

**DOVER PLANNING BOARD  
MINUTES OF MEETING**

Held: May 14, 1985  
Council Chambers  
Municipal Building  
Dover, NH

Members Present: Chair George Maglaras, Vice-Chair Harold Preston, Stephanie Faria, H. Les Elder, Robert Steele, Pierre Bouchard, Robert Weisner, J. Andrew Galt.

Alternate Member Present: Robert Seaver.

Other: Planning Director Timothy Sheldon, Recording Secretary Kathleen Brown.

The Chair called the meeting to order at 7:03 p.m.

Mr. Maglaras explained to the public in attendance that the Board is still awaiting a set of engineering plans from both Gavin and Rowell (items #1 and 2 under Old Business). He noted that until such time as the plans are received, the Board will postpone discussion on the applications.

ITEM #1: Public Hearing on the minor subdivision of land owned by Elmer C. Goss, Assessor's Map M, Lot 79, zoned R-40, on the corner of Dover Neck and Middle Road.

Mr. Sheldon read the report of the Site Review Screening Committee.

Public Hearing Opened.

James Caliendo, Middle Road, stated that he was in favor of the proposal.

Frank Stevens, Middle Road, requested to see the plan.

Public Hearing Closed.

Moved by Mr. Preston, seconded by Ms. Faria and Mr. Weisner to approve the the application for minor subdivision, contingent upon the following conditions:

- 1) Receipt of WSPCC and City septic approval.
- 2) Receipt of a Driveway Permits, when necessary.

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ITEM #2: Public Hearing on the minor subdivision of land owned by John Newick, (applicant Edward B. Heaphy), Assessor's Map 8, Lot 25, zoned R-20, on the corner of Dover Point and Leighton Roads.

Public Hearing Opened.

Eleanor Ford, Leighton Road, requested that the applicant further explain his intentions for the property. Mr. Heaphy noted that he will renovate the house now existing on the site.

Public Hearing Closed.

Moved by Mr. Steele, seconded by Mr. Weisner, to approve the application for minor subdivision, contingent upon the following condition:

1) Receipt of a Driveway Permit for Lot B, when necessary.

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ITEM #3: Public Hearing on the request for a waiver of the Driveway Ordinance for land owned by David and Patsy Schweickart, Assessor's Map 14, Lot 6, zoned R-12, on Cataract Avenue.

David Schweickart explained the request.

Public Hearing Opened - No comment.

Public Hearing Closed.

In response to a question from Mr. Preston regarding the location of a water main on the property in question, Mr. Bouchard stated that, while he was unsure as to whether or not the line was currently being used, he was certain that it is located along the easterly property line. He noted that its location would have no bearing on the request for the waiver now before the Board.

Moved by Mr. Preston, seconded by Mr. Williams, to grant the request for a waiver of the Driveway Ordinance.

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U.A. (Mr. Bouchard abstained from the voting process.)

ITEM #4: Public Hearing on the site review of land owned by D. James McAtavey and Kerry D. Forbes, Assessor's Map 20, Lot 39, zoned B-2, on Central Avenue.

Mr. Forbes explained the proposal and noted that he is in the process of acquiring property in the immediate area which will serve the existing structure's parking needs.

In response to a question from Mr. Williams, Mr. Sheldon explained that the parking requirements for the B-2 zone provide for 1 space for every 325 square feet of new office space. Mr. Forbes stated that the site currently supports seven (7) spaces, well in excess of what is required.

In response to a question for Mr. Bouchard, Mr. Forbes stated that the site will be better landscaped.

Mr. Sheldon read the report of the Site Review Screening Committee.

Public Hearing Opened - No comment.

Public Hearing Closed.

Mr. Bouchard suggested the the property owners abutting the unnamed street to the rear of the Forbes building may wish to contact the City regarding acquisition of said property. He noted that the existing traffic hazards in the area may be eliminated by closing off the property to vehicular traffic. Mr. Sheldon suggested that the other option would be to make the street accessible only for one-way traffic.

In response to a question from Mr. Galt, Mr. Sheldon explained that the SRSC had not recommended the installation of curbing on the site, as the area in question has been targeted for redesign within the next few years.

In response to a question from Mr. Sheldon, Mr. Forbes stated

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that the site will be defined with railroad ties and that the front part of the lot will be relandscaped.

Moved by Mr. Elder, seconded by Mr. Preston to approve the application for site review, contingent upon the following conditions:

- 1) A locus plan shall be included on the plan.
- 2) Abutters to the parcel under consideration shall be referenced.
- 3) A waiver of the requirement which specifies that the proposed topography of the site be delineated on the plan is granted.
- 4) The plan shall be stamped by a licensed N.H. professional.

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ITEM #5: Public Hearing on the site review of land owned by Brunelle & Able, (applicant F. W. Webb), Assessor's Map H, Lot 35C-3C, zoned I-1, on Sumner Drive.

Robert Brunelle explained the proposal.

Mr. Sheldon read the report of the Site Review Screening Committee.

Mr. Galt noted that the street trees depicted on the plan are the direct result of a previous submission to the Planning Board.

Public Hearing Opened - No comment.

Public Hearing Closed.

Moved by Mr. Weisner, seconded by Ms. Faria and Mr. Galt to approve the the application for site review, as submitted.

ITEM #6: Public Hearing on the minor subdivision of land owned by Gerald Nash, (applicant Richard P. Millette and Associates), Assessor's Map D, Lot 2A, zoned B-3, on Plaza Drive.

In response to a request from Mr. Millette that item #6 and 7 on the agenda be considered simultaneously, Mr. Maglaras explained that each item would be considered and voted upon separately.

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Mr. Sheldon read the report of the Site Review Screening Committee.

Mr. Millette addressed a number of the concerns raised by the SRSC's report; he noted that Section 155-36 of the Subdivision Ordinance permits a local road with a width of 36 feet to be supported by a 50 foot ROW. He stated that the site was approximately 1,000 feet away from the City-owned well sites. He requested a waiver which will permit the applicant to develop the site with 1-1/2:1 slopes. Finally, he noted that traffic generation from the site will increase the traffic flow on the Weeks Traffic Circle by approximately .04%. (Traffic study and drainage calculations were entered in to the file.)

Public Hearing Opened - No comment.

Public Hearing Closed.

In response to a question from Mr. Maglaras, Mr. Millette and Mr. Bouchard both pointed out the existing edge of the pavement on the plan.

In response to concerns raised by Mr. Galt, Mr. Millette reexplained the system proposed for the drainage of the site.

Mr. Bouchard reminded the Board that the City has had problems with the well sites in the area in the past and cautioned them regarding the potential impact of development.

Mr. Galt stated, that given the report previously prepared by Camp, Dresser & McGee, he believes that the proposed drainage plan is unacceptable.

Mr. Bouchard noted that the design for the proposed changes to the Weeks Traffic Circle has not yet been determined and that the final engineering may impact on the proposal.

Mr. Steele explained that the firm of Whitman and Howard have submitted several redesign plans to the State for review, and that he has been informed that it will be at least sixty (60) days before any further information is available.

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Mr. Sheldon noted that the owner of the property had submitted a proposal similar to the one being discussed and had withdrawn it because of drainage and traffic considerations.

Mr. Millette stated that the proposal at hand differs substantially from that of a large scale shopping center.

Mr. Bouchard noted that the plan indicates that the cul-de-sac will be temporary. Given the fact that expansion is possible in the future, the Board should consider the impact on area drainage and the City's wells.

Mr. Sheldon explained that the Camp, Dresser & McGee study concluded that the soil in the area was very favorable for the percolation of all types of materials, including such liquids as oil and grease. Thus the major concern is not that the drainage from the site will not percolate effectively, but rather that the proposal will provide for possible contamination of the groundwater because of the infiltration of undesirable liquids.

In response to a question from Mr. Preston regarding alternative drainage designs, Mr. Bouchard stated that he was not sure if existing storm drains along Central Avenue could be incorporated into the proposal.

Mr. Millette suggested that he would be willing to design the drainage system so as to provide for flow into grease/oil traps before allowing the water to percolate. Mr. Maglaras stated that this may be a reasonable alternative.

Mr. Sheldon noted that in the prior proposal from the developer, for the Demoulas Shopping Center, the drainage from the site was proposed to be pumped off-site.

In response to questions from Mr. Maglaras and Mr. Preston, Mr. Bouchard stated that the developer would be required to run approximately 2,200 feet of 24-36" pipe in order to tie in to the existing storm drain on Plaza Drive. Mr. Sheldon explained that the developer would be required to plan for the entire length of the proposed roadway.

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Gerald Nash stated that the road may not be extended past the proposed cul-de-sac.

Mr. Sheldon noted that if this were the case, the developer could chose to lie a smaller pipe and then upgrade it should the roadway be expanded.

In response to this suggestion and a comment from Mr. Maglaras, Mr. Bouchard stated that this would need to be discussed with the City Engineer. He then reiterated his concerns regarding the potential contamination of the City's wells in the area and again pointed to the conclusions outlined in the Camp, Dresser & McGee study.

Mr. Maglaras stated that the Board was not required to act upon the application at this meeting. Mr. Williams suggested that the Board give the developer some direction with regard to the drainage proposal.

Mr. Maglaras took an informal poll of the Board and determined that the drainage proposal was of some concern. It was suggested that the developer contact the City Engineer regarding alternatives to the proposal.

In response to a question from Mr. Steele, Mr. Millette stated that in general, the area of the land under consideration lies approximately 1,000 feet from the City's wells.

Mr. Steel clarified the fact that the Board was considering only the drainage plan as it relates to the subdivision proposal.

Mr. Mglaras took an informal poll of the Board and it was determined that the provision of the 50' ROW for the 36' wide street was acceptable.

In response to a question from Mr. Galt, Mr. Maglaras stated that the Board has the option to determine the size and shape of the turn-around.

Mr. Preston suggested that the developer plan another exit from Lot 2. Mr. Bouchard stated that he preferred that his crews did

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not have to enter private property for snow removal purposes.

Mr. Maglaras suggested that the City could obtain an easement to dump snow at the end of the road and eliminate the need for the cul-de-sac, provided that a second exit for the property was provided. The Board concurred with this suggestion.

In response to a comment from Mr. Williams, Mr. Maglaras stated that all members of the Board will be given a copy of the traffic study provided by the applicant.

The Board decided to postpone action on this item until the meeting scheduled for May 28.

ITEM #7: Public Hearing on the site review of land owned by Gerald Nash, (applicant Richard P. Millette and Associates), Assessor's Map D, Lot 2A, zoned B-3, on Plaza Drive.

Mr. Maglaras noted that the Board's concerns regarding traffic and drainage were relevant to the site review application.

In response to a question from Mr. Galt, Mr. Sheldon explained that the lot in question is included in the Growth Management District, adopted by the City on August 8, 1984. This ordinance provides that no development shall occur in the area if the proposal increases traffic generation in the Weeks Traffic Circle. Because the Nash project will do just that, the City Attorney has been contacted regarding this matter and he will respond back to the Board by the next meeting.

Mr. Maglaras noted that the applicant may have the option of attempting to obtain a variance for relief from the restrictions of the Growth Management Ordinance.

Mr. Sheldon noted that because the Growth Management Ordinance is housed in the Zoning Ordinance, this may be the case. He stated that the City Attorney is currently researching the procedure that must be followed by an applicant who wishes to seek a variance.

Public Hearing Opened.

Kristine Baber, Mast Road, requested that the applicant offer an explanation of the proposal. Mr. Millette did so.

Bill Baber, Mast Road, urged the Board to seriously consider the recommendations of the City personnel regarding the protection of the municipal wells in the area.

Mr. Sheldon read the report of the Site Review Screening Committee.

In response to a question from Mr. Elder, Mr. Millette stated that the traffic study does consider the impact of the increased floor area of Funspot, the move of the DES and floor space of the unspecified office space.

In response to a question from Mr. Galt, Mr. Maglaras stated that the entire area is sandy soil. Mr. Millette requested that the Board permit the development of 1-1/2:1 slopes, which is less than what the sandy soil types generally stabilize at. Mr. Sheldon noted that the slopes will be planted with horizontal juniper in an effort to help stabilize the soils.

In response to a question from Mr. Galt, Mr. Sheldon noted that the Fire Chief's only recommendation dealt specifically with the location of the fire hydrant. Mr. Maglaras noted that the water supply in the area is more than adequate.

In response to a question from Mr. Sheldon, Mr. Millette stated that there are no plans to install sprinklers in the building.

Mr. Sheldon stated that the site may support obligatory wetland growth and that the exact location of such vegetation would need to be determined. He explained that the Conservation District may impact on the proposed slopes.

Mr. Millette stated that he will ask Frank Richardson to view the property.

In response to a comment from Mr. Galt, Mr. Millette stated that no slope easement will be necessary for the proposed filling activity, as the street is proposed to be a public-ROW.

ITEM #8: Old Business

- 1) Review of the application for major subdivision of the land owned by E. Richard Rowell, on the corner of Dover Neck and Middle Roads.
- 2) Review of the application for the site review of land owned by John Gavin, on Mast Road.

Mr. Maglaras again explained that no new engineering plans have been submitted for either of the above-referenced applications. The Board will postpone action on these items, until such time as the new information is provided.

- 3) Review of the application for major subdivision of the land owned by George and Nancy Parsons, on Varney Road.

Mr. Preston gave a review of the discussion which occurred at the on-site review. He noted that the drainage on the site was of concern to the Board.

Mr. Bouchard stated that the opinion of WSPCC will be requested regarding the drainage on the site.

Mr. Seaver expressed his concerns regarding the proposed entrance for the future roadway, with respect to site distance. He suggested that by moving the ROW, the developer could improve the site distance, lessen ice build-up on the road during the winter by moving it out of the heavily shaded area, and help to line up the culverts in Varney Road.

Mr. Sheldon noted that Mr. and Mrs. Joseph Graffei, Blackwater Road, have provided the Board with a sketch of the various springs located near the Parsons' property.

Mr. Sheldon summarized the concerns raised by the Board members:

- 1) the proposed location of the 50' ROW,
- 2) the proposed topography has not been depicted on the plan,
- 3) WSPCC test pits must be depicted on the plan,
- 4) the names of the abutting property owners must be referenced on the plan.

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Mr. Parsons stated that he takes exception to the suggestion that the ROW be relocated, as he has chosen the current location so as to permit maximum use of his lot.

In response to a question from Mr. Maglaras, Mr. Parsons stated that his future plans include the construction of a road which will have access off of both Varney Road and Blackwater Road. He stated that lots will be subdivided so as to directly abut those currently proposed.

Mr. Maglaras noted that the site distance along the road will worsen during the winter, as snow banks begin to build up along the sides of the road.

Mr. Bouchard stated that, in his opinion, the proposed location of the ROW was not an appropriate place for a street.

In response to a question from Mr. Galt regarding the existing culverts, Mr. Bouchard stated that the applicant must provide a drainage plan which depicts the existing topography and the test pits before he can comment.

Mr. Maglaras stated that the Board also has the option to request a traffic study, undertaken by a traffic engineer, before acting on the application.

Mr. Maglaras took an informal poll of the Board and determined that the following information is requested of the applicant before further action is taken on the application:

- 1) A traffic study, undertaken by a traffic engineer, which measures the vehicular site distance from the intersection and the vehicular stopping distance must be submitted.
- 2) The existing and proposed topography must be depicted on the plan.
- 3) A drainage plan must be submitted.
- 4) The location of the test pits must be indicated.
- 5) Eventually, the abutting property owners' names must be referenced on the plan.

Mr. Parsons requested further direction from the Board. Mr. Sheldon suggested that he first return with what the Board has

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requested.

Mr. Galt will request a ninety-day (90) day extension from the City Council for Board consideration of this application.

ITEM #9: New Business

- 1) Introduction of the proposed revisions to the Site Review Ordinance.

Mr. Sheldon explained his recommendations and noted that a Public Hearing by the Planning Board on these revisions is not required. He noted that he has proposed major revisions to the intake process, as well as a number of other relatively minor proposals:

- a) Conversion of apartment units to condominiums will require site review.
- b) Multi-family development plans will require the designation of environmentally sensitive areas.
- c) A 28' corridor for multi-family units which support garages will be required.
- d) Parking spaces for multi-family units will be 1-1/2 spaces for every one bedroom unit and 2 spaces for every 2+ bedroom unit.

He also noted that the design and construction standards for private roadways discussed by the Board have been included in the revisions.

A workshop on this item will be held after the Public Hearing scheduled for May 21, 1985, time permitting.

- 2) Approval of the minutes of the workshop session held on April 18, 1985.

Moved by Mr. Weisner, seconded by Mr. Galt to approve the minutes as submitted.

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- 3) Approval of the minutes of the regularly scheduled meeting held on April 23, 1985.

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Moved by Mr. Weisner, seconded by Mr. Elder to approve the minutes as submitted.

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- 4) Approval of the minutes of the workshop session held on April 25, 1985.

Moved by Mr. Galt, seconded by Mr. Elder, to approve the minutes as submitted.

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- 4) Growth Management Ordinance

In response to questions raised by Mr. Galt, Mr. Sheldon explained that the City Attorney is currently researching the appeal procedure from a growth management ordinance and the steps that the City should take before the interim ordinance expires.

- 5) Ms. Faria reminded the Board members of the City Council workshop scheduled for the following evening, at which the role of the Planning Director in community affairs is scheduled to be discussed.

Moved by Mr. Elder, seconded by Mr. Williams to adjourn the meeting at 8:47 p.m.

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