

DOVER PLANNING BOARD
MINUTES OF MEETING

Meeting Held: June 10, 1986, Municipal Building, Dover, New Hampshire

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

Alternates Present: Nancy Sousane

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

Mr. Maglaras called the meeting to order at 7:10 P.M. and stated that Nancy Sousane would be sitting as an alternate.

Item #1: Major subdivision of land owned by the Thomas P. Redden Trust (applicant: Richard P. Towle), Assessor's Map I, lot 20, zoned R-20 on Durham Road.

Mr. Collins stated that the applicant has been twice to the Site Review Screening Committee (SRSC), that all questions have been answered. A concern that too many driveways were added to the Durham Road was solved by shared driveways on lots 1-6. The access to lot #7 via Durham Road was also eliminated by accessing off Mast Road, an issue to be addressed when lot #7 is developed in the future. It will be necessary to address stormwater runoff with Driveway Permits.

Charles Beno, representing the Redden Trust, explained the major subdivision and answered questions from Board members.

Mr. Elder suggested accessing lots 1 and 2 from behind as the proposed driveways are directly across from Bellamy Road. Mr. Beno stated that this had been considered but their engineer had turned down the idea because plans for lot #7 are unknown, and reverse frontage may interfere with those plans.

Mr. Scharff pursued the idea of reverse frontage and Mr. Collins stated that the SRSC had not considered the idea, that discussion centered more on the access to lot # 7.

Mr. Scharff motioned to accept the application; Mr. Elder

seconded.

Vote: 4-1 (Scharff) to accept.

Mr. Scharff stated that Bellamy Road is noted wrong on the plan and actually comes in at more of an angle. He also stated that he would like to address the issue of the reverse frontage in more depth.

Public hearing opened:

Gerald Juneau, 8 Bellamy Road, spoke of the traffic hazzard on Durham Road and of limited sewer capacity.

Mr. Bouchard stated that the City Engineer has okayed the sewer, but that this is it.\

Fay Estes, 100 Durham Road, also expressed concern over the limited capacity stating that it was bad several years ago and since then Hemlock Forest and others have been added; have there been any improvements? She also asked about a commercial zone in the proposed building area.

Mr. Bouchard stated that the Charles Street pumping station was upgraded and a new sewer line has been added.

Mr. Maglaras stated that the commercial zone was eliminated in 1979.

Ms. Estes noted that there is a serious drainage problem between Bellamy Road and Durham Road, and inquired about sidewalks.

Mr. Bouchard noted that the sidewalks are in the Capital Improvements Program, but have not been approved; the drainage problem will be resolved when the Driveway Permits are obtained and when the backland is developed.

Dick Gottschneider, representing his parents in Dover, noted that he heard condos are intended for the remaining parcel and felt that the whole plan for the land should be presented.

Mr. Maglaras noted that State Law does not allow this, that the applicant has the right to develop his land in his own time.

Public hearing closed.

Mr. Scharff asked for more information on the reverse frontage; Mr. Beno and Arlene Brown, representing the Redden Trust,

explained that the lot configuration would have to be changed, that it would limit access to the backland as well as future development. They noted that a "T" form is being proposed for the driveways onto Durham Road to enable vehicles to turn around and access the highway front on.

Mr. Maglaras noted that the sight distance was provided for by adjusting the lots as well as moving the utility easement.

Mr. Preston motioned to approve the application for subdivision into seven lots subject to Driveway Permits, that a drainage plan be noted on the Driveway Permit, and that the "T" turnaround be noted on the deed.

Vote: U/A to approve.

Item #2: Major subdivision (30 lots) of land owned by John A. and John F. Kepics (applicant: Quadrant Residential Corporation), Assessor's Map A, lot 47, zoned R-40 on Sixth Street.

James Schulte, Attorney representing Quadrant, explained that the topography of the land would only allow the cul-de-sac design. He noted that the water line would be extended to the property by the developer and requested that as more people attach to the line the developer be allowed to charge a pro rata share. He noted that the line will be turned over to the City, who will maintain it.

Mr. Collins stated that the applicant has been before the SRSC twice, that they are requesting a waiver of the length of the road extension to 2,800 feet (a minimum of 1,000 feet is allowed), that maintenance of the drainage system needs to be addressed, and that they need WSPCC approval. All other points have been addressed by engineering and responded to by the applicant.

Discussion followed on the concept of the developer charging for others as they attach to the water line. Mr. R. Perry noted that the Planning Board has no authority on how the City collects for water lines. Mr. Schulte stated that a formula using front footage or a combination 60%-70% front footage and the rest depth of the lot would be used. He insisted that the Board does have the authority to allow the developer to collect, and that the developer would be responsible for keeping track. He explained a court case involving such a decision.

Mr. Maglaras stated that in Dover only the City Council can give betterment assessments, that a joint meeting between the Planning Board and City Council would be necessary. He stated that in the past this type of request has been denied. He noted as well that requiring the developer to extend water to the development has been a planning tool to limit development.

Attorney Schulte stated that the distance between where the water now ends and where the developer is extending it is now ready for development, and therefore this is not a good planning tool.

Mr. Elder noted that if the City owns the water line one year after its installation, how will the developer be able to collect money for a City owned water line?

Discussion followed on maintenance of the drainage system. Attorney Schulte stated that if the road is constructed to City standards, the City should maintain them. Mr. Maglaras stated that in the past, developers have been required to set up a homeowner's association for the purpose of maintaining the drainage. He stated that there is no difference between the retention ponds covered by these associations, and the swales provided in this project.

Mr. Scharff motioned to accept the application for major subdivision; Mr. Preston seconded.

Vote: U/A to accept.

Public hearing opened:

Martha Connelly, 487 Sixth Street, expressed concern over the increased amount of traffic that will be generated and noted that her driveway is directly opposite the proposed street in the new subdivision. She inquired as to whether those living on the proposed new water line would have to tie in and was informed that they would not be required to. Ms. Connelly inquired as to whether the master plan for the City would be addressing areas such as Sixth Street, that are primarily larger lots, many farms, and are now subject to small lot subdivisions such as this. She inquired on the impact of the development on police and fire protection, and inquired as to whether the increased traffic would require a wider road.

Mr. Collins stated that work on the master plan would begin this

fall, and noted that because of the new development, the residents of the area will now have piped water and a fire hydrant.

Mr. Maglaras stated that the SRSC has addressed several of her concerns and feels that the traffic situation is under control.

In response to another question from Ms. Connelly, Mr. Schulte stated that the homes would probably be a mix of modular and stick frame, and acknowledged that Quadrant does manufacture modular homes.

Dr. Richard Jackson, 476 Sixth Street, inquired whether there are plans for the interim 2,000 feet of land spoken of earlier, to which the answer was that there are none. He expressed concern over the addition of possibly 30-60 cars a day, and over some environmental concerns: has the drainage into the brook been researched; modular homes require the removal of many trees. He noted that the soils and water table are marginal in terms of home construction for the area, and noted that the area has many larger lots and would like to maintain the character by eliminating lots 1, 2, and 30. He stated that he is opposed to this plan until all these questions are answered.

Mr. Maglaras stated that it is possible that the developer may lose some lots through WSPCC approval, that the present ordinance does not allow his conservation concerns, and that a preliminary discussion with the developer centered around an alternative design system to take into consideration the lay of the land. This design was ruled out because currently sewer and water are required for an alternative design subdivision.

Public hearing closed.

The Board will hold an on-site review on Thursday, June 12, 1986 at 5:00 P.M.

Walt Colby, representing the applicant, noted that he has several aerial photos of the area for anyone who wishes to see them.

Mr. Maglaras stated that the Board would like to see the entryway staked out and the center line of the road staked for approximately 1,000 feet.

Item #3: Site review of land owned by Cocheco Land Management,

Inc. (applicant: Leclerc-Stowell Associates), Assessor's Map G, lot 4 on Faraday Drive.

Bob Matchett explained the site review stating that the building will have 14,000 square feet of space and will appear the same as the buildings across the street. He noted that the company is owned by Westinghouse, will hire 12-15 people and will make mica insulation products. He noted that he has submitted a letter of credit to complete the paving of Faraday Drive, the cul-de-sac, installation of a street sign and granite monuments.

Mr. Maglaras stated that although the property has been subdivided in the past, Faraday Drive is not a City street and that is the reason for the letter of credit requirement, to indicate that the street will be brought up to City specifications, therefore the frontage for this project will be on a public right of way.

Mr. Scharff motioned to accept the application for consideration by the Board; Mr. Preston seconded.

Vote: U/A to accept

Public hearing opened: no comment.
Public hearing closed.

Mr. Scharff motioned to approve subject to obtaining a letter of credit; Mr. Preston seconded.

Mr. Maglaras stated that the road was supposed to go through to the Bushee property which Flatley has purchased. Flatley does not want the road to continue through and that is the reason for the cul-de-sac. He noted that if the road does go through in a year or so, it is unfair to require this applicant to pay for the cul-de-sac.

Mr. Scharff suggested that this issue be dealt with administratively with the Flatley company, to which Mr. Collins responded that he would follow it through.

The Board was in general agreement that the road should continue through. George Garrett, Economic Director, noted that Flatley is aware that the road may have to continue through.

Vote on motion to approve application: U/A

Item #4: New Business. (postponed until Old Business completed)

Item #5: Old Business.

a. Discussion of Growth Management III.

To be discussed at the end of Old Business.

b. Continued discussion (public hearing closed) on minor subdivision (4 lots) of land owned by Paul and Lionel Martel, Assessor's Map I, lot 26A, zoned R-40 on Drew Road.

Mr. Collins noted that the applicant presented a revised plan as well as a surveyed plan of the remaining 36 acres referenced on the plan. The revised plan indicated that lot 4 now fronts on Drew Road for 50 feet, and the "future right of way" has been removed. He reiterated the fact that a variance has been granted for relief of frontage on a public right of way.

Mr. Elder motioned to approve subject to obtaining WSPCC approval and a Driveway Permit.

Vote: U/A to approve

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

Mr. Maglaras reconvened the public hearing: no comment. Public hearing closed.

Mr. Bouchard noted that Bellamy Road Ext. needs to be addressed and possibly made a one-way street for safety reasons.

Mr. Preston motioned to grant the waiver of the 12 inch water pipe requirement; Mr. Elder seconded.

Vote: U/A to grant the waiver.

Mr. Scharff motioned to approve the major subdivision subject to Driveway Permits, that a single driveway exist for lots 4 & 5, and that a streetlight be placed at the intersection of Bellamy Road Ext. and the new street into the subdivision. Mr. Elder seconded.

Vote: U/A to approve.

a. Discussion of Growth Management III.

Mr. Collins explained that he has been working with the Economic Development Director and Public Works Director to draft a revised version of the Growth Management III, and would like to schedule a public hearing for this issue on July 1, 1986 if Board Members agree. He noted that the City Council would then have two meetings at which to discuss the proposed ordinance before time runs out.

The Board agreed with the July 1, 1986 date.

Item #4: Old Business.

a. Discontinuance of streets.

Mr. Maglaras stated that Mr. Elder, Mr. Bouchard and Mr. Preston would make up the subcommittee on the discontinuance of City streets. He instructed the committee to bring back information for Board members to make a decision as soon as possible.

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

Vote: U/A

Mr. Maglaras adjourned the meeting at 9:20 P.M.