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DOVER PLANNING BOARD
MINUTES OF MEETING

MEETING HELD: November 10, 1987 in the Council Chambers of the Municipal Building in Dover, New Hampshire.

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

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

Mr. Preston called the meeting to order at 7:05 P.M., welcomed the public and introduced the Board.

ITEM #1: Consideration of proposed Capital Improvements Program.

Reynold Perry explained the Capital Improvements Program. He stated that this program was somewhat similar to what was submitted last year.

Mr. Perry went on to discuss in some detail how each department submitted a worksheet. From this worksheet data was fed into the computer, and the list of items was prioritized.

There were several department heads present and each of them spoke briefly on their department.

Captain DeColfmacker of the Police Department discussed the importance of 1) computer enhancement 2) telephone and radio taping and 3) radio privacy paging (digital paging to reach off duty police officers).

Chief Bibber of the Fire Department expressed that he wanted to limit his list to two priority items; 1) 4" hose bridges and 2) purchase of aerial device.

Don Heyliger of the Parks and Recreation Department explained some of the problems with the pool and also discussed Maglaras Memorial Park, and that land acquisition was low on the list (Middle and Back Roads area).

Donald Mullen of the Library discussed his priorities; he stated that the building was 82 years old and was bursting at the seams, he talked about a mezzanine addition and library parking.

Gerald Daley of the School Department discussed some of the problems with the schools and stated that Woodman Park School was the oldest building. He discussed the possibility of new bleachers on the visitor's side at Dover High School.

Paul Chalue of the Arena Department expressed concern over the age of the facility itself.

At this point, Harold Preston-Chairman of the Planning Board recommended to continue the Capital Improvements Program discussion on Tuesday, November 17, 1987.

Mr. Preston called for a 2 minute break.

ITEM #2: Consideration of acceptance of an application for minor lot line adjustment of land owned by Donald and Marjorie Kimball, and land owned by Stanley and Miriam Allen, Assessor's Map 8, Lots 8 and 8A, Zoned R-20, Dover Point Road.*

Attorney John Wholey representing Mr. & Mrs. Allen explained the lot line adjustment. He explained that the original (illegal) subdivision was presently in litigation in the Superior Court. He also stated that the Allen's have an agreement with the Kimball's.

Attorney Wholey stated that the Allen's have less than 10,000 square feet of land and that a perimeter survey has been done as required. He explained that the additional 25,000 square feet would be combined with the Allen's 35,000 square feet to create a buildable lot.

Les Elder then asked Scott Woodman, City Attorney, that if this application is approved, does the City then recognize the illegal subdivision.

Scott Woodman answered "NO".

Otis Perry motioned to accept the application.
Tom Scharff seconded.

VOTE: U/A

Public Hearing Opened

Attorney Noucas, representing the Kimball's, identified himself and was available for any questions.

Harrison Mackey of 419 Dover Point Road, abutter to the property spoke in opposition and stated that there was no entrance to the property.

Martin Perenick of 416 Dover Point Road spoke in opposition of granting the lot line adjustment.

Harold Preston explained that the land has been sold and that the Kimball's and Allen's have a deed to the property. Daigle and Shine are to be ignored at this hearing.

Scott Woodman explained that as far as the City is concerned the original subdivision never happened. Attorney Woodman also explained that the City has no liability in the original Daigle & Shine matter, this is being handled strictly by the Court.

Public Hearing Closed

Pattie Torr motioned to approve
Tom Scharff seconded for discussion

Attorney Wholey explained the dispute between Kimball & Shine.

Discussion ensued.

Pattie Torr motioned to approve.
Les Elder seconded.

VOTE: FAVOR 8
OPPOSE 1 (Joe Etelman)

ITEM #3: Consideration of acceptance of an application for a minor subdivision of land owned by Paul Martel Sr., Assessor's Map E, Lot 57, Zoned R-20, Tolend Road (3 lots)*

Harold Preston stepped down and Les Elder took the Chair.

Peter Martel explained that they wanted to create two additional lots for his brother and sister to build themselves a home. It was as simple as that.

Mike McDonnell motioned to accept the application.
Otis Perry seconded.

VOTE: U/A

Public Hearing Opened

Attorney John, representing Mr. & Mrs. Mone explained that the Mones are not objecting to the use of the Right of Way, but there have been drastic changes there since September 1, 1987. He further discussed who is responsible for

maintaining the driveway, and that the Mone's were not legally obligated to do so. He also brought up the subject of utilities, poles, and drainage.

Jay Beckingham of Tolend Road said access could be gained off Upper Factory Road. He stated that this was a wetland area with natural runoffs and that there is a culvert crossing the brook.

Peter Martel stated that the culvert Mr. Beckingham was talking about was put in 15 years ago, it collapsed and has been repaired. He also stated that the road has not changed, it is 16 feet wide and not 12 feet wide.

Attorney John explained that the Martel's received a variance on May 15, 1986 for frontage. He asked if the Martel's had to go back to the ZBA for another variance.

Peter Martel stated that the variance has no limitations.

Jay Beckingham stated that he felt Mr. Martel's intent was different that it is now when the variance was granted.

Peter Martel said the intent of the variance was the same now. He further expressed that he did what they were asked to do to prepare the property.

Pete Bouchard referenced a letter from the Conservation Commission and asked if all permits have been obtained.

Bill Collins stated that the wetland permit has been applied for. The special exception from the Conservation Commission is still required, and they appeared before the ZBA in October.

Pete Bouchard asked about septic systems.

Peter Martel stated that Lot 2 had septic approval but Lot 3 did not.

Pete Bouchard asked about the soil type. He stated that he would like to go out to the property.

Tom Scharff motioned to table for site review.
Otis Perry seconded

VOTE: U/A

Site Review scheduled for Monday, November 16, 1987 at 4:00 P.M.

ITEM #4: Consideration of acceptance of an application for a minor lot line adjustment of land owned by Strafford Medical Associates (Applicant: Durgin/Schofield Associates) Assessor's Map 28, Lots 37 and 5, Zoned R-12, Old Rollinsford Road.*

Steve Haight of Durgin/Schofield explained the minor lot line adjustment.

Les Elder asked who owned the lots.

Steven Haight answered that Strafford Realty and Strafford Medical Associates owned the lots.

Mike McDonnell motioned to accept the application.
Les Elder seconded.

VOTE: U/A

Otis Perry questioned the signatures on the plan. He stated that the owner's of the property had not signed the plans, rather Durgin/Schofield Associates signed them.

He further stated that we wanted a letter from the owner's stating that Durgin/Schofield Associates had the authority to act as their agent in order to sign legal documents for them.

Public Hearing Opened
Public Hearing Closed

Otis Perry moved to approve subject to owner's signature.

Tom Scharff and Mike McDonnell seconded.

VOTE: U/A

ITEM #5: Consideration of a minor subdivision of land on Map 6, Lot 24Q, Zoned R-12

Steve O'Neil of McEneaney explained the subdivision. He stated that the lot was 20,000 square feet and that the adjacent lot 2 which was 28,000 square feet had access on Old Tolend Road.

Tom Scharff stated that the road was Tolend Road rather than Old Tolend Road.

Otis Perry motioned to approve the subdivision.
Tom Scharff seconded.

11-10-87

VOTE: U/A

Public Hearing Opened
Public Hearing Closed

Les Elder motioned to approve with the following conditions;

- 1) Driveway Permit Be Obtained
- 2) WSPCC
- 3) Septic Approval

Otis Perry seconded

VOTE: 8 FAVOR
1 OPPOSED

ITEM #6: Consideration of acceptance of an application of a minor lot line adjustment of land owned by Peter Theodore, Assessor's Map 6, Lots 35D and 36, Zoned R-40, on Old Stage Road.*

Peter Theodore, owner of the property explained that Lot 36 was 10 acres plus or minus and Lot 35D was 100 acres plus or minus. He stated that he wanted to transfer 18 acres from Lot 35D to Lot 36.

Tom Scharff asked what Mr. Theodore's intent was.

Mr. Theodore answered that this was for the future, (buffer zone)

Mike McDonnell motioned to accept the application.

Joe Etelman seconded.

VOTE: U/A

Public Hearing Opened

of 5 Old Stage Road wanted a better look at the map.

Public Hearing Closed

Otis Perry motioned to accept.
Mike McDonnell seconded.

VOTE: U/A

ITEM #7: NEW BUSINESS

a. Consideration of request for five foot setback of

paved areas for:

1. GROSSMAN'S, Rt. 16B

Bill Collins explained the project.

Otis Perry moved to grant the five foot waiver.
Tom Scharff seconded.

VOTE: 8 FAVOR
1 OPPOSED Pete Bouchard

2. TIMOTHY PEARSON, Silver Street and Atkinson Street.

Mr. Pearson explained the project.

Public Hearing Opened

Mrs. George Demopoulos, abutter to Mr. Pearson's property spoke about the traffic this would cause between her home and Mr. Pearson's building.

Mr. Pearson agreed to put in a buffer of shrubs or whatever Mrs. Demopoulos would like.

Mrs. Demopoulos agreed to this.

Les Elder motioned to accept with the condition that the buffer was to the satisfaction of the Planning Board.

Pattie Torr seconded.

VOTE: U/A

3. John Vatistas, St. Thomas Street

Mr. Vatistas explained the project.

The Board discussed the project in great length.

Otis Perry motioned to approve with conditions;

1. appear before TRC
2. special exception from ZBA
3. satisfied drainage and site plan.

Pattie Torr seconded.

VOTE: FAVOR 2 Otis Perry
Reynold Perry

OPPOSED 6 Joe Etelman

Les Elder
Tom Scharff
Mike McDonnell
Pete Bouchard
Harold Preston

- b. Discussion of the distinction between a nursing home and a multi-family residence.

Dr. Scott Lucas (Psychologist) explained the project, and was available to answer any questions.

The Board ensued the discussion.

Many subjects were brought up relative to this matter, including the Growth Moratorium.

Mr. Collins explained that the objective for tonight's meeting was to rethink what was done with the Clipper Homes.

Meeting adjourned at 11:05