

**DOVER PLANNING BOARD
MINUTES OF MEETING**

Meeting Held: Tuesday, May 27, 1986 in the Council Chambers,
Municipal Building, Dover, New Hampshire.

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

Alternates Present: Nancy Sousane, Patricia Torr

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

Mr. Maglaras called the meeting to order at 7:10 P.M.

**Item #1: Public hearing on minor subdivision of land owned by
William St. Laurent, Assessors' Map C, lot 3B, zoned R-40 on
County Farm Road (2 lots).**

Mr. St. Laurent explained the minor subdivision. He noted that
previous approval was granted by the Board for four lots
subject to WSPCC approval which was denied. Now he is in for
two, five-acre lots and no WSPCC approval is necessary.

Public hearing opened: no comment
Public hearing closed.

Mr. Preston noted that the right of way along the Cocheco River
to Koutrelakos should go all the way to County Farm Road.

Mr. St. Laurent stated that he would check on that and have it
correctly noted on the plan.

Mr. Scharff motioned to approve subject to a Driveway Permit,
City Septic approval, and that the right of way to Koutrelakos
be correctly noted on the plan.

Mr. O. Perry stated that conditions should not be attached
because of the new State RSA which states that all conditions
must be met before Planning Board consideration.

Mr. St. Laurent stated that he is not intending to build now,
and that all those conditions would have to be met before a

building permit is issued.

Mr. Preston stated that a note on the mylar should state that the newly created lot is not buildable until septic approval and a driveway permit are obtained.

Mr. Scharff amended his motion to approve subject to the right of way being properly noted on the mylar, and that the mylar be noted stating that the newly created lot is unbuildable until WSPCC and City septic approval are received and a Driveway Permit obtained.

Vote: U/A to approve.

Item #2: Public hearing on minor subdivision of land owned by Chester and Emma Wiess (applicant: Robert M. Callahan), Assessor's Map 36, lot 2A, zoned R-12 on Barry Street (2 lots).

Mr. Callahan explained the minor subdivision.

Public hearing opened:

John Earle, 127 Glenwood Avenue, spoke in favor of the subdivision.

Mrs. Lowell, 4 Barry inquired as to the type of house that would be built.

Mr. Maglaras stated that the Planning Board could not require that information of the applicant.

Public hearing closed.

Mr. Bouchard noted that the parcel has City sewer and water.

Mr. Bouchard motioned to approve subject to a Driveway Permit. Mr. Elder seconded.

Vote: U/A to approve

Item #3: Public hearing on minor subdivision of land owned by Paul and Lionel Martel, Assessor's Map I, lot 26A, zoned R-40 on Drew Road (4 lots).

Lionel Martel explained the minor subdivision and stated that

he has received Zoning Board of Adjustment approval for relief of frontage on a public right of way.

Mr. Collins stated that it is necessary to have the meets and bounds of the entire parcel.

Mr. Maglaras stated that the radius on the curve of the right of way needs to be checked.

Mr. O. Perry stated that this application should be considered as a major subdivision.

Mr. Preston noted that lots 1 and 2 have frontage on Drew Road and the driveway is servicing only two lots; the "future right of way" will be addressed in the future.

Public hearing opened: no comment
Public hearing closed.

Mr. Maglaras stated that he agreed with Mr. Preston's comments, but could see some long term planning problems. He suggested removing the label "future right of way".

Mr. Preston noted that he has seen the survey plan which is referenced on this plan (Burnell), and it does show the meets and bounds.

Mr. Elder motioned to approve subject to removal of "future right of way", the radii being up to code, a meets and bounds description of the entire lot, and a Driveway Permit. Mr. Preston seconded.

Mr. Scharff motioned to table the application to allow the plan to come back and show the revisions. Mr. Williams seconded.

Mr. Martel stated that his last subdivision was approved as motioned by Mr. Elder, why could this one not be approved the same way.

Mr. Maglaras explained that the Board can no longer approve with conditions as previously done, and that this application would come back to the Board as "Old Business" when the conditions set by the Board are met.

Mr. Preston inquired as to why the radius is of importance on a private driveway.

Mr. Maglaras stated that he is only trying to protect the applicant for future subdivision.

Item #4: Public hearing on major subdivision of land owned by Beverly Lapointe (applicant: Civil Consultants), Assessor's Map H, lot 29B, zoned R-20 on Bellamy Road (9 lots).

Jay Stephens, Engineer from Civil Consultants, represented the applicant and explained the major subdivision. He noted that he was asking for an eight inch water line instead of a twelve inch and that being a dead end street, it is unlikely that a future tie-in will take place. He noted that the frontage on one lot is insufficient, therefore a minor lot line adjustment has been done to bring the lot up to code.

Mr. Maglaras noted that the applicant has met with the Site Review Screening Committee (SRSC) many times and aside from the waiver of the twelve inch water line, needs a waiver of the sidewalk on the other side of the street.

Mr. Maglaras asked the applicant if he would maintain the grass in the middle of the cul-de-sac as in the past the Board has not allowed grass to avoid more maintenance from the City.

Mr. Lapointe stated that a homeowner's association would maintain the grassed in area of the cul-de-sac.

Mr. Stephens noted that the homeowner's association would be referenced on the plan, and stated that the maintenance of the drainage easement would be undertaken by the association as well.

Mr. Collins noted that an abutter had been in the Planning Office expressing concern over the backfill on lots 4 and 5.

Mr. Stephens explained that Mr. Lapointe obtained permits several years ago and just recently started backfilling.

Mr. Collins mentioned that there is a concern that the natural drainage flow across lot #5 will be obstructed.

Mr. Stephens noted that the SRSC wanted it filled and that it is his opinion it should not be filled.

Mr. Lapointe noted that the natural drainage from Mr. Stillwagon's property will drain into a swale.

Public hearing opened:

Zelva Hill, 6 Bellamy Road Ext., noted that the entrance to the subdivision is directly in front of her house; noted that there are problems with the sewer now; a snow removal problem exists, and new utility lines will be dug.

Mr. Maglaras noted that this subdivision has been calculated into the figures for the Growth Management Ordinance III.

Mr. Bouchard noted that Mrs. Hill's sewer problem is one of maintenance and is a dead end line.

Gus Korn, Bellamy Road, noted that a new six inch sewer line was bought and paid for by his brother. He noted as well that the sewer line was plugged and required flushing three times this spring.

John Boyle, 4 Bellamy road, noted that there is a bad junction there and that Bellamy is a substandard road. He noted that snow plowing will be difficult with the road configuration as it is and suggested that the new street be a thru street.

Mr. Bouchard noted that he will gather information on the existing sewer line.

Public hearing recessed.

A site review was scheduled for Thursday, June 5, 1986 at 5:00 P.M. Mr. Maglaras requested that the center of the road be staked as well as the corners of the lots. Also, grade stakes to indicate the drainage should be set.

Mr. Stephens noted that he is proposing catch basins to reroute some of the Bellamy Road problems.

Mr. Maglaras declared a two minute recess.

Item #5: New Business.

a. Discussion of Driveway Permit.

Mr. O. Perry expressed concern over the permit process and making the permit a condition of approval.

Mr. Collins noted that the proper place for the permit is in

the building permit process.

Mr. Maglaras suggested removing it completely from the Subdivision Regulations and treating it as an administrative issue.

b. State Permits.

Mr. O. Perry noted that there is a need to establish a policy with regard to proposals and State permits. He noted that he would check with surrounding communities to see how they handle the situation.

Item #6: Old Business.

a. Discussion of Zoning changes.

Mr. Maglaras noted that Board members should bring up other issues dealing with zoning for Mr. Collins to work on.

It was determined that Mr. Collins should check on the height of fences as set forth in the Zoning, Site Review and Subdivision ordinances.

It was also determined that he should look into the possibility of requiring parking when building on vacant lots in the B-2 zone.

b. RM-12 zone.

Mr. Collins asked for some sense of direction from Board Members as to what they are looking for in the RM-12 zone.

Mr. R. Perry noted that density is a problem that will soon be taxing City services.

Mr. Williams suggested more useable open space.

Mr. Scharff referred to a memo he submitted regarding changes in the zone.

Mr. O. Perry expressed the opinion that the zone should remain multifamily with some reduced density.

Mr. Maglaras stated that the zone should remain multifamily but allow developers to calculate the Conservation District and 20%

slopes in the density though not allow them to be built on.

3. Conservation District.

Mr. Maglaras stated that the City Attorney has issued a memo stating that it is all right to build in the Conservation District if sewer is available, because the original intent of the district was to prevent sewage from going into the river.

Mr. O. Perry stated that the current ordinance provides more reasons for the Conservation District (CD) and that it just needs more policing.

Mr. R. Perry stated that under no circumstances should any building be allowed on the CD, and the cutting of trees below a certain size should be forbidden.

Mr. Scharff motioned to adjourn; Mr. Bouchard seconded.

Mr. Maglaras adjourned the meeting at 9:50 P.M.

