

DOVER PLANNING BOARD Corrections added
MINUTES OF MEETING Approved 9/13/88
AUGUST 30, 1988

Members Present: Les Elder, Kevin Mone, Joseph Etelman, Mike McDonnell, Otis Perry, Jim Caliendo, Susan Eastman, Harold Preston.

Staff Present: Bill Collins, Steve Stancel.

Meeting called or order 7:04 PM.

Harold Preston introduced the Planning Board.

ITEM #1: ~~Public hearing on proposed rezoning near the intersection of Knox Marsh Road and Littleworth Road.~~

After a brief description of the area involved, the Public Hearing was opened.

Bob LaPointe, 12 Littleworth Road, objected to the planned zoning change. He presented a petition from his neighbors (25 signatures). He stated that the area has been developed residentially and should remain that way.

Nancy Sousane, 30 Littleworth Road, also submitted a petition signed by 13 landowners. She explained that the signed members represent a majority of the owners in the area. Only 21 acres are available after subtracting the land held by those who signed the petition.

Dick York, 60 Old Littleworth Road, opposed.

Zelva Hill, 7 Knox Marsh Road expressed concern over the existing and future traffic flow.

Attorney Bill Tanguay, representing a number of landowners in the area sited two court cases which stressed local residents input, as well as just reasoning for rezoning. Mr. Tanguay felt that any decision by the Planning Board should represent local input. At the same time he felt that the reasons set forth in the Master Plan were not strong enough to substantiate the rezoning of the particular area.

Mr. Tanguay stated that the B-4 zone calls for five (5) acre parcels with 400 foot frontage. Very few parcels meet these requirements and this makes it difficult for landowners to sell. He objected to the lack of a proper buffer zone and felt that the area was too wet to develop.

Greg Terren, from the Kane Co., speaking on behalf of Doris Batchelder was in favor of the rezoning.

Ruth Sousane, 33 Littleworth, strongly opposed.

Laurie York, 6 Old Littleworth Road strongly opposed.

Helen Hurdon, 3 Littleworth Road, against.

Kevin Cooper, 31 Knox Marsh Road, against.

James Hurdon, 3 Old Littleworth Road, strongly opposed.

Bill Hill, 7 Knox Marsh, opposed.

Beverly LaPointe, 12 Littleworth Road, opposed.

Mary Hynes, 9 Westwood Circle, opposed.

Jim O'Donnell, Richardson Drive, opposed.

Peter Harvey, 26 Westwood Circle, opposed. Has 60 signatures against from further down the road. He will submit them at a future date.

Joanna Fairchild, 77 Littleworth Road, opposed.

Public Hearing Closed

Discussion ensued concerning the possible future turnpike exit.

Diane Stowell, 5 Old Littleworth Road didn't want kids hitting the bar at hotels which might locate in the zone. How will the citizens be protected from this type development?

Public Hearing Reopened.

Bill Collins explained the past workshops. He went on to explain that the State was redesigning the Route 9 intersection for 1991. He felt that the Board had given ample opportunity for the citizens to receive information and give input regarding the plans for upgrading of the road system in the area.

Jim O'Donnell, Richardson Drive, said baloney to Mr. Collins, he has never explained the road improvements which will take place. What will happen to Route 9, what will happen to the intersection?

Walworth Johnson, Jr., 20 Sunset Drive and 155 Knox Marsh Road felt that the people on his side of the road on the Knox Marsh should be included in the rezoning, they will receive all the disadvantages with no advantages. He felt that it was logical for the land to be commercial.

Lydia Cooper, opposed.

Michael Splaine, 8 Littleworth Road, opposed.

Dick York, expressed concerns regarding rezoning before final design of the intersection.

Discussion ensued concerning the procedure used to determine the amount and location of nonresidential zoning.

Public Hearing Closed

Harold Preston explained that a vote would come at a future date.

ITEM #2: Coastal Zone Management Program.

Dave Murphy and Stephanie D'Agostino explained the Coastal Program, its history and goals and objectives.

They stated that there would be a new application round in 4-6 weeks.

Kevin Mone questioned if the money could be used to assist in the designing of sewage treatment plant. The answer was no.

Jim Caliendo asked if money could be used to upgrade Hilton Park. The answer was yes but that the State would most probably make the application.

Mr. Collins explained the City Barn area and the need for a site plan and design. Would this be eligible.

Mr. Murphy explained that if public interests were served there was a possibility.

ITEM #2b: Consideration of acceptance and discussion of Change of Use application for the Lacy Building, Map 6, Lot 21, 466 Central Avenue. Land owned by Maxine Lacy Cluck, (Applicant, Lacy Realty, Inc.)

Otis Perry stepped down.

Alan Gluck representing Lacy Realty explained the project. They wish to put a restaurant that would serve breakfast, lunch and dinner. It meets all the criteria.

Bill Collins explained that water and sewer would be doubled but that it wasn't a problem. Parking non binding, the application is before the Board as a change of use.

Mike McDonnell motioned to accept.

Jim Caliendo seconded.

VOTE: U/A

Public Hearing Opened

Gregory Katralakos not objecting to the delicatessen had problems with dumpster of the Chinese restaurant next door. He was concerned with dumpsters and delivery trucks having no place to unload. Board needs to address this.

Alan Gluck stated that he will use a five (5) cubic foot dumpster that can be rolled, loading will take place in the front. The dumpster will be dumped as often as possible.

Public Hearing Closed

Jim Caliendo asked about the peanut oil next door. Alan Gluck stated that he will take care of the situation, he will talk to his tenants.

Jim Caliendo wants the oil problem addressed.

Joe Etelman suggested seeing a plot plan of the alley.

Mr. Gluck stated that the alley is shown on the plan. He showed the location of the buckets.

Les Elder suggested securing the area.

Kevin Mone felt that some sort of guarantee be made that the situation get improved as part of any approval to the plan. Mr. Gluck stated that he would make sure that the situation would be taken care of.

Jim Caliendo motioned to approve.

Mike McDonnell seconded.

Joe Etelman abstained.

VOTE: 6 - 0 approved.

Otis Perry resumed his chair.

ITEM #3a: Review of an excavation permit by Dowaliby Trucking. Said land is located at Bellamy and Mast Road, Tax Map H, Lot 56.

Jim Caliendo motioned to approve.

Mike McDonnell seconded.

VOTE: U/A

ITEM #3b: Review of site plan of land owned by Cathleen Coakley and Cecilia Demarco, Assessor's Map 20, Lot 61, zoned RM-10 on Central Avenue.

Bill Collins brought the Boards' attention to a revised site plan. He explained the changes as called for by the site visit.

Jim Caliendo motioned to approve.

Mike McDonnell seconded.

VOTE: U/A

ITEM #3c: McQuade approved at previous meeting.

ITEM #3d: Review of site plan of land owned by Gerald Nash and Samuel Tamposi, Assessor's Map D, Lot 2, zoned B-3, at 3 Plaza Drive.

Dan Callahan, attorney for the project, explained the history of the project.

- The project has been redesigned to meet the new groundwater ordinance.
- Upon approval the developer will drop his suit against the city.

Les Elder questioned if Plaza Drive next to Funspot would be used for traffic.

Dan Callahan stated no, the developer will deed the right of way to the City of Dover. Only traffic through Whittier Street side of Plaza Drive will take place.

Bill Collins stated that minor TRC comments have been met - gas and oil separators and numbering system. Offsite improvements, replace sewer line and contribute \$30,000 toward sewer line on Whittier Street. Sidewalks. Plan meets technical requirements.

Les Elder questioned the use of a retention pond area opposed to running drainage into the City Sewer. Mike Guilfooy replied that the ponding area was designed to comply with new groundwater ordinance and will actually help recharge wells.

Mr. Elder asked why the project couldn't connect with sewer at McDonalds.

Mike Guilfooy answered that there were problems with digging on Central Avenue and you would need 14-15 foot deep drainage lines.

Les Elder wanted to make sure that all issues have been met in relation to the protection of the wells.

Dan Callahan stated that the client has spent \$25,000 on water research alone no significant impact.

Les Elder, questioned if the City Engineer approved these plans.

Bill Collins, answered yes.

Mike McDonnell questioned the impact on schools.

Bill Collins stated there would not be a major impact.

~~Les Elder, asked what the TRC comments regarding traffic on Glenwood Avenue were.~~

Bill Collins replied that the impact would be minimal.

Mr. Collins suggested that any condition to an approval should include the stipulations outlined in letters executed August 25, 1988 and August 30, 1988 between the developer and the Planning Department.

Otis Perry motioned to approve condition to the execution of the letters dated above.

Jim Caliendo seconded.

Randy Turner expressed concerns to the approval of the project. He felt land should be left alone.

Ann Turner, questioned if the curbing had to be granite and how will the gas and oil filter be maintained?

Mike Guilfooy explained that concrete curbing are allowed and residents will be responsible for the maintenance of the filtration system.

VOTE: 5 - 3 for approval. Les Elder, Mike McDonnell and Joe Etelman were opposed.

Minutes: The Board reviewed two sets of minutes.

August 9, 1988

Members present - Bill Collins should be deleted. Harold Preston's name put in full.

Page 2, #2, Dowaliby Trucking should be Lionel Martel.

Page 8, Old Business Brocks - under conditions for approval.

Condition 1. Amendment to plan to change note #4 on the plan as modified. The permits to expire December 31, 1988.

ITEM #6: Should be listed as withdrawn.

Page 5, Pete Bouchard stated that he would deny the driveway permit.

Mike McDonnell motioned to approve as amended.

Jim Caliendo Seconded.

VOTE: U/A

August 16, 1988

Bill Collins and Mike Casino should be listed as staff.

Otis Perry motioned to approve a amended.

Les Elder seconded as amended.

VOTE: U/A

e. George Demosthenes

Bill Collins recommended the following conditions:

- Existing private road must be brought up to 1985 private standards.
- State applicant must receive a special exception for the two culverts on plan.
- State Septic approval.
- Vegetation at Drew Road be removed.
- Conditions verified prior to receiving building permits.

Kevin Mone motioned to approve with conditions.

Otis Perry seconded with conditions.

Otis Perry wanted to go on record that he feels he has to approve due to circumstance created in the past. However, he does not want to give the impression that extending a private road would be something that will be allowed in the future.

Mike McDonnell agreed.

Harold Preston stated that the Planning Board should be more involved in any out of court negotiating processes in the future.

VOTE: 5 - 2 for approval. Les Elder, Jim Caliendo, were opposed. Susan Eastman abstained.

f. Stonewatch Management - Car wash located on Pierce and Central Avenue.

The project was explained.

Otis Perry expressed concern over approving the project prior to the SBA 20 day appeal process.

Discussion ensued.

Bill Collins explained TRC comments.

- No access onto Central Avenue.
- 15-17 spaces for onsite waiting.
- Central agreement to store snow on B & M Right of Way.
- ~~Change existing drainage on Pierce Street tie in.~~
- Curbing bonded by cash escrow.
- Sewer Commission approval needed.

Les Elder expressed concerns that he still had regarding possible queing.

Jim Caliendo motioned to approve with the following conditions.

1. Sewerage discharge permit prior to Building Permit.
2. Bonding curbing on Pierce Street. Covered by cash escrow, letter of credit, grant.
3. Que in on Pierce Street not be allowed.
4. Do nothing until 20 day ZBA appeal period.

Otis Perry seconded.

VOTE: U/A

g. Loam, Ash Street Associates.

Bill Collins explained the Conservation Commission comments and the response by the Engineer. He felt that the questions asked by the conservation District have been addressed.

Jim Caliendo motioned to approve.

Mike McDonnell seconded.

VOTE: U/A

h. Sixth Street rezoning will be addressed next meeting.

Jim Caliendo motioned to adjourn.

Mike McDonnell seconded.

VOTE: U/A

Meeting was adjourned at 9:57 PM.