTE U/A

ITEM #5: Old Business.

Steve Stancel stated that there is a request from Norway Plains for an extension for RAM Machinery. He added that they just received their NH Wetlands Permit.

Tony McManus made the motion to approve until the end of the year.

Jeff Mason seconded.

VOTE U/A

Steven Stancel stated that he recommends that we don't have a meeting on the 28th because there are two items that are waiting to come to the Planning Board. He said that one is a 46 lot ADS off of Littleworth Road and another is a nine lot subdivision on the corner of Watson and Tolend Road and he has some concerns with these large projects coming in when a lot of the abutters may be away. He prefers to do it the following meeting.

ITEM #6: New Business

There was no new business.

ITEM #7: Adjournment

Frank Torr made the motion to adjourn.

Jeff Peasley seconded.

VOTE U/A