

**DOVER PLANNING BOARD
MINUTES OF MEETING
NOVEMBER 12, 1996**

MEMBERS PRESENT: Otis Perry, Martin Smith, Jerry Reese, Brian Preston, Dennis Ciotti, Mike Bobinsky, Charles Maglaras

MEMBERS ABSENT: Paul Beecher, Ronald Cole, Reuben Hull, Lionel Martel

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

Jerry Reese brought the meeting to order at 7:00 PM.

Jerry Reese stated that Chairman Ron Cole is out of town and interim Chairman, Reuben Hull, is also out of town on business. Jerry asked for nominations for Chairman for the evening.

Otis Perry made the motion to nominate Jerry Reese.
Dennis Ciotti seconded.

VOTE U/A

Jerry Reese stated that **Item #9 (a) Woodland Crossing** will not be discussed this evening. He stated that the report on the effect of the proximity of the oil tanks to the buildings has not been received. A petition from the abutters was turned in to the Planning Board stating their opposition to the project. A letter from Mr. David Economos was received stating he was in favor of the project.

ITEM #1: Approval of minutes.

Jerry Reese stated that attain should be changed to obtain in Item #2 and the reference to the name Captain Hook Road should be deleted and of should be changed to on page 6.

Mike Bobinsky made the motion to approve.
Charles Maglaras seconded.

VOTE U/A

ITEM #2: Consideration and acceptance of a conditional use of land for Pickering Marine Corp. (Owner Patricia Bailly) Assessor's Map L, Lot 95-1K, zoned R-20, located at 11 Landing Way.

Glen Normandeau of Pickering Marine, explained that the project consists of a pier for private access to the Piscataqua River. Glen explained that he has built 20 or 30 piers and has not lost one. He said he built one for Bob Foster 6 years ago and it is still straight. He explained that the NH Wetlands Permit is good for 2 years and there if no automatic renewal.

Charles Maglaras made the motion to accept the application
Dennis Ciotti seconded.

VOTE U/A

The public hearing was opened.

Kim Jarvis stated she is representing Mr. Vogel, an abutter, and asked that Mr. Normandeau explain the construction of the pilings again.

Mr. Normandeau explained in greater detail the construction of the pilings.

Tom Vogel, an abutter, asked what the effect of the ice accumulation would have on his property which is located upstream.

Mr. Normandeau answered that there would be no ice piling up.

The public hearing was closed.

Mike Bobinsky made the motion to approve with the condition that the applicant adhere to both the project specific and general conditions contained in the NH Wetlands and Non-site Specific Permit #96-00579.

Otis Perry seconded.

VOTE U/A

ITEM #3: Consideration and acceptance of a lot line adjustment of land for Jeremy Towle and Mary Bickford Assessor's Map F, Lots 24 & 24A, zoned R-40, located on Columbus Avenue.

Jerry Reese asked if anyone was present to represent the application.

No one responded.

Otis made the motion to bring this item up again at the end of the agenda.

Mike Bobinsky seconded.

VOTE U/A

ITEM #4: Consideration and acceptance of a major subdivision of land for CJ Court Development Corp. (Owner Rudolph Fanaras) Assessor's Map I, Lot 48A, zoned R-12, located on Back River Road. (11 lots)

Kevin McEneaney represented CJ Court, Inc. He stated that CJ Court, Inc. is now the owner of this property. He stated that the plans now show 11 lots, not 10 as in the original plan. He said the property is 4.76 acres. He said the lots will have municipal sewer, water and under ground

utilities. He said there will be granite curbing on both sides of the road and 5' asphalt sidewalks. Kevin went over the different sheets of the plan for the Board. He said the lots will be serviced by municipal sewer which will be tied into a main on Back River Rd. He said they are proposing an 8" water line and a hydrant at the end of the cul-de-sac. He said the driveway locations are shown on the plan. He said the land is flat and mostly all sand. Kevin said the lots range from 12,000 to 20,000 sq. ft. He stated there is an existing structure which will be relocated to a lot in the subdivision. He said the major TRC items have been taken care of.

Kevin stated he is asking for a waiver for the right-of-way radius which should be 30' and they are showing 21'. He stated the pavement is standard. He said they are asking for waiver for a reduction of the water line from 12" to 8".

Chuck Maglaras asked if they are looping the water line into the Mathes Hill Subdivision.

Kevin McEneaney stated that he is asking that this not be done because the distance from the cul-de-sac to the Mathes Hill subdivision is 450 feet and is quite sloped. He said the City doesn't want to maintain a water line on a 2 to 1 slope. Kevin stated that the Fire Department thought the plan was satisfactory.

Otis Perry made the motion to accept the application.

Mike Bobinsky seconded.

VOTE 6 - 1 Opposed - Dennis Ciotti

The public hearing was opened.

Valerie Moreau, an abutter on the northside, asked if the traffic impact has been addressed. She stated that she owns an adjoining house lot which only has 85' of frontage on Back River Road. Ms. Moreau stated with the new subdivision, she will also have frontage on the proposed road. She stated she will be hard pressed to get some use out of this lot.

Steve Stancel stated that the average number of vehicle trips per day would not be a problem for the area.

Otis Perry stated she would have a good case for a Variance if they try to design a house on the lot and can't.

The public hearing was closed.

Kevin McEneaney stated that she would not need a 30 foot front setback from the subdivision road. He said it will be a side setback because the right of way is not up to the lot line.

Chuck Maglaras asked if she could put in a driveway off the new road.

Steve Stancel stated that they would need to get an easement because of the strip of land between her lot and the road.

Steve Stancel stated he would like to see this tabled to a site walk and gave the outstanding issues as follows:

1. A waiver for the curb radii at the entrance is required as well as for the 8" water line.
2. There may be safety issues with the intersection of Garrison Road, Back River, and the proposed road. Staff are reviewing possible off-site improvements.
3. The City Engineer has requested that the applicant loop the water line into the Mathes Hill subdivision. A waiver for main size may be required.

Mike Bobinsky explained how looping is desirable for the maintenance of the water line. He stated that a dead ended water line needs more maintenance.

Dennis Ciotti made the motion to table to a site walk.

Otis Perry seconded.

VOTE U/A

The site walk was set for Saturday, November 23, at 9:00 AM.

ITEM #5: Consideration and acceptance of a minor subdivision of land for Dover Industrial Development Authority, Assessor's Map D, Lot 13, zoned I-4, located on Sixth Street/Venture Drive.

Otis Perry stepped down for this item and item #6.

Kevin McEneaney represented the application. He stated it is for a two lot subdivision located on Sixth Street and County Farm Road with frontage on Venture Drive. He said it is an "L" shaped lot. He said lot one is 8.5 acres and lot 2 is 13.6 acres. He stated the lots will have municipal water and sewer and underground utilities.

Bobinsky made the motion to accept the application.

Martin Smith seconded.

Dennis Ciotti asked what will be done for the intersection.

Steve Stancel stated the staff feels that change to the intersection it is not needed, but possibly when lot 2 is developed, there may be a need for a light.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Jerry Reese stated that the Planning Board had a site walk on the property last Saturday.

Mike Bobinsky made the motion to approve with the condition the owner's signature be added to the plan.

Martin Smith seconded.

VOTE U/A

ITEM #6: Consideration and acceptance of a site review of land for Opechee Construction Mgt. Corp. (Owner City of Dover) Assessor's Map D, Lot 213, zoned I-4, located on Sixth Street.

Bill Woglom, from Opechee Construction, stated it is a 28,800 sq. ft. industrial building for Conproco. He said Conproco will be leasing the building from the City of Dover. He said they will manufacture stucco coloring for construction products. He said there will be a 63' silo which will be screened with vegetation. He stated that the wetlands will not be developed and the trees will not be cut. He said the street will be built to City standards. He added that there will be a sidewalk. Mr. Woglom said they will manufacture powder which is used in coloring cement blocks. He said they will also make stucco. He showed an outlined area on the plan and stated they will attempt to save the trees but if the Board feels they should be removed, they will replace them with something acceptable to the Board.

Jerry Reese stated that Mrs. Eldredge was concerned with the drainage.

Mr. Woglom explained how the water level will be balanced on both sides of the street.

Mike Bobinsky made the motion to accept the application.

Charles Maglaras seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Charles Maglaras asked how many people would be employed and where could more parking be added.

Steve Stancel stated there would be 25 to 30 employees. Steve said the parking could be expanded by taking about 40' along the front 75' setback or by removing the stump dump in the rear of the building.

Mike Bobinsky made the motion to approve with the following staff recommendations:

1. Add the owner's signature to the site plan.
2. Correct the lot lines, setback lines, and area call-outs on sheet 1, existing conditions plan to match the subdivision plan.
3. Add exterior wall-mounted lights to all sides of the building on the site plan.

4. Show seed, lime and fertilizer rates on the plan.
5. A waiver is required for the lack of the 30 ft. radius at one corner of the intersection with Sixth Street.
6. A special exception is required for the height of the silo.
7. The plan must meet with the protective covenant requirements of the DEDC.
8. A conservation easement be placed on all wetland areas of the lot.
9. The drainage shall be redesigned so that water does not flow directly into wetland areas without treatment.
10. The Phase II design of the proposed road must be revised so that there is no wetland impact. This may necessitate a lot line adjustment.
11. The Engineering Division requires drain calculations for the sizing of the 24" cross-culvert.
12. Show the 15 ft. utility easement on the site plan.
13. Landscaping plan be developed to satisfaction of DEDC and Planning staff.

Charles Maglaras seconded.

VOTE U/A

Otis Perry took his seat.

ITEM #7: Consideration and acceptance of a major subdivision of land for Smithfield Construction Co., Inc., (Owners Francis & Valerie Chenevert/Claire Sheridan) Assessor's Map M, Lots 102 & 105, zoned R-40, located on Back/Middle Roads. (8 lots)

Bob Stowell, Trittech Engineering, represented the application. He stated they will extend the 12" water main along Back Road. Bob stated that the wetlands have been mapped and the wetlands permit is pending. He said all lots will be serviced by septic systems.

Mike Bobinsky asked if there is a homeowners association for lots 6, 7, 8, 9, for the maintenance of the common drive and utilities. Bob Stowell stated this information will be incorporated in the deeds.

Otis Perry wanted it to be noted that the City is not responsible for maintenance of the road.

Dennis Ciotti made the motion to accept the application.

Charles Maglaras seconded.

VOTE U/A

The public hearing was opened.

Greg Hunt, an abutter on the northern side, asked for the size of the smallest lot.

Bob Stowell stated that lot 1 is 41,000 sq. ft., lot 2 is 43,000 sq. ft. where 40,000 sq. ft. is required. He stated that the proposed common driveway will be gravel.

Ralph Sanderson stated he doesn't disapprove, but asked if there is City sewer in that area.

Steve Stancel stated there is no City sewer and there are no plans at this time to put it in.

The public hearing was closed.

Mike Bobinsky made the motion to approve with the following conditions:

1. Add the owners' signatures to the plat.
2. Correct the setback lines where they run through wetland areas on the plat.
3. Provide the Planning Department with the NH subdivision approval number.
4. Add a name to the private drive on the plat.
5. Provide homeowners association and maintenance documents to the Planning Department.
6. Need as built in digital format
7. Reconfigure end of water main at the end of property line.
8. Assure that specific notice is placed in the deeds indicating that the City will not be responsible for maintenance or service to the private road.

Charles Maglaras seconded.

Otis Perry stated he is concerned with the private drive. He said he see a scenario for the expansion of lot 9. He said he thinks this is asking for trouble.

Bob Stowell stated this is a solution to locating three separate driveway through the wetlands.

Steve Stancel stated this a a perfect use to the Ordinance. He stated that the lots on a private drive still need frontage on a City street. He said the staff felt it was the best way to access Lot 9.

VOTE 6 - 1 Opposed - Otis Perry

ITEM #8: Application for a major subdivision of land for John H. Farrell, (Owner John E. Maclatchy), Assessor's Map L, Lot 40, zoned R-20, located at 245 Dover Point Road. (22 lots)

Bob Stowell stated the subdivision will have City water and sewer. He said the new road they will construct is called Baldwin Way. He said the NH driveway permit is pending. He said Baldwin Way follows down the hill and intersects with Lillian Way. Bob said a 50' right-of-way was left to connect with Roberta Drive. He said they will have to cross a small wetland for which they have received a favorable review from the Conservation Commission. Bob said they are asking for two waivers. He said one is for the 7% slope of the proposed Baldwin Way where the maximum is 6%, and the other is for an 8" water main where 12" is required. Bob explained how the sewer will run into the State right-of-way.

Otis made the motion to accept the application.

Charles Maglaras seconded.

VOTE U/A

The public hearing was opened.

Marion Breen, 3 Roberta Drive, was opposed with the new road joining Roberta Drive. She said there are children and no sidewalks. She said 22 new homes would have a great impact on Dover Point Road.

Anna Pippin, abuts Lillian Road, stated they do not need a road to interrupt them. She said there are elderly people on Roberta Drive and her husband walks for his health. She stated she objects to the connection of the roads.

Sterling Pippin, 11 Roberta Drive, stated Roberta Drive has a nice mix of people. He stated connecting the roads does not make sense. He stated it will add delivery trucks, oil trucks and traffic to their neighborhood. He said the majority of streets off Dover Point Road have cul-de-sacs. He said he is definitely not in favor of a road going through and it should be changed to a cul-de-sac.

Stephanie Osborne, 242 Dover Point Road, asked where this road will come out in relation to Roberts Road. She asked if any provisions were made to provide for the increased traffic on Dover Point Road. She also asked if there are any plans in the future for the upgrade of water and sewer.

Bob Stowell pointed out where Roberts Road is located in connection to the new subdivision.

Steve Stancel stated there would be 8 to 10 traffic trips per unit and given the current capacity, the road can handle it.

Mike Bobinsky stated that Dover has adequate water supplies and the sewer has the capacity.

Vicky Kennedy, 5 Roberta Drive, is opposed to Lillian Lane. She stated safety is an issue.

Paula Levesque, 13 Roberta Drive, strongly opposed Lillian Lane. She states the quality of their lives is being affected. She recommends that Baldwin Way end as a cul-de-sac.

Ed Jervey, 4 Roberta Drive, stated he went out of his way to find a neighborhood that ended in a cul-de-sac. He stated he is concerned with this plan.

Alice Brigs, 10 Cote Drive, stated that Dover Point Road is very congested with residents who avoid the toll. She said there are lots of walking traffic on the road. She stated she noticed an appreciable drop in her water pressure and these are factors to be looked at.

Earl Haller, 233 Dover Point Road, stated that in the 1992 revaluation, his land was higher than Maclatchy's because Maclatchy's property was wet and a bog. He asked how this wet land can support 22 houses. He said Dover Point Road is too congested to accept another road.

Ed Hoginsky, 230 Dover Point Road, asked why there are no provisions for sidewalks or granite curbs. He asked if there are any provisions for the curve in Dover Point Road, or any turning lanes.

Steve Stancel stated that there are sidewalks and curbs provided in the subdivision plan.

Ralph Sanderson, asked if there are any traffic lights in the future. He stated it takes 10 minutes to get out on Dover Point Road to go South.

Jeff Caddle, 10 Roberta Drive, stated he objects to Lillian Rd.

Mike Bobinsky left his seat.

Stephanie Osborne, stated she wanted a response to the request of a cul-de-sac, the traffic and the turning lane.

Mr. Pippin, stated the 22 homes will be fed into his street that has far fewer homes. He said he understands why a developer doesn't want to loose the land to a cul-de-sac. He said they should keep consistent with the rest of the neighborhood and use a cul-de-sac.

Paula Levesque, stated she lives at the bottom of the road and is concerned with drainage.

Susan Haller, 233 Dover Point Road, stated that the tax card on this property states there is a high water table and the property is probably not buildable. She asked how come it is now suitable for 22 house lots.

The public hearing was closed.

Steve Stancel stated there is a 50' right-of-way in place in Roberta Drive to accommodate this development. He stated that the connection makes for better neighborhoods. He said it makes good planning sense to connect neighborhoods so people do not have to get out on an arterial road to get from one neighborhood to the other. He said it is also a safety feature to have a secondary access. Steve stated that snow plowing is easier with a looped road system.

Mr. Pippin stated there are only 12 houses on Roberta Drive, why add traffic from another 22.

Bob Stowell stated the wetlands have been mapped. He said lots 9 and 11 have small pockets of wetland.

Otis Perry made the motion to table to a site walk on Saturday, November 23, at 10:00.

Dennis Ciotti seconded.

VOTE U/A

Jerry Reese invited the abutters to the site walk, starting at the end of Roberta Drive.

ITEM #9: Old Business

Jerry Reese said they will take up **ITEM #3 Towle & Bickford**.
He asked if any one was present to address the application. No one responded.

**9.b. Discussion and possible vote on a site review of land for Sprint Spectrum,
located off Parsons Lane. (Communications tower)**

Otis made the motion to take this item off the table.
Charles Maglaras seconded.

VOTE U/A

Blaine Hopkins stated that they have engaged NH Soils to do a wetlands analysis. He said their determination is that there is no impact. He said he has Mike Parsant present to answer any questions.

Steve Stancel stated that Dean Peschel has talked to Mike Parsant and is satisfied.

It was asked if there is a need for a cross culvert pipe at the entrance of the drive.

Mr. Parsant answered that it is an engineering question and he can't answer it.

Blaine Hopkins stated he will have his PE look at it and get together with the City engineer. He said it can be made a condition of approval if it is needed.

Steve Stancel stated that before any building permit can be issued, either a bond or a street must be in place.

Marty Smith asked what happens when there comes a time when the towers are no longer needed.

Blaine Hopkins stated there is a section of the contract which states that upon discontinue of use, there is an amount of time where the area must be restored to the original conditions.

Otis made the motion to approve with the following conditions:

1. Add the owner's signature to the plat.
2. Provide copies of easements to the Planning Department.
3. Add a cross-culvert pipe to any section of the driveway that is being filled if necessary.
4. Construct Parsons Lane to City standards or submit the required bond for the construction of the street.
5. Add required site plan notes 8, 11, 14, and 21 from the Site Plan Note List to the site plan.
6. Reserve future City access for the placement of communication equipment to the tower.
7. The plan must address and ensure access by other vendors, i.e. co-location (per industry standards as set forth in the Federal Register).

8. The coordinates need to be tied into North American Datum 197 in digital form.

Dennis Ciotti seconded.

VOTE U/A

Jerry Reese asked how the moving of the Liberty houses was coming.

Steve Stancel stated it is coming along and they closed on the land today. He said by the 1st of December, all the houses should be on foundations. Steve stated that the tax maps are all upgraded and the department has started producing land use maps.

Otis Perry made the motion to adjourn.

Dennis Ciotti seconded.

VOTE U/A