

DOVER PLANNING BOARD
MINUTES OF MEETING

Held: March 27, 1984
Council Chambers
Municipal Building
Dover, NH

Members Present: Chairperson George Maglaras, Vice-Chairperson Stephanie Faria, R. Craig Williams, Harold Preston, Robert Steele, Pierre Bouchard, Jesse Andrew Galt.

Alternate Members Present: James Beckingham, Robert Weisner, (H. Les Elder).

Other: Planning Director Timothy Sheldon.

Chairperson Maglaras called the meeting to order at 7:07 p.m.

ITEM #1: Public Hearing on the minor subdivision of land owned by David D. Kay, Assessor's Map B, Lot 21, zoned R-40, off Sixth Street.

- Mr. Sheldon explained the minor subdivision.
- Mr. Sheldon answered a question by Mr. Bouchard regarding the proposal's failure to meet driveway requirements.
- Mr. Maglaras confirmed that the proposal had received approval from the Zoning Board of Adjustment.
- Public Hearing Opened - No one spoke in favor or against.
- Public Hearing Closed.
- In response to a question by Mr. Williams, Mr. Sheldon stated that he did not think a site review by the Board was necessary.
- Mr. Preston was informed by Mr. Kay that the distance from Sixth Street into the lot at the right-of-way was approximately 1800 feet.
- Mr. Kay answered questions raised by Mr. Williams regarding the condition of the road.
- Mr. Bouchard noted that it was a private right-of-way.
- Mr. Galt questioned the necessity of including a notation in the records indicating the right-of-way will be private.
- Mr. Sheldon recommended approval of the proposal contingent upon the following three conditions:

- 1) Receipt of WSPCC and City Septic approval.
- 2) Waiver of Section 155-51 driveways of the subdivision ordinance.
- 3) Municipal roadway maintenance, sewer and water service, snow removal and garbage collection shall not be provided until such time as a city street is provided by the developer/owner and as approved by the City Council. This condition shall be placed on the mylar subdivision plan and executed in the deeds.

- Moved by Faria, seconded by Galt to approve the minor subdivision contingent upon the three conditions presented by Mr. Sheldon. U.A..

ITEM #2: Public Hearing on the minor subdivision of land owned by Richard J. Haigh, Assessor's Map I, Lot 33, zoned R-12, on Spruce Lane and Mast Road.

- Stephen Dibble, an attorney representing the Haighs, presented the case, including an explanation of the 1.6 acre area in dispute between the applicant and an abutter. Mr. Dibble stated that he would be willing to concede the line between the parcels for the purposes of subdivision only.
- Public Hearing Opened - No one spoke in favor of the proposal.
- Roger Cussins, 9 Spruce Lane, directed his comments concerning drainage and topography changes to the Board. He recommended a site review.
- William Shaheen, an attorney representing the Chadwicks, Mast Road, voiced opposition to the proposal because of the boundary dispute. He presented a plan approved by the Dover Planning Board, in 1977, which recognizes the boundary line as determined by the Chadwicks.
- Upon questioning by Mr. Maglaras, Mr. Shaheen stated that he would have no objections should the Board grant the subdivision contingent on the presentation of a new plan depicting the disputed boundary line as determined by the Chadwicks.
- Mr. Shaheen informed the Board that the 1977 survey had been prepared by Richard Towle.
- Public Hearing Closed.
- Discussion concerning the feasibility of the approval of the subdivision contingent upon the presentation of a new plan depicting the disputed boundary line as depicted by the Chadwicks ensued.

- Mr. Preston suggested that the Board approve the plans for the subdivision, excepting Lot 2.
- Mr. Steele noted the inability of the Board to determine property lines.
- Moved by Steele, seconded by Galt to table approval of the proposal until the Board receives confirmation of the settlement of the boundary dispute, which is to be settled by a third party surveyor hired by the applicant and approved by the City.
- Approved 7-2. (Williams, Preston).

ITEM #3: Public Hearing on the minor subdivision of land owned by June L. Folger, Assessor's Map I, Lot 42, zoned R-12, on Back River Road.

- Mr. Sheldon explained the minor subdivision.
- Public Hearing Opened - No one spoke in favor or against.
- Public Hearing Closed.
- Moved by Bouchard, seconded by Faria to approve contingent upon the following condition:
 - 1) Receipt of City driveway permit.
- U.A.

ITEM #4: Public Hearing on the minor subdivision of land owned by Ann D. Brown, Assessor's Map L, Lot 14G, zoned R-20, on Evans Dr.

- Mr. Sheldon explained the minor subdivision.
- Public Hearing Opened.
- Pete Lavoie, 299 Dover Point Road, spoke in favor of the proposal.
- Elizabeth Jaques, 4 Evans Drive, spoke in opposition.
- Mr. Brown noted that the land proposed to be deeded to Mr. Lavoie is not located on Evans Drive.
- Public Hearing Closed.
- Moved by Williams, seconded by Steele to approve the subdivision contingent upon the following condition:
 - 1) Lot A shall be considered a non-buildable lot and shall be combined with Lot 14M, owned by Pierre and Carolyn Lavoie. This condition shall be placed on the mylar subdivision plan.

- U.A. (Bouchard abstaining)

ITEM #5: Public Hearing on the site review and the waiver of driveway ordinance of land owned by Dean A. Fournier, Assessor's Map 3, Lot 9, zoned B-2, on School Street.

- Mr. Sheldon explained the proposal.
- Public Hearing Opened.
- Dean Fournier, Tolend Road, spoke in favor of the proposal and explained the reasons for the request for the waiver of the driveway ordinance.
- Mr. Williams, School Street, spoke in favor of the proposal.
- Robert Mairs, 14 Roberts Road, spoke in favor of the proposal.
- Mr. Maglaras read a letter from Linda Copeland, Middle Road, supporting the proposal.
- Public Hearing Closed.
- Moved by Steele, seconded by Galt to approve the site review contingent upon the following condition:
 - 1) Applicant will work with the Public Works Director and the City Engineer to install new curbs and sidewalks all along the property line, on both School Street and Portland Avenue.
- Mr. Galt raised a question concerning drainage.
- U.A.

ITEM #6: Public Hearing on the site review of land owned by William P. Valliere, (applicant Bellamy Builders), Assessor's Map 34, Lot 13, zoned RM-12, on Sixth Street.

- Kerry Forbes explained the proposal.
- Public Hearing Opened.
- Elizabeth Murphy, representing Mrs. Frank Cassily, Autumn Street, noted that the abutter wishes to retain the right-of-way as is.
- Roberta Hackett, 108 Sixth Street, suggested that a retaining wall be built.
- Peggy Jalbert, Sixth Street, requested that the proposal be tabled until the Board has taken the increased

traffic flow into consideration. She raised concerns regarding the lack of sidewalks and the safety of pedestrians.

- Richard Hayes, 102 Sixth Street, noted the historical opposition to the development of this parcel of land by neighborhood residents. He voiced concern regarding runoff onto his property, as well as traffic increase. He stated that the substandard lot at 102B Sixth Street will be adversely affected.
- Ronald Fabian, 100 Sixth Street, voiced his opposition to the proposal due to the four foot increase in the height of the road and the problem of runoff.
- Bob Keyes, a representative of Dover North, raised concerns regarding the effects of increased traffic flow. He requested a site review by the Board.
- Jim Verschueren, 102B Sixth Street, voiced his concerns regarding the unfavorable comments filed by City Officials (ie. Police Chief), regarding the proposal.
- Peggy Jalbert noted the excessive speed of traffic in the area.
- George Wards, Dover Little League Manager, voiced his concerns regarding increased traffic flow, as well as limited access to the park.
- Elizabeth Murphy noted the history of the right-of-way.
- John Brown, Dover Little League, reiterated the concern regarding access to the park and the need for a site review.
- Chairperson Maglaras noted that the Board will hold a site review.
- Mr. Keyes questioned the long-range effects of the projects.
- Mr. Sheldon read a letter from the Site Review Screening Committee (Sheldon, Bouchard, Selleck and Maglaras) regarding the proposal. He also read a memorandum from Police Chief Charles D. Reynolds.
- Elizabeth Murphy directed a question concerning runoff to the Board.
- Mr. Sheldon explained to Mr. Verschueren that the need for the study of sewer capacity has been addressed.
- The Board answered questions regarding the right-of-way and the proposal's affect on the local water pressure.

- Mr. Forbes made some additional comments regarding the plan.
- Public Hearing Closed.
- The Board decided to conduct an on-site review on Monday, April 2, 1984, at 4:00 p.m., and act on the application at the next regularly scheduled meeting to be held on April 3, 1984.

ITEM #7: Public Hearing on the minor subdivision of land owned by George and Gail Samuels, (applicants Bonnye and Daniel C. McGeary), Assessor's Map B, Lot 6, zoned R-40, on County Farm Cross Road.

- Mr. Sheldon explained the minor subdivision.
- Public Hearing Opened - No one spoke in favor or against.
- Public Hearing Closed.
- Moved by Weisner, seconded by Faria to approve. U.A. (Williams abstaining)

ITEM #8: Public Hearing on the minor subdivision of land owned by Duane Kay, Assessor's Map F, Lot 25, zoned R-40, on Columbus Avenue.

- Mr. Sheldon explained the minor subdivision.
- Public Hearing Opened - No one spoke in favor or against.
- Chairperson Maglaras read a letter from Helen and Edward Smith, 117 Sixth Street, stating their opposition to the proposal.
- Public Hearing Closed.
- Moved by Steele, seconded by Faria to approve the minor subdivision contingent upon the following conditions:
 - 1) Receipt of WSPCC and City Septic approval.
 - 2) Receipt of City driveway approval.
 - 3) It shall be noted on the mylar subdivision plan that the minor subdivision has been approved for mobile homes.
- U.A.

ITEM #9: Public Hearing on the minor subdivision of land owned by R.A.P. Construction, Assessor's Map A, Lot 16, zoned R-12, on Long Hill Road.

- Malcolm McNeil explained the minor subdivision.
- Public Hearing Opened.

- William Staples raised concerns regarding the plans on drainage and sewer systems. The Board reminded the public that this issue was a matter for the State.
- George Parsons, one of the potential developers of the site, addressed the design of the leach field.
- Brian St. Onge, Long Hill Road, stated that he believed the Master Plan developed by Metcalf and Eddy found the area to be presently saturated.
- Mr. Staples reiterated the problem of drainage and recommended a site review.
- Public Hearing Closed.
- Mr. Galt restated the many areas of consideration regarding this proposal.
- Moved by Steele, seconded by Galt to table the item.
- U.A.

ITEM #10: Public Hearing on the site review of land owned by R.A.P. Construction, Assessor's Map A, Lot 16, zoned R-12, on Long Hill Road.

- The Board decided to conduct an on-site review on Monday, April 2, 1984 at 4:30 p.m., and to act on the application at the next regularly scheduled meeting to be held on April 3, 1984.
- Public Hearing Opened.
- Brian St. Onge directed a question concerning the exit of traffic to the Board.
- Discussion ensued concerning the difference between Item #9 and Item #10.
- Judith Karen spoke in opposition to the proposal.
- Mr. McNeil submitted three letters in favor of the proposal to the Board.
- Moved by Galt, seconded by Preston to defer action until April 3, 1984. U.A.

Chairperson Maglaras called for a five minute recess at 9:15 p.m.

Moved by Galt, seconded by Preston to postpone Items 11 and 12

until the next regularly scheduled meeting to be held April 3, 1984.

- U.A.

Moved by Galt, seconded by Preston to adjourn the meeting
at 9:24 p.m.

- U.A.

Minutes ammended to show that Chair Maglaras expressed the Board's gratitude
to Mr. Kerry Forbes, upon Mr. Forbes resignation.