

**DOVER PLANNING BOARD  
MINUTES OF MEETING  
OCTOBER 8, 1996**

**MEMBERS PRESENT:** Otis Perry, Jerry Reese, Reuben Hull, Brian Preston, Ron Cole, Charles Maglaras, Dennis Ciotti, Mike Bobinsky

**MEMBERS ABSENT:** Paul Beecher, Martin Smith, Lee Martel

**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.**

Otis Perry made the motion to approve.

Mike Bobinsky seconded.

Jerry Reese wanted it noted in ITEM #3, that Scott Rawding made the motion to table and there was no second to that motion.

**VOTE U/A**

**a. Resignation letter from Bob Belmore**

Ron Cole read the letter of resignation received from Bob Belmore. He stated he will write a letter to Mayor Landry and the Council to start the process to appoint a new member for the Board.

**ITEM #2: Consideration and acceptance of a Conditional Use Application for Great Bay yacht Club, Assessor's Map 8, Lot 40, zoned R-20, located on Wentworth Terrace.**

Steve Brewer stated he is seeking conditional use approval so they can perform some maintenance activities at the yacht club. He added that they have their 1995 Wetland Permit and the Conservation Commission gave them approval last night, October 7, 1996.

Jerry Reese made the motion to accept the application.

Brian Preston seconded.

**VOTE U/A**

The public hearing was opened.

There were no comments.

The public hearing was closed.

Steve Stancel gave the Planning staff comments.

Jerry Reese made the motion to approve with the condition that the three specific and the general conditions put forth by the NH Wetland Council on Permit 94-00154 be observed.

Mike Bobinsky seconded.

**VOTE U/A**

**ITEM #3: Consideration and acceptance of an application for a Driveway Waiver for David & Cheryl McGregor, Map N, Lot 22C-34, zoned RM-12, located at Gerry's Landing, off Cochecho Street.**

Ron Cole asked the Board to nominate a Vice-Chair and stepped down.

Mike Bobinsky nominated Jerry Reese as Vice-Chair.

Dennis Ciotti seconded.

**VOTE U/A**

Dave McGregor stated that he had an architect design the house for a southern exposure and for the maximum use of the land. They then found that the driveway needs to be relocated for the garage to be on the north side of the house. He said he has notified Civil Consultants to draw up a plan.

Discussion ensued regarding the easements on the property and a shared driveway.

Steve Stancel explained that the 50 foot easement located on the property is a drainage swale with a significant slope.

Mike Bobinsky stated that Mr. McGregor should work with an architect and an engineering firm to see how a driveway can be put in.

Mike Bobinsky made the motion to accept the application.

Dennis Ciotti seconded.

Otis Perry stated he is opposed to the acceptance of the application.

**VOTE 4-3**

**Opposed - Jerry Reese, Otis Perry, Reuben Hull, Charles Maglaras**

**Motion Failed**

Steve Stancel asked Mr. McGregor to bring the engineering plans he is having done to the Planning Board.

Ron Cole took his seat.

**ITEM #4: Consideration and acceptance of an application for a Conditional Use Application for Dennis Munson, (owners Dennis Munson & Kathleen Haight) Assessor's Map E, Lot 62A, zoned R-20, located at 125 Tolend Road.**

Dennis Munson stated that Kathy Haight is his sister. He said he would like to construct a 28' x 28' garage.

Otis Perry 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.

Dennis Munson stated that he did not need Wetland approval and this was discussed at the time of his Variance application.

Steve Stancel stated that they received Conservation Commission approval on October 7, 1996, with the condition that a silt fence be used during construction.

Jerry Reese made the motion to approve with the condition that a silt fence be used at the time of construction.

Charles Maglaras seconded.

Dennis Ciotti stated "that the driveway does not extend beyond the garage as shown on the plan" should be added to the motion.

Chairman Cole asked for a vote on the amendment.

**VOTE U/A**

Chairman Cole asked for a vote on the main motion.

**VOTE U/A**

**ITEM #5: Consideration and acceptance of an application for a revision to a subdivision plan for Bellamy Orchard Subdivision, (Owner Glenn Lucas) Assessor's Map L, Lot 27A, zoned R-20, located on New Bellamy Lane.**

Atty. Chris Wyskiel represented Glen Lucas. Chris explained the drainage plan and stated it makes it unnecessary to get an easement from the Reillys. He said the City Engineer has given his approval to this plan.

Mike Bobinsky stated he has reviewed the plan with the City Engineer and endorses it.

Jerry Reese made the motion to accept the application.

Dennis Ciotti seconded.

**VOTE U/A**

The public hearing was opened.

Alan Schulte, who lives in the Reilly house, stated he is concerned that the runoff from the lots on the east side of the road could run down and over the road onto the Reilly property. He said that Norway Plains Associates, Inc., stated that one of the drainage manholes was being installed without a sump and the road is to be higher than the existing grades by more than a foot at the Reilly driveway. Mr. Schulte added that this will result with a driveway which is difficult to plow and too steep to drive out of during periods of ice and snow.

Chris Wyskiel stated that this has nothing to do with what is before the Board tonight. He stated that the problem may be the way the Reilly's driveway is constructed. He said that the road is built to City specifications.

Valdimir Kozulin, 8 New Bellamy Lane, stated that the road is one foot higher than the Reilly's driveway. He added that he has never found any landmarks to his property since he brought it up at a previous meeting.

The public hearing was closed.

Steve Stancel said he agrees that this is a separate issue. He said that Chris Jacobs, of Norway Plains, and Mr. Reilly should get in contact with the City Engineer.

Mike Bobinsky stated that the plan is not asking for an easement and that is positive. He said the road is being built with a crown for drainage. Mike also stated that he will be more than happy to work with Chris Jacobs.

Jerry Reese made the motion to approve.

Charles Maglaras seconded.

**VOTE U/A**

**ITEM #6: Old Business**

Ron Cole stated that the Public Hearings have been held on all the items under Old Business.

**a. Extension of approval for Rivers Edge II, located on Henry Law Avenue.**

John Chagnon, Ambit Survey, stated he is asking for a 60 day extension. He said he is waiting for wetlands approval which he applied for in January.

Jerry Reese made the motion to approve the extension for 60 days.

Charles Maglaras seconded.

**VOTE U/A**

**b. Extension of approval for Addison Place, located on Whittier Street.**

Mark Phillips, owner of the property, stated he was waiting for his wetlands permits at the time he requested the extension. He said he has now received it and the extension is just for time restraints. He added that all the conditions have been met.

Jerry Reese made the motion to approve.  
Mike Bobinsky seconded.

Brian Preston said he will vote against this extension for safety reasons.

**VOTE 5 - 1                      Opposed - Brian Preston      Abstained - Reuben Hull**

**c. Discussion and possible vote for a site review of land for Woodland Crossing,  
located on Fourth/Fifth Streets. (26 Units)**

Otis Perry stepped down for the remainder of the meeting.

Jerry Reese made the motion to remove it from the table.  
Reuben Hull seconded.

**VOTE U/A**

Steve Stancel stated that the Department received complete sets of plans on October 2. He said there has been no opportunity to go over the plans in detail. He said an environmental assessment was received on Oct. 2, and he has not had enough time to recommend approval but he does recommend discussion. Steve said there has been some environmental abuse on the land and that is why the assessment was asked for. Steve said there have been two traffic analyses which have have been reviewed and the Department concurs with the findings.

Steve Stancel stated very little on the plans has changed. He said the Board now has a complete set of plans to review. Steve said there has been significant progress. He said he is looking at safety and there is potential for a speed bump at the entrance.

Dennis Ciotti asked if the Bardwell piece now belongs to Kageleiry.

Steve Stancel stated that he has made sure that without that piece they have enough sq. ft. for the project.

Mike Bobinsky asked Steve if he is satisfied that the land on either side of the road is reserved for dedication to the City.

Steve Stancel stated that the cross hatch section would be considered private but in the future, the City could expand on that land. Steve stated that there is no need to deed the street to the City because the City already owns it. Steve said it is his understanding there in no dispute over ownership.

Brian Preston made the motion to place it on the table.

Jerry Reese seconded.

**VOTE U/A**

**f. Discussion and possible vote for a site review for Sprint Spectrum, located off Spur Road. (Communication tower)**

Dennis Ciotti made the motion to take it off the table.

Jerry Reese seconded.

**VOTE U/A**

Steve Stancel said the Planning staff recommends approval with the following conditions:

1. Allow future City access to the tower.
2. Ensure the right of access by other vendors per industry standards as set forth in the Federal Register.
3. Provide copies of easements and agreements to the City.
4. Owners' signatures on the plan.

Blaine Hopkins stated they would start construction immediately after meeting the conditions.

Brian Preston asked how we would go about getting a franchise agreement with the City.

Steve Stancel stated that condition #2 would see to this.

Dennis Ciotti asked if there is future City access at no charge.

Blaine Hopkins stated the City would not be charged, it is an industry standard.

Jerry Reese asked if other vendors would have to come before the Planning Board.

Steve Stancel said they probably would not.

Steve Stancel stated the City is asking for a dish.

Blaine Hopkins said there is no problem, the City has to be given space.

Jerry Reese stated he is concerned with the word "access" in condition #1.

Steve Stancel stated that condition #1 should be changed to read - Reserve future City access for the placement of communications equipment to the tower.

Jerry Reese made the motion to approve the application with the following conditions:

1. Reserve future City access for the placement of communication equipment to the tower.
2. Ensure the right of access by other vendors per industry standards as set forth in the Federal Register.

3. Provide copies of easements and agreements to the City.
4. Owners' signatures on the plan.

Charles Maglaras seconded.

**VOTE U/A**

- d. Application for a site review of land for Sprint Spectrum, (Owners, George & Nancy Parsons), Assessor's Map A, Lot 36, zoned R-40, located off Parsons Lane. (Communication tower)**

Ron Cole stated it has been struck from the agenda at the request of the applicant.

- e. Application for a site review of land for Sprint Spectrum, (Owner, City of Dover via Jim Andrews & Vertical Realty Properties), Assessor's Map 28, Lot 32-A, zoned R-12, located off Abbey Sawyer Memorial Drive. (Garrison Hill) Communication tower)**

Jerry Reese made the motion to suspend the rules and let Andy Galt speak.

Mike Bobinsky seconded.

**VOTE U/A**

Andy Galt, gave the history of Garrison Hill. He said it has been protected by a resolution that was passed in the mid 1970's. He said the resolution called for no more communication towers on Garrison Hill. He said Garrison Hill and the Garrison Tower were placed on the National Register of Historic Places in 1986.

Ron Cole suggested this item be placed on the table to see if there is a resolution out there.

Jim Andrews stated he doesn't recall a resolution. He stated the City Council may have amended the lease to put in the existing tower.

Andy Galt stated no one at City Hall has researched it.

Steve Stancel stated that there is no record of the resolution. He said that the communication equipment site would have gone to the City Council.

Mike Fenton, Dover Police Dept., stated their current communication equipment is in sad shape and on it's last leg. He said if they can get another system in place, they will have something to fall back on. He said there could be a time of crisis with nothing to fall back on.

Jim Andrews stated the equipment will be in the existing shelter. He said the propane generator will meet police accreditations.

Mike Fenton said they did a test and they had only 50% coverage of the City. He said the tower has to go up to give the City the coverage that it needs.

Jerry Reese made the motion to table.  
Reuben Hull seconded.

**VOTE 5-1**

**Opposed - Charles Maglaras**

**ITEM #7: New Business**

**a. Dominos Pizza**

Steve Stancel stated the site plan was approved with a canopy. They are asking us to waive the canopy which would be a savings to them of \$4,300.00.

Jerry Reese asked if this canopy is just for aesthetics.

Steve Stancel stated the canopy was one of the things to make the building look nicer, but he doesn't feel strongly about this. Steve said the canopy was not put up since Dominos is in the process of changing their colors and they would probably have to change it in the near future.

Jerry Reese made the motion to table for two weeks.  
Mike Bobinsky seconded.

**VOTE U/A**

**ITEM #8: Adjournment**

Jerry Reese made the motion to adjourn.  
Dennis Ciotti seconded.

**VOTE U/A**