

DOVER PLANNING BOARD  
MINUTES OF MEETING

MEETING HELD: June 28, 1988 in the Auditorium of the  
Municipal Building in Dover, New Hampshire.

MEMBERS PRESENT: Harold Preston, Kevin Mone, Pete Bouchard  
Otis Perry, Mike McDonnell arrived at 8:40 while discussing  
Item #10.

ALTERNATES PRESENT: Jim Caliendo

OTHERS: Bill Collins-Planning Director, Mike Casino-Planner  
Gayle Labrie-Recording Secretary

ITEM #1: Approval of Minutes

ITEM #2: Consideration of acceptance of an application for  
minor lot line adjustment of land owned by Anna L.  
Proulx (Applicant: Robert C. Smith), Assessor's  
Map 30, Lots 47 and 48, Zoned RM-10 on Sixth  
Street.\*

Paul Connelley of Civilworks explained the project. He  
stated that Mrs. Proulx owned 2 abutting lots on Sixth St.  
(Lots 47 and 48).

Bill Collins stated that the only change being proposed was  
to shift a common lot line.

Otis Perry motioned to accept the application.

Jim Caliendo seconded.

VOTE: U/A

Public Hearing Opened

Public Hearing Closed

Otis Perry motioned to approve.

Jim Caliendo seconded.

VOTE: U/A

ITEM #3: Consideration of acceptance of an application for  
site review of land owned by Theodore Banard Jr.,  
and Carol Williams (Applicant: Advanced Systems),  
Assessor's Map E, Lots 33 and 33A, Zoned ETP on  
Watson Road. (8256 square feet)\*

Mark Peters of Civilworks explained the proposal for Advanced Systems to build addition onto an existing single family residence and to renovate the building to office space. He explained that the existing septic system would be abandoned and a new leach field be constructed. Also, a new sprinkler system would be installed along with 27 paved parking spots.

Jim Caliendo motioned to accept the application.

Otis Perry and Kevin Mone seconded.

VOTE: U/A

Jim Caliendo questioned the adequacy of fire protection if the electricity went out due to the sprinkler system being pump driven.

Mark Peters answered that the pump would be placed on a separate circuit, and the system will be charged to allow operation *wp electric*  
The Board discussion ensued. *battery*

Public Hearing Opened

Public Hearing Closed

Bill Collins discussed the TRC comments and explained that the plan was rather straight forward.

Kevin Mone asked about the site distance.

Bill Collins stated that it was 400 feet clear in both directions.

Jim Caliendo motioned to approve.

Otis Perry seconded subject to WSPCC permit for septic system.

Kevin Mone expressed concern of adequate screening on open field side.

Bill Collins referenced the second sheet of the plan which showed adequate screening.

VOTE: U/A

ITEM #4: Consideration of acceptance of an application for minor subdivision of land owned by Charles F. Schuh Jr., Assessor's Map L, Lot 102, Zoned R-20 on Dover Point Road. (2 lots)\*

Charles Schuh, owner of the property representing himself explained he would like to answer any questions the Board may

have. He explained that he wanted to sell one lot for a single family residence.

Bill Collins asked if there were any utilities that crossed the land.

Mr. Schuh stated that City sewer and water were available. He stated that entrance to Lot 105B would be by existing entrance on Dover Point Road.

Pete Bouchard asked where the sewer line was located.

Mr. Schuh answered that it was on Dover Point Road, north side of the street.

Pete Bouchard asked if the land dropped off near the river.

Mr. Schuh stated it had a gradual slope.

Pete Bouchard stated that a circular driveway would require a waiver.

Mr. Schuh stated that the driveway had been there since 1938 or 1936.

Pete Bouchard asked if the shed met setback requirements.

Bill Collins answered "yes". Mr. Collins also explained that a variance was granted in April, 1988 for Lot B (insufficient frontage).

Otis Perry motioned to accept application.

Kevin Mone seconded.

VOTE: U/A

Public Hearing Opened

Public Hearing Closed

Kevin Mone motioned to approve with the condition of obtaining a driveway permit.

Jim Caliendo seconded.

VOTE: U/A

**ITEM #5: Consideration of acceptance of an application for minor subdivision of land owned by John F. and Lillian C. Kepics (Applicant: Douglas C. Harvey) Assessor's Map A, Lot 48, Zoned R-40 on Sixth Street. (2 lots)\***

Application withdrawn until July 12, 1988 Planning Board

Meeting.

ITEM #6: Consideration of acceptance of an application for minor lot line adjustment of land owned by Leonard M. and Linda L. Small and Herbert E. and Marilyn Follansbee Jr. (Applicant: Free Trade, Inc.) Assessor's Map K, lot 34 and 35, Zoned R-12 on Hawthorne Road.\*

Application showed wrong Tax Map and wrong abutters.

Otis Perry motioned not to accept the application.

Jim Caliendo seconded.

VOTE: U/A

ITEM #7: Consideration of acceptance of an application for site review of land owned by B & N Realty (Applicant: Stonewatch Management) Assessor's Map H, Lots 16, 17, 18, and 18A, Zoned B-2 on corner of Central Avenue and Pierce Street. (8,356 square feet)\*

Bob Mercer explained the project. He explained that the lot was empty, fully paved and they wanted to put in a full service car wash with 3 self service bays. He stated that access would be off Pierce street. He further explained that the curbing would be installed on Pierce St. Mr. Mercer went on to discuss the project in more detail.

Bill Collins read the TRC comments. He stated that this was being accepted as an application for a 'personal service establishment'. Mr. Collins explained that if approved a Letter of Credit would be needed for the granite curbing because the developer was prohibited from digging in the Pierce Street right-of-way. He also requested that a variance was sought and denied. He also explained that they were requesting a waiver from the paving setback.

Kevin Mone motioned to accept the application.

Otis Perry seconded.

Kevin Mone asked if there had been a minor lot line adjustment done.

Attorney Thomas Dunnington explained that he did a quick title check and that in 1976 Mr. Stone conveyed the property to he and his wife as joint tenants, therefore it should be considered as one lot.

VOTE: U/A

Public Hearing Opened

Pat Murray, Red's Shoe Barn, stated he was in support of the car wash.

Public Hearing Closed

Harold Preston stated that the car wash would be brought up again under Old Business on July 12, 1988.

VOTE: U/A

ITEM #8: Consideration of acceptance of an application for site review of land owned by Seacoast Savings Bank, (Applicant: John T. Guy) Assessor's Map 4, Lot 29, Zoned B-2 on Central Avenue. (9600 square feet)\*

Otis Perry steps down.

There were not enough members seated to make a quorum, therefore it was decided to allow John Guy to explain his project, open the public hearing and then move this item to last on the agenda.

John Guy, President of Seacoast Savings Bank explained that he had been through the TRC process. He explained that Seacoast Savings Bank acquired the gas station on this site and demolished it. He stated that there was adequate parking. Mr. Guy also explained that his architect was with him to answer any questions.

Bill Collins stated that the TRC did not have much to say and this project was pretty straight forward. He expressed that before the mylar could be signed the deed book and page number must be on it.

Public Hearing Opened

Mitchell Siranian of Preble Street spoke in opposition of the project.

Mr. Guy explained that they were going to move their administrative offices to the new building.

Walter Fisher, abutter stated that he had no objections to granting this request.

Public Hearing Closed

DEFERRED TO OLD BUSINESS - WAITING FOR ANOTHER MEMBER OF THE BOARD

ITEM #9: Consideration of acceptance of an application for site review of land owned by Allan Arkwell, Assessor's Map D, Lot 17B, Zoned R-40 on Heather Lane. (1288 square feet)

Mr. Arkwell withdrew his application at this time.

ITEM #10 Public Hearing on Wetlands Ordinance

Bill Collins stated that this is a separate public hearing than the one held two weeks ago regarding groundwater protection.

Mr. Collins stated that the purpose of this ordinance is to protect the existing wetlands in the City.

Mr. Collins made several comments on the purpose of this:

- provide buffer between bodies of water and land
- stores excess floodwaters
- filtering and purifying function
- protects water quality
- recharges groundwater supply
- provide wildlife habitat and adds to aesthetic quality of the City

He then referenced the maps on the wall and stated that they were simply a guide and not part of the ordinance. Mr. Collins' explained that when a wetland is identified on someone's property, the wetland would be evaluated.

Mr. Collins also expressed the ordinance was attempting to single out the most valuable wetlands and that there was a fair amount of flexibility built into this ordinance.

He further explained that the existing Conservation District did contain wetland soils and development on them is prohibited. This ordinance is proposing to delete the wetland section of the Conservation District.

Public Hearing Opened

Robert Roux explained he felt caught in the middle because his neighbor already filled a wetland. How would pre-existing conditions be handled? If you landfill, the water has to go someplace else.

Bill Collins stated this sounded like a small wetland.

Robert Roux answered 'yes'.

George Tsmikles stated that the wetlands were controlled by several government agencies. He expressed that he was not in favor of this ordinance.

Judy Hotham, Attorney explained that the Handbook for Wetland Evaluation was not available for public review until recently. Attorney Hotham felt that the Board should postpone to provide time to review information and give the public a chance to look at the criteria.

Attorney J.P. Nadeau explained that he did not want to argue the benefits of the wetland ordinance. He said that Mr. Collins' explained it finely, the best that he has heard. Attorney Nadeau also stated that concern should be given to the wording. He made specific references to Pg. 2 'definition of wetlands', Pg. 3 Permitted Uses and Pg. 5 Paragraph G-4 in suggesting changes.

He asked why was a person limited to the amount of wetlands he could use. He explained he did not understand the rationale.

Jack Mettee spoke in favor of the wetland ordinance and praised the staff for time spent. He agreed with Mr. Collins' comments about the value of wetlands.

Attorney Ray Ouellette, representing Donald and Hazel Schultz of Piscataqua Road spoke against the ordinance.

Attorney Ouellette stated this seemed to be a duplicate of state laws, conservation commission and ecology laws.

Bertha Jalbert of Gulf Road felt that the ordinance was very general. She felt that a lot of laws in Dover should be voted on by the general public.

Jim Austin stated that Attorney Ouellette shared his sentiments exactly. The state, county and the city have rules already in place.

Walter Fisher agreed with Attorney Nadeau and Attorney Ouellette. He stated that we already have laws.

OTIS PERRY TAKES HIS SEAT ON BOARD AT 9:35

Peggy McLaughlin, Chairperson of the Conservation Commission stated that the ordinance is really trying to protect the property owner from people who might fill their property and flood their neighbors. She expressed that she felt the public tonight thought that the State enforces these laws, however she explained, they do not. The State only has one person in the Seacoast area and they can't even reach him on the telephone.

Mrs. McLaughlin explained that the State is not the answer, there was no enforcement because they do not have enough people. The laws may be on the books, but they are not being enforced.

Mrs. McLaughlin spoke in favor of the ordinance.

Ron Weeden of Bellamy Rd. said that he was in favor of protecting the environment, however, we do not need another level of bureaucracy.

Mr. Weeden asked if the City was hiring a soil certified planner and questioned if there would be enough residential land left for the demand.

Bill Collins stated that 80% of the City is zoned residential. These ordinances are not going to stop people from developing.

Attorney Nadeau stated that whether or not the State had enough personnel to enforce the laws, the City had every right to enforce them. He then stated that careful consideration should be given to wording, wetlands should not be so loosely defined.

Don Purdy explained that he was a firm believer on Conservation, however he was totally against the ordinance. He felt that it should be brought to a referendum.

Debbie Burrington stated that this was the only way to protect the value of property. She explained that for wetlands the bottom line was protection.

Public Hearing Closed

Harold Preston explained that there would be no decision made tonight. This would be discussed at a future meeting under Old Business sometime in July.

#### CONTINUED

**ITEM #8:** Consideration of acceptance of an application for site review of land owned by Seacoast Savings Bank, (Applicant: John T. Guy) Assessor's Map 4, Lot 29, Zoned B-2 on Central Avenue. (9600 square feet)\*

Otis Perry steps down.

Jim Caliendo motioned to accept application.

Kevin Mone seconded.

VOTE: U/A

Jim Caliendo motioned to approve.

Kevin Mone seconded.

VOTE: U/A

ITEM #11: NEW BUSINESS

ITEM #12: OLD BUSINESS

(a) Discussion of excavation permit by Kevin D.  
Kelley on Sixth Street and County Farm Road

Mr. Kelley withdrew his application.

Meeting adjourned at 10:00 P.M.