

DOVER PLANNING BOARD
MINUTES OF MEETING

Meeting Held: February 11, 1986, Council Chambers, Municipal Building, Dover, New Hampshire.

Members Present: George Maglaras-Chairman, Harold Preston, Robert Seaver, Reynold Perry, Les Elder, Thomas Scharff, Pierre Bouchard.

Alternates: Otis Perry, Nancy Sousane

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

Mr. Maglaras called the meeting to order at 7:10 P.M. and stated that both alternates would be voting.

Item #1: Application for minor subdivision of land owned by Wallace I. Akerman Sr. (applicant: Wallace I, Akerman, Jr.), Assessor's Map E, lot 27, zoned R-40 on Sixth Street.

Wallace Akerman, Jr. explained the minor subdivision.

Public hearing opened: no comment
Public hearing closed.

Mr. Preston motioned to approve the application as submitted. Mr. Scharff seconded.

Vote: U/A

Item #2: Old Business.

a. Discussion of Homeowner's Association with Charles Mutrie, regarding his subdivision on Henry Law Avenue and Back Road.

Mr. Maglaras stated that he met with the City Attorney the morning after the last Planning Board meeting to discuss with him the language necessary to hold the City harmless in the set up of the Homeowner's Association.

Mr. Mutrie read the revised language in the document.

In response to questions regarding the right of way over Peter Rousseau's land, Mr. Mutrie stated that Mr. Rousseau's lawyer is currently setting up the document.

Mr. Bouchard stated his opinion that he wanted the easement in writing before the Nutrie plan is signed.

Mr. Rousseau stated that his lawyer will have the document ready within two days.

Mr. Preston motioned to accept the Homeowner's agreement with the specified modifications. Mr. Seaver seconded.

Vote: U/A

Mr. Maglaras stated that if the easement is produced within a couple of days, he will stamp the mylar. He also stated for the Planning Board's information, that WSPCC approval has been obtained.

Item #3: New Business.

a. Tom Lauher, from WSPCC, spoke on community septic systems. He explained that it is the City's right and choice to put more restrictive rules on the systems than the State requires. Mr. Lauher noted that New Hampshire's rules are more restrictive than those of other New England states. He explained that alternating (bed at rest) fields is an accepted practice, and that regular rather than annual pumping is a better practice. He noted that the City has a right to restrict garbage disposals and other methods of possible abuse of a system, and that it could be enforced through the Building Inspector's Office. He noted that he has literature dealing with city and town restrictions.

Mr. Preston noted that a precedent court case has been established with Londonderry, which has a larger bed requirement than the State requires.

Mr. Bouchard addressed the Sewer Commissioner who was sitting with the Public, regarding the adoption of a City statute. The Sewer Commissioner stated that he would readily adopt a more stringent policy than the State's.

Mr. R. Perry stated that the City needs a system with a safety factor, and if that means redundancy we need documentation to justify it.

Asked if 30 percent is redundancy, Mr. Lauher stated that it is not, and also noted that the State has no given preference over types of systems, but would rather treat on a site by site basis.

Mr. Magalaras noted that 15 percent of a project can be required for open space, and that the possibility exists to set aside adjacent land for an alternate system.

Mr. Bouchard thanked the Sewer Commission members for their recommendations, and

Mr. Maglaras asked if they had any comments.

Bill Janelle, Acting City Engineer, spoke in favor of extra area in case of failure to avoid overloaded fields.

Mr. Preston stated that he has spoken with a septic system designer who has agreed with the Sewer Commission's recommendations.

Mr. Seaver stated that 50 percent is overkill.

Mr. Bouchard noted that property values will decrease if septic systems do not function properly.

Mr. R. Perry stated that having a field to alternate is logical whereas he is opposed to having a field that just sits there.

Mr. Maglaras noted that applicants are willing to comply with most any requirements set forth on these systems.

Mr. Preston stated that maintenance is equally as important as the design of the system.

b. Ray Shea, Holden Engineering, spoke regarding a proposed subdivision on Longhill Road.

Mr. Shea explained the developer's desire to build a community water system. He noted that because of soil types, some lots would be 90,000 square feet, but more lots could be set up if community water were allowed. He noted that 75 lots are proposed, and 15 percent would be on community water. Mr. Shea passed out a plan to Planning Board members of the proposed development.

Mr. Bouchard expressed concern over who would maintain the water as far as testing, etc., goes.

Mr. Preston wondered if our Well Site Protection enters into the picture.

In response to a question from Mr. Bouchard, Mr. Shea stated that the water line is about one and four tenths miles from the development. Mr. Bouchard stated he would like to see the developer use that water rather than a community water system.

Mr. Seaver stated that a Homeowner's Association would be a problem with 15 percent of the homeowners on the system and 85 percent off.

c. Growth Management District #3.

Mr. Maglaras noted that in the past, growth management districts have been set up by lot numbers, but in this instance it is set up by tax map. Therefore, there may be landowners not involved in the sewer moratorium but on the Assessor's map who will either need a variance, or the Planning Board may want to waive, the method is unclear. He stated that the ordinance would be in effect for one year, long enough to get the capital improvement programs going, and then if necessary, could be adopted for a three year period.

Mr. O. Perry suggested restricting developers to a certain number of building permits rather than grant them on a first come, first served basis.

Mr. Seaver suggested using a point system on a yearly basis and indicated he would bring some examples in from other towns. He stated that the intention of the ordinance should be to use the year to make concrete improvements in the sewer capacity, and that it should not be put in place without some kind of point system or method to eliminate the first come, first served basis it now implies.

Mr. Scharff noted a time element in implementing the ordinance and felt that if additional conditions are attached to the ordinance it will take longer to get through the City Council.

Mr. Elder suggested sending it to the Planning Board Workshop slated for February 18, 1986.

Mr. Maglaras noted that this ordinance should be in place in case the City Council passes the revised notification procedure for changes in the Zoning Ordinance. He noted that the urgency is there because the Planning Board wants to maintain a balance between commercial and residential growth, and that some sewer needs to be reserved for commercial use, or it will be unavailable.

Mr. R. Perry noted that traditionally industry is a low user of sewer and that industry with high employment will use the most.

d. Capital Improvement Program.

Mr. R. Perry explained that the program will work on a point system to prioritize, and that he will forward the criteria to the Planning Board to help in making a judgement.

f. Jim Hicks, Strafford Regional Planning, regarding use of time.

Mr. Preston noted that Planning Board members are concerned with bringing the Site Review Ordinance, Subdivision Ordinance and Zoning Ordinance up to date with State standards, and would like to see Mr. Hicks using some of his time as

✓ a consultant on that basis.

Mr. R. Perry saw no problem with that, but stated that his time probably would not be spent in the Planning Office doing that, and his hours there would be shortened.

g. Approval of Minutes.

Mr. R. Perry left the meeting at this point.

Mr. Seaver noted that the minutes of January 14, 1986 should be corrected to note, on page 3, that he did not want the cliff included in the useable space, and that either the 600 feet of open space, or three more parking spaces should be provided.

Mr. O. Perry motioned to approve the minutes of January 14, 1986. Mr. Preston seconded.

Vote: 7-0

Mr. Seaver motioned to adjourn. Mr. Preston seconded.

Vote: 7-0

Mr. Maglaras adjourned the meeting at 9:25 P.M.

