

**DOVER PLANNING BOARD
MINUTES OF MEETING**

Meeting Held: Tuesday, May 13, 1986 in the Council Chambers of the Municipal Building

Members Present: George Maglaras-Chairman, Harold Preston, Craig Williams, H. Les Elder, Otis Perry, Thomas Scharff, Pierre Bouchard, Reynold Perry

Alternates Present: Nancy Sousane, Patricia Torr

Also Present: William Collins-Planning Director, Berrie Donovan-Recording Secretary

Item #1: Public hearing on site review of land owned by John and Helen Cowburn (applicant: Image Realty, Inc.), Assessor's Map 29, lot 21, zoned O (Office), at 766 Central Avenue.

Kevin McEneaney, surveyor for Tom Moran and representing the applicant, explained the site review to establish a doctor's office on the site.

Mr. Maglaras noted that the applicant has been to the Site Review Screening Committee (SRSC) and has met all the requirements. He is also requesting a waiver of the seven foot paving setback requirement.

Public hearing opened: no comment.
Public hearing closed.

Mr. Scharff motioned to approve; Mr. Elder seconded. The motion was amended to grant a waiver of the seven foot paving setback requirement.

Vote: U/A

Item #2: Public hearing on site review of land owned by Loc Realty (Bayhead Products Corp.), Assessor's Map G, lot 1-H, on Crosby Road.

Gossett MacRay, President of Bayhead, explained the site review and stated that the business would be one of plastic molding.

Public hearing opened:

Mary Clifford, 91 Littleworth Road, asked the Board to consider the front of the Crosby Road property and keep it aesthetically in line with the rest of the neighborhood.

Public hearing closed.

Kevin McEneaney, surveyor with Tom Moran and speaking for the applicant, stated that the sewer service will remain on the same side of Crosby Road, and he will submit a revised plan showing so.

Mr. Scharff motioned to approve; Mr. Elder, Mr. Preston seconded.

Vote: U/A to approve

ITEM #3: Public hearing on Growth Management III.

George Garrett, Economic Development Director, explained the procedure used to determine the lots involved and the methodology used to set up the allocation of the remaining capacity of the sewer station.

Public hearing opened.

Liam Collins, site manager at Westgate Village, inquired as to whether an impact study would be necessary. The answer was that it would not be necessary.

A representative from the Flatly Corp., stated that this would be a welcome development and that the ordinance is fair and equitable, showing the foresight to anticipate all types of growth.

Malcolm McNeill, Attorney representing Mr. Cabral with interests on Knox Marsh Road, noted a number of problems with the mechanics of the calculations and legal aspects. He noted that a number of lots have already been subject to a Growth Management ordinance in 1983, that State Law states a Growth Management can exist for a one year period, therefore lots previously restricted may not be restricted again. He noted that the whole ordinance has been engineered with minimum staff and poorly set up. He noted that there are no flow charts and therefore no measure of the number of gallons entering the

Charles Street pumping station. He noted that the capacity to pump out is based on only one pump and the station is designed for two pumps; eighty to ninety percent more capacity would be available with a second pump. He stated that the State Law notes that findings of fact are needed. He also noted that the calculations from Mr. Garrett are different from those of former City Engineer, Jay Stephens. He further noted that the calculations make sense only for industrial development, and no consideration has been given to the height in multifamily developments. Also, the question of phasing has not been addressed. Attorney McNeill suggested coordinating the efforts of Mr. Garrett and Mr. Stephens, putting a comprehensive plan in place and consulting with our City Attorney regarding consecutive ordinances.

Seymour Osman, Chairman of the Dover Industrial Development Authority, read a letter stating that DIDA is in favor of the ordinance.

Edward Hall, 32 Knox Marsh Road, noted that the land is being limited for the second time, the first when it was changed from agricultural to multi-residential. He questioned whether the Board would consider rezoning back to agricultural as the land cannot be used now; it is unfair to property owners as a devaluation of property is involved.

David Dopp, 120 Silver Street, questioned whether there is something in the future in the way of expansion.

Mr. Maglaras stated that this ordinance would give the City one year to come up with information addressing the sewer capacity, and that without this ordinance the remaining capacity will be used for either all residential or all industry.

Liam Collins asked if there has been an EPA impact study done as this will devalue property.

Mr. Maglaras noted that just one development could use up the remaining capacity. Mr. Maglaras further stated that at every point in the development of this ordinance, he has conferred with former City Engineer Jay Stephens and Jim Hicks, Executive Director of Strafford Regional Planning; both have agreed with the ordinance. He noted that he would like to speak with Acting City Engineer Bill Janelle and Jay Stephens to determine if the figures are correct, and to straighten out discrepancies.

Mr. R. Perry suggested tabling the proposed ordinance until there is time to prepare a proper ordinance.

Bill Janelle stated that each pipeline was not analyzed, but the flows are accurate.

Mr. Maglaras noted that this is the only area in Dover left for industry.

Mr. R. Perry noted that much of this land is currently zoned for multi-residential development and is going according to plan. The zone may need to be changed; it is a matter of what the people want.

Mr. Maglaras stated that action must be taken by the Board in 45 days, and that if information changes dramatically a new hearing will be necessary.

Attorney McNeill suggested re-routing the Durham Road area to the Dover Point pumping station as suggested in Jay Stephens' memo.

Mr. Maglaras stated that he would meet with the City Engineer, Public Works Department, City Manager and would come back to the next meeting with a report under Old Business.

A two minute recess was declared by Chairman Maglaras.

Item #4: Old Business.

a. Reconvene public hearing on site review of land owned by Davidson Rubber Company, Inc., Assessor's Map G, lot 3B, zoned I-1 in the Industrial Park.

Stuart Cummings, representing Davidson Rubber, explained that he was not given the notice of the first meeting, consequently he missed that meeting. He explained that Davidson wishes to build an addition on to the existing building for a personnel office.

Public hearing reconvened: no comment.
Public hearing closed.

Mr. Scharff motioned to approve the site review subject to recommendations of the Site Review Screening Committee; Mr. Elder seconded.

Vote: U/A to approve.

b. Site review of land owned by John Newick (applicant: Newicks's Lobster House), Assessor's Map 8, lot 13A-1, zoned B-1 at 431 Dover Point Road.

Mr. Maglaras noted that waivers have been granted for screening of the dumpster and for lighting the parking lot. He also noted that the Board conducted an on site review last week.

Mr. Bouchard noted that gravel is on the shore line and erosion visible in the parking lot. There should be a plan for drainage on the lot.

Mr. Scharff noted that a better stone treatment of the lot is necessary, that no paving should take place in the Conservation District and that a compromise may be necessary between the ordinance to pave and the proposal as presented.

Mr. O. Perry noted that this cannot just be waived (paving of the parking lot), that it must be justified for future applicants requesting the same waiver. He would like a new plan of the parking lot to see changes in the curbing and treatment of the Conservation District.

Mr. Maglaras noted that a balance between the stone and pavement treatments is necessary as well as perhaps a treatment swale for the drainage.

Mr. R. Perry noted that paving is not necessarily the answer; pavement aisles could be used and double as travel aisles for the water.

Mr. Newick stated that he must rethink the proposal for an addition because of the additional costs in treatment of the parking lot, but would be back in the fall with a plan.

Mr. Maglaras stated that the Board has ninety days to act; a decision may be made in August when the applicant addresses the problem.

Item #5: New Business.

a. Revision to previously approved plan of land owned by William St. Laurent, Assessor's Map C, lot 3B, zoned R-40 on

County Farm Road.

Mr. St. Laurent explained that the original subdivision was not approved by the State as it was too wet for septic approval. Therefore, he is subdividing into two five-acre parcels, thereby avoiding the necessity for State approval.

Mr. Maglaras stated that the new proposal is a new subdivision and therefore must be submitted as such.

Mr. St. Laurent stated that he would submit a new application for minor subdivision.

b. Calendar of events.

Mr. Maglaras stated that he is working on a calendar of events with Bill Collins, and will bring it to the Board when completed.

c. Project 1990.

Mr. R. Perry stated that he will be utilizing the services of an intern from UNH to coordinate the dialogue for this project, and that this project is a beginning stage toward a master plan.

d. Lancaster Street.

Mr. Scharff noted that the City Council has passed the abandonment of Lancaster Street on to the Planning Board as is the correct procedure.

Mr. Preston noted that an official City Map does not exist.

Mr. Maglaras stated that a committee will be set up to discuss the abandonment of Lancaster as well as other streets.

e. Planning Board's function with regard to ordinances and the Zoning Board of Adjustment.

Mr. Preston noted that he is concerned with the number of ZBA cases and the way they are being resolved; also, there is a problem with maintaining a quorum on the Board.

Mr. Collins, concurred, and stated that these are issues that he will discuss with the ZBA at a future meeting. He stated

that the ZBA should have more information than is being submitted in order to make more informed decisions.

Mr. Maglaras spoke of a possible meeting between the ZBA, Mr. Collins and himself to discuss these issues.

f. Approval of minutes of February 4, 1986.

Mr. Elder motioned to approve; Mr. Scharff seconded.
Vote: U/A to approve.

g. Approval of minutes of February 25, 1986.

The minutes were amended to reflect the fact that no one can vote as an alternate in the Director of Public Works' place.

Mr. Preston motioned to approve the minutes as amended; Mr. Elder seconded.
Vote: U/A to approve.

The minutes of February 11, March 11, March 25, and April 8, 1985 were to be checked against tapes.

Mr. Elder motioned to adjourn the meeting; Mr. Bouchard seconded.

Vote: U/A to adjourn.

Mr. Maglaras adjourned the meeting at 10:00 P.M.

