

MEETING MINUTES
DOVER PLANNING BOARD
APRIL 23, 1991

MEMBERS PRESENT: Thom Forbes, Joe Etelman, Jim Richards,
Mike McDonnell, Lionel Martel, Dan Markey,
Jim Caliendo, Jim Jalbert, Patti Torr,
David Wright

MEMBERS ABSENT: Kathy Wentworth

OTHERS PRESENT: Bill Collins, Steve Stancel
Joanna Pritzker - Recording Secretary

Meeting called to order at 7:04 PM.

ITEM #1: Approval of minutes

Mike McDonnell motioned to approve.

Patti Torr seconded.

VOTE U/A

ITEM #2: Consideration of acceptance of a request for a
waiver of the setback requirement for a driveway by
Robert and Maxine Moreau, located on New York
Street.

Robert Moreau represented the request.

Jim Caliendo motioned to accept the application.

Mike McDonnell seconded.

VOTE U/A

Public hearing opened.

No comment.

Public hearing closed.

David Wright questioned when Mr. Moreau was anticipating
completing the paving.

Mr. Moreau replied that he planned on completing it soon.

David Wright stated that there is a problem with the drains
on Broadway, and that the City is planning on repairing the
drain system, Council action is expected by May 8, 1991. He

then asked Mr. Moreau if he could wait until then to do the paving.

Mr. Moreau stated that he did not have a problem with waiting until May 8, 1991.

Jim Caliendo motioned to approve with the condition the if the City did not act by May 8, 1991, then Mr. Moreau could go ahead with his paving.

Motion failed due to lack of a second.

Bill Collins questioned if the paving would be completed as on the sketch, and would water drain across the parking area behind Domino's?

Mr. Moreau replied that with the new paved area that the water would drain properly instead of backing up behind the Domino's building. He further stated the Mr. Saunders owned that property, and he had permission from him to complete the paving.

Bill Collins recommended that Mr. Moreau get written permission from Mr. Saunders with an OK rather than a verbal agreement for his own protection.

Jim Caliendo motioned to approve with the condition that if the City did not act by May 8, 1991, Mr. Moreau could go ahead with his paving.

Joe Etelman seconded.

Jim Jalbert motioned to amend by deleting the date.

Jim Caliendo withdrew his motion

Joe Etelman withdrew his second.

Jim Caliendo motioned to approve.

Joe Etelman seconded.

VOTE 6-3 Jim Richards, Lionel Martel and David Wright opposed.

ITEM #3: Consideration of acceptance of a request for a waiver of the setback requirement for a driveway by Robert and Maxine Moreau, located on Broadway.

Robert Moreau represented the application.

Jim Caliendo motioned to accept the application.

David Wright seconded.

VOTE U/A

Public hearing opened.

No comment.

Public hearing closed.

Patti Torr questioned if the entrance was proposed.

Mr. Moreau replied that it was existing.

David Wright stated that he had the same concern with drainage.

Jim Caliendo motioned to approve.

Joe Etelman seconded.

VOTE 7-2 Jim Richards, David Wright opposed.

ITEM #4: Consideration of acceptance of a request for a waiver of the setback requirement for a driveway by Barry & Janice Hennessey, located on Applevale Drive.

Janis Hennessey represented the application.

Mike McDonnell motioned to accept the application.

David Wright seconded.

VOTE U/A

Public hearing opened.

No comment.

Public hearing closed.

David Wright motioned to approve.

Mike McDonnell seconded.

VOTE U/A

ITEM #5: Consideration of acceptance of a request for a waiver of the setback requirement for a driveway by John Kern, located on Kent Avenue.

John Kern represented the application.

David Wright motioned to accept the application.

Patti Torr seconded.

VOTE U/A

Public hearing opened.

No comment.

Public hearing closed.

Mike McDonnell motioned to approve.

David Wright seconded.

VOTE U/A

ITEM #6: Consideration of acceptance of an application for a site review of land owned by Allan Arkwell, Assessor's Map D, Lot 17B, zoned B-4, located on Heather Lane.

Brian Holt represented the application.

Jim Richards asked about drainage calculations on the pond.

Brian Holt replied that the calculations have been submitted to the City Engineer.

Bill Collins stated that the City Engineer signed off on the calculation verbally.

David Wright motioned to accept the application.

Mike McDonnell seconded.

VOTE U/A

Public hearing opened.

No comment.

Public hearing closed.

David Wright asked if there were any TRC Comments.

Bill Collins stated that all items had been addressed except for three items which should be considered conditions of approval:

1. Sewer manhole location be depicted on the plan;
2. Light pole location be depicted on the plan, and;
3. An owner's signature appear on the plan.

Mike McDonnell motioned to approve with the three conditions as stated by Bill Collins.

David Wright seconded.

VOTE U/A

ITEM #7: Consideration of acceptance of an application for a minor lot line adjustment of land owned by Twin River Farm Trust and Franz & Jane Eslinger (Applicant: Ambit Survey), Assessor's Map L, Lots 49-1 and 49Q, zoned R-20, located off of Dover Point Road.

John Chagnon represented the application.

David Wright motioned to accept the application.

Jim Richards seconded.

VOTE U/A

Public hearing opened.

Gil Hartman - stated that he was in favor of the lot line adjustment.

Public hearing closed.

Thom Forbes stated that for informational purposes only, ~~the lot that contains the modular unit~~, as-builts were not submitted to by building inspector prior to the modular being installed, therefore ^A lot line adjustment was necessary so that the lot would be in compliance. (front setback)

David Wright motioned to approve with the condition that both owners signatures appear on the plan.

Lionel Martel seconded.

VOTE U/A

ITEM #9: Old Business

(a) Request for a one year extension on the Woodmere Subdivision

Mike McDonnell abstained from participation, Dan Markey sat in.

Malcolm McNeill represented the application.

David Wright motioned to grant a one year extension.

Patti Torr seconded.

VOTE U/A

(b) Discussion of ZBA request to review zoning of Toftree Lane.

Bill Collins stated that he would like to go through the area parcel by parcel to determine what to rezone to, either R-12 or R-20.

David Wright had two concerns, the first being that could this be considered under a spot zoning challenge, and second the neighboring parcel attempted to request a rezoning and was denied.

Bill Collins stated that he didn't believe that there was a risk for spot zoning. As for a precedent, seven variances have been requested with regard to this subdivision, there is actually something wrong with the zoning in this subdivision.

Lionel Martel questioned if there are any as-builts on the subdivision.

Bill Collins replied that there are aerial photos and most likely building permits.

Dan Markey stated that he felt that the subdivision should be rezoned to R-20 rather than R-12.

Mike McDonnell stated that Tuttle Lane should probably be considered along with the Toftree Subdivision. There are two zoning districts on Tuttle, one half is R-40 and the other side of the street is R-20.

Steve Stancel stated that the problem with the Toftree Lane area is the front setback requirement.

ITEM #8: Old Business

(a) Discussion and vote on Change of Use Regulations

Discussion ensued regarding the proposal. Items of concern were the fee schedules (i.e. \$.20/sq.ft. with a maximum of \$15,000; competitiveness with surrounding communities; the effects the fee schedule will have on small businesses; and the 2,500 sq. ft. requirement for an accessory structure before it is to be considered by the Planning Board.

David Wright motioned to separate the fee schedule for Change of Use to be decreased from \$.20/sq.ft. to \$.15/sq.ft. for those that will be required to go through the Planning Board

process.

Jim Richards seconded.

VOTE U/A

David Wright motioned to decrease the threshold cap from \$15,000 to \$10,000 for site review and Change of Use.

Jim Richards seconded.

VOTE 6-3 Patti Torr, Jim Caliendo, Joe Etelman opposed.

David Wright motioned to approve the ordinance as amended.

Jim Jalbert seconded.

Mike McDonnell motioned to amend the ordinance by deleting the requirement for an accessory structure.

Jim Caliendo seconded.

VOTE 4-5 motion fails.

Patti Torr motioned to reduce the square footage requirement from 2,500 sq. ft. to 1,500 sq. ft.

Jim Richards seconded.

VOTE 7-2 Jim Caliendo and David Wright opposed.

VOTE ON ORDINANCE AS AMENDED U/A

ITEM #10: Adjourn

Jim Caliendo motioned to adjourn.

Joe Etelman seconded.

VOTE U/A

Meeting adjourned at 9:00 PM.