

DOVER PLANNING BOARD
NOTICE OF MINUTES

Meeting Held: July 22, 1986, 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: Patricia Torr

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

Item #1: New Business.

a. Discussion of infrastructure needs in the Garrison Road area.

Mr. Collins explained that the Garrison Road area is in need of sidewalks, street widening, upgraded water lines. Have to identify needs and follow up with an approach. Several projects in the area compound the needs. Engineering, Public Works and Planning will identify the needs and bring the developers involved together to finance in lieu of impact fees. Jensen's and Tideview would have to be tabled until the needs are addressed.

An alternative would be to review the impact of development on a project by project basis, or a growth management ordinance. He noted that these discussions are an intermediate solution, that eventually impact fees would be the solution.

There was no objection from Board Members to these discussions and this approach.

Item #2: Old Business.

a. Continued discussion of site review proposal by Dan Philbrick to add six additional units to an existing three unit building at 45 New York Street, on land owned by Howard W. Hoff, Jr., zoned RM-8.

Mr. Maglaras explained that the Board has had an on-site review and has listened to the concerns of the neighbors.

Dan Philbrick, applicant, noted that more drainage is needed in the back of the building and that will be no problem.

Mr. Preston noted that a retaining wall is needed to contain drainage.

Mr. Scharff requested that the location of the dumpster be moved and consideration of abutting property owners be taken into consideration. He also noted that the right of way needs to be defined and that the parking area around the tree in front needs to be redesigned.

Mr. Maglaras read a letter from Mr. Bernard M. Hill dated July 16, 1986 against the proposal and asked if there was any objection from members of the Board to having the public speak again.

There was no objection.

Mrs. Randazzo, 47-49 New York Street, stated that she wanted a fence, not trees against the boundary line, but if trees are approved she wants them five feet from the line.

Mr. Maglaras explained that a fence could be installed right on the property line according to the zoning code.

Mrs. Randazzo preferred trees to a fence directly on the property line, but requested that the trees be kept trimmed to allow her access through the side door of her house.

Mr. Williams motioned to grant a waiver to pave within ten feet of the front property line; Mr. Scharff seconded.

Vote: U/A to grant waiver

Mr. Scharff motioned to approve the application for site review subject to the following:

1. Waiver of the paving requirement.
2. That the bushes on the Randazzo side are six feet to seven feet off the property line, six feet on center.
3. That a catch basin be set with fill and a retaining wall for drainage (snow removal).
4. Curbing and sidewalk will be at the discretion of the Planning Director and Public Works Director.
5. That the dumpster be relocated at the Planning Director's Discretion.

Mr. Elder seconded.

Vote: U/A to approve

Mr. R. Perry noted that the zoning code allowed this type of development and this density.

b. Continued discussion of major subdivision proposal (30 lots) by Quadrant Residential Corporation on land owned by John Kepics, Assessor's Map A, lot 47 and 48B, Sixth Street, zoned R-40.

Brian Holt, Engineer from Tom Moran representing the applicant, explained the revised plan showing the widening of the project entrance and the removal of the drainage swale from the Conservation District.

Mr. Maglaras questioned the Board as to whether they felt enough information has been supplied by the applicant to proceed.

Mr. Preston noted that he has two sets of test pit information, and both are different. He felt more information should be presented and verified by an outside specialist before a decision is made on this application.

Tim Furwerther, soil scientist representing the applicant, explained not all lots have test pits and that they will be done at a later date.

Mr. Maglaras noted that test pit information is important to have ahead of time to prevent creating unbuildable lots.

Brian Holt explained that they must show the State test pit information on each lot for State approval, and that all lots are devised according to soil type.

Tim Furwerther explained the test pit procedure and explained that the State must approve each lot before the City stamps the final subdivision mylar for recording.

Board members reiterated their requirement that all test pit information be presented on the subdivision plan before final approval is granted by the Board.

Mr. Preston noted that the State takes test pit information at face value and does not check each individual lot before approval. Brian Holt stated that the applicant would not submit erroneous

materials to the Board, and that they will be working with the City in the future therefore hoping to build trust now.

Mr. Scharff questioned whether the Board could require granite curbing at this point in the proceedings.

Mr. Collins stated that we can only require concrete, but recommend that granite be installed.

Mr. Holt stated that concrete is proposed for this project, they will not go with the granite.

Mr. Maglaras stated that the City Attorney, Scott Woodman, has reviewed and approved the homeowner's document. He reminded the Board that a waiver of the length of the internal road will be necessary as the Subdivision Regulations set the maximum length at 1,000 feet.

Mr. Scharff motioned to grant preliminary approval for the purpose of obtaining State permits only; Ms. Torr seconded.

Mr. Scharff motioned to grant the waiver of the road length; Mr. Elder seconded.

Vote on waiver: U/A to grant

Mr. Preston noted that the Conservation Commission has intervened in the Dredge and Fill process.

Mr. Holt noted that a culvert would be provided for drainage on lots 23 and 24.

Vote on motion to grant preliminary approval: U/A

Mr. Maglaras instructed the applicant to present State permits to the Planning Department, and if no substantial changes are made to the plan this issue may come before the Board as Old Business.

c. Continued discussion on Silver/Lexington Street rezoning.

Mr. Maglaras explained that the petition to rezone this area from RM-10 to RM-12 needs to be forwarded to the City Council for a public hearing there.

Mr. O. Perry motioned to recommend to the City Council that this petition be denied; Mr. R. Perry seconded.

Mr. R. Perry noted that Mr. Scharff's report should explain that the reason for denial is because there is an alternative plan being discussed by the Board.

Vote: U/A to deny the petition.

Mr. O. Perry motioned to schedule a public hearing to rezone the area of concern from RM-10 to R-12 except for the east side of Cushing Street; Mr. R. Perry seconded.

Vote: U/A to approve.

Mr. Collins noted that any building permits would have to comply with the originally proposed RM-12 change until the City Council has voted on the proposal, and also that the RM-12 zone itself is undergoing revision. He noted that the application for the building permit for the building on the Cushing/Silver Street corner is dated and will be held until the zoning questions are resolved.

In answer to the question of when the public hearing will be held, Mr. Maglaras noted that policy has been for the Planning Board Chairman to get together with the administration to determine a date. Time constraints must be met and workload considered.

Donald Bryant insisted that the Board set a date for the public hearing this evening.

Mr. Maglaras stated again that he would not deviate from policy, and the public hearing date will be set when he meets with the administration.

Councilman McAdams requested that the Board accept the petition for the RM-10 to the RM-12 zone for best protection of the residents against conversions.

Mr. Maglaras stated that the Board has voted against recommendation of the petition, and that vote stands.

Attorney Bryant again pressed for a public hearing date.

Mr. Maglaras noted that it would be sometime in August.

A public hearing will be held on July 29, 1986 for the RM-12 zoning amendment and revised site review fee schedule.

Mr. Collins announced that he is now conducting interviews for the two new Planning positions approved by the City Council.

Mr. Maglaras stated that the Growth Management III ordinance has been forwarded to the City Council with a recommendation for approval. He noted that there is a timing conflict and that the City Council will not be able to act in the 45 days stipulated by State RSA. The Planning Board must hold another public hearing, and the date is set for August 12, 1986. Abutters will be notified of the Planning Board and City Council public hearings in the same notice. (City Council public hearing is scheduled for August 13, 1986.)

Discussion followed on the application for site review of Jensen's mobile home park.

Mr. Preston noted that there is a definition of manufactured housing in RSA 674:31.

Mr. Maglaras stated that the City Attorney will render an opinion as to the status of Jensen's as a mobile home park vs. manufactured housing.

It was determined that a mobile home has a chassis; therefore, if the proposed homes for Jensen's have a chassis, they are mobile homes.

Discussion followed on the Coheco Waterfront District (CWD).

Mr. Preston noted that the setbacks for the CWD have not yet been resolved, that a public hearing was held last winter and no decision has been made yet.

Mr. Maglaras noted that the issue is held up so that other changes in the zoning code can be acted upon at the same time to save the City money in manpower and postage.

Mr. Bouchard inquired as to whether Civil Consultants has submitted a plan for the Coheco Street intersection, to which Mr. Bouchard stated that it has not yet been submitted to the Purchasing Agent, but when it has, it will be brought to a meeting. Mr. Bouchard suggested placing this item of discussion under Old

Business again when the Cocheco/Portland Street intersection is submitted.

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

The meeting adjourned at 9:30 P.M.