



CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

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

REGULAR MEMBERS PRESENT: Frank Torr, Marcia Gasses, Doug Steele, Perry Plummer, Don Andolina, John Swartzendruber, Linda Merullo

REGULAR MEMBERS ABSENT: Dean Trefethen, Ron Cole

ALTERNATE MEMBERS PRESENT: Jan Nedelka, Lee Skinner

STAFF PRESENT: Christopher Parker; Planning Director, Jean Glidden; Recording Secretary

Frank Torr sat in for Ron Cole.

Lee Skinner sat in for Frank Torr.

Meeting called to order at 7:01 pm

1. CITIZENS' FORUM – NONE

2. APPROVAL OF MINUTES OF OCTOBER 20, 2009

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

3. OLD BUSINESS

- A. Consideration of a request for an amendment of previous conditions of approval for the Whitetail Subdivision (Picard Lane), off of Varney Road, by Paul Hollis, (owner: Middlesex Realty LLC) Assessor's Map A, Lot 19, zoned R-40. (P04-47)

Paul Hollis representative for Whitetail Subdivision. In July they asked for an extension. There are two outstanding items not being able to complete, final paving of the roadway and providing the digital disc for a mylar, prior to January 10, 2010. Hollis is asking for an extension for those two items to July 30, 2010. Eight foundations are in so far. In exchange for the extension, the applicant will provide snow plow services and trash collection to Carriage Hill Lane and Picard Lane residents. The applicant has received signatures for approval of the extension on Carriage Hill Lane. (Papers in file)

Hollis confirmed for Merullo that top coat of asphalt should be the last step. She stated she is okay with this.

Plummer confirmed with Hollis that the residents would not have to bring the garbage to the end of the road. Plummer asked Parker what happens if the extension is granted but snow plowing or trash collection is not maintained. Parker recommends that conditions of approval include trash pick up and snow removal be provided, and if the items are not maintained the City will use the cash it has as surety for that purpose.

Motion: Perry made the motion to grant the extension with staff recommendations. Steele seconded. Vote: U/A



CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

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

- B. Consideration of a request for an amendment of previous conditions of approval for Picnic Rock Subdivision (Picnic Rock Drive), off of Back River Road, by Bill Foy, (owner: Picnic Rivers Partners of Dover LLC) Assessor's Map 16, Lot 20, zoned R-12. (P07-32)

Parker explained that this project was originally approved as an Open Space Subdivision without lot lines. The Planning Board approved adding lot lines in July, 2009. When this change was made, the applicant did not realize that a letter of credit would be required prior to construction. This is a difference between site plans and subdivision plans. Staffs recommended the applicant ask for conditions of approval to be changed both to extend the letter of credit and to also amend an original condition that \$9,143 be paid for transportation impacts prior to the first CO. The project has changed hands a few times, and staff believes the Board should take current economic conditions in consideration. The transportation monies will be collected prior to the third CO being issued. Additionally, staff wants to clarify the applicants need to work with DES on an alteration of terrain permit.

Steele asked for time frame with DES. Parker said he suggests no more than three building permits be issued.

Doug LaRosa, Trittech Engineering, represents Picnic Rock LLC. There is some confusion regarding the alteration of terrain permit. DES rules are different for a site plan versus subdivisions. Picnic Rivers position is that it does not need an alteration of terrain permit. DES believes that one is.

Discussion ensued regarding the Alteration of Terrain permit as a condition of approval.

Parker clarified for Merullo that the money that is due (\$9,143) for the transportation impacts will not be required until three houses are built. Parker said there are 20 houses there.

Parker read staff comments:

Additionally, due to the economy and the fact that the project is self funded, staff supports the applicant's request that the transportation funds due before the first CO be delayed until the third CO.

1. All conditions previously agreed to are still in force.
2. Previous condition of approval 12 stated that funds for the NH Route 108 Corridor improvements, totally \$9,143, shall be paid prior to the first certificate of occupancy, shall be amended to reflect the third certificate of occupancy.
3. No more than three building permits shall be issued until a new Alteration of Terrain Permit is issued or DES determines one is not needed.
4. No more than four building permits shall be issued prior to the establishment of a letter of credit or other appropriate surety. This surety shall include the site improvements outstanding as well as snow plow and trash collection costs for 2 years.

Discussion ensued regarding plowing a private road and the obligation of the City to maintain roadways for developers who have abandoned projects.



CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

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

Motion: Merullo made the motion to approve with staff recommendations. Torr seconded. Vote: 8 to 1 (Andolina opposed)

- C. Consideration of a letter submitted by R. Craig Williams.

Motion: Gasses made the motion to have the letter be placed on file. Perry seconded. Vote: U/A

4. NEW BUSINESS

- A. Consideration and acceptance of a site review of land for SAU #11, (Horne Street School), Assessor's Map 36, Lot 30, zoned R-12, located at 78 Horne Street, per RSA 674:54. (2 additions totaling 9,826 sq. ft. and 22 new parking spaces) *(P09-29)

John Urdi, architect representing the school district, explained the project as submitted in the file. He stated that they have met with TRC and have made changes per TRC requests. The entire building will be made more efficient. He stated that the plan set submitted shows in red changes made to reflect TRC comments. The main concern was the police department's desire for a fire lane and drainage concerns.

Merullo said she was at the TRC meeting. She was concerned with drainage. Urdi, explained that City Engineer Dave White asked them to do a water quality unit. Instead they have relocated a couple of catch basins on site to reach the same conclusion. Urdi also discussed changes to the lighting plan.

Gasses asked if there were any impacts to wetlands or wetland buffer.

Urdi said wetlands are out there and is not aware that they are on this site.

Gasses said that it is shown on the plans and she questioned the drainage plan.

Parker said this project does drain towards the Berry Brook. Discussion continued regarding drainage.

Motion: Andolina made the motion to accept the application. Merullo seconded. Vote: U/A

Public Hearing Open

David McCann, lot 36 29B 68 Horne street, thanked staff and is concerned with drainage and lighting. He is speaking to point out that the drainage in the area is worse in the spring time when the snow builds up. He is downhill from that and in the winter it is spongy and very wet.

Urdi said all drainage on the new site is within the parking area. Coming together and going in to the retention pond.

Public Hearing Closed

Parker read staff comments:



CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

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

RSA 674:54 provides for the planning board review of governmental land uses and nonbinding written comments relative to conformity or nonconformity of the proposal with normally applicable land use regulations.

The Planning Department recommends approval of the site plan. The Planning Board advises that the School District review and consider the recommendations from the Technical Review Committee for inclusion in the final design plans.

Parker said that this recommendation was written prior to submittal of the red line sheets in the plan set. He stated that he has confirmed with Bird that all concerns have been addressed.

Plummer asked Dr. O'Connor about the plowing plan.

Gasses said this should have gone to the conservation commission first.

Motion: Andolina made the motion to approve with staff recommendations. Merullo seconded.
Vote: 8 to 1 (Gasses opposed)

- B. Consideration and acceptance of a conditional use permit for ElectroCraft New Hampshire Inc, Assessor's Map H, Lot 36-1, zoned I-2, located at 1 Progress Drive. *(P09-30) (to remediate the site within the wetland area)

Sherry Trefry, NHSC environmental consultants, representing Electrocraft. This building has been occupied by a large manufacturing company and the northwest area of the property was contaminated in the 1960's. A proposal was submitted to DES to use remediation at this site. The contaminant is contained on one area and remediation requires a temporary wetlands impact. A conditional use permit is required to impact the wetlands. Trefry reviewed the criteria under the ordinance. The proposed was the least impact in this area. The removal will improve the environmental of the site. All the impacts are temporary and will be restored. The area will be regarded and re-vegetated.

Andolina asked for a brief description of ElectroCraft.

Elizabeth Ranson, Ransom Environmental Consultants spoke to the history of ElectroCraft, previously known as EAD motors. The manufacturing operation is shut down but they maintain a small office in that space. They worked with small motors machinery to airplanes etc.

Ransom confirmed for Gasses that there will be monitoring involved in the remediation and that the City receives copy of the results.

Ransom explained the time frame for the process to Merullo and that it will take six months to a year. Ransom also explained that there will be no odor created by the process.

Ransom explained to Andolina that the employees involved in the remediation will fluctuate. A few people are needed at first for setup and after a few months only one or two are needed for monitoring.



CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

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

Motion: Andolina made the motion to accept the application. Plummer seconded. Vote: U/A

Public Hearing Open - Public Hearing Closed

Parker read staff comments: (memo in file)

The Planning Department recommends approval of the Conditional Use Permit with the following conditions:

1. The applicant shall obtain a NHDES Wetlands Bureau Permit and provide a copy to the Planning Department.

Motion: Plummer made the motion to approve with conditions. Steele seconded. Vote: U/A

- C. Consideration and acceptance of a conditional use permit for Riverside & Pickering Marine Construction Inc, (owner: Twin Rivers Farm LLC), Assessor's Map N, Lot 2, zoned R-40, located at 41 Three Rivers Farm Road. *(P09-31) (to construct a 348 sq. ft. wooden walkway)

Zachary Taylor, project planner, for Riverside & Pickering Marine Construction. He proceeded to explain the application as submitted for the file. We have applied for a permit from DES and will hope to have that as well. We also were approved by the conservation commission.

Motion: Gasses made the motion to accept the application. Merullo seconded. Vote: U/A

Public Hearing Open - Public Hearing Closed

Parker read staff comments: (memo in file)

The Planning Department recommends approval of the Conditional Use Permit with the following conditions:

1. The applicant shall obtain a NHDES Wetlands Bureau Permit and provide a copy to the Planning Department.
2. The applicant shall obtain a NHDES Shoreland Program Permit and provide a copy to the Planning Department.

Motion: Steele made the motion to approve with staff recommendations. Schwartzdruber seconded. Vote: U/A

- D. Consideration and possible vote on an amendment (insert lot lines) to a previously approved (July 25, 2006) open space subdivision of land (without lot lines) for MPJ Development LLC, (owner: David & Jacqueline Tromba) Assessor's Map E, Lot 50, zoned R-40, located on Pacific Lane & Upper Factory Road. *(P05-72A) (6 lots)



CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

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

Doug Larossa, Trittech Engineering stated that they were previously approved for six units. They would like to put lot lines around the units.

Motion: Merullo made the motion to accept the application. Gasses seconded. Vote: U/A

Public Hearing Open - Public Hearing Closed

Parker read staff comments: (memo in file)

The Planning Department recommends approval of the amendment to the subdivision plan with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. Add both of the owners' signatures to the plat.
2. Provide the Planning Department with a digital version of the plat.
3. The original Planning Board conditions of approval from July 25, 2006 remain in place, as applicable.
4. The applicant shall provide the Planning Department with a copy of the condominium termination agreement and the revised homeowner's association documents that reflect the common ownership of the open space lot and any other changes necessitated by the addition of lot lines, with consultation by the City Attorney on the proper form of the documents.

Motion: Merullo made the motion to approve with staff recommendations. Andolina seconded.
Vote: U/A

5. STAFF COMMENTS

Parker reminded the Board of the following meetings and dates:

- December 2nd a joint workshop with the City Council about CIP.
- December 8th the Planning Board CIP public hearing.
- November 12th and 14th zoning information sessions in the third floor lecture hall of the McConnell Center.

6. COMMITTEE REPORTS

Gasses said that the Open Lands Committee received word that it had been awarded the Piscataqua Estuaries Grant.

7. ADJOURN

Motion: Merullo made the motion to adjourn at 8:05 pm. Swartzendruber seconded. Vote: U/A