

MEETING MINUTES
DOVER PLANNING BOARD
OCTOBER 9, 1990

MEMBERS PRESENT: Harold Preston, Jim Jalbert, Tom Forbes,
David Wright, Joseph Etelman, Jim Caliendo,
Mike McDonnell, Patti Torr, Lionel Martel,
Kathy Wentworth, Dan Markey

MEMBERS ABSENT: Dave Bibber, Mike Hoffman

OTHERS PRESENT: Bill Collins, Steve Stancel, Bruce Woodruff

Meeting called to order at 7:08 PM

ITEM #1: Approval of minutes

There were no minutes available from the last meeting.

ITEM #2: Consideration of acceptance of an application for
an amended subdivision plan of land owned by Free
Trade, Inc., Assessor's Map K, Lots 18 & 18A, zoned
R-40, located on Hubbard Road. (P90-37)

Harold Preston stepped down on the application. Tom Forbes
chaired. Kathy Wentworth sat in for Harold Preston.

Brian Holt represented the application.

Jim Caliendo motioned to accept the application.

Kathy Wentworth seconded.

VOTE U/A

Public hearing opened.

Alan Greene - 45 Middle Road - questioned what was different
from the original plans.

Brian Holt stated that in addition to the new lot, there is a
pedestrian easement for access to the open space.

Alan Greene suggested that the easement be stricken from the
plan. He also questioned who was making the application.

Brian Holt replied that it was a joint application between
Briarwood and Adams Estates.

Mr. Greene wanted it noted that he was opposed to the
pedestrian accessway, and as an abutter did not receive

notification of the public hearing until Friday, October 5, 1990.

Public hearing closed.

Jim Caliendo motioned to approve with the following conditions:

1. A letter of credit for erosion control measures shall be posted prior to any land disturbing activity;
2. The developer shall concurrently with their roadway construction install sidewalks with curbing on the northside 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;
3. 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;
4. The pedestrian access be removed from the plan.

Lee Martel seconded.

VOTE 7-1 David Wright opposed. Joe Etelman abstained.

Harold Preston resumed chair.

ITEM #3: Consideration of acceptance of an application for a minor subdivision of land owned by Upper Factory Realty Trust (Applicant: F/Z Properties), Assessor's Map D, Lot 13, zoned I-4, located on Sixth Street. (P90-36)

Paul Connolly represented the application.

Tom Forbes motioned to accept the application.

Jim Jalbert seconded.

VOTE U/A

Public hearing opened.

No comment.

Public hearing closed.

David Wright questioned where the road went from the original plan. He felt that it needed to be there.

Paul Connolly stated that the applicant was only asking for a minor subdivision at this point and did not need a major accessway.

Tom Forbes questioned if the applicant was giving up their previously received preliminary approval.

Paul Connolly replied yes.

Harold Preston stated that he had a problem with the signatures. Why didn't Charles Howard sign the plan?

Paul Connolly replied that Dennis Zibolis owns the property.

Harold Preston stated that the City spent more than a \$1,000,000 on Sixth Street with the understanding that the City and developer would benefit. He understood that an access road to open up the backland would be provided by the developer. He did not want to see just the front of the property developed.

Dennis Zibolis stated that the City is going to benefit from the new water and sewer lines which he is contributing to. He felt that the City did most of the work on Sixth Street in order to benefit Liberty Mutual.

Jim Jalbert felt that there was a concerted effort to bring utilities up to the area, they were not just completed for Liberty Mutual. He stated that he would like to table the project for a site walk.

David Wright seconded.

VOTE U/A

ITEM #4: Consideration of acceptance of an application for a Change of Use for Hair Excitement, Assessor's Map 38, Lot 25M, zoned B-3, located on the corner of Central Avenue and Morin Street. (P90-34)

John Langlois represented the application.

Jim Caliendo motioned to accept the application.

Mike McDonnell seconded.

VOTE U/A

Public hearing opened.

Kerry Forbes spoke in favor of the project. He also stated

that people shouldn't have to come before the Board for projects like this. He felt that the Change of Use regulation needed to be reviewed.

David Wright questioned what the uses were before Austin's.

Kerry Forbes stated that there was a pancake house, Tom McCann shoe store, and others.

Jim Jalbert motioned to approve.

David Wright seconded.

VOTE U/A

ITEM #5: Consideration of acceptance of an application for a Change of Use for the Masonic Temple, Assessor's Map 27, Lots 153 and 154, zoned R-12, located on Pearl Street. (P90-38)

Anthony Zizos represented the application.

David Wright motioned to accept the application.

Mike McDonnell seconded.

VOTE U/A

Public hearing opened.

Kerry Forbes spoke in favor of the application.

Public hearing closed.

Jim Jalbert motioned to approve.

Patti Torr seconded.

VOTE U/A

ITEM #6: Consideration of acceptance of an application for a Change of Use for the Assembly of God Church, Assessor's Map 31, Lot 7, zoned I-2, located on Third Street. (P90-35)

Joseph Camp represented the application.

David Wright motioned to accept the application.

Jim Caliendo seconded.

VOTE U/A

Public hearing opened.

Kerry Forbes spoke in favor of the application.

Public hearing closed.

Tom Forbes motioned to approve.

David Wright seconded.

VOTE U/A

ITEM #7: Old Business

(a) Discussion of CIP

Bill Collins discussed the CIP and recommended a workshop meeting for Tuesday, October 16, 1990, to cover the education section.

Harold Preston stated that last year the Planning Board invited the School Board and no one showed up. He offered the same invitation for this year.

Workshop scheduled for 10-16-90.

ITEM #8: New Business

(a) Rezoning Gulf Road

Bill Collins stated that there was a zoning change proposing to rezone a piece of land along Gulf Road from RM-12 to R-40.

Tom Forbes asked why it was originally zoned RM-12.

Bill Collins replied that an effort was made in 1979 to establish areas with water and sewer and located close to the Urban Core to be zoned multi-family. The area is predominantly single family and there are traffic concerns through downtown.

Jim Jalbert removed himself from participation as he lives there, but spoke as a citizen. He stated that the soils are poorly drained, there is a significant amount of ledge, and well problems. He had a lot of problems building a house out in that area and supported the change.

Lionel Martel questioned if City water went out to the area.

Bill Collins replied part of the way.

Lionel Martel stated that given the need for septic systems in the area, rezoning makes sense.

David Wright motioned to send to public hearing.

Jim Caliendo seconded.

VOTE U/A

(b) Resolution Request

Tom Forbes requested a resolution for the City Council to delegate powers in relation to Change of Use to TRC.

Jim Jalbert stated that he would like to sit down with the Planning Board and go one step further by sending the change of use to just the Building Inspection Department.

Tom Forbes disagreed, and felt that there would be cases to review undesirable conditions to existing projects. In other words, there is a need for some review control. Let's give TRC authority to approve Changes of Use.

David Wright stated that maybe there are some cases that should go to TRC and maybe the Planning Board needs to establish lighter policies.

Tom Forbes stated that the Planning Board has not been consistent when it came to minor site review in the past.

Bill Collins stated that delegating to TRC may solve part of the problem, but may still require a public hearing, and thus the same time constraints would apply.

David Wright stated that we needed to define criteria significant to the Board, not significant to TRC or Building Inspection, the process needs to be simplified.

Bill Collins stated that the Board may need to raise criteria. He further stated that the Planning Department would work on some changes and present them to the Board.

(c) Discussion of Dover Point rezoning.

Tom Forbes questioned what had happened to this.

Bill Collins stated that the Department has been in touch with DOT. Kimball Chase is doing a traffic circulation study of the area which should be completed next spring. He recommended that any formal review for rezoning take place after the Kimball Chase Study.

(d) Unsigned Plans

Tom Forbes questioned what had happened with unsigned approved plans with regard to the new 30 day requirement?

Bill Collins stated that the applications are grandfathered,

but all applicants have been sent letters and some have responded.

(e) Mast Road Consortium Bond Status

Bill Collins stated that the bond has been extended to December 1, 1990. The developers are aware that they are on the hook for the required improvements.

ITEM #9: Adjourn

Tom Forbes motioned to adjourn.

Joe Etelman seconded.

VOTE U/A

Meeting adjourned 9:00 PM.