

DOVER PLANNING BOARD  
MINUTES OF MEETING

Held: January 7, 1986  
Council Chambers  
Dover, NH

Members Present: George Maglaras-Chairman, Harold Preston,  
Robert Seaver, Pierre Bouchard, Craig Williams, Reynold Perry.

Alternates: Nancy Sousane, Otis Perry.

Others: Richard Selleck-Acting Planning Director, Berrie  
Donovan, Recording Secretary.

Mr. Maglaras called the meeting to order at 7:10 P.M., and noted  
that Board Member Les Elder would be late.

Item #1: Election of Planning Board Officers for 1986.

Mr. Preston noted that two members' terms have expired leaving  
only four members qualified to run for office.

Mr. Seaver inquired as to the possibility of an extension to  
vote at a later date.

Mr. Maglaras noted that in the past, elections have been  
postponed, and that the City Council passed a resolution  
allowing members to stay on until new members have been  
appointed.

Mr. Preston motioned to postpone the election for thirty days  
until the vacancies are filled. Mr. Seaver seconded.

Mr. Maglaras questioned Mr. Galt, newly elected Mayor sitting in  
the audience, as to whether he could fill the vacancies within  
the next thirty days.

Mayor Galt explained that he would like to have the appointments  
by then, but could not guarantee it.

Mr. Preston amended his motion to postpone the election for  
thirty days and/or until the appointment of the two members to  
the Planning Board, and that the present officers remain. Mr.  
Seaver agreed with the amendment.

Mr. Preston questioned Mr. Maglaras as to whether he would agree to stay on as Chairman until the election of officers.

Mr. Maglaras stated that if it is the desire of the Planning Board he will stay, but has problems with the amount of time he has been putting into the position.

Item #2: Public hearing on minor subdivision of land owned by Janet Butler, Assessor's Map L, lot 89H, zoned R-20, off Dover Point Road.

Mr. Williams abstained from this item because of a possible conflict of interest.

Malcolm MacNeill, Attorney for Mrs. Butler, explained the minor subdivision.

Mr. Preston noted that the plan was presented to the Planning Board only tonight.

Attorney MacNeill noted that it is only a simple subdivision, that a plan had been presented on time, but needed a revision. He noted that he had revised the plan on file in the Planning Office.

Mr. Preston noted that the plan on file is not to scale, this is a new year and all should play by the same rules.

Mr. Seaver agreed with Mr. Preston, and suggested they not act on the plan tonight.

Attorney MacNeill noted that if the change had been a substantial one he would not be asking the Board to act this evening.

Public hearing opened: no comment.  
Public hearing closed.

Harold Preston motioned to table the plan and let it sit in the Planning Office for ten days. Mr. Seaver seconded.

Vote: U/A

Mr. Seaver noted that he would like a revised plan, presented to the Planning Department five working days before the next

meeting.

Item #3: Public hearing on minor subdivision of land owned by Carolyn Snyder, Assessor's Map N, lots 13 and 13B, zoned R-40 on Gulf Road.

Otis Perry stepped down from his position as Alternate, Les Elder assumed his position on the Board.

Attorney Raymond Oulette, representing Carolyn Snyder, explained the minor subdivision.

Mr. Maglaras explained that the applicant met with the Site Review Screening Committee (SRSC) two months ago.

Attorney Oulette mentioned that the SRSC recommended access only from Gulf Road, but suggested that the Planning Board not take a stand one way or the other.

Mr. Maglaras noted that the SRSC felt that this was a civil issue, and that this is only a minor subdivision not requiring a report from the SRSC.

Public hearing opened:

Vern Webb, 1 Country Club Drive, spoke in favor of the minor subdivision, but requested that the cellar hole be removed from the lot.

Mr. Maglaras noted that this was discussed with the parties in question, and that there will be a resolution to the problem shortly, but it is currently tied up in court.

Public Hearing closed.

Mr. Maglaras noted that WSPCC approval, Driveway permit, and City Septic approval are necessary.

Mr. Seaver motioned to grant approval subject to those requirements, and that the excess line be removed from the plan. Harold Preston seconded.

Vote: U/A

Item #4: Public hearing on minor subdivision of land owned by

Peter Widmark, Assessor's Map 14, lot 5, zoned R-12 at Hartswood Road/Sunset Drive/Cataract Avenue.

Mr. Williams removed himself because of a conflict of interest, Otis Perry sat in.

Attorney Malcolm MacNeill, representing Mr. Widmark, explained the minor subdivision. He explained that a variance for the frontage on Hartswood Road was granted by the Zoning Board of Adjustment. He noted that an easement to the Osman lot to Hartswood Road could be noted on the plan if necessary. He noted that Hartswood Road has never been turned over to the City.

Public Hearing opened:

Barbara Cunningham, owner of the lot next to Mr. Osman's, spoke in favor of a cul-de-sac for plows, etc. to turn around.

Attorney MacNeill suggested that a snowplowing or dumping easement be granted the City rather than create a cul-de-sac.

Robert Herlihy, Hartswood Road, noted that this issue was addressed at the Zoning Board of Adjustment and the abutters were assured that the Planning Board would handle it.

Mr. Maglaras noted that when this application came to the SRSC months ago, a cul-de-sac was recommended.

Mr. Osman noted that this is not a thru road.

Barbara Cunningham asked that the Planning Board not leave this issue in the air.

Attorney MacNeill noted that the applicant could be proposing many more lots than he is, and questioned whether one more driveway necessitated a cul-de-sac.

Public hearing closed.

Mr. Bouchard noted that he was told by homeowners on Hartswood Road not to turn City equipment around on private property, and a turn around area is a necessity.

Mr. Preston noted that there is no seal on the plan, and also suggested a site review of the area is in order.

A site review was set up for Thursday, January 9, 1986, at 4:00 P.M. at Hartswood Road.

Mr. R. Perry questioned whether someone's rights are being violated if the original plan for Hartswood Road notes that the road is a thru road to Sunset.

Mr. O. Perry removed himself from the Board, Mr. Williams assumed his seat.

Item #5: Public hearing on major subdivision of land owned by Edward J. and Margaret J. Sheehy (applicant: Tolend Associates), Assessor's Map C, lot 44, zoned R-40 on Tolend Road.

Terry Rodrigue, representing Tolend Associates, explained the major subdivision as dividing 18 acres into seven lots, and noted that they have been to the SRSC. He noted that the access to lot seven is directly opposite French Cross road at the request of the SRSC. He noted that no building is proposed as yet and only a topo map was presented to the State for permits.

Mr. Maglaras noted that if future development occurs, capacity of the 12 inch culvert would have to be expanded, and easements would be necessary.

Public hearing opened: no comment.  
Public hearing closed.

Mr. Galt noted that in 1984 the City Council passed a resolution requiring that all who planned development near the Tolend landfill be given a warning that it is on the EPA's toxic waste list.

Mr. Maglaras noted that the Planning Board will look at the distance requirements.

A site review was set for Monday, January 13, 1986 at 4:00 P.M. at the intersection of French Cross Road to address a concern over a potential drainage problem, and the site distance at the entrance to the back lot. Mr. Maglaras requested that the lots be marked.

Mr. Preston read the SRSC comments.

Item #6: Old Business.

a. Burger King site review, seeking final approval, Assessor's Map 17, lot 76, zoned B-3 on Central Avenue.

Mr. Maglaras noted that preliminary approval has been granted, and that the traffic count has been submitted.

Steve Moeser, Architect for the project, explained that there would be a nine percent increase in traffic, mostly coming from the Spaulding Turnpike.

Mr. Maglaras stated that the SRSC has reviewed the study and recommended the application for site review be approved.

Mr. Preston reiterated that a reference to a surveyed plan is still missing.

Mr. Maglaras suggested placing an island in the parking lot to slow traffic down after the food pick-up.

Attorney Shaheen, representing ERA (abutter), noted that the plan still routes traffic over their land.

Mr. Maglaras noted that if the plan is registered by a licensed land surveyor, then the encroachment is a civil matter.

Attorney Shaheen also noted that only a trip generation was done, and a full traffic, study should be completed before Planning Board final consideration. He noted that only one entrance will be serving approximately 2,700 cars per day.

Harold Preston motioned to see a surveyor's plan. Mr. Bouchard seconded.

Mr. R. Perry suggested the Planning Board put all its concerns on the table, and if there is a concern that the driveway may be narrower because of the land dispute, it should be addressed now.

Mr. Maglaras stated to the applicant that the Planning Board has a concern with the entryway, and that it can be widened to 32 feet; that barriers in the parking lot to slow parking are necessary, and that reference to a surveyed plan must be presented. He noted that all these notations must be made on the plan and left in the Planning Department at least five working days before the Planning Board meeting.

b. Other Old Business.

No other old business.

Item #7: New Business.

a. Revision of approved site review of Holmwood on Chestnut and Fourth Streets.

Paul Cameron, representing Holmwood Associates, explained that the revised plan to move the building back seven feet to allow excavation. He noted that this would also allow for better landscaping, and that the required parking would remain.

Pete Bouchard moved to approve, Craig Williams seconded.

Vote: U/A

b. Preliminary discussion of major subdivision of land owned by Free Trade, Inc. (Peter Widmark), Assessor's Map K, lot 18A, zoned R-12 at the end of Hawthorned and Newport Roads.

Malcolm MacNeill explained that his client, Peter Widmark, is out of town and the plans are not ready to present.

Mr. Maglaras declared a two minute recess.

Further Discussions:

1. Planning Department budget.

Mr. Preston noted that provisions should be made in the budget for help in the office.

Mr. R. Perry explained that the budget is in the preliminary stages, and that Planning Board members should express their concerns now.

2. Capital Improvements.

In response to a question from Mr. Seaver, R. Perry stated that Capital Improvements are not ready to present as yet.

3. Elliott Rose addition.

Discussion followed on a 70 foot by 400 foot greenhouse at Elliott Rose, for which a building permit was issued without a site review. Dick Selleck, as Building Inspector, noted that he considered it an agricultural use not requiring a site review. It was determined that the issue would be referred to Jim Hicks of Strafford Regional Planning, who is currently working in the Planning Department on a consulting basis.

Mr. Elder motioned to adjourn; Mr. Preston seconded.

Vote: U/A

Mr. Maglaras adjourned the meeting at 10:45 P.M.