

DOVER PLANNING BOARD
MINUTES OF MEETING

Meeting Held: Tuesday, March 10, 1987 in the Council Chambers of the Municipal Building in Dover, New Hampshire.

Members Present: Harold Preston, Chairman, Les Elder, Otis Perry, Nancy Sousane, Patricia Torr, Reynold Perry, Pete Bouchard, Thomas Scharff.

Alternates Present: Mike McDonnell, Joseph Etelman.

Also Present: William Collins - Planning Director, Steve Stancel-Planner.

Item #1: Public hearing on proposed (21) amendments to the Zoning Ordinance.

Bill Collins explained that the proposed amendments were designed to make the City's Zoning Ordinance consistent with State Regulations and to eliminate contradictions.

Public Hearing opened.

No Comments.

Public Hearing closed.

Item #2: Public hearing on the proposed amendment to the Site Review Regulations.

Bill Collins explained that the proposed amendment would add parking requirements for elderly-multi-family and rooming house projects.

Public Hearing opened.

No comments.

Public Hearing closed.

Item #3: Consideration of acceptance of an application for a major subdivision of land owned by The Development Group. (Applicant: Barbara Richard).

Jay Stephens-Engineer, Civil Consultants explained the project.

Mr. Stephens asked for a waiver of the 6% grade at the entrance of the project as 14 feet of fill would be required to obtain it. He felt that the small number of lots (11) wouldn't need the 6% grade.

Mr. Stephens noted that there was a slight discrepancy on a property line between sheet 1 and sheet 2. The final plan will be changed to meet the property line plan.

Barbara Richard stated that all houses will be quality constructed.

Tom Scharff discussed a typical problem in R-12 with fitting houses on the small lots. Often times room is not left on the lot to accomodate garages.

Jay Stephens responded that the houses will be engineered to allow space for garages.

Harold Preston suggested that the Planning Board visit the site for a review. Mr. Preston asked Mr. Stephens if he would call the Planning Director when the snow melts to set-up a date.

Mr. Stephens agreed.

Tom Scharff motioned to accept the project.

Patricia Torr seconded.

Vote: U/A

Bill Collins reviewed the Technical Review Committee comments:-

- not opposed to the waiver of street grade
- not opposed to sidewalk on one side
- the committee expressed concerns over the street being within 250 feet of another. Streets should be at least 400 feet apart
- the committee was not in favor of City ownership of the pumping station.

Public Hearing opened.

Patricia Brown expressed concerns over the amount of fill that will be used and possible water run-off.

Jay Stephens stated that the fill would end 75 to 100 feet from

any abutting property line.

Nancy Sousane arrived and became seated on the board.

Joseph Etelman, alternate, stepped down.

Public Hearing closed.

Item #4 Consideration of acceptance of an application for minor subdivision of land owned by James Gitschier.

James Gitschier explained the plan.

Otis Perry motioned to accept.

Tom Scharff seconded.

Vote: U/A

Public Hearing opened.

Thomas McShera expressed concerns over the location of the driveway.

Harold Preston pointed out that the applicant would have to receive a driveway permit from the Public Works Department.

Public Hearing closed.

Harold Preston stated that he had two concerns. (1) The perk test, and (2) driveway location.

Les Elder motioned to approve the project subject to State Water Supply and Pollution Control Septic Approval, and that a driveway permit be obtained.

Mike McDonnell seconded.

Vote: U/A

Item #5: Consideration of acceptance of an application for minor subdivision of land owned by Arnold Rigby, (Applicant: Donald Purdy).

Donald Purdy explained the project stating that the parcel contained 19.2 acres and had already received state septic approval.

Les Elder expressed concerns over the dates on the Subdivision application and the date of the land transferral. He asked if the land had already been transferred.

Bill Collins replied yes, and ask Mr. Purdy why the subdivision, which hadn't been recorded, had already been transferred to a new owner.

Don Purdy explained that the Purchase and Sales Agreement has a provision in it that the sale is contingent upon the Applicants receiving Subdivision Approval. The deposit is in escrow. The deed was transferred to take advantage of tax laws.

Bill Collins stated that the deed becomes legal when it is recorded. Mr. Collins felt that the Applicant's actions fall outside the normal Subdivision Approval process.

Harold Preston pointed out that a complete boundary survey did not exist. The board would have to receive one prior to approval.

Mr. Preston requested an opinion from the City Attorney in writing concerning the deed transfer..

Tom Scharff moved to reschedule the application after copies of the full boundary survey and a written response from the City Attorney has been received.

Les Elder seconded.

Vote: U/A

Item #6: New Business.

Les Elder motioned to accept the Minutes of the February 10, 1987 Planning Board Meeting.

Patricia Torr seconded.

Vote: U/A

a) Discussion relative to a special exception for Langdon Place, (Applicant: Clipper Home Affiliates).

Harold Preston stepped down, Les Elder assumed the Chair, Joseph Etelman sat in for Les Elder.

Dana Lynch - Engineer, Civil Works, explained the project. The project is going before the Zoning Board of Adjustment for a variance and must receive a written statement from the board.

Bill Collins stated that the project as it is being proposed, would have very little environmental impact and the proposal should be allowed to proceed.

Tom Scharff asked if the Conservation Commission had reviewed the project and if so, were there any concerns.

Harold Preston stated that the Conservation Commission had reviewed plans and had no objection.

Tom Scharff made a motion that there be a consensus of no objections and no environmental impact.

Patricia Torr seconded.

Vote: U/A

b) Discussion of a previously recorded subdivision for Langdon Place. (Applicant: Clipper Home Affiliates).

Dana Lynch - Engineer, Civil Consultants explained the history of the project. The original single lot had been sold off as two lots in 1965, and 1966 respectively. While each lot has a recorded deed, there is no evidence of a subdivision ever taking place. Mr. Lynch would like to get subdivision approval by preparing 1987 formal plan for submittal but did not want to jeopardize the ZBA meeting by not receiving comments from the Planning Board.

General consensus of the board to proceed.

Harold Preston resumed chair.

Item #7: Old Business

a) Conceptual review of land owned by Towle/Brown,
(Applicant: Land-Buy Unlimited of N.H. Inc.)

Tom Scharff felt that all five projects located in the Mast Road Area should be discussed in the same evening.

Bill Collins cautioned against creating long delays in the

approval process. Mr. Collins explained that it was difficult bringing all the developers together and it is important to keep the process moving forward.

General discussion ensued with the consensus that all five projects will be discussed at the March 24, 1987 Planning Board Meeting.

b) Discussion on proposed Site Review of land owned by Elliot Rose Co. of Dover, Inc. (Thornwood Farms, Inc.)

Harold Preston stepped down, Les Elder assumes chair, Joseph Etelman sat in for Les Elder.

Preston Samuals, engineer, Wright Pierce, explained that the Applicant's had satisfied the two remaining board concerns, i.e.,

1. Fire Protection System
2. Storm water drainage

Mr. Samuals asked for a vote on the application.

Mike McDonnell motioned to approve the project.

Joseph Etelman seconded.

Vote: U/A

Harold Preston resumed chair.

c) Discussion on proposed Alternative Design Subbdivision on land owned by Developmental Services of Strafford County, (Applicant, Dean Fournier.)

Malcolm McNeil, Attorney gave a brief description of the project's progress.

Dana Lynch-Engineer stated that of the five test pits dug, three in the area of the leach field were found to be acceptable. Test pits in lots 20 and 18 were not acceptable.

Harold Preston expressed concerns that there isn't enough area to support the leaching system for the proposed number of lots.

Les Elder concurred.

Malcolm McNeil reminded the board that the 30 day clock is running out and his clients had yet to receive feedback on their proposal.

Bill Collins stated that the board should only be looking at the concept of ADS at this time. Test pit data should be looked at in the future.

Reynold Perry felt that the plans technically met the ADS regulations but did not really excite him.

Tom Scharff felt that the applicant was aware of the Planning Board considering new ADS regulations, believed that the plans aren't in the spirit of the ordinance.

Les Elder felt that the plans met the existing regulations.

Patricia Torr concurred.

Reynold Perry felt that the project met the criteria.

Nancy Sousanne felt that the project did not go along with the intent of the ordinance.

Tom Scharff concurred.

Mike McDonnell agreed.

Otis Perry thought that the project qualified for ADS.

Harold Preston had no feeling one way or another.

Project referred to future meeting.

d) Discussion on proposed Site Review of land owned by the Cabral Group. (Application: Richard P. Millette and Associates.

Malcolm McNeil-Attorney, discussed the hiking/ski trail. Cabral or the HOA does not want to be held liable if it's going to be used by the general public. He proposed that the city maintain and take it over. An easement would go to the city.

Richard Millette-Engineer, discussed the road and intersection design plans.

Donald Rhodes-Engineer, went into detail on road changes including widening the northside of Rt 155, two through lanes west bound, and modifications to existing islands.

Nancy Sousanne expressed concerns about cars not being able to pull out onto Rt 155 and the speed limit being 50 in the immediate area.

Reynold Perry discussed the importance of the sidewalks and their location.

The Public was allowed to speak.

Walter Johnson realized that part of his property would be used for sidewalks. He expressed concern over never receiving an invitation for input. He suggested that the developer be allowed to put money in an escrow account to be used to redesign the entire intersection rather than doing immediate repairs that will have to be redone in a few years. Mr. Johnson felt that the state had not invited the public, as well as public officials in the decision making process.

Frank Torr felt that the application process needed to have a mechanism for input from people who may have impacts away from the project. Mr. Torr expressed concern over the safety of Route 9 and 155 intersection.

Malcolm McNeil explained that the city has been involved in the process. He further stated that putting money into a general fund for repair of the intersection had been discussed and had been rejected by the state.

Bill Collins stated that he was convinced by the Department of Transportation that very few changes would be needed to the dual westbound lane in the future even if a major redesign took place. In other words, immediate construction would not be wasted by future redesign.

Les Elder asked how the project stood in relation to other requirements.

Bill Collins reviewed a number of minor revisions which would have to take place prior to final approval.

Les Elder suggested voting on the project at the March 24, 1987 meeting. Mr. Elder did not want to approve the project with a number of conditions.

Harold Preston asked for the Board members opinion.

Les Elder - next meeting.

Patricia Torr - next meeting.
Reynold Perry - next meeting.
Nancy Sousanne - next meeting.
Tom Scharff - next meeting.
Mike McDonnell - next meeting.
Otis Perry - next meeting.

General consensus of the Board to table the project until the March 24, 1987 meeting.

Other:

Kerry Forbes discussed the twenty-one amendments to the Zoning Ordinance (Item #1). Mr. Forbes was concerned with amendment #4. He would like to see the wording changed from "will have" to "may be required" in regards to site plans for minor construction.

Tom Scharff motioned to adjourn the meeting; Les Elder seconded.

Vote: U/A.