



**CITY OF DOVER**

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers – 288 Central Avenue, Dover, NH 03820  
Meeting Date: Tuesday, March 10, 2009  
Meeting Time: 7:00 pm

**REGULAR MEMBERS PRESENT:** Ron Cole, Frank Torr, Marcia Colbath, Kirt Schuman, Don Andolina, Dean Trefethen, Perry Plummer, John Swartzendruber

**REGULAR MEMBERS ABSENT:** Doug Steele

**ALTERNATE MEMBERS PRESENT:** Linda Merullo

**ALTERNATE MEMBERS ABSENT:** Ron Stock

**STAFF PRESENT:** Christopher Parker, Planning Director and Jennifer Bretz, Planning Secretary

Meeting called to order at 7:02 pm.  
Linda Merullo sat in for Doug Steele.

### 1. CITIZENS' FORUM

Mary Hebbard, 97 Spruce Lane, stated she is not in favor of putting Conditional Use Permits and Minor Lot Line Adjustments into a Consent Calendar. Unless a Planning Board member asks for the item to be removed from the calendar for discussion and public hearing, the item will be voted on without discussion. RSA 676:4 does not require a public hearing for these types of items, yet having a public hearing has been the Board's common practice for many years. The City Council has a Consent Calendar for items that are considered routine, for example resolutions to purchase work boots or mowing of athletic fields. She does not consider any item that comes before the Planning Board routine. On TV, she had seen part of the February 24 meeting where Parker and Cole had mentioned that the two of them had discussed using a Consent Calendar. She believes that it should be voted on by the Board.

Rick Hebbard, 97 Spruce Lane, stated that he agrees with Mary Hebbard regarding the Consent Calendar. He has come before the Board tonight to talk about Portsmouth Christian Academy. He believes that PCA is violating their Occupancy Permit by allowing buses to drive on Spruce Lane. He spoke to Director Parker on Thursday and on Friday, there were four more violations. He has pictures with the date on them. He is requesting that the Planning Board request PCA to come before the Board to discuss the situation. If this is not resolved, he will bring them to court.

### 2. APPROVAL OF MINUTES OF FEBRUARY 24, 2009

Motion: Torr made the motion to approve the minutes, Merullo seconded. Vote: U/A

Cole made the announcement that Kirt Schuman is the new Executive Director of the Dover Chamber of Commerce. Schuman is resigning from the Planning Board as of March 24, 2009.

Cole made the announcement that Dan Barufaldi, the new Economic Director, was present.

### 3. OLD BUSINESS

- A. Consideration and acceptance of a major subdivision of land and conditional use permit for Scott Coughlin, Assessor's Map I, Lots 94C & 127A, zoned R-40, located on Hidden Valley Drive. (P09-03) (10 lots)

Motion: Torr made the motion to remove the item from the table, Trefethen seconded. Vote: U/A.



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Kevin McEneaney, McEneaney Survey Associates, represents the applicant. At the February 10, 2009 meeting, Andolina had asked if a riding ring would be associated with the barn. It is an essential part of the facility to provide an outdoor and potentially an indoor ring. There is room on the lot, where the barn will be, to do that. They would like to reserve that option. They will be providing, in the Homeowner's documents, a management plan for the riding ring. There are certain materials that can be used to construct the ring that will keep the dust down. They do require a fair amount of watering for maintenance purposes.

Andolina stated a management plan of the riding ring needs to be in the condition of approvals otherwise, it could be very problematic.

Trefethen stated that it was mentioned that the driveway was going to be upgraded. If they wanted to pave the driveway in the future, would the base be proper to do that on?

McEneaney stated they are planning on putting in a gravel base that will be City standards.

Discussion ensued regarding the gravel road.

Torr had a question regarding the removal of horse waste.

Colbath stated another riding ring needs to be established before the removal of the old one. A 14 horse barn is not a good option without a riding ring. She asked how many feet were the homes from the gravel road.

McEneaney stated from a health safety statute, you're required to be no more than 150 ft. from a 20 ft wide access point. Most of the homes will be within 150 ft of that area.

Colbath stated there is a lot of dust potential and the homeowner's will need to be aware of that when looking into purchasing.

Discussion ensued regarding the homeowner's documents.

Motion: Torr made the motion to table item 3A, Trefethen seconded. Vote: U/A

Cole stated he wanted to discuss the Hebbards concerns about Portsmouth Christian Academy.

Parker stated the Hebbards came to the Planning office with documented photographs showing the school buses traveling down Spruce Lane. Parker then e-mailed PCA to ask what was going on but has not received a response back yet. In the past, when Mr. Hebbard has come in, they've looked into the photographs. One situation that they've seen in the past is other private schools are coming to PCA and they do not follow the rules. PCA is responsible for informing the other schools as to the correct road to use and giving them good directions. Parker stated that he spoke to PCA to inform them to plan on being on the March 24 agenda to discuss the bus situation. One of the Conditions of Approval stated that PCA can only use Garrison Rd as an access point.

Hebbard stated the Headmaster, at the time, offered that option as a condition and the abutters accepted.



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Trefethen stated he agrees that the enforcement issue is with the Planning Board. He pointed out that any bus coming off of Piscataqua Rd, traveling with a GPS or directions from Map quest is going to send them down Spruce Lane.

Cole stated that he spent 8 years traveling with students playing athletics. It merely depends on who the driver is. If the driver has been going that way for 3-4 years then they will continue going that way. The school needs to make people take Garrison Road.

### B. Presentation of Dimensional Sub-Committee Work.

Parker passed out information on the revisions that the Dimensional Sub-Committee has made.

Parker proceeded to go over the three revisions:

1. Residential revisions
2. Non-residential revisions
3. General revisions

### C. FFY08 Easter Seals

Parker stated last year, the Planning Board approved \$183,000 to Easter Seals for building out the McConnell Center. HUD requires the City to spend a certain amount of money through the grant to be in compliance with the agreement. In reviewing records, to make sure that they are in compliance, they noticed that Easter Seals has not spent any of the money given to them. A majority of the funds have to be spent by April 30, 2009. Easter Seals has delayed their expansion of the McConnell Center for a few months. Parker is recommending that they re-award the funds to the Crossroads House. They can spend it now not later. He would like it to go before City Council at their next meeting.

Andolina asked about the new allocation for Easter Seals.

Parker stated the funds would be closer to \$150,000 because the allocation was less this year.

Motion: Plummer made the motion to reallocate the funds from Easter Seals to Crossroads House, Merullo seconded. Vote: U/A.

## 4. NEW BUSINESS

### A. Consent Calendar

Cole stated that Director Parker and Cole had decided that going with the Consent Calendar would simplify matters. He stated that he has no issue doing it the way the Board wants to.

Merullo stated that she agrees with Mrs. Hebbard. She doesn't feel that Lot Line Adjustments and Conditional Use permits take up a lot of time. A vote should be taken on which way to go.



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Colbath stated she's all right with the way things are right now. Things could, possibly, get by.

Andolina stated he doesn't support a change to a consent calendar. The argument that it shortens time has no weight because the Board is not always there late.

Torr stated eliminating the process of the applicants speaking in front of the Board, eliminates the knowledge of the general public.

Trefethen stated at the last meeting, he had raised the question about how to inform abutters about when to speak, no matter how many notices you give someone, they will not know when to speak.

Cole stated seeing that there wasn't an official action taken on the consent calendar they will not have the consent calendar.

### **5. STAFF COMMENTS**

### **6. COMMITTEE REPORTS**

### **7. ADJOURN**

Motion: Andolina made the motion to adjourn at 8:26 pm, Schuman seconded. Vote: U/A.