

DOVER PLANNING BOARD
MINUTES OF MEETING

Held: June 26, 1984
Council Chambers
Dover, NH
Municipal Building

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

Alternate Member Present: H. Les Elder.

Other: Planning Director Timothy Sheldon.

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

ITEM #1: Public Hearing on the site review and waiver of the driveway ordinance of land owned by Patricia Strogon, (applicant Charles and Patricia Strogon), Assessor's Map 37, Lots 21, 22 and 23, zoned B-3, on Central Avenue.

- Tom Welch, an attorney representing the applicant, explained the proposal.
- Mr. Maglaras noted that the necessary variances had been granted by the Zoning Board of Adjustment.
- Mr. Sheldon read the Site Review Screening Committee Report, dated June 12, 1984.
- Mr. Strogon stated that the item regarding drainage, as read by Mr. Sheldon, was the result of a lack of information on the part of the engineer designing the plans.
- Public Hearing Opened - No one spoke in favor or in opposition.
- Public Hearing Closed.
- Mr. Sheldon stated that he had spoken with Mr. Strogon and that he was agreeable to all points listed in the Site Review Screening Committee Memo. He also noted that this application was a cooperative effort between the Planning Department and Mr. Strogon, resulting from the reconstruction of the Miracle Mile.
- Moved by Mr. Steele, seconded by Mr. Elder, to approve the application for a site review, subject to the following conditions:
 - 1) Waiver of the Driveway Ordinance, for multiple openings.
 - 2) Realignment of angle parking to 90 degrees.

- 3) The parking lot will be properly graded to direct storm-water to a new, City installed CB in Merry Street.
- 4) All radii curbs shall be granite and have closure with Central Avenue granite.
- 5) Waiver for the installation of curbing and landscape area along a City street line.
- 6) Waiver for landscape setback.
- 7) Street trees shall be installed: 2½ inch minimum caliper, 35 foot O.C.

- U.A.

ITEM #2: Public Hearing to amend Dover's Master Plan 1972 as amended, by establishing growth management policy directives, based on statistical analysis, that call for the interim restriction of development on those tracts of land that derive access from the Weeks Traffic Circle.

- Mr. Sheldon explained the purpose of the Master Plan and the proposal to amend the policy direction.
- Public Hearing Opened.
- Malcolm McNeil, attorney, Central Avenue, requested that Items #2 and #4 on the agenda be considered together.
- Mr. Sheldon explained the purpose of the two different Public Hearings.
- Mr. McNeil, representing Mr. Ainsworth, spoke in strong opposition to the proposal and stated that he believed the issue was "growth termination" and not growth management. He cited recent court decisions which he considered relevant to his case (Beck v. Raymond, Stoneybrook v. Freemont and Northland Properties v. City of Dover). He noted that the properties being affected by the proposal did not necessarily generate the traffic problem. He raised a question regarding the ownership of the road and suggested that portions under consideration may fall within State jurisdiction. He suggested that an appropriate and equitable way to manage growth would be to consider expansion on a case by case basis. In conclusion, Mr. McNeil raised a number of questions including the meaning of "derive access from the Weeks Traffic Circle".
- Raymond Ouellette, an attorney representing the R.W. Realty Inc., raised concerns that a potential sale of land by his client may be lost due to this proposal. He concurred with the remarks made by Mr. McNeil regarding the meaning of "derives access" and stated that he believed that citing those deriving direct access from the Traffic Circle is "unfair". He raised concerns regarding the purpose of the growth management policy.

- Mr. Maglaras requested that Mr. Ouellette clarify his statement regarding the error on the most recent Assessor's Map D. The Chair assured the public that the Assessor will be notified.
- Mr. Sheldon noted that Mr. McNeil may have been correct when he suggested that Items #2 and #4 be considered together.
- Council Member Arnold Peters spoke in support of the proposed growth management policy and stated that he believed that the intention of the City was to control growth, not stop it. In conclusion, he stated that he hoped that the Planning Board would look favorably on this item.
- Mr. Oullette reiterated his position and stated that he was concerned about the timing of the policy's implementation. He cited the recent development of new shopping centers along the Miracle Mile.
- Mr. Peters noted that money had already been allotted to deal with the problems caused by the existing development.
- Public Hearing Closed.
- Mr. Sheldon, in response to Mr. Maglaras, further clarified the procedure that must be followed when amending the Master Plan.
- Mr. Galt reiterated the statements made by Mr. Sheldon and Mr. Peters and noted that the Council has been awaiting definitive growth management policies, to be in effect prior to the reconstruction of the Traffic Circle.
- In response to Mr. Maglaras, Mr. Steele and Mr. Galt noted that \$50,000 had been approved by the City Council, as part of the Capital Improvements Program, for the engineering of the Weeks Traffic Circle.
- In response to questioning by Mr. Maglaras, Mr. Sheldon re-explained that the Master Plan was a policy directive. He noted that the ordinance was worded to control growth on a case by case basis and that changes in use would be permitted but that expansions causing increased traffic loading would not.
- Mr. Sheldon, upon questioning by Mr. Preston, restated the location of the properties deriving access from the Traffic Circle, as outlined by the ordinance.
- Mr. Sheldon, in response to Mr. Maglaras, noted that all properties on Plaza Drive and Pinecrest Lane were included in the ordinance.

- Mr. Sheldon, in response to Mr. Galt, stated that the northern parcels of the Traffic Circle were not included in the ordinance, as they were not in a weaving pattern.
- Mr. Maglaras informed the Board that he had met with the Somersworth Planning Board to determine the impact of the proposal on a section of High Street. He stated that he was unable to get a consensus of the Somersworth Board regarding growth management. (He noted that they were in the process of amending the Somersworth Master Plan, but that because they did not have a Capital Improvements Program, they could not draft a growth management policy.)
- Moved by Mr. Bouchard, seconded by Mr. Elder to accept the amendment.
- U.A.

ITEM #3: Public Hearing to amend Dover's Master Plan, 1972 as amended, by establishing growth management policy directives, based on statistical analysis, that call for the interim restriction of development on those tracts of land presently serviced by the North End Sewer Collection System.

- Mr. Sheldon explained the basis for the proposal and cited the sewer analysis undertaken by the City Engineer, Jay Stevens, which clearly demonstrates the lack of sewer capacity. Mr. Stevens included the recommendation that no further development occur in his report. Mr. Sheldon did note that if the Capital Improvement Item providing funding for the Maple Street sewer capacity is approved, the capacity of the system will quadruple.
- Mr. Sheldon, in response to Mr. Maglaras and Mr. Williams, explained the ramifications of the proposal and restated that this action was a policy directive and not an ordinance.
- Public Hearing Opened.
- In response to Mr. Ouellette, Mr. Steele and Mr. Maglaras stated that the Planning Board had recommended the Maple Street sewer expansion as a top priority for the current Capital Improvements Program. They noted that the item was slated for the City Council agenda of July 11, and if approved, construction could begin by the Fall.
- Public Hearing Closed.

Moved by Mr. Preston, seconded by Mrs. Faria to approve the amendment.

- U.A.

ITEM #4: Public Hearing to amend Chapter 170, Article VII, of the Code of Dover, entitled Overriding Districts, by adding thereto a new section, 170-28.2, entitled Growth Management District II - Weeks Traffic Circle District.

- Public Hearing Opened.
- Mr. Ouellette requested that the Board reconsider all remarks made by him regarding ITEM #2.
- Mr. McNeil suggested that this proposal may be discriminatory. He requested that Mr. Sheldon clarify the issue relative to the ownership of the road. He questioned where City jurisdiction begins and State jurisdiction ends.
- Mr. Steele state that it was his understanding that the State held one-third of the fee interest and the City held the other two-thirds. He noted that it was entirely the City of Dover's responsibility to fund any improvements to the road.
- Mr. McNeil suggested that an advisory opinion of the City Attorney be obtained regarding the ownership of the road. He further stated that it was his belief that the language of the ordinance needs some clarification.
- Council Member Peters questioned Mr. Maglaras regarding a point of order.
- Mr. McNeil reiterated his previous remarks.
- Mr. Maglaras stated that the Board would take Mr. McNeil's remarks under advisement.
- Kerry Forbes, Century 21, stated that he was neither for nor against the proposal, however he suggested that the approach to the problem, in his opinion, should be more direct. He noted that the reconstruction of a section of Central Avenue to the south had taken only slightly more than one year to complete.
- Mr. Steele stated that the length of the proposed reconstruction of the Traffic Circle was estimated to be 3-5 years because the road was a part of the Federal Primary Highways System. He noted that an application has been submitted to the appropriate agency (relative to funding).
- Mr. Maglaras, in response to Mr. Williams, stated that the purpose of the ordinance was to promote general safety and public welfare.
- Mr. Williams raised concerns regarding the fairness of penalizing property owners abutting the Traffic Circle for the traffic problems.

- Mr. Maglaras read the propose of the ordinance, as outlined in Section 170-28.2.
- Mr. Sheldon responded to a number of the concerns raised by the public and the Board. Regarding the question of meaning of "derives access", Mr. Sheldon noted that certainly traffic from other parcels pass through the Circle, however he stated that policy directives must necessarily be coordinated with reconstruction plans. He noted that Northland Properties v. City of Dover was the result of an illegal moratorium passed by the City Council and that in its decision, the Court directed the City to go through the proper channels to manage growth. He stated that this was the purpose of the Public Hearing and he recommended that the Board approve the item.
- In response to a question from Mr. Maglaras regarding possible language changes, Mr. Sheldon noted Appendix B.
- Mr. Sheldon, in response to Mr. Galt, stated that the back three lots of Pinecrest Lane were included in the proposal because of the potential of new traffic generation at the weaving section if the parcels were to be combined.
- In response to Mr. Maglaras, Mr. Sheldon and Mr. Steele noted that the engineers working on the design of the traffic pattern will explore various alternatives and may deem that a circle is not the best design to alleviate the weaving problems.
- Moved By Mr. Bouchard, seconded by Mr. Elder to approve the amendment and send it on to the City Council for consideration.
- U.A.
- The Chair called a one minute recess. Meeting to order again at 8:31 p.m.

ITEM #5: Public Hearing to rezone the Sixth Street area from its present zoning designation RM-12, Low Density Multi-Residential, to R-12, Medium Density Residential.

- Mr. Sheldon briefly explained the 1979 zoning change which designated the area as RM-12.
- Mr. Maglaras noted the Board's reasons for the rezoning decision in 1979. Public Hearing Opened.
- Richard Hayes, 102 Sixth Street, presented a petition to the Board from area residents in support of the rezoning.
- Mr. Maglaras responded to the residents' concern that the noti-

fication process in 1979 had not been adequate. He stated that the only thing required by the ordinance at that time was placement of the item in the legal portion of the classified section of the newspaper.

- Mr. Maglaras responded to a question from Ann Smith, 117 Sixth Street, regarding the minimum lot size in the R-12 zone.
- Pauline Lugg, 2 Autumn Street, spoke in favor of the rezoning.
- Vincent Lugg, 2 Autumn Street, raised concerns regarding the procedure followed regarding a rezoning.
- Miriam Barry, Whitter Street, spoke in favor of the rezoning.
- Brian Lunt, 114 Sixth Street, spoke in favor of the rezoning.
- Jim Verschuren, 102A Sixth Street, spoke in favor of the rezoning.
- Elizabeth Murphy, representing Mrs. Cassily, Autumn Street, spoke in favor of the rezoning.
- Kerry Forbes, Century 21, spoke in opposition to the rezoning. He stated that he believed the intent of the 1979 zoning change was 1) to provide a variety of housing opportunities for Dover and 2) to provide the City with an economic opportunity (relative to the collection of taxes). He restated the points outlined by Mr. Maglaras.
- Allen Golick, 145 Sixth Street, spoke in opposition to the proposal. He stated that as the owner of a three-unit building, he was concerned about the limitations that may be placed on him, should he be forced to rebuild because of fire.
- Mr. Sheldon stated that if a fire guts 75% of a structure, as determined by the Building Inspector, the owner is required to rebuild a conforming use on the parcel.
- Mr. Maglaras, after questioning Mr. Golick, determined that the property at 145 Sixth Street was currently zoned for single family use.
- Pauline Lugg took exception to the statements made by Mr. Forbes regarding the tax revenues gained from apartment units.
- Ms. Sullivan, Sixth Street, who had earlier spoke in favor of the rezoning, noted that the land with access off of Autumn Street could be utilized for single family homes.
- Roberta Hallahan, Watson Lane, stated that she believed that the central section of the City should remain residential.
- Public Hearing Closed.

- Mr. Sheldon responded to a question by Mr. Williams regarding the ownership of the "back land".
- Moved by Mr. Galt, seconded by Mrs. Faria to approve the rezoning and forward it to the City Council for their consideration.
- U.A.

ITEM #6: Public Hearing to rezone the Henry Law/Court Street area from its present zoning designation RM-8, High-Density Multi-Residential, to RM-10, Medium Density Multi-Residential.

- Mr. Sheldon explained the proposed zoning change. Public Hearing Opened.
- Mrs. Henrietta White, Central Avenue, spoke in favor of the rezoning. She also raised concerns regarding problems associated with student housing. Mr. Sheldon and Mr. Maglaras addressed those concerns.
- Ronald Fenerty, Dover Point Road questioned Mr. Sheldon regarding the percentage of usable land in the area.
- John Rogers, South Pine Street, spoke in favor of the rezoning.
- Katherine Michael, Court Street, spoke in favor of the rezoning.
- Helen Simmons, South Pine Street, spoke in favor of the rezoning.
- Cindy Comeau, Watson Street, spoke in favor of the rezoning.
- Irene York, speaking for John Reardon, spoke in opposition to the rezoning from Union Street to the end of Court Street on Central Avenue. She raised concerns that properties within that triangle of land could be depreciated in value.
- Mr. Maglaras read a letter from Mr. John Reardon, dated June 13, 1984, into the file. Mr. Reardon stated his opposition to the rezoning.
- Pat Craig said that it was his belief that this was an attempt to deal with a problem after the fact.
- Mr. Sheldon reviewed the history of projects in the neighborhood and noted that a "fair amount of land" has been developed.
- Public Hearing Closed.

Moved by Mrs. Faria, seconded by Mr. Galt to approve the amendment and forward it to the City Council for their consideration.

- Mr. Sheldon, in response to Mr. Maglaras, noted why he believed that this area in the City is different from all other areas

relative to its zoning designation. He stated that he hoped the Planning Board's decision to zone the triangle of land abutting Central Avenue as residential, would provide a basis for the Zoning Board of Adjustment when considering cases of hardship.

- U.A.

ITEM #7: Public Hearing to rezone the Lancaster Street area from its present zoning designation RM-8, High-Density Multi-Residential, to R-12, Medium Density Residential.

- Mr. Sheldon explained the proposed zoning change and stated that he believed that its current designation, RM-8, was a drafting error on the amended 1979 zoning map.
- Public Hearing Opened.
- Cindy Comeau, Watson Street, spoke in favor of the rezoning and presented the Board with a legal opinion from her attorney which supports the Planning Departments's recommendation.
- Robert Hallahan, Watson Lane, spoke in favor of the rezoning.
- Ron Howard, 28 Watson Street, spoke in favor of the rezoning.
- Michele McInnes, 6 Watson Lane, spoke in favor of the rezoning.
- Bill Scott, 12 Stark Avenue, spoke in favor of the rezoning.
- Helen Kay noted that she had an interest in property on Watson Street and then spoke in favor of the rezoning.
- Ron Fenerty, Dover Point Road, directed a question to Mr. Sheldon regarding the nature of the evidence which suggests that an error was made on the official map of 1979.
- Mr. Sheldon, in response to a question by Ms. Hallahan, clarified the position of the zoning line placed on the 1979 map. Ms. Hallahan reiterated her support for the rezoning.
- Mr. Sheldon responded to a question from Mr. Fenerty regarding the number of lots affected by the proposal.
- Public Hearing Closed.
- Moved by Mr. Elder, seconded by Mrs. Faria to approve the amendment & forward it to the City Council for their consideration.
- U.A.

ITEM #8: Old Business

- Mr. Maglaras added two additional items under old business:
 - #9. Review of letter from Matt and Helen Williams Jr., re: ADS application.
 - #10. Review of letter from Shaw's Realty Co., re: site review application.

- 1) Amendments to Planning Board By-Laws - Alternates to Meetings and the Scheduling of Regular Meeting Dates.
 - Moved by Mr. Steele, seconded by Mrs. Faria to table the item until the next meeting because a draft of the proposed changes to the by-laws was not available.
 - U.A.

- 2) Discussion of Possible Attendance Policies
 - Moved by Mr. Galt, seconded by Mr. Preston to table the item until the next regularly scheduled meeting.
 - U.A.

- 3) Discussion of Concerns Regarding Conflicts of Interest
 - Mr. Maglaras read the current section of the by-laws which deals with this issue.
 - Moved by Mr. Galt, seconded by Mrs. Faria to table the item until the next meeting when a draft of the proposed changes will be available.
 - U.A.

- 4) Review of the subdivision application of Samuel and James Tamposi and Gerald Nash.
 - Mr. Maglaras stated that this issue was moot, as a subdivision for the parcel had been granted by the Planning Board in 1967.
 - Moved by Mrs. Faria, seconded by Mr. Galt to indefinitely postpone discussion on the item.
 - After Mr. Maglaras restated that the application for subdivision was not necessary, both Mrs. Faria and Mr. Galt withdrew their action.
 - Mr. Maglaras stated that he will write a letter to the applicants requesting the withdrawal of the application.

- Discussion among the Board regarding parliamentary procedure followed.

5) Review of the site review application of Samuel and James Tamposi and Gerald Nash.

- Mr. Maglaras noted that the parcel under consideration was within the growth management district.
- Mr. Maglaras suggested that the Board consider the request from Mr. Sheldon regarding the placement of a restriction on the applicant which calls for a traffic study.
- Mr. Sheldon read the report of the Site Review Screening Committee regarding the application.
- Mr. Maglaras noted that it was suggested to the developer, during the on-site review, that an alternative to the proposed cul-de-sac be developed.
- Mr. Maglaras noted that Mr. Sheldon's requests included both a traffic analysis and a sewer capacity analysis.
- Moved by Mr. Galt, seconded by Mr. Bouchard that the developer be requested to provide a traffic analysis and a sewer impact study.
- After further discussion by the Bd., moved by Mr. Elder, seconded by Mrs. Faria to include all conditions set forth by the Site Review Screening Committee in the request.
- U.A.
- Main motion as amended: U.A.

6) Review of the subdivision application of Ann D. Brown.

- Mr. Sheldon reviewed the history of the application.
- Moved by Mr. Preston, seconded by Mrs. Faria to approve the application for a subdivision, contingent upon the following conditions:
 - 1) Two drainage easements shall be shown on the plan, as approved by the Director of Public Works.
 - 2) Receipt of City driveway permit.
 - 3) Receipt of WSPCC approval.
 - 4) Receipt of City septic approval.
- U.A.

7) Review of the site review application of William P. Valliere (applicant Bellamy Builders).

DOVER PLANNING BOARD

June 26, 1984

Page 12....

- Mr. Maglaras reviewed the history of the application.
- Mr. Forbes responded to the concerns of Mr. Preston regarding the pending litigation relative to a previous application.
- Mr. Maglaras noted that there was no vehicle in the law for an applicant to appeal a decision by the Planning Board, with the exception of court intervention.
- The Chair ruled that the Board must take appropriate action on the application.
- Mr. Preston reiterated his concern over the pending litigation. Mr. Forbes stated that he followed the procedure recommended by his attorney.
- Mr. Maglaras, for the benefit of the attending public, explained that the Public Hearing was closed.
- Mr. Forbes further responded to the concerns raised by Mr. Preston. He then noted that his engineer was present to answer any questions of the Board. He also questioned Mr. Sheldon regarding the receipt of a memo from Police Chief Reynolds.
- Mr. Sheldon read a memo from Chief Reynolds dated June 26, 1984. He then read a letter from himself to the file, dated June 5, 1984, which commented on a conversation he had with Chief Reynolds regarding the application. In conclusion, Mr. Sheldon noted the vagueness of the June 26 memo.
- Mr. Maglaras suggested that based on past behavior of the Board, it would be appropriate to approve the application contingent upon Chief Reynold's approval.
- Mr. Sheldon responded to concerns raised by Mr. Preston regarding the differing results of the two separate traffic studies conducted relative to the application. He stated that the analysis completed by the Kimball-Chase Company, at the request of the applicant, was the most accurate.
- Mr. Bouchard stated that he and Mr. Stevens (the City Engineer), had conducted soil tests in the area of the proposed catch basins and determined that there was no drainage problem. He further stated that the area was determined to be sand and gravel.
- Mr. Forbes noted that most of the water on the site would not reach the catch basins, as it would leach directly into the soil.
- In response to Mr. Williams, Mr. Steele noted that Mr. Stevens

had not yet had an opportunity to contact the Soil Conservation Service regarding the matter.

- In response to a question by Mr. Elder, Mr. Forbes and Mr. MacArthur further explained the drainage proposal.
- Mr. Elder raised concerns regarding the flowage of water out of the retention basins and onto the abutting parcels.
- Mr. Williams requested that the developer assure the Board that the drainage proposal will not adversely impact abutting parcels. Mr. Williams included erosion among the possible adverse impacts he was referring to.
- Mr. Bouchard stated that drainage at the site was presently more detrimental to neighboring properties than the developer's proposal because of the existing clay cap.
- Mr. Williams restated his concern relative to the discharge of water from the proposed four inch pipe onto the property.
- Mr. Forbes responded to the concerns raised by Mr. Williams.
- P. Bouchard noted that the drainage plan had been approved by the City Engineer.
- Mr. Williams restated his concerns and noted the different methods which can be used to determine/define a twenty-five year storm.
- Mr. Maglaras stated that the Board had decided at the workshop session held on June 19, 1984, not to require input from the Soil Conservation Service regarding the drainage proposal. He asked the members if they wished to reverse this decision.
- Defeat of suggestion: 5-2 (Galt, Williams).
- Richard Hayes, Sixth Street, addressed the Board regarding the method used by Durgin Associates when the traffic study was conducted.
- Objections by Board Members were noted by the Chair, relative to the public addressing the Board.
- In response to Mr. Preston, Mr. Sheldon and Mr. Steele noted that the widening of the street would require the approval of the City Council.
- Mr. Sheldon raised the issue of the existing right-of-ways on the property. He stated that if indeed a right-of-way(s) does exist, the Board should consider the affect of the proposed

roadway.

- Mr. Maglāras questioned Mr. Forbes regarding this matter. Mr. Forbes stated that he was willing to accomodate the right-of-way, however that the abutters were not satisfied with his original plan. Mr. Maglāras noted that this was a civil matter.
- Mr. Maglāras reviewed the options before the Board.
- Mr. Bouchard raised concerns regarding the new emphasis placed on certain issues each time the application appears before the Board for consideration.
- Mr. Sheldon noted that the City Attorney had been contacted regarding the issue of the right-of-way and had offered the advice previously stated by Mr. Sheldon.
- Moved by Mr. Bouchard, seconded by Mr. Elder to approve the application for a site review, contingent upon the following conditions:
 - 1) Receipt of a letter from Police Chief Reynolds noting his approval of the project (relative to the traffic).
 - 2) Receipt of approval from the City Council regarding the widening of the road.
 - 3) Accomodation of the right-of-way from the Verschueren property to the Hayes property by the way of curb cuts.
- In response to Mr. Galt, Mr. Maglāras and Mr. Forbes noted the three right-of-ways will be depicted on the plan.
- Mr. Galt raised concerns regarding the impact of the runoff from the four inch pipe proposed in the drainage plan.
- Mr. Bouchard and Mr. Elder amended their motion to include the following condition:
 - 4) A rip-rap shall be placed on the plans; the design shall be subject to the approval of the City Engineer.
- Mr. Sheldon responded to concerns raised by Mr. Williams regarding the necessity of the installation of a rip-rap.
- Upon suggestion by T. Sheldon, Mr. Bouchard and Mr. Elder amended thier motion to include the following condition:
 - 5) The plan shall include 2,800 square feet of recreation area, subject to the approval of the Planning Director.
- Mr. Sheldon noted that the fire flow tests conducted on the site had been done improperly. Upon his suggestion, Mr. Bouchard and Mr. Elder amended their motion to include the following condition:

- 6) A fire suppression system shall be installed, the design of which shall be approved by the Fire Chief.
- Vote: 3-4 (Preston, Faria, Steele, Galt). Defeated.
 - Mr. Maglaras reviewed the options of the Board.
 - In response to a request by Mr. Maglaras, the Members who voted in opposition to the motion cited the reasons for their action. Mr. Preston cited his discomfort with Mr. Forbes pending litigation with the City, as well as traffic conditions. Mr. Steele cited three reasons for his action: 1) Drainage - He noted he would be willing to reconsider his action should the developer redesign the system to provide for the collection of all the water on the site. 2) Traffic - He stated that the Police Chief should provide the Board with a clearer decision and that the widening of Sixth Street should be presented to the City Council for consideration. 3) Right-of-way-- He expressed his confusion relative to the matter. Mrs. Faria cited her concerns over the traffic conditions. Mr. Galt reiterated the concerns raised regarding traffic, existing right-of-ways and the drainage proposal.
 - The Board, in response to a question from Mr. Forbes, discussed the role of the Police Chief's analysis of traffic conditions.
 - Mr. Maglaras suggested that the Board act consistently with past behavior when taking final action on the application.
 - Mr. Elder questioned Mr. Forbes regarding the possibility of redesigning the drainage plan so as to remove the four inch pipe.
 - Mrs. Faria reiterated her concerns regarding traffic.
 - Mr. Williams moved to table the item. The motion died for the lack of a second.
 - Mr. Sheldon noted that a 90-day extension from the City Council was not necessary in this case. The original Public Hearing occurred on June 12, 1984. The next regularly scheduled meeting of the Board on July 10, 1984 is within the thirty-day requirement.
 - Mr. Maglaras called for a vote from the Members regarding the items they wished to request from Mr. Forbes for the next meeting.
Plans which indicate an on-site drainage system: 4-3 (Bouchard, Preston, Faria). Passed.
Review by the Soil Conservation System regarding drainage: 2-5 (Williams, Galt). Defeated.
Memo from Police Chief Reynolds regarding traffic conditions: Approved.

- Mr. Maglaras summarized the wishes of the Board and stated that the applicant was requested to provide a memo from the Police Chief regarding traffic conditions and a plan depicting on-site drainage for the next regularly scheduled meeting.
- Mr. Forbes and Mr. Maglaras responded to concerns raised by Mr. Galt regarding the accomodation of existing rights-of-way.
- Mr. Steele suggested that Mr. Galt inform the City Council that Sixth Street could potentially be widened as part of this proposal. (This action would be at the developer's expense.)
- The Board decided to review this item at the meeting scheduled for July 10.

8) Review of site review application of Wentworth-Douglass Hospital.

- Mr. Sheldon read the report of the Site Review Screening Committee and noted that the Hospital had agreed to comply with all the points outlined.
- The Board discussed the issue relative to the closing of the laundry in the Hospital. Mr. Bouchard stated that the laundry should remain closed until the sewer capacity in the area is adjusted.

Moved by Mr. Steele to approve the site review application, contingent upon the conditions of the Site Review Screening Committee and the following condition:

The applicant shall be responsible for the engineering plans, specs and bid package for the reconstruction of Central Avenue, from Old Rollinsford Road to Lowell Avenue, the cost of which shall not exceed \$40,000.

- Mr. Steele mentioned other items under consideration by the Hospital.
- Mr. Galt seconded the motion by Mr. Steele and then spoke to the motion.
- The Board discussed the procedure to be followed regarding placing restrictions/conditions on the applicant relative to the actual reconstruction of the road.
- Mr. Galt questioned the applicant regarding the status of the Wetlands Board hearing in Rollisford.
- Vote: U.A.

-- Moved by Mr. Steele to defer items 9 and 10 until the next meeting, due to the late hour.

- Mr. Maglaras withdrew items 9 and 10 from the agenda.
- Mr. Maglaras noted that the letter from Matt and Helen Williams Jr. was not reviewed at the last meeting because the only copy was unavailable to the Board. (Mr. Williams did not submit a copy to the Planning Department's file.)

ITEM #9: New Business

- 1) Approval of the minutes of the regularly scheduled meeting held on May 22, 1984.
 - Moved by Mr. Elder, seconded by Mr. Galt. U.A.
- 2) Approval of the minutes of the workshop session held on May 28, 1984.
 - Moved by Mr. Galt, seconded by Mr. Elder. U.A.
- 3) Approval of the minutes of the regularly scheduled meeting held on June 12, 1984.
 - Moved by Mr. Maglaras, seconded by Mr. Elder to amend the minutes to include clarification of the Chair's absence from the meeting. (Mr. Maglaras was detained in N.H. Supreme Court.)
 - Moved by Mr. Steele, seconded by Mr. Elder to accept the minutes as amended. U.A.
 - Moved by Mrs. Faria, seconded by Mr. Galt to adjourn at 11:45 p.m.