

DOVER PLANNING BOARD  
MINUTES OF MEETING

MEETING HELD: October 6, 1987 in the Council Chambers of the Municipal Building in Dover, New Hampshire.

MEMBERS PRESENT: Harold Preston-Chairman, Joseph Etelman  
Mike McDonnell, Les Elder, Otis Perry, Reynold Perry  
Tom Scharff

OTHERS: William Collins-Planning Director, Steve Stancel-  
Planner, Mike Casino-Planner, Gayle Labrie-Recording  
Secretary

Mr. Preston called the meeting to order at 7:00 P.M.,  
welcomed the public and introduced the Board.

ITEM #1 Public Hearing on proposed amendment to Chapter  
170, Zoning. Said Amendment would revise Chapter 170-28.6  
Interim Growth Management District IV - Aquifer Recharge  
Areas by adding an additional lot. Said lot is defined as  
Tax Map D, lot 2, located on Plaza Drive.

Mr. Preston read the question, and opened a Public Hearing.

No comments from the public.

Public Hearing Closed.

Bill Collins stated that originally the Planning Board  
recommended to delete this lot from the Interim Ordinance.  
He further stated that the City Council referred this item  
back to the Planning Board, which resulted in another public  
hearing.

Mr. Collins stated that the Planning Board will report the  
outcome to the City Council. The City Council will then hold  
their first reading on October 14, 1987, a public hearing to  
be held by the City Council on October 28, 1987 with a final  
decision made by November 2, 1987.

Mike McDonnell motioned to amend the ordinance to include the  
lot.

Tom Scharff seconded.

VOTE: U/A

ITEM #2: Public Hearing on proposed Amendment to Chapter  
170, Zoning. Said Amendment would revise Chapter 170:8,

Official Zoning Map of the City of Dover, dated May 25, 1979, by rezoning an area on Oak Street immediately adjacent to the Boston and Maine Railroad Tracks from its present district classification, RM-10 (medium-density, multiresidential) to I-2 (Industrial District). Specific boundary lines were published previously in the September 8, 1987, Foster's Daily Democrat.

Bill Collins explained that presently the Boston and Maine Railroad property abuts Oak Street behind Harris Graphics. He stated that the change in zoning would be only a small portion from RM-10 to I-2, the City Council will have final approval.

Kerry Forbes explained the proposal.

Public Hearing Opened.

Public Hearing Closed.

Tom Scharff expressed concern that this change might be premature relative to the Master Plan endeavor on land use.

Bill Collins explained that this public hearing was being held at the request of a citizen. Mr. Collins felt that this rezoning made a lot of sense.

Kerry Forbes stated that he wanted to see just the one building changed to avoid conflict with the Master Plan. He went on to state that he wanted to put in a sewer line and sprinkler system so that the building may be utilized.

Otis Perry motioned to accept.

Tom Scharff seconded.

Send to City Council.

VOTE: U/A

ITEM #3: Public Hearing and consideration by the Planning Board of a request for an excavation permit by George Parsons Land Development. Said land is located on Varney Road, Tax Map A, Lot 36, otherwise known as Blackwater Hill Estates.

George Parsons explained the project. He stated that he was requesting a loam extraction permit. The area involved was approximately 23 acres. The process would consist of stripping existing loam (approximately 12 inches), restoring 4 inches back and reseeding all 23 acres. He went on to state that he would be using the Hayland Mix (Timothy and

Clover) for the reseeding process. (See Cover Letter)

Tom Scharff explained that the cover letter included all requirements that have been met except for a letter of credit.

Bill Collins explained that a letter of credit would be needed to guarantee the seeding process. He stated that the letter of credit should be in the amount of \$2500.00.

Harold Preston expressed his concern over stripping 4 - 5 acres at one time, and not all 23 acres at once.

Mr. Parsons explained that this project would not be done all at one time.

Mike McDonnell motioned to accept subject to letter of credit.

Tom Scharff seconded.

VOTE: U/A

ITEM #4: Consideration of acceptance of an application for minor subdivision of land owned by John A. and John F. Kepics, Assessor's Map A, Lot 48, Zoned R-40, located on Sixth Street.

John Kepics explained the project. He is trying to make three lots out of 2 existing lots. He stated that Lot 48A was owned by John A. Kepics, and Lot 48 was owned by John F. Kepics. Mr. Kepics further explained that he intends to sell his existing home and build another on the third lot. Mr. Kepics also stated that they have already received ZBA approval.

Mike McDonnell motioned to accept the application.

Otis Perry seconded.

Public Hearing Opened

Public Hearing Closed

Otis Perry motioned to approve with the following conditions;

1. Submit to the Building Inspector's Office the proposed name for the private road; and
2. Submit to the Planning Department the Homeowner's Association documents for approval.

Mike McDonnell seconded.

VOTE U/A

ITEM #5: Consideration of acceptance of an application for minor subdivision of land owned by Andrea Ross, Assessor's Map K, Lot 11, Zoned R-40, located on Back Road.

Harold Preston stepped down because he is an abutter to the property and Les Elder stepped in as Chairperson.

Simone Masse, Attorney representing Andrea Ross explained the project and stated that this property has frontage on both Back Road and Middle Road. Ms. Masse went on to state that the parcel of land Ms. Ross intended to keep was 10.76 acres and sell 19.02 acres.

Otis Perry motioned to accept the application.

Mike McDonnell seconded.

VOTE: U/A

Public Hearing Opened

Public Hearing Closed

Mike McDonnell motioned to approve.

Tom Scharff seconded.

VOTE: U/A

ITEM #6: Consideration of acceptance of an application for minor lot line adjustment of land owned by Eldeane E. Cassell, (Applicant: Liberty Mutual Insurance Co.) Assessor's Map E, Lot 26, Zoned ETP, on Sixth Street.

John McMann, Attorney representing Liberty Mutual and Eldeane E. Cassell, stood up and explained the minor lot line adjustment. He stated that he would be glad to answer any questions.

Harold Preston explained that this would add a one (1) acre parcel to the house which would enlarge the house lot.

Les Elder motioned to accept the application.

Otis Perry seconded.

VOTE: U/A

Public Hearing Opened

Public Hearing Closed

Les Elder motioned to approve.

Mike McDonnell seconded.

VOTE: U/A

ITEM #7: Consideration of acceptance of an application for minor lot line adjustment of land owned by Stephen Ellis, (Applicant: Wedgewood Builders Corp.), Asessor's Map F, Lot 30, Zoned R-40, on Littleworth Road.

Stephen Ellis explained the lot line adjustment. He further stated that originally the engineers did not do a complete job. Mr. Ellis said that the original deed was correct.

Bill Collins stated that the plan did not show the old line to be abandoned.

Mr. Ellis explained the area which equalled approximately one acre.

Harold Preston stated that this was merely just a correction.

Mike McDonnell motioned to accept application.

Les Elder seconded.

VOTE: U/A

Public Hearing Opened

Public Hearing Closed

Les Elder motioned to approve.

Tom Scharff seconded.

VOTE: U/A

ITEM #8: NEW BUSINESS

Harold Preston discussed the matter of getting Scott Woodman's opinion on whether or not the Planning Board has the authority to cease & desist. He would like to see this in writing.

He also discussed that only the Planning Board and not the City Council could waiver subdivision regulations. He felt

that Scott Woodman should also put this in writing.

ITEM #9: OLD BUSINESS

a) Discussion for final approval of major subdivision of land owned by David and Joyce Sanderson (Applicant: Armand DiMambro) Assesor's Map L, Lot 49, Zoned R-20, on Dover Point Road, (Twin Rivers)

The application had already received preliminary approval with conditions;

1. Dept. of Transportation approval
2. Turnpike authority, utilities and right of way
3. Visual screen boundary line
4. Sidewalks on both sides of street
5. Site distance at intersection

Paul Demers, of Civil Consultants, representing the applicant stood up and explained the property.

Tom Scharff expressed his concerns over not enough screening next to the abutting property and Spaulding Turnpike. He stated that more vegetation was needed and that the evergreens are not enough. He also stated that the utility pole at the center of the intersection could be a safety hazard. Another concern was the sidewalks extending only to abut all properties in the project was not sufficient.

Mike McDonnell stated that the plans do not show that the utility pole will be moved.

Paul Demers stated that the existing pole will be relocated to the Northerly side of Homestead Drive. Mr. Demers showed the map to the Board.

Bill Collins expressed concern over the shrubbery which has grown and not been cut down. How can we be assure that the site distance will remain free and clear?

Mr. Collins went on to state that the plan be revised to show sidewalks all the way around the cul-de-sac.

Otis Perry motioned to postpone consideration until plans show all conditions.

1. Existing pole and sign by the intersection be removed.
2. Sidewalks to be shown going all the way around the cul-de-sac.
3. Show type and number of vegetation along turnpike.

Mike McDonnell seconded.

Les Elder motioned to table.

VOTE: U/A

b) Discussion for final approval of land owned by Developmental Services of Strafford County, Inc. (Applicant: Dean Fournier), Assessor's Map C, Lot 12D, Zoned R-40, on Tolend Road.

Malcolm McNeil, Attorney for Dean Fournier stood up and explained the project.

Attorney McNeil stated that Denise Cogswell of the Wetlands Board, and Sara Pillsbury of the WSPCC have both reviewed the site.

Otis Perry stated that the plans show the sidewalks waived.

Les Elder motioned to waiver sidewalks to one side.

Tom Scharff seconded.

Renny Perry expressed concern not to waiver sidewalks.

Tom Scharff was in agreement with Renny Perry.

VOTE: U/A OPPOSED

Bill Collins stated that the 8" waterline connecting Dean Drive and French Cross Road was waived. However, he stated that a 12" waterline must run the entire length of Dean Drive.

Otis Perry motioned to waiver only the connecting line.

Tom Scharff seconded.

VOTE: U/A

Otis Perry motioned to approve with conditions;

1. Dredge and fill permit be obtained
2. 12" waterline to run the entire length of Dean Drive
3. Sidewalks to be on both sides of the street
4. Homeowner's Association Documents be reviewed and seen by the City Attorney

Les Elder seconded

VOTE: 2 FAVOR Otis Perry  
Les Elder

4 OPPOSED Renny Perry  
Joe Etelman  
Tom Scharff  
Mike McDonnell

Tom Scharff motioned to table

Mike McDonnell seconded

VOTE: 5 FAVOR  
1 OPPOSED Otis Perry

c) Request from Dick Cabral to amend conditions of approval for the Meadows site plan on Knox Marsh Road.

Mr. Cabral withdrew this request.

d) Request from Arthur Sweatt to address the Board regarding Cease and Desist order stopping gravel extraction.

Mr. Sweatt stood up and explained that there was standing water in the pit and it was being corrected.

Tom Scharff explained the cease and desist was issued because Mr. Sweatt has no permit to operate this pit, and also because of safety hazards.

Mr. Scharff expressed that this cease and desist should remain in effect.

Bill Collins stated that this cease and desist was issued because Mr. Sweatt did not have a permit. Mr. Collins went on say that Mr. Sweatt submitted an application for a permit to the Planning Office on October 6, 1987.

Mrs. Sweatt explained that she and Mr. Sweatt were here last month and they got no answers.

Mr. Collins stated that all copies of supporting documentation were sent to Mr. Sweatt. He further expressed that Mr. & Mrs. Sweatt met in his office and he explained the whole procedure to them.

**\*\*Laurence Williams final subdivision.**

Attorney Shaheen, representing Mr. Williams, stated that preliminary approval was granted for a subdivision of County Farm Rd. on July 16, 1987. To date, Attorney Shaheen stated that all conditions have been complied with. The Homeowner's Association Documents have been prepared and approved.

Attorney Shaheen explained that this subdivision needed to be expedited as soon as possible due to the fact that Mr. Williams has a terminal illness and would like to get his affairs in order.

Otis Perry questioned the drainage pond.

Attorney Shaheen stated that maintenance insurance would go with the individual homeowner.

Mike McDonnell motioned to approve.

Les Elder seconded.

VOTE: U/A

Bill Collins briefed the Board of current items; Mr. Collins discussed the Technical Review Committee events during the month. He stated that the TRC met and dealt with four (4) items;

1. Expansion of Grossman's (leasing of skating rink next door)
2. The Convenient Med-Care building at the corner of Glenwood and Central Ave. (Purchased by the Durham Bank) Mr. Collins stated that the Board did not get correct information when the project began) The traffic estimated is far greater than the Board was told.

At this point, Malcolm McNeil, Attorney stood up and wanted to explain his position as an attorney and save his credibility. Attorney McNeil stated that he presented the facts to the Planning Board as they were presented to him.

3. Continental Cablevision received a variance to install a satellite dish on Sixth Street.

4. A temporary sales trailer was approved at the Meadows, Knox Marsh Road.

Mr. Collins explained that the Master Plan Public Opinion Survey was now done, and presently the Planning Office has been seeking prices from various printers.

The Housing and Economic Development Committee met 3 times during the month and seem to be a very talkative group.

There will be a public hearing on Tuesday, October 27, 1987, citizen's participation.

Presently in the process of forming a Land Use Committee.

Housing and Economic Development Committee.

Meeting adjourned at 10:15