

**DOVER PLANNING BOARD
MINUTES OF MEETING
JUNE 25, 1996**

MEMBERS PRESENT: Charles Maglaras, Jerry Reese, Ronald Cole, Brian Preston, Reuben Hull, Martin Smith, Otis Perry, Lee Martel, Dennis Ciotti

MEMBERS ABSENT: Paul Beecher, Bob Belmore, Mike Bobinsky

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

Jerry Reese, Charles Maglaras and Dennis Ciotti took the vacant seats on the Board.

Chairman Cole brought the meeting to order at 7:02 PM.

ITEM #1: Approval of minutes.

Jerry Reese made the motion to approve.
Charles Maglaras seconded.

VOTE U/A

ITEM #2: Consideration and acceptance of an application for a major subdivision of land for Rivers Edge Trust, Assessor's Map K, Lot 2, zoned R-12 and R-40, located on Henry Law Avenue. (50 lots)

John Chagnon, Civil Engineer and Surveyor of the parcel, stated this is a development of a vacant lot. He said it is a 50 lot subdivision. He said on the east side of Henry Law Avenue there is a 250' long street which is the access left from a previous subdivision in 1950, called the Merrill subdivision or Mt. Pleasant Estates. He said the road on the south is called Thompson Road and it is gravel at this time. He said a 156 unit subdivision was approved in the late 1980's. This approval was extended up until September of 1992. He said he looked at the ADS concept but felt this present subdivision proposal was the best way to go. He said Thompson Road will be brought to the length of 835 feet. Mason Road is 1760 feet and Tufton Road is 1800 feet. He said there will be a cul-de-sac off Tufton Road. John said that Phase I consists of lots 1 through 25 and the upgrading of Thompson Road, Phase II consists of lots 26 through 42, and the completion of Mason Road and the construction of 67% of Tufton Road. He said Phase III consists of the final build out of all lots and roads. Mr. Chagnon stated that the roadways will be dead ended in "T" configurations between phases. John stated that the development is adjoining Maglaras Park and Dover South Side Little League on the left, and the Rousseau property on the right. He said they are proposing a riverwalk easement to tie into the existing trail. John said the trail will go along the river, down Tufton Road and then loop around. He said they will grant a 100 foot conservation easement to the City. He said they have Conservation Commission approval for the wetlands. John said the detention pond will have a walkway with a bench to make an attractive area. He said they are proposing to rip rap the area of disturbance (3,400 sq.

ft.) under the power lines. John stated there will be a Homeowners Association which will be responsible for the maintenance of the sewer force mains and the detention pond.

John said they are asking for the following waivers:

1. reduction of the required 2 street tree plantings per lot to 1 street tree planting per lot.
2. to the maximum dead end street length in order to allow the project to be phased.

John Chagnon stated that he is requesting a Conditional Use Permit in three areas of the Conservation District. He said two areas are for driveways to access portions of lots outside of the district (Lots 10/11 & 44/45) and one for lot construction within the district (Lot 13). Also for the driveway crossing of poorly drained soil on Lot 16. He added that these requests have been approved by the Dover Conservation Commission.

Jerry Reese asked John if there were any dates for the phases and did he have any idea what the prices of the homes would be.

John Chagnon said there are no specific dates for the phases, it will depend on what the market can bear. He said the individual purchasers of the lots will decide what size the houses will be. The developer will probably build to order.

Otis Perry asked if the riverwalk is in sight of the river and if there will be driveway agreements for the shared driveways.

Mr. Chagnon stated that it will be in site of the river except where the vegetation is thick. He said there is no intention to go down to the river because it is very steep. He said they will be writing the Conservation Easements, and the driveway agreements will be part of the deeding out of the lots.

Charles Maglaras asked who will take care of the trail and whether the detention pond will be fenced.

John Chagnon said the trail will be built in Phase I, prior to the 10th Certificate of Occupancy, and will be taken over by the City. He said that it could be maintained by the Boy Scouts or an organization of that nature. Regarding the pond, he stated it was designed to drain. He said that there would be 6" to 1 foot at one end and fencing would take away from the esthetics. John said there is no old landfill on the site. He said the old landfill is near the Public Works facility not on this site. John said that the pump station will be built to city specifications and will be taken over by the City.

Reuben Hull asked if the land on the other side of the river was highly developed. He said it may be an opportunity to have an easement to the river for a bridge in years to come.

Steve Stancel said that its not feasible and once Reuben goes on the site walk he'll see the reason why.

Steve Stancel said this project has gone to two TRC meetings and it has come a long way. He said discussions regarding off-site improvements costs for Henry Law Avenue and recreation issues must be discussed.

Otis made the motion to accept the application.

Brian Preston seconded.

VOTE U/A

The public hearing was opened.

Jeff Gauthier, 162 Henry Law Avenue, asked if the street water would be streaming in the back of his property. He asked if gray water would go down his street and fill the detention pond if the electricity should go out.

John Chagnon said there are catch basins at the curbs. He said that drainage will not be run through the pond. He said gray water is not connected to the drainage. He explained the system is a power start system, powered by natural gas, and assured Mr. Gauthier that it is a non-interrupted flow.

Jim Dayo, 2 Thompson Road, was concerned with the condition of Thompson Road. He said there are pot holes and when the construction begins it will become very dusty. He asked about trash pick up.

John Chagnon stated that there will be a time when the road will get worse, but it will be reworked into a City Street with curbs, etc. He said there will be a temporary inconvenience but the developer will have to provide him with access to the street. John said there will be curb side trash pick up after Thompson Road becomes a City street. John said they are committed to pave his driveway. John said Mr. Dayo would have to put in a pump station below his septic, to connect to the sewer.

John Pantelakos, 5 Thompson Road, was concerned with his sewer system.

Steve Stancel said the developer will be placing a force main in the road and stubbing it. He said the residents will not be forced to hook into it now. If their septic systems fail or if the house is sold, then it will have to be hooked in.

John Chagnon said that the sewer line will be brought closer to Mr. Pantelakos's house.

Nancy Gauthier, 162 Henry Law Ave. was concerned with the traffic on Henry Law Avenue.

John Chagnon said that there was a study done for 146 homes and there were no requirements for the added traffic. He said that the developer will be footing some of the bills for improving Henry Law Avenue. He said they will be paying for their fair share of the off-site improvements to Henry Law Avenue.

Ron Cole said he will place the public hearing on recess until Rivers Edge II is addressed again.

John Chagnon stated that it would take him a week to flag the roads of the subdivision and the bridge wetlands crossing for the site walk.

Reuben Hull asked if the Planning Board could set a date with Mr. Sawtelle and the engineer for a site walk in the next two weeks and then vote at the next meeting in another two weeks.

Reuben made the motion to table the public hearing.

Jerry Reese seconded.

VOTE U/A

ITEM #3: Old Business

a. Addison Place, located on Whittier St.

Otis stepped down.

Reuben Hull stepped down.

Jerry Reese made the motion to take it off the table.

Charles Maglaras seconded.

VOTE U/A

Atty. Malcolm McNeill represented the applicant. He introduced Art Nickless, of Norway Plains, and the owner Mark Phillips. Malcolm stated that it is not known if the City will receive grant money for the intersection of Whittier and Sixth Street, but if a grant is received it will be pro rated. He said the only outstanding permit is the Wetlands Permit, which is expected shortly. He said the Conservation Commission found the project acceptable and they received a Variance from the ZBA for the 8' fence. Malcolm said the townhouses will be rented. He said to be sold, the townhouses would have to be subdivided and if they were to become condominiums, it would have to come back to the Planning Board.

Steve Stancel gave the conditions of approval. He added that the widening of the road is not warranted.

Ron Cole asked for the motion to approve the lot line adjustment.

Jerry Reese made the motion to approve the lot line adjustment.

Charles Maglaras seconded.

VOTE U/A

Charles Maglaras made the motion to approve the site plan, including the Conditional Use with the following conditions:

1. Add the owners' signatures to the plat.

2. Submit the NH Wetlands Board permit to the Planning Department when it is approved. ✓
3. Staff supports granting a Conditional Use permit for constructing the driveway and parking area in the Conservation District. The Conservation Commission has review the application favorable. ✓
4. The Zoning Board of Adjustment granted the variance request for an 8 ft. high stockade fence on June 20, 1996. ✓
5. Fair Share cost allocation for the Whittier Street bridge repair and Sixth/Whittier intersection for the upgrade for the project comes to \$14,337.90. ✓
6. The applicant has agreed to make the minor changes to the site plan as recommended by staff. (see Memo dated June 20, 1996 from Donald Rhodes, Norway Plains Associates, Inc.)
7. Add a note to the plan stating that plans shall be submitted on mylar and in digital form. ✓
8. Add a note stating that the contractor shall clean the swale along the face of the property once construction is completed. ✓
9. A retaining wall detail needs to be added to the plans. ✓
10. Change the profile sheet to reflect a 30" culvert. ✓
11. Eliminate the sand boxes in the recreation areas, and replace with a minimum of four (4) swings and one (1) slide for each open space area. Additionally, place on jungle gym on one open space area as approved by Planning staff. ✓
12. The developer is responsible for the upgrade of the Whittier Street pump station.

Malcolm McNeill reiterated that if the grant is received it would be pro rata.

Martin Smith seconded.

Brian Preston said he would vote against the site plan because of the density of the area, the width of the street, the lack of a sidewalk and he feels there is a safety issue. He asked that the Board look at the Master Plan regarding the density.

VOTE 4 - 2

Opposed - Jerry Reese, Brian Preston

Otis Perry took his seat.

Reuben Hull took his seat.

b. Discussion on parking regulations.

Steve Stancel read through his proposal for parking. He said this proposal would allow the Planning Board to have discretion for parking. He said that it still needs additional work and will be revisited at another meeting.

c. Economic Study Sub-Committee

Jerry Reese gave the Board an update on the Economic Study Sub-Committee. He said they met with the 5 applicants and have narrowed it to 3. They interviewed the three and are ready to make their recommendation to the City Council.

d. Extension of approval for Picard Subdivision

Kevin McEneaney stated he is asking for an extension of the Picard subdivision on Varney Road because it is over the 60 day limit. He said he now has the State subdivision number and his mylar, fee and copies are down in the Planning Office.

Jerry Reese made the motion to grant an extension until June 30, 1996.

Dennis Ciotti seconded.

VOTE U/A

ITEM #4: New Business

There was no new business.

ITEM #5: Adjournment

Jerry Reese made the motion to adjourn.

Charles Maglaras seconded.

VOTE U/A