

**DOVER PLANNING BOARD
MINUTES OF MEETING
MARCH 22, 1994**

MEMBERS PRESENT: Jim Richards, Doug Steele, Bob Belmore, Brian Preston, Lionel Martel, Martin Smith, Ron Cole, Bob Corsetti and Reuben Hull.

MEMBERS ABSENT: Paul Beecher

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

Ron Cole asked Reuben Hull to take Mr. Beecher's seat on the Board.

Chairman Cole brought the meeting to order at 7:01 PM.

ITEM #1: Approval of Minutes.

Jim Richards made the motion to approve the minutes as submitted.

Doug Steele seconded.

VOTE U/A

ITEM #2: Application for a Conditional Use Permit for a boat dock for James M. Webb, Assessor's Map 7, Lot 1, zoned R-20, located at 3 Boston Harbor Road.

James Webb stated he has approvals from the Conservation Commission, the NH Wetlands Board and the US Army Corps of Engineers.

Bob Belmore made the motion to accept the application.

Jim Richards seconded.

VOTE U/A

Bob Belmore asked if the State would do the monitoring outlined in the Wetlands Permit. Steve Stancel stated that the Building Inspector will also do monitoring during the building process.

The public hearing was opened.

There were no comments.

The public hearing was closed.

Bob Corsetti made the motion to approve with the condition that the applicant adhere to both the specific and general conditions outlined in the NH Wetlands Board Permit.

Lee Martel seconded.

VOTE U/A

ITEM #3: Consideration and vote on Glensix subdivision, located on Glenwood Avenue and Sixth Street.

Ron Cole stated that the public hearing has already been held and that the Board has gone on a site walk of the property.

Dana Lynch represented the applicants. He stated that the notes on the final plans address the cutting of the trees which is limited to trees less than 5" in diameter. Another note on the plan specifies that the owners of Lots 10 and 11 will be responsible for the maintenance of the detention pond. He stated that the only outstanding issue is the signature on the plan.

Steve Stancel addressed the issues that were raised during the public hearing for Glensix Subdivision as follows:

1. Why is the maximum allowed cul-de-sac length set at 1000 feet?

There really is no scientific reason for the 1000 feet maximum. The criteria is established to control the safety hazard should the road become impassable. The longer the dead end street, the more housing units at risk if it becomes obstructed. The 1000 feet criteria is arbitrary and many communities allow a much longer cul-de sac (1200' - 1500'). In this particular subdivision the maximum allowed length is exceeded by 100-150 feet. This is considered minimal and has no detrimental effect on the surrounding properties. If forced to hold the cul-de-sac length to 1000 feet, the developer could create an Alternative Design Subdivision and still have the same number of lots in the same locations but with a lesser quality road.

2. Concern about the increase in the noise level from the Turnpike from trees being cut in the subdivision.

The Department is recommending that the developer add a provision in his protective covenants minimizing any impacts from tree cutting. This might include limiting the number of trees cut on each lot and/or replacing or planting new trees as replacements. As one might expect, this will be very difficult if not impossible to monitor. It is also important to remember that the owner can go in and strip the land of its trees as it stands now. In reality the lots will be much more marketable with the trees left in their natural state and it is doubtful that owners will clear-cut prior to construction. Note # 8 on the plan addresses this issue.

3. Who would maintain the detention basin?

Subdivision regulation 155-28(K) prohibits the City from accepting the ownership or maintenance of retention or detention areas. Traditionally, this has been addressed through the use of association documents or a note on the plan requiring the owner of the lot where the drainage area is located to maintain it. The Planning Department is recommending either of these solutions as a condition of approval. Note #9 on the plan says that owners of Lots 10 and 11 will be responsible for maintenance of the detention pond.

4. It was suggested that a fifty foot buffer area be placed around all wetland areas.

The City's Wetland ordinance does not establish a buffer around wetlands consisting of poorly drained soils. The City does require a 75' buffer around any areas consisting of very-poorly drained soils as these are much more significant. The developer meets these requirements. The City's Soils Inspector, as well as the Conservation Commission have reviewed the project and are satisfied.

5. A concern that granite curbing be placed on both sides of the road was expressed.

City regulations do not require curbing in subdivisions outside the urban core. While this area may appear to be located within the urban core, it does not meet with the established definition of an urban core subdivision. The developer has agreed to provide curbing on one side for the placement of a sidewalk and drainage concerns.

6. The existing access easement to the cemetery was questioned.

All easements are required to be placed on the plan. The surveyor through deed research has found an existing easement and shows it on the plan. Traditionally, the Planning Board has not questioned the validity of plans stamped by a licensed land surveyor. Any disagreements between the developer and an abutter over lot lines or easements are generally resolved through discussions by the parties involved by civil action. It is likely that any people wishing to get to the cemetery will use the new road and not need the easement over the abutters' property.

7. A concern was expressed regarding the safety of the site during construction as small children live nearby.

This is another difficult area to address. Options to address this concern include providing a watchman during non-work daylight hours and ensuring that construction equipment and facilities are secured during non-work periods through the road and utility construction phase. Requiring a watchman appears extreme, would set a precedent, and adds significant costs to the project. There is very little that can be done with regard to house construction on individual lots, as this phase of subdivision construction may be sporadic and take several years by several contractors. Steve Stancel said the Building Inspector will review the site to make sure there are no extreme safety conditions.

Steve Stancel stated that a letter from Atty. Charles Griffin was received addressing some concerns.

Bob Corsetti said that he read the letter also and a lot of the concerns have already been addressed. He asked Steve to address the difference in the soils as compared to the 1987 plans.

Steve Stancel stated that the Soils Survey completed in 1987, used the US Soil Conservation maps. The maps are not 100 % accurate. At that time we did not have our Wetlands Ordinance. N.H. Soils actually did test pit data analyses and we are comfortable that this plan is accurate. He stated that the water line to the Davises' house, is coming off a line off Glenwood Avenue. The water will be kept running to the house during the construction and the line to the house will be replaced with the same size line.

Steve Stancel stated that waivers were set to give the Board some lee-way as all subdivisions are a bit different in some ways. This allows the Board to work with the developer. He added that in this case an 8" water line is sufficient, there is no need for a 12" line. He stated that there is no need for a 28' wide road, a 26' wide road with sidewalks is a better circumstance for the people who will live there. He also added that it is the first time the Board has been accused of acting in haste.

Dana Lynch stated that he spoke to the Davises at the last meeting. He said that because the City has no record of the water line, we will match the water line and replace it.

Steve Stancel said that the Planning staff is recommending approval of the subdivision with certain conditions.

Doug Steele made the motion to approve with the following conditions:

1. The owners' signatures be added to the plat.
2. A pre-construction conference be held, and a standard erosion control letter of credit be established with the City prior to commencement of any construction activities.

Also approval of the Conditional Use Permit and waivers for the cul-de-sac length, pavement width, and water main size.

Lee Martel seconded.

VOTE U/A

ITEM #3b: Develop a Proposed Statement of Community Development Goals & Objectives for CDBG funds.

After a brief discussion, the Board concurred with the proposed statement for CDBG funds.

Steve Stancel stated that this proposed statement now will be published in the newspaper and will act as the proposal to the City Council.

Bob Corsetti stated that he feels very comfortable with the proposed statement and is going to support it. He said it doesn't mean it will be passed but the Board will at least get a voice on it.

Ron Cole stated that he will also attend the Council meeting to represent the proposal.

Steve Stancel said in reference to the Cochecho Mobile Home Park, that the Board decided to put in \$10,000 in grant funds, and add \$20,000 in a housing rehab loan.

Bob Corsetti made the motion to approve the Proposed Statement of Community. Development Goals & Objectives for CDBG funds and send it to the Council.

Doug Steele seconded.

VOTE U/A

ITEM #4: New Business

Steve Stancel stated that there is a 60 day time limit for approval of plans. He said that the **Grady subdivision** was approved in the summer of 1993 and the **Gold Post Road lot line adjustment** is past the 60 days.

Jim Richards made the motion to waive the 60 day requirement on both plans.

Lee Martel seconded.

VOTE U/A

ITEM #5: Adjournment

Bob Corsetti made the motion to adjourn.

Bob Belmore seconded.

VOTE U/A