

**DOVER ZONING BOARD OF ADJUSTMENT
MINUTES OF PUBLIC HEARING
DECEMBER 21, 2000**

MEMBERS PRESENT: Dean Trefethen, Chairperson, William Colbath, Co-Chairperson, David Ruoff, Robert Mullan, Rick Callaghan, John Murphy, Tom Dolbec, and Doug Cummings

STAFF PRESENT: Thomas Clark, Building Official, and Bruce Woodruff, City Planner

ITEM #1: NEW BUSINESS

A. Approval of minutes for regular meeting of November 16, 2000.

MOTION:

John Murphy made the motion to accept the minutes with the following corrections:

1. Page two, twelve lines from the bottom, change from "John Mullan seconded the motion" to read "John Murphy seconded the motion."
2. Page seven, twelve lines from the bottom, change from "the lost of the auto repair" to "the loss of the auto repair."

Bill Colbath seconded the motion.

U/A

ITEM #2: OLD BUSINESS

Z 00-30 Stasia Panopoulos, requests an Appeal From An Administrative Decision in connection with Article X, Section 170-40 as it relates to a property owned by Steven Whitcomb, 56 St. Thomas St. A/K/A Assessor's Map 9, Lot 18 zoned RM 10. (This is a result of a rehearing request granted at the October 19, 2000 meeting).

Tom Clark announced that he had received word today from Stasia Panopoulos' attorney that she and Steve Whitcomb had entered a Purchase and Sales Agreement. She proposes to purchase that property from him. If the sale goes through she will either remove the foundation and pave it over for additional parking for her apartments, or build a garage and go through a lot line merger and just add it to her lot. If the sale does not go through then it will come back before this Board. Attorney Schulte requests that the case continue to be tabled for now. It appears as though it may be resolved amicably.

MOTION:

Dean Trefethen made the motion to postpone the hearing until the next meeting.

David Ruoff seconded the motion.

U/A

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ITEM #3:

Z 00-36 Samuel Tamposi Sr. 1992 Trust (Applicant: Southwest Equities Corp.), Plaza Dr., A/K/A Assessor's Map D, Lot 2, Zoned B-3, requests a Special Exception as provided for under the terms of Article VI, Section 170-19 and Article XII, Section 170-52 C (3) to construct a multi-family use.

Brad Richards represented Southwest Equities Corp. Brad gave a brief history of proposed development for this property. After discussions with the Planning Dept., Dean Peschel, and Tom Fargo of the Conservation Commission, they decided to go to the Conservation Commission with a preliminary plan for their input. Brad had a display of two proposed plans. One plan shows just the fourteen plus acres which is proposed for the 102 apartment units and the other plan shows the entire site of twenty-two plus acres which they anticipate to include future commercial use. They are before the Board for just the fourteen-acre parcel that would have an entrance on Plaza Dr. from Glenwood. Displayed also was a rendering of the proposed buildings. There would be three buildings of thirty-four units each.

John Murphy asked (1) what the plans were for future commercial use and (2) where would the access be from? (3) Would the apartments be accessed through this also?

Brad Richards answered (1) that there are plans for a 36,000 sq. ft. two-story commercial office building and (2) the access would be from Central Ave. (3) Access for the apartments would be from Plaza Dr. only at this time.

Bob Duval, of Kimball Chase Co. in Portsmouth gave a traffic/safety report. He submitted a copy of his offset intersection impacts report to each member of the Board. He stated that essentially it would be pushing a dead end street back and will not be open to provide a through street to Webb Place. In summary he said that the volumes, even with the proposed development, are low enough that this offset intersection really does not pose a significant traffic problem. In regards to the pedestrian safety, there is no sidewalk at the present time on Plaza Dr., however there is one on Glenwood from Whittier all the way out to Central Ave. He added that the installation of a sidewalk along Plaza Dr. would enhance pedestrian safety.

Dean Trefethen asked them to address the possibility of joggers coming from the new apartment complex.

Brad Richards responded that they propose to have walking/running trails on the site as opposed to going down Glenwood Ave.

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The five regular members sat on this case.

Dean Trefethen asked if the applicant is (1) at or below the 20% coverage area, and (2) if they are at the minimum number of parking spaces?

Brad Richards answered (1) that they are just below the 20% and (2) they have the minimum number of parking spaces but hope to request additional from the Planning Department.

Dean Trefethen asked Bob Duval if he had an estimate of what the typical number of cars would be for this size complex?

Bob Duval answered that two spaces per unit are the common number throughout the State and tend to allow a surplus of parking.

Rick Callaghan asked if when this goes to the Technical Review Committee, whether or not they would be looking at the future use of the rest of the land as well as this request and a possible second means of egress? Also, the location of the parking lot in relation to future development and the possibility of the road being extended to Webb Place.

Tom Clark answered that TRC will be looking at what is presented. This involves the Fire Department, Police Department, Public Works etc. and if they raise these questions then the applicant will have to respond to them before it goes to the Planning Board.

Bruce Woodruff added that if the Board should grant the Special Exception to not lock it in to the exact plan that is presented.

MOTION:

Bill Colbath made the motion to accept the case.

Bob Mullan seconded the motion.

U/A

Dean Trefethen asked for staff recommendations.

Bruce Woodruff responded that staff recommends granting because it will meet the standards. The one that he is most concerned with is 170-19C which is that the proposed use will not create any undue hazards or nuisance to vehicle and pedestrian traffic to the neighborhood. At the Planning Board level they will be asked for a traffic impact analysis. One of the questions that will be asked is whether or not it is best to have one way in and out or multiple accesses. That is the reason why the Planning

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Office asks that they do not approve the exact plan that is presented, but rather the number of units. Some of the concerns are on the changes that will take place in traffic volume on Glenwood Ave. because it is not just a residential street but also leads to a commercial and industrial area on Sixth St. and commercial area on Central Ave. The intersection of Whittier St. and Glenwood Ave. is not standard and there are safety concerns there. They are concerned about sidewalks and safety, which could be made a condition by the Zoning Board if they wish. They do not want to be locked into the exact plan layout presented, but do recommend granting the Special Exception.

Dean Trefethen stated that he is not as concerned with the location of the buildings or parking lot as he is with the number of parking spaces, and whether or not there will be enough. A one-bedroom apartment could have two cars and a two-bedroom apartment could have more.

PUBLIC HEARING OPENED

No comment

PUBLIC HEARING CLOSED

The Board discussed at length some major concerns. It was felt by some that there is not enough information given with this application to make a decision. Life safety is a major concern for both traffic and pedestrian. The Board would also like to know what the Technical Review Committee will require for information and impose for conditions. Some of the major items are a sidewalk on Plaza Dr.; the commercial development of the other part of the lot and having the road extended through to Webb Pl. with a sidewalk; the traffic impact and the safety of vehicles and pedestrians from Whittier St. and Plaza Dr. onto Glenwood Ave. Additional parking is also a concern.

MOTION:

Bob Mullan made the motion to grant the Special Exception with the following conditions and recommendations:

Condition (1) A sidewalk on Plaza Dr. to Glenwood Ave.

Condition (2) A comprehensive traffic study

Recommendation (1) A second entrance from Webb Place

Recommendation (2) A sidewalk to Webb Place

Recommendation (3) Look at the entire current parcel and its possibilities and potential impacts, not just the immediate plan.

John Murphy seconded the motion and stated that he would like it to go on record that he is voting in favor of this request because the applicant offered to put the sidewalk in. Three in favor and 2 opposed (Bill Colbath and Rick Callaghan opposed)

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MOTION:

Bill Colbath made the motion to adjourn.
Rick Callaghan seconded the motion.
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List of members:

Term Expires

William Colbath – regular member	10/23/2000
Robert Mullan – regular member	12/31/2000
Dean Trefethen – regular member	12/31/2000
Thomas Dolbec – alternate member	12/15/2001
John Murphy – regular member	12/31/2001
Douglas Cummings II – alternate member	1/22/2002
David Ruoff – alternate member	4/13/2002
Richard Callaghan – regular member	4/13/2003