

DOVER PLANNING BOARD  
MINUTES OF MEETING

MEETING HELD July 7, 1987 in the Council chambers of the Municipal building in Dover, New Hampshire.

MEMBERS PRESENT: Harold Preston-Chairman, Thomas Scharff  
Mike McDonnell, Joseph Etelman, Reynold Perry, Les Elder  
Patricia Torr, Pierre Bouchard

ALTERNATES PRESENT: Philip Rinaldi

ALSO PRESENT: William Collins - Planning Director, Mike  
Casino - Planner, Steve Stancel - Planner

Meeting called to order at 7:05 P.M.

Mr. Preston introduced the Board.

ITEM #1: Consideration of acceptance of an application for  
minor lot line adjustment of land owned by William St.  
Laurent and Raymond Martinearu, Assessor's Map 37, Lots 13B,  
& 13D, Zoned office, located between Hall and Gilman  
Street.\*

William St. Laurent explained the application stating that  
changes in the building design caused the rear setback  
problems. The new lot lines would accomodate the required  
setbacks in the zone.

Mike McDonnell motioned to accept.

Philip Rinaldi seconded.

VOTE: U/A

Public Hearing Opened

Public Hearing Closed

Les Elder motioned to approve subject to signatures on the  
plan.

Thomas Scharff seconded.

VOTE: U/A

ITEM #2: Consideration of acceptance of an application for  
minor lot line adjustment of land owned by Thomas Forbes and  
William Hopkins, (Assessor's Map 29, Lots 35A & 16,  
Zoned R-12 located on Mount Vernon Street.\*

Kerry Forbes explained the application. He stated that  
excess land was offered to an abutter who wanted it.

Harold Preston, Chairman of the Planning Board, stated that  
a perimeter survey would be needed for the property  
receiving the land.

Les Elder questioned the legality of adding land to a  
non-conforming lot.

Bill Collins stated that this would not be a violation.

Les Elder motioned to accept.

Patricia Torr seconded.

VOTE: U/A

Public Hearing Opened

Public Hearing Closed

Les Elder motioned to approve subject to perimeter survey of receiving lot and signatures on the plans.

Mike McDonnell seconded.

VOTE: U/A

ITEM #3: Consideration of acceptance of a minor subdivision of land owned by Katherine Towle, Assessor's Map I, Lot 54, Zoned RM-12, located on Back River Road. (2 lots)\*

Douglas Dean explained the project.

Les Elder questioned when the lot located on the corner of Mast Road and Back River Road was subdivided.

Bill Collins was unsure.

Les Elder motioned to accept.

Patricia Torr seconded.

VOTE: U/A

Public Hearing Opened

Public Hearing Closed

Les Elder motioned to table until Lot I54B can be identified when subdivided.

Tom Scharff seconded.

Harold Preston stated that there may be some problems with the lot lines, they don't agree with a previous adjacent subdivision approval.

VOTE: U/A to table

ITEM #4: Consideration of acceptance of site review of land owned by A.M. International, Inc. (Applicant; Harris Graphics Corp.), Assessor's Map 26, Lots 6 & 7, Zoned I-12, 121 Broadway Street, office space.\*

Ed Cornelia, representing Harris Graphics, explained the project. He said this was an engineering facility expansion in order to support possibly 100 more jobs.

Bill Collins stated that the expansion of the pattern shop was 5200 feet.

Pete Bouchard said the plans call for 4 foot sidewalk, our requirement is 5 feet.

Ed Cornelia said this would be no problem.

Tom Scharff motioned to accept.

Mike McDonnell seconded.

VOTE: U/A

Public Hearing Opened

Public Hearing Closed

Bill Collins stated that the Technical Review Committee comments should be conditions of approval. He also stated that the mobile trailers should be moved within a 30 day period.

Tom Scharff motioned to approve with conditions that the mylar shows the expansion to be 5200 feet, signatures on mylar, 5 feet sidewalks, and the TRC Comments.

Les Elder seconded.

VOTE: U/A

ITEM #5: Public hearing and discussion of land owned by Dunn's Bridge Townhomes, Inc. (Applicant: Richard P. Millotte and Associates), Assessor's Map I, Lots 19 & 20A, Zoned RM-10 and RM-20, on Route 108 (77 condo units)

Jack Macloed explained the project.

Bill Collins stated that the cul-d-sacs straddle Redden Gardens and Dunns Bridge.

Dick Millette stated that he would make a revision to allow the cul-de-sac to remain.

Phil Rinaldi expressed concerns with the distance from Sylvain Drive to the entrance way.

Public Hearing Opened

John Conway of Mast Road expressed concern with who would be paying for the schools and he didn't want to pay for new sewer and water.

Pete Bouchard explained that Mr. Conway would continue to get water where he is now but there would be no sewer line in front of the house.

Dick Millette stated that the name of the road will be Dunn's Bridge Lane.

Peter Loughlin submitted photos showing existing structure and roadway.

Public Hearing Closed

Pete Bouchard and Harold Preston asked who owned the cul-de-sacs at the end of Adelle Drive.

Mr. Millette stated that the cul-de-sacs were on Dunn's property, there would be a gate available for plowing.

Bill Janelle expressed there should be city easement for property on Dunn's land.

Pete Bouchard stated that cul-de-sac is city maintained, paved etc. this piece of property will have to become the City's.

Renny Perry motioned to approve with the following conditions;

1. Site plan amended referring to the memorandum of agreement of the MRPC documents.
2. All State and Federal approvals.
3. Cul-de-sac easement recorded to city.
4. Landscaping submitted and approved.
5. Comprehensive drainage plan approved by the City.

Les Elder seconded.

VOTE: 6 FAVOR  
2 OPPOSED      Les Elder  
                             Joe Etelman

ITEM #6: Preliminary public hearing for conceptual approval of an alternative design subdivision of land owned by Bradgate Associates, Assessor's Map F, Lots 3 & 3E, Zoned R-40 on Tolend Road. (33 lots)

Tom Welch, Attorney, explained the proposal. He stated that the new plans were carefully reviewed. Attorney Welch understood that the City Council would adopt the moratorium and they would spend the next year planning. He hoped to get the Board's feeling on the concept. He went on to explain that some of the past problems were;

1. Lots on one side of the property.
2. Open space not integrated.
3. No buffer zone - lots and abutting properties.
4. Cul-de-sacs were objected to.

New plans include;

1. A buffer zone.
2. Open space with good availability.
3. Open clusters integrated open space.

He also stated that the abutters met with him and his impression was that they were more favorable.

Overall he stated, that he was not asking for acceptance, but asking to work with the Planning Director.

Les Elder asked where the project stood in relation to formal acceptance.

Bill Collins stated that the project was not before the Board for acceptance, only the concept.

Mike McDonnell asked the number of lots that could be developed conventional subdivision.

Attorney Welch answered 37 ADS, 31 conventional.

Bill Collins asked what was the percentage of common open space.

Paul Connolley answered 26.2 acres of open space or, 43-45% open.

Les Elder expressed concern over the amount of open space that was wetland.

Attorney Welch stated that the project was consistent with the intent and purpose of the ADS ordinance. He reiterated that the proposal was only before the Board for conceptual approval and not formal acceptance.

Public Hearing Opened

Tom Forbes asked where the City stood on ADS proposals they pertain to the Growth Management Ordinance.

Bill Collins stated that the Growth Management Ordinance would apply to ADS applications. He further stated that the staff was working on possible revisions to the ADS ordinance and any changes would have to be adhered to by Bradgate.

Public Hearing Closed

Harold Preston read a letter from Linda Hanscon who is opposed to the project based on the drainage plan.

Renny Perry stated that drainage concerns would be taken up at the TRC meeting. He felt that this properly was more conducive to an ADS subdivision than a conventional one.

Les Elder was opposed to the project. He has concerns that the developer was receiving more lots with the ADS than a conventional subdivision.

Tom Scharf felt that the project would be better suited as an ADS subdivision.

Joe Etelman expressed concern over the drainage situation.

Tom Scharff motioned to accept the concept.

Pattie Torr seconded.

VOTE: 7 FAVOR  
1 OPPOSED Les Elder

ITEM #7: NEW BUSINESS

a. Discussion of Charles Street Sewerage Pump Station.  
Referred to later in the meeting.

- b. Discussion of partial abandonment of School Street. Referred to later in the meeting.
- c. Discussion of waiver request of concrete sidewalks on Governor Sawyer Lane.

Attorney Malcolm McNeil stated that he had a petition consenting to change by the majority of landowners in the development.

A petition was given to the Board with the following results.

24 For  
2 Oppose  
6 No Response

Mr. McNeil stated that concrete was inadvertently illustrated on the plan and the mistake could cost the developer \$30,000.

Les Elder asked how many of the people listed were representatives of the Developer.

Attorney McNeil stated that many of them were.

William Rector was opposed to the waiver. He stated that the property was represented as having concrete sidewalks when he purchased it. He was concerned about property values, as well as future repair costs.

Mr. Rector went on to state that he felt the other owners were pressured into wanting paved sidewalks because the developer told them that concrete sidewalks would take two years to install.

Wilber Boudreau spoke in favor of the waiver, he did not want the concrete sidewalk going across his driveway.

Pete Bouchard asked if the Planning Board had the right to take action.

Bill Collins stated that the Planning Board does have the right to amend an approved plan. Mr. Collins did state that he was unsure of any legal implications landowners may have against the city since some lots had already been sold.

Attorney McNeil suggested the board conditionally approve the waiver subject to Scott Woodman's remarks.

Thomas Scharff motioned to grant the waiver.

Patricia Torr seconded.

VOTE: 1 FAVOR Patricia Torr  
7 OPPOSED

MOTION FAILED

The Board informed Attorney McNeil that they would seek a legal opinion from the City Attorney concerning the City's liability. Should the attorney feel that the City would not be liable if they grant a waiver, then the Board may reconsider their vote.

ITEM #8: OLD BUSINESS

a) Discussion of major subdivision of land (ADS) owned by Developmental Services of Strafford County, Inc. (Applicant: Dean Fournier), Assessor's Map C, Lot 12D, Zoned R-40, Tolend Road (19 lots)

Malcolm McNeil discussed the project. He stated that the developer found the Hayden Report acceptable. He asked for preliminary approval with conditions upon state and federal permits.

Harold Preston asked if the 500 series soils would have to be filled in.

Paul Connolley, Engineer for the project, answered 'yes'.

Bill Collins suggested the following condition be placed on any preliminary approval:

1. Technical Review Committee comments
2. Final engineering based on TRC comments
3. Approvals from the State
4. Army Corps approval if necessary

Thomas Scharff motioned for preliminary approval with the conditions outlined above.

Patricia Torr seconded.

VOTE: 7 FAVOR  
1 OPPOSED Mike McDonnell

Discussion on the revised sewer line for Sunnybrook, White's Mobile Home Park on Blackwater Road.

Brian Holt, engineer for the project explained that the road and lot layout were identical. Instead of the gravity sewer line crossing an easement, the developers proposed a pump station which would pump the sewerage to a gravity feed line to the MRDC pump station.

Thomas Scharff motioned to take the proposal of the table.

Mike McDonnell seconded.

VOTE: U/A

Thomas Scharff motioned to approve the engineering modifications.

Mike McDonnell seconded.

VOTE: U/A

Thomas Scharff motioned to approve the project subject to the following conditions:

1. The comprehensive drainage plan be submitted and approved prior to the Planning Board Chairman signing the plans.

2. All applicable state and federal permits be obtained prior to the issuance of building permits; and

3. The MRDC Infrastructure Plan be executed as described in the Mast Road Development Consortium, Required Off-Site Improvements; June 23, 1987.

Phil Rinaldi seconded.

VOTE: 7 FAVOR  
1 OPPOSED Les Elder

The Board returned to New Business.

7. a) Discussion of the Charles Street Sewerage Pump Station.

Bill Collins reviewed the ordinance and recommended that the Board allow the ordinance to expire based on an independent report showing a million gallons of remaining capacity.

Thomas Scharff requested that the Board have an opportunity to review the report.

The Board tabled a decision until the next meeting.

7. b) Discussion of partial abandonment of School Street.

Bill Collins explained the proposal. The pavement on School Street would be removed and a pedestrian walkway built, complete with a park.

Bill Janelle, the City Engineer, explained the plans in detail.

Thomas Scharff requested a formal articulation before sending it to the Council. He wanted the Board to receive more information.

Pattie Torr motioned to recommend to the City Council that a portion of School Street be abandoned.

Les Elder seconded.

VOTE: U/A

Meeting was adjourned at 10:41.