

DOVER PLANNING BOARD
MINUTES OF MEETING
MAY 25, 1993

MEMBERS PRESENT: Doug Steele, Lee Martel, Parks
Christenbury, Ron Cole, Paul Beecher, Jim
Richards, Dan Markey

MEMBERS ABSENT: Bob Corsetti and Brian Preston

STAFF PRESENT: Bill Collins

Vice Chair Ron Cole brought the meeting to order at 7:01 PM.

ITEM #1: Approval of Minutes

Doug Steele moved to approve the minutes.

Dan Markey seconded the Motion.

VOTE U/A

ITEM #2: Consideration of acceptance of an application for a
Conditional Use Permit for a Boat Dock for Allan H.
Davis, Assessor' Map 8, Lot 8B, zoned R-20, located
at 419A Dover Point Road.

Mr. Davis introduced the application and stated that he
thinks the plans should be approved.

Parks Christenbury moved to accept the application.

Paul Beecher seconded the Motion.

VOTE U/A

Public hearing opened.

There were no comments.

Public hearing closed.

Paul Beecher moved to approve the Conditional Use Permit.

Parks Christenbury seconded the Motion.

VOTE U/A

ITEM #3: Consideration of acceptance of an application for a
minor subdivision of land for Leigh Estes,
Assessor's Map H, Lot 6-3, zoned R-20, located on
Durham Road.

Bruce Pohopek, Surveyor for the applicant, introduced the application.

Paul Beecher moved to accept the application.

Dan Markey seconded the motion.

VOTE U/A

Public hearing opened.

Roger Dirk, an abutter, asked the purpose of the subdivision.

Bruce Pohopek responded by saying that the purpose was to create two residential lots.

Mr. Dirk continued by saying that he has no objections to the proposal, provided the drainage along his property line is not affected.

Bruce Pohopek responded by saying that the drainage along Mr. Dirk's property line will not be affected.

Public hearing closed.

Lee Martel asked for a clarification of the road frontage requirement.

Bill Collins responded by recommending denial of the application due to insufficient road frontage.

Discussion ensued about the Zoning Ordinance requirement for road frontage, the subdivision standard for private roads, and the Zoning Board of Adjustment process.

Parks Christenbury stated that he was not opposed to the subdivision because the precedent has been set in this neighborhood of approving variances for lot frontage, and that there was no significant opposition from the neighbors.

Paul Beecher motioned that the Planning Board take no action, and to refer the application to the Zoning Board of Adjustment, filing fees for the ZBA be waived, and the City Attorney be asked for a legal opinion.

Jim Richards seconded the Motion.

VOTE 6-1 Dan Markey opposed.

ITEM #4: Consideration of acceptance of an application for a Conditional Use Permit for a Boat Dock by Mike Clarke, Assessor's Map L, Lot 96B, zoned R-20, located at Dover Point Road.

Mike Welch, contractor for the boat dock, introduced the application.

Paul Beecher moved to accept the application.

Doug Steele seconded the Motion.

VOTE U/A

Public hearing opened.

Moxie Grimes, 250 Dover Point Road, spoke in favor of the application.

Public hearing closed.

Paul Beecher moved to approve the Conditional Use Permit with the following conditions:

1. The permit be subject to the conditions of the NHDES and U.S. Army Corps Permits;
2. The property owners should submit a written statement acknowledging their agreement with the application, and;
3. The correct lot number be reflected on the application.

Doug Steele seconded the Motion.

VOTE U/A

ITEM #5: Old Business

5a. The application for a minor subdivision of land owned by Federal Savings Bank was withdrawn by the Project Engineer to be considered on June 8, 1993.

5b. Vice Chair Ron Cole announced that there will be a public information forum at Portsmouth City Hall on Thursday, June 3, 1993. The forum will be hosted by the Metropolitan Planning Organization and will discuss regional transportation.

5c. Bill Collins introduced a minor amendment to the site plan for Dunkin Donuts/Baskin Robbins which is being built on Central Avenue. The applicant for this project, Joe Salema, requested an amendment to construct an exterior stairwell on the Morin Street side of the building, in lieu of an exterior bulkhead, to provide a second means of egress from the basement.

Paul Beecher moved to approve the amendment, and to notify the direct abutter.

Jim Richards seconded the Motion.

VOTE U/A

ITEM #6: New Business

- 6a. Discussion of petition from landowners of Corner Stone Crossing Assoc., regarding the use of fences and hedges.

Bill Collins explained that Planning Board approvals of ADS subdivisions included a condition that prohibited solid fencing or vegetation totally enclosing the small single family lots within the cluster subdivisions. The developers for the Cornerstone Crossing subdivision placed a rule in the property owners rules and regulations prohibiting fences or vegetation along the property lines. This prevented residents within the subdivision from erecting privacy fences or landscaping to provide separation between their backyard patios. Bill Collins suggested a letter to the developers and the petitioners explaining that the purpose of the condition was to prohibit the parcels from being totally enclosed by fences or vegetation, and that privacy fences or vegetation that do not totally enclose the parcels are allowed.

The Board concurred with the approach.

- 6b. Discussion of proposed real estate disposition policy for review and comment.

Mike Joyal of the City Manager's Office presented the proposed policy for selling City property. He explained that the City owns fifteen to twenty properties that have no apparent use, and are better sold and placed on the tax roll. He further explained that the City Council Fiscal Impact Committee worked on the policy and sought the Planning Board's input before proceeding.

Parks Christenbury suggested an amendment be made to the process when no fair bids were accepted. He suggested that a notice be posted notifying the general public that no bids were accepted.

Further discussion occurred about quit claim deeds, clear title and a need for a policy. It was the general consensus of the Board that the policy was needed and well drafted, and that the addition suggested by Parks Christenbury should be incorporated.

- 6c. Request for a partial waiver of site review fees for Shoe Doctor site plan.

Paul Beecher referred to a memorandum he mailed to Planning Board members requesting that the site review

fee for the Shoe Doctor be decreased from \$5,000 to \$1,000. He explained that during the negotiations for the sale of land from DIDA to the Shoe Doctor, he committed himself to pursuing the partial reduction with the Planning Board.

Parks Christenbury asked if the site review fees were too high, and if the DIDA Executive Board took a position on the waiver.

Paul Beecher responded by saying that the site review fees were needed to cover staff time, and that the DIDA Executive Committee did not discuss the waiver request.

Parks Christenbury stated that the Board is placed in a bad position with the after-the-fact request.

Dan Markey agreed but stated that we should try to encourage development, and perhaps we should expect to reduce site review fees for the first year in order to promote development of Enterprise Park.

Paul Beecher explained that DIDA was making land available at a reduced cost for the first few months in attempt to promote land sales, and to create jobs and expand tax base.

Ron Cole stated that every negotiation is unique and must stand on its own merit. The need to waive fees may not exist in every negotiation.

Lee Martel stated that the amount of staff time needed to review Enterprise Park site plans may decrease as more plans occur, and that he supports the waiver.

Jim Richards concurred.

Dan Markey moved to reduce the site review fees from \$5,000 to \$1,000.

Lee Martel seconded the Motion.

VOTE U/A

Dan Markey motioned to adjourn.

Jim Richards seconded the motion.

VOTE U/A

Meeting adjourned 8:01 PM.