

DOVER PLANNING BOARD  
MINUTES OF MEETING  
OCTOBER 13, 1992

**MEMBERS PRESENT:** Joe Etelman, Bob Corsetti, Dan Markey,  
Parks Christenbury, Lee Martel, Mike  
McDonnell, Ron Cole, Paul Beecher, Jim  
Richards

**MEMBERS ABSENT:** Kendra Maroon

**STAFF PRESENT:** Bill Collins, Jacqueline Freeman - Recording  
Secretary

Meeting brought to order at 7:03 PM.

**ITEM #1:** Approval of minutes.

Bill Collins stated that there are two changes that should be made on the minutes of September 22, 1992. On page 5, under Item #6d, second paragraph, the fifth sentence should read as follows: He stated this study could go to different towns and ask that their land use patterns be changed. Also, in the seventh sentence, the word zoning should be changed to land use to make the sentence read as follows: To change the land use of this part of town would take a quarter of a century.

Ron Cole made the motion of accept the minutes as amended.  
Bob Corsetti seconded.

**VOTE U/A**

**ITEM #2:** Consideration of acceptance of a Conditional Use application to build within a conservation district by Joe Terravecchia, Assessor's Map L, Lot 31, Zoned R-20, located on Spur Road.

Joe Terrevecchia stated that while excavating around the foundation for the expansion to his house, the excavator collapsed one of the two walls supporting the house and the remains of the house fell into the cellar. He now wants to construct a new house on the existing footprint.

Dan Markey made the motion to accept the application.  
Ron Cole seconded.

**VOTE U/A**

Public meeting opened.

Roland & Mary Taylor, who live next door, stated that they are in favor of the application.

Nancy Therrien, speaking for her father, James Therrien, an abutter, stated that her father is in favor of the application.

Bill Wilson, who lives two houses down the street, stated that he supports the application.

Public meeting closed.

Bill Collins stated that the staff supports the conditional use with the following conditions:

1. A soil erosion and sedimentation control plan be submitted for approval prior to the issuance of a building permit; and
2. A new septic system be installed outside the conservation district or an alternative sewer system be installed.

Joe Terrevecchia stated that the septic is a long standing issue and he is trying to come up with a better idea. He stated that his system has not failed. He said that there is no room for a new system with the setbacks required and the conservation district. He said he is trying to get the City to bring sewer down to that area. He stated that he looked into getting the neighbors to chip in for a sewer line down Spur Road.

Parks Christenbury stated that if his foundation hadn't caved in, he would not have had to worry about the septic system. He is not in favor of condition #2. He feels it is fair to let him use the existing system until City sewer is available.

Dan Markey made the motion to change condition #2 to allow him a two year time limit to come up with a new septic system or get on City sewer.

Joe Etelman seconded.

Mike McDonnell asked for a vote on Dan Markey's motion.

VOTE 8 - 1 Dan Markey - in favor

MOTION FAILED

Ron Cole made the motion to approve the conditional use with the following conditions:

1. Soil erosion and sedimentation control plan be submitted for approval prior to the issuance of a building permit; and
2. That he hook up to City sewer when it becomes available.

Bob Corsetti second.

VOTE U/A

ITEM #3: Consideration of acceptance of an application for an ADS subdivision for land owned by Huggins Trust/Wilmot Draper, Assessor's Map J, Lots 22 and 22B, zoned R-40, located on Bayview Road.

Alisha Huggins gave a history of the property and the Samuel Emerson Farm. He finished by saying that the ADS seems to meet the need and would preserve the land for conservation as much as possible.

Kevin McEneaney explained that they chose to do an ADS because it offered more flexibility to conserve land for the conservation district. He said they are asking for six building lots in addition to the two existing houses. He stated that there is a right-of-way for the Audubon Society and part of the proposal is to connect a r-o-w for a continuous trail. He stated that the owners agreed that the houses on these lots will have sprinkler systems because of the concerns with the distance and response time for the Fire Department. He said the sites can support septic and wells outside the wetland areas. He said the roadway network will be stone and dust driveways. He stated that in 1971 the Hartnett and Huggins deeds conveyed to the City, for a public highway, 30 foot rights-of-way.

Dan Markey made the motion to accept the application.  
Ron Cole seconded.  
VOTE U/A

Public hearing opened.

Ashton Hallet, Strafford Rivers Conservancy, stated that the ADS approach is very positive.

Bob Callan, Bayview Road, stated that with his subdivision and the Huggins and Draper property the 4 lots on a private r-o-w has been fulfilled. He said he doesn't want to stop them from developing their land. He said that no way could the property be subdivided into 90 building lots as stated by Kevin McEneaney because the land doesn't perk very well. Mr. Callan showed a plan that he got at the Engineering Department and stated that a certain turn around does not show up Kevin's plan because it has been sold to Gene Brown and asked how many times you can sell the same parcel. He stated that the road narrows down to 24 feet right by his house. He said that caution must be taken by the City regarding salting as his dug well is close to the edge of the road. He stated that he does not want a City street in front of his house and ended by saying there are many problems that must be resolved.

Mike McDonnell stated that he recognizes that this is a conceptual plan and some problems will have to be addressed.

Bill Wilson, abutter on the other side of the river, stated the view is extensive and he has mixed emotions on the development of the land but stated that he felt it is a good plan.

Dr. Draper stated that his goal is to preserve the land and still give options for homes for his children. He stated that if the road is done in an ark as Mr. Callan proposes, it would come too close to Gene Brown's house.

Mark Blumenthal, abutter, stated his desire to preserve the area. He stated that he is not quite sure how concerned Mr. Callan is as he has barrels of toxic waste on his property and has dug a ditch to drain the wetlands.

Bob Callan stated that he has re-dug the swales on his property as an 8" concrete pipe drains onto his front lawn. He stated that the swales were there before he moved there. He added that the barrels of "toxic waste" are part of his boys summer business, Sealing by Rob, and are not toxic. The ingredients contain sand, water and the sealing mix. It has been checked out by the Fire Department.

Kevin McEneaney stated that the Hartnett and Huggins deeds each conveyed the right to use and maintain a 30' right-of-way back to Garrison Road. Kevin also pointed out that the plan which is included with the application, entitled City of Dover New Hampshire Engineering Department - Plan Showing Part of Bayview Road, Dover, NH Plan #5-43, is recorded at the Registry of deeds. He said he is not sure what plan Mr. Callan got from the Engineering Department.

Public hearing closed.

Bill Collins stated that the idea of an ADS is to shape the subdivision to the land. The Board has 30 days to render a decision on the ADS. He stated that he recognizes the questions about the road access will need to be resolved but the staff feels the application is appropriate.

Parks Christenbury stated that he would like the parties to state their concerns in writing as he had a hard time following everything.

Lionel Martel asked if the 50 foot roadway width is going to be a requirement. He didn't think he could give approval to six more lots on a questionable right-of-way.

Bill Collins stated that we don't have to determine the right-of-way width tonight.

Ron Cole moved to approve the concept.  
Parks Christenbury seconded.

VOTE 8 - 1 Joe Etelman - against

ITEM #4: Consideration of acceptance of a request for a waiver for an accessory driveway by Tom Hackett, located at 43 Hanson Avenue.

Tom Hackett stated that his property is situated between Hanson Avenue and Henry Law Avenue. He stated he would like legal access to drive a vehicle onto his property from Henry Law Avenue to access a potential storage building.

Bob Corsetti made the motion to accept the application.  
Ron Cole seconded.  
VOTE U/A

Public hearing opened.

Peter Rousseau, an abutter across the street, stated that there is a problem with visibility in that area.

Tom Hackett stated that he has a hobby of boat building and the driveway would be used only occasionally.

Public hearing closed.

Jim Richards stated that he can't say he is in favor. He said it would be unbelievably dangerous because there is a lot of traffic using Henry Law Ave.

Bill Collins stated that he drove his car to the location and sat there for a half hour and only about 12 cars passed by. He said that is how he came to be in favor of the approval.

Parks Christenbury made the motion to approve the driveway waiver.  
Dan Markey seconded.

VOTE 6 - 3 Jim Richards, Mike McDonnell,  
Lionel Martel - OPPOSED

ITEM #5a: Time extension for site plan of land for Samuel A. Tamposi, located on Plaza Drive.

Atty. Daniel Callahan represented Mr. Tamposi's request for a time extension.

Mr. Beecher made the motion to approve the extension.  
Jim Richards seconded.  
VOTE U/A

ITEM #5b: Time extension for a bituminous concrete plant for Brox Industries, Inc., located off Glen Hill Rd.

David Cluff, manager, addressed the criteria.

Ron Cole made the motion to approve the extension.  
Paul Beecher seconded.  
VOTE U/A

**ITEM #5c: Discussion of Sunnybrook Mobile Home Park.**

Bill stated that when this park was approved, the majority of open space was across a wetland from the homes. A condition of approval was that a bridge be built across the wetland. It has never been built and the City is holding a letter of credit. The homeowners do not want the bridge built. He is recommending the release of the letter of credit and the deletion of that condition.

Mr. Beecher made the motion to release the letter of credit to the developer and to delete the condition that a bridge be built.  
Bob Corsetti seconded.  
VOTE U/A

**ITEM #5d: Discussion of Pease Airport noise position statement.**

Bill Collins handed out a resolution outlining the City's position on the potential airport noise and the Part 150 Study.

Parks Christenbury stated that he felt Bill Collins did an excellent job.

Jim Richards made the motion to forward the resolution to the Council with favorable recommendations.  
Ron Cole seconded.  
VOTE U/A

**ITEM #6: New Business**

Lionel Martel started a brief discussion of the first CIP Subcommittee meeting.

Discussion ensued regard the issues that were discussed during the meeting.

Parks Christenbury would like figures on the actual school enrollment.

Ron Cole made the motion to adjourn.  
Joe Etelman seconded.  
VOTE U/A  
Meeting adjourned at 9:00 PM.