

MEETING MINUTES
DOVER PLANNING BOARD
APRIL 24, 1990

MEMBERS PRESENT: Harold Preston, Joe Etelman, Jim Caliendo,
Mike McDonnell, Patti Torr, Tom Forbes,
Jack Middleton, Dan Market, Mike Hoffman,
Kathy Wentworth, Barry Maddix, Jim McAdams
sat in for Jim Jalbert

MEMBERS ABSENT: Lionel Martel

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

Meeting called to order at 7:10 PM.

ITEM #1: Approval of minutes

Tom Forbes motioned to approve as amended.

Patti Torr seconded.

VOTE 8-1 Jim Caliendo opposed.

ITEM #2: Consideration of acceptance of an application for a
minor lot line adjustment of land owned by Michael
Cormier, Assessor's Map I, Lot 48K, zoned R-12,
located on Mast Road.

Michael Cormier represented the application.

Mike McDonnell motioned to accept the application.

Jim Caliendo seconded.

VOTE U/A

Public hearing opened.

No comment.

Public hearing closed.

Jim Caliendo motioned to approve.

Mike McDonnell seconded.

VOTE U/A

ITEM #3: Consideration of acceptance of an application for a minor lot line adjustment of land owned by Scott Leighton, Assessor's Map I, lot 99, zoned R-40, located on Spruce Lane.

Paul Connolly represented the application.

Jim Caliendo motioned to accept the application.

Joe Etelman seconded.

VOTE 8-1 Pete Bouchard opposed because there were no signatures on the plan.

It was stated that there was a plan in the file which had both signatures.

Public hearing opened.

No comment.

Public hearing closed.

Pete Bouchard questioned the existing driveways. He wondered if the one that was shown with dotted lines was part of the Bitetti property also.

Bill Collins stated that both of the driveways were existing driveways, and with this lot line Mr. Bitetti's would be on his own property.

Tom Forbes motioned to approve with the following condition:

1. That the owner of Map I, lot 99C shall move the shed as described in the note on the plan within 90 days of the date of Planning Board approval.

Jack Middleton seconded.

VOTE U/A

ITEM #4: Consideration of acceptance of an application for a minor subdivision of land owned by Carole Carville, Assessor's Map 35, Lot 36, zoned R-12, located on Hillcrest Drive.

Carole Carville represented the application.

Mike McDonnell motioned to accept the application.

Jim Caliendo seconded.

VOTE U/A

Public hearing opened.

No comment.

Public hearing closed.

Tom Forbes motioned to approve.

Jack Middleton seconded.

VOTE U/A

ITEM #5: Consideration of acceptance of an application for an Alternate Design Subdivision of land (conceptual) owned by Dan Gabriel, Assessor's Map B, lot 11, zoned R-40, located on County Farm Cross Road.

Dan Gabriel represented the application.

Tom Forbes asked if the applicant was planning on doing the other requirements for and ADS. (i.e. water)

Dan Gabriel replied that he was not sure at this time.

Tom Forbes stated that he did not want to set a precedence by allowing this ADS without water.

Jim Caliendo motioned to accept the application.

Patti Torr seconded.

VOTE U/A

Public hearing opened.

Amy Perry - 137 County Farm Cross Road - stated that she was in support of this subdivision.

Public hearing closed.

Pete Bouchard asked if Dean Peschel had been out to the site yet.

Bill Collins stated that he had and that he approved of this concept.

Tom Forbes felt that the City should look into the existing requirements for private roads, and wondered if a private road would be appropriate for this subdivision.

Bill Collins stated that he did not see a problem with the plan and granting a waiver for water service which is required under the ADS regulations.

Jim Caliendo stated that he had seen the same type of subdivisions in other towns with large lots, and he did not see a problem with this one.

Tom Forbes stated that he is in favor of this proposal, but was concerned with making it easier for applicants with this type of subdivision.

Jim McAdams questioned if there was some way that the Planning Department could come up with revisions to the regulations, since this was not really an ADS subdivision.

Dan Gabriel stated that he would like to go ahead on this tonight. He also stated that in the proposed Zoning Amendments that he met the criteria for frontage on a new road.

Bill Collins stated that the Board would have to be careful with changing frontage requirements.

Jim Caliendo stated that this concept with only four lots was much better than the one the Board reviewed on McKone Lane.

Harold Preston questioned if a waiver was granted for the water, would the next person with small lots be able to do the same?

Mike McDonnell stated that he would rather see a Special Exception than a waiver.

Harold Preston stated that the waiver of the water was a priority.

Mike McDonnell stated that to qualify for a waiver of the water requirement the Board should stipulate that it be for lots with 10 acres or more.

Tom Forbes stated that this was a unique application, due to the size of the lots.

The consensus of the Board was to waive the water requirement.

Harold Preston asked if the larger lots would be further subdivided after they are sold.

Dan Gabriel replied that there would be no further subdividing of these four lots.

Jim Caliendo motioned to approve the concept.

Tom Forbes seconded.

VOTE U/A

ITEM #6: Old Business

(a) Discussion of Strafford Farms site review

This item was withdrawn.

(b) Discussion of Adams Estates Subdivision

Harold Preston stepped down on this item as he is an abutter.

Tom Forbes chaired.

Dan Markey sat in for Harold Preston.

Brian Holt represented the application. He did a rundown of the time process for this application.

Pete Bouchard questioned the cathodic protection agreement.

Brian Holt stated he is awaiting a letter from Mr. Brown.

Pete Bouchard stated that a sidewalk is needed with this development.

Jim Caliendo stated that there are lots of accidents at the corner of Stark and Hawthorne.

Pete Bouchard stated that the curb will be pushed back on Stark. Mr. Lavoie is working with the gas company on laying a main.

Bill Collins asked which side that would be.

Pete Bouchard replied that it would be the west side.

Jim Caliendo asked if there would be any lights.

Pete Bouchard replied no. He then stated that he was under the impression that the applicant would rather have a sidewalk instead of lights.

Bill Collins replied yes.

Pete Bouchard stated that he felt that the six lots on Hubbard Road should be taken off.

Tom Forbes asked when a performance bond was needed.

Bill Collins stated that would be prior to building permits.

Tom Forbes then stated that one sidewalk waiver was being requested?

Bill Collins stated that was correct.

Jack Middleton asked if the sidewalk would now be on the north or south?

Bill Collins stated that the consensus was on the northside.

Tom Forbes stated that the applicant was requesting a waiver on the southside.

Bill Collins stated that this would be throughout the subdivision and the cul-de-sac.

Pete Bouchard motioned to deny the request for a sidewalk waiver.

Patti Torr seconded.

VOTE 4-5 motioned failed.

Jack Middleton motioned to grant the waiver on one side (southside).

Patti Torr seconded.

Jim Caliendo asked if this would be where Hubbard and Hawthorne Road meet.

Bill Collins stated that it would be just a little further up.

Jim McAdams asked about the removal of the trees. If the sidewalk were to be on the northside, trees would have to be removed.

Mike McDonnell stated that he was under the impression that most of trees were going to be removed, and this isn't actually the case. There will be some trees removed.

Pete Bouchard stated that he was concerned with children crossing the street.

Bill Collins stated that the sidewalk would be put on the same side as the existing sidewalk.

VOTE 5-4 Joe Etelman, Jim Caliendo, Mike McDonnell, Pete Bouchard opposed. Motion passed.

Jim McAdams stated that with regard to the 6 lots on Hubbard Road, the developer had included these lots consistently, why weren't they being included now? He could not see why to exclude these lots.

Jim Caliendo stated that the ADS regulations require that there be a buffer zone between private properties, and the lots that are proposed on Hubbard is private, any reason why we would like to see them removed?

Tom Forbes stated that this was a unique situation, and that the Board has the discretion to waive any and all of our regulations. He felt that the possibly a deed restriction could be used as to how many trees can be removed.

Jim Caliendo stated that the Board did not want to get caught in a legal predicament.

Mike McDonnell questioned if street frontage was required to make the 6 lots on Hubbard legal.

Bill Collins stated yes, the road either needed to be bonded or built. Briarwood is phased, and this road has not been bonded or built.

Mike McDonnell asked if building permits could be obtained without the road?

Bill Collins stated no.

Dan Markey stated that the lots cannot be developed without frontage.

Bill Collins stated that they would be non-buildable lots with no frontage.

Tom Forbes suggested that the developer remove the interior lot lines and phase this portion. He stated that he could not see having the road bonded and built then traveled on and ruined by trucks.

Dan Markey asked why there was a problem with removing the lot lines and phasing.

Brian Holt replied that the developer is willing to phase this portion, but is fearful of removing the lot lines, feel he would lose the lots.

Al Souther asked if this was slated as a Phase II project, wouldn't it be denied?

Bill Collins stated that it is similar to River's Edge II, where they phased their project in order to develop another portion at a later time.

Pete Bouchard questioned of the lots will need to be setback 100 feet?

Bill Collins stated that if it was approved as proposed the setback will need to be specified.

Al Souther stated that the existing road was not a City accepted road, and that the 100 foot buffer was created for existing streets, he felt that the developer could not be required to maintain that at this point since the road is not accepted.

Bill Collins stated that the 6 lots will be allowed to be developed at such time when there is legal frontage.

Mike McDonnell motioned to approve with the following conditions:

1. That a letter of credit for erosion control measures shall be posted prior to any land disturbing activity;
2. That the six lots fronting Hubbard Road shall not be approved lots by this plat approval, that they must be removed from the plat to be signed, and that at such time as the road is either accepted by the City or bonded, the Planning Board recognizes the reserved right of Free Trade, Inc. to then subdivide said six lots. The 100 foot buffer shall be waived at that time, and regular setbacks shall take precedence;
3. The roadway be redesigned to reflect the data obtained from the roadway test pits taken on April 4, 1990 and be approved by the City Engineer;
4. That the developer shall concurrently with their roadway construction install sidewalks with curbing on the north side of Hawthorn Road from the end of the existing sidewalk to the intersection with Stark Avenue; and that the developer shall contact the City Engineer prior to construction for instructions and lay-out of the sidewalks, curbs, culverts and headwalls;
5. That the Briarwood sewer easement be revised to include the City as a grantee, and that said document be recorded at the Registry of Deeds within 30 days of Plat approval by the Planning Board, and;
6. An approval letter from a cathodic protection expert is required stating that the water and gas line cathartic protection design is sufficient.

Jim McAdams seconded.

Pete Bouchard asked when they could come back with the 6 lots?

Bill Collins stated when the road was either bonded or built.

VOTE 8-1 Jim Caliendo opposed

Harold Preston resumed chair.

(c) Discussion of McIntosh College Site Plan

Harold Preston stated that McIntosh College was ready for a building permit, but that he had not signed the plans yet because the plan that was approved with conditions is not the same as the plan to be signed. The plan they want signed shows everything except for the lighting detail. Will the Board allow this plan to be signed with the same conditions?

Pete Bouchard motioned to approve the substitute plan with the same conditions of approval.

Jim Caliendo seconded.

VOTE U/A

ITEM #7: New Business

Bill Collins stated that Underwood Enterprises has submitted a new application. The Board granted a one year extension with the condition the condominium documents be submitted by March 1, 1990, and this did not happen. They have to start the whole process for site plan approval over again.

A workshop meeting was scheduled for May 1, 1990 to discuss departmental goals.

Alternates and new members signed up for training classes that are to be held through SRPC.

Jim Caliendo motioned to adjourn.

Joe Etelman seconded.

VOTE U/A

Meeting adjourned at 9:30 PM