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DOVER PLANNING BOARD  
MINUTES OF MEETING

Meeting Held: February 25, 1986, Municipal Building, Dover, New Hampshire.

Members Present: Harold Preston-Vice Chairman, Robert Seaver, Reynold Perry, Les Elder, Craig Williams, Thomas Scharff

Alternates Present: Patricia Torr, Nancy Sousane

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

Mr. Preston explained that he would be sitting as Chairman this evening, and that Patricia Torr and Nancy Sousane would be sitting in for George Maglaras and Pete Bouchard. He explained the meeting procedures, and called the meeting to order at 7:10 P.M.

Item #1: Application of Paolini Development Trust for minor subdivision of land owned by Fred and Annette Manasse, Assessor's Map 10, lot 169, zoned RM-10 on Lexington Street.

Kevin McEneaney, engineer for the project, explained that the barn and carport would be removed to create the two-lot subdivision, and that the driveway would be a common one between the two lots.

Public hearing opened.

Donald Bryant, Arch Street, spoke against the subdivision. He stated that the subdivision would result in severe overcrowding of the property with two, four-unit buildings on small lots, resulting in extremely intensive use of property, and taking away from the character of the neighborhood. Mr. Bryant read a letter from Paul Houghton, property owner on Lexington Street, stating his objection to the subdivision.

Daniel Dopp, Silver Street, spoke against the subdivision.

Carolyn Foley, 129 Silver Street, spoke of the restoration in the area and how this subdivision would not be in keeping.

Paul McQuade spoke against stating the possible traffic backup.

Mr. Preston noted that the Planning Board will have a site review on the premises, and noted that the steps on the existing dwelling are not noted on the plan. He questioned whether the applicant would have to obtain a variance if those steps are outside the setback requirements. He urged the members of the Public to speak with the City Councilors who in turn should speak with the City Manager and encourage him to update the Zoning Ordinance.

Mr. Bryant asked what procedure should be followed to change this particular zone.

Mr. Preston noted that the new building on the new lot would not come in for a site review before the Planning Board because the zone will support only four units, and five are needed for a site review to kick in.

Mr. Bryant asked if a petition could be filed with the City Council to change to zoning and protect the district.

Mr. Selleck noted that if a petition and fee are filed with the City Clerk, and a public hearing is posted, building permits affected by the proposed change cannot be issued.

Mr. Bryant stated that he did intend to file a petition.

Mr. McEneaney stated that there is only a single family house there now, why the concern over eight parking spaces, etc. That will come into play when a Building Permit is applied for.

Mr. Scharff noted a point of order, that the Public Hearing has not been closed.

Mr. Bryant stated that the total floor area of the present building is a factor in the subdivision and requested the amount of floor space from the applicant.

Mr. McEneaney stated that he did not know the total floor area.

Mr. Dopp stated that he moved here from Joplin, Missouri which is still suffering from no long range planning; that once the process starts tumbling there is a decrease in property values.

Alex Nossorf, member of Paolini Trust, spoke of previous plans of

other people to drastically change the building. He noted that it is the intent of the members of the Trust to rent the building as a single unit, and there are no plans for the newly created lot.

Mr. Bryant noted that once the building is sold by Mr. Nossof, anything can be done.

Public Hearing closed.

Mr. Preston read a letter from Gloria and George Perrine who spoke against the subdivision.

A site review will be held Thursday, February 27, 1986 at 4:00 P.M. on the site.

Item #2: Old Business.

a. Growth Management III.

George Garrett, Economic Development Director, noted that the Ordinance is being revised to include all the individual lots in the Charles Street Sewer Shed, rather than being set up by entire tax maps.

Mr. Scharff noted that the Planning Board should aim for a Public Hearing in March.

Mr. Preston declared a five minute recess.

Mr. R. Perry passed out a letter from former City Engineer Jay Stephens. The letter addressed the method of compiling the percentages allotted to residential, multi-residential and commercial/industrial development.

Discussion followed on the treatment plant and its capacity. It was determined that if the plant is run at peak constantly it will burn out, that if all three pumps are on a higher electric rate is incurred, and that the plant will not hold the peak if it rains.

Mr. R. Perry stated that engineering is working on the site location of the secondary treatment plant now.

Mr. Garrett stated that the revised Growth Management Ordinance III should be ready for the March 11, 1986 Planning Board

Meeting.

Mr. R. Perry stated that he hoped the substantiating information would be available to Planning Board members previous to the March 11 meeting.

**b. Tolend Associates major subdivision on Tolend Road.**

Alex Nossif, member of Tolend Associates, passed out a letter dated February 25, 1986 which was sent to City Attorney Scott Woodman.

Mr. Nossif stated that after research on the effect of stamping the plan with wording indicating the close proximity of the toxic Tolend Landfill, he is convinced that the value of the property would be 60% less. He noted that the banks would not be willing to take on the project with that wording on the mylar. He further stated that the property owner would initiate action against the City of Dover and insist that the land be taken by eminent domain.

Mr. Seaver stated that originally he was a strong advocate of placing such wording on the mylar, but now feels it is no longer necessary.

Mr. R. Perry stated that he wants a response from the city Attorney regarding the letter from Tolend Associates.

Mr. Preston read City Attorney Scott Woodman's letter regarding the wording proposed for the mylar.

Mr. Seaver stated his feeling that the subdivision should be granted.

Mr. Elder suggested having Tolend Associates pay or share in the fee for an engineering study.

Mr. McEneaney, one of the Tolend Associates, stated that such a fee would be prohibitive.

Mr. Nossif noted the panic of the residents of the Tolend area after news of the last meeting was out.

Mr. George Maglaras, from the public area, noted that Dover is not the first community in New Hampshire to go through this problem, and that he would check with the Attorney General and Public Health Department to gain what information he could. He

further stated that he would check with City Attorney Scott Woodman this week on the results.

Mr. McEneaney stated that Tolend Associates is not looking for subdivision approval tonight, but rather direction.

c. Changes in the Zoning Ordinance regarding the notification procedure for amendments to the Zoning Ordinance.

Mr. Scharff made the Planning Board aware of a revision in the language of the proposed amendment as follows:

"An amendment or change shall be determined to be comprehensive in nature if it affects more than one of the zoning districts established by Section 170-7 of the Chapter."

Mr. Seaver motioned to adjourn. Ms. Torr seconded.

Mr. Preston adjourned the meeting at 9:00 P.M.