

DOVER PLANNING BOARD
MINUTES OF MEETING
APRIL 28, 1992

MEMBERS PRESENT: Lionel Martel, Ron Cole, Bob Corsetti, Dan Markey, Jim Richards, Jerry Reese, Scott Woodman

MEMBERS ABSENT: Joe Etelman, Mike McDonnell

STAFF PRESENT: Bill Collins, Jacqueline Freeman - Recording Secretary

Meeting brought to order at 7:37.

ITEM #1: Approval of minutes

Jerry Reese made the motion to approve the minutes.
Jim Richards seconded.

VOTE U/A

ITEM #2: Consideration of acceptance of an application for a major subdivision of land owned by Gretchen B. Martin (Applicant: Albert Estes, Jr.), Assessor's Map 20, Lot 3, zoned R-12, located on Henry Law Avenue.

Jerry Reese made the motion to accept the application.
Bob Corsetti seconded.

VOTE U/A

Bruce Pohopek, who did the design work on the subdivision, stated it is a four lot subdivision on a private road. He said that the Fire Department and Police Department see no problem with the design. He is asking for the following waivers:

1. A waiver for a sidewalk on only one side of the roadway.
2. A waiver for an 8" water main.
3. A waiver for asphalt curbing instead of granite curbing.
4. A waiver for a 24 foot wide road instead of a 32 foot wide road.

Mr. Pohopek stated that the Engineering Department supports three of these waivers.

Public hearing opened.

Dennis Bently, 12 Nile St., stated that the road will come quite close to his property. He stated there is a drainage

problem and wants to be sure that the proper drainage is put in. He asked if any traffic checks have been done.

Bill Collins assured him that the road would be engineered to catch all the water in catch basins on Henry Law Avenue.

Bruce Pohopek stated that the design, with drainage under the road and curbing on each side of the road will run the water down to a drainage system.

Judy Fry, 2 Nile Street, was concerned that a maple and a pine tree would be saved.

Dennis Bently was also concerned with the trees behind his house.

Bruce Pohopek stated that the plan is to save the trees and a 24 foot wide road would offer more room to do so.

Elizabeth Purington, stated that the subdivision will spoil the atmosphere. The residents will have to look at another road.

Public hearing closed.

Jim Richards made the motion to table until Bill Collins comes back with the new proposed changes to the subdivision regulations.

Jim Richards said that his argument is with the asphalt curbing.

Discussion ensued regarding the road being only 125 feet from Nile Street.

Dan Markey seconded.

Ron Cole said he wants to amend the motion until a site walk.

Bob Corsetti stated that to be fair to the applicant, the Board taking its' time to come up with the new proposed regulations should not hold anyone up.

Bill Collins stated that in fairness to the applicant, it's the location of the street that is a problem. He stated that the Planning Board should do a site walk and look at the 125 foot separation and let the applicant know if that is something that will kill the project.

Jim Richards asked if the Board had ever approved a 24 foot wide street and a hammerhead.

Bill Collins stated that as long as he has been here no one has ever asked for a hammerhead but the Board has approved 24

foot wide streets.

Scott Woodman made the motion to table the application for a site walk.

Dan Markey seconded.

VOTE U/A

Site walk - May 12, at 5:30, at the site on Henry Law Avenue.

ITEM #3: Old Business

- a. Discussion and vote on the accessory use application from Richard Proulx for a batch plant on Mast Road.

Lee Martel stepped down.

Ron Cole read a letter received from Joe Etelman who was unable to be at the meeting but wanted his views known to the Board as well as to the citizens involved. Mr. Etelman's letter dated April 24, 1992, was read as follows:

Item 1 - Conditional Use Application for a ready mix concrete facility at the Martel site - Mast Road.

After careful study of the many objectors to this matter, and their Attorney J.P. Nadeau - their reasoning, and the fact that the matter may have legal repercussions - I am definitely against the approval of this request.

There was a petition handed in, with over 200 signatures. There were as many as 60 to 70 persons attending the two public hearings, and as many as 15 individuals who spoke at the mike. I believe that such actions are reasons enough for much more consideration be given, before an approval is granted, if ever. I respectfully point out that I want the public in attendance to know my views, in answer to the many persons who have approached me directly. I vote "NO"

Bill Collins stated that there are two issues:

1. The legality of the batch plant as an accessory use.
2. The magnitude of the offsite impact.

He stated that the ZBA voted to uphold the administrative decision to consider the batch plant as an accessory use. He said there is a request to rehear the case before the ZBA. Mr. Collins stated that there are three people beside himself in the Planning Department who observed the operation of a batch plant similar to Mr. Proulx's and feel that the offsite impacts are not great enough to deny the application. We looked at the noise, dust, traffic and ground water issues

and there is not enough impact to deny this application. Trucks have to travel somewhere and 108 is a State road. The fuel storage component was removed from the application. He stated that the Planning Department is recommending approval with the following conditions:

1. The majority of the material used in the batch plant must come from the site on which the plant is located and complete records be kept by the operators of the pit and the batch plant that verify the sources of said materials. These records shall be available for review by the Planning Department upon request.
2. That the plant be located as far as possible from residential homes while remaining in the depressed area of the pit.
3. The batch plant cannot produce more than 35 loads of cement per day during the first year of operation.

When asked how this would be monitored, Mr. Collins stated that gravel pits are reviewed annually and anything on that lot will be reviewed also. He stated that the 35 loads was chosen to put a cap on the loads and Mr. Proulx is aware of it and will not put up a fight on that.

Dan Markey stated that he grew up near the Iafola pit and other gravel pits. He felt the people complaining about the batch plant have probably retired from jobs at companies that are more harmful than gravel pits and are now trying to deny a batch plant that would supply 15 to 20 jobs. He said that this is "generational selfishness."

Dan Markey made the motion to approve with the three conditions from the Planning Department.

Jerry Reese made an amendment to make a 4th condition that the entrance of the gravel pit be paved for 50 feet.

Scott Woodman seconded.
VOTE U/A

Scott Woodman made a motion to amend the 3rd condition to make permanent the 35 loads per day limitation and make it subject to further review during the annual at gravel operations permit review.

Jerry Reese seconded.
VOTE U/A

Scott Woodman stated that if this goes to court it could over rule everything. He stated that he wants to be sure of the language that insures that good and complete records are kept

so it can be reviewed by the Planning Board or Planning Department. He stated he wants to be sure that this appears in the approval letter.

Jerry Reese seconded the motion to approve with the following conditions:

1. The majority of the materials used in the batch plant must come from the site on which the plant is located and complete records be kept by the operators of the pit and the batch plant that verify the sources of said materials. These records shall be available for review by the Planning Department upon request.
2. That the plant be located as far as possible from residential homes while remaining in the depressed area of the pit.
3. The batch plant cannot produce more than 35 loads cement per day and this limit is subject to review during the annual permitting process for the gravel pit.
4. That at least 50 feet of the entrance road be paved onto the side at the width of the driveway.

VOTE U/A

Lee Martel took his seat.

ITEM 4: New Business

- a. Request for a third one-year extension by Strafford Appliance, located on New Rochester Road.

Bill Collins stated that the Planning Department recommends that the extension be granted.

Jim Richards made a motion to accept
Bob Corsetti second.

VOTE U/A

- b. Request for a second one-year extension by Woodmere subdivision, located off Longhill Road.

Bill Collins stated that the Planning Department recommends approval.

Jerry Reese made the motion to accept.
Lionel Martel seconded.

VOTE U/A

- c. Request for the first one-year extension by Adams Estates, located off Middle Road.

Bill Collins stated that their request is premature. Their approval is still good and does not have to come before the Board at this time.

Jerry Reese made the motion to adjourn.
Scott Woodman seconded.

A discussion ensued regarding the meeting with DIDA to talk about TRC and the site review process, and the status of Enterprise Park.

VOTE U/A

Meeting adjourned at 8:45 PM.