

DOVER PLANNING BOARD
MINUTES OF MEETING

SPECIAL MEETING

Held: August 7, 1984
Council Chambers
Municipal Building
Dover, NH

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

Alternate Member Present: Robert Weisner.

Other: Planning Director Timothy Sheldon.

Chair Maglaras called the meeting to order at 6:45 p.m.

ITEM #1: Review and consideration of the letters received from Attorneys Malcolm McNeil and Scott Woodman, relative to the site review application of Bellamy Builders (Sixth Street): PB case #H84-13.

- The letters submitted to the Board by Mr. McNeil and Mr. Woodman were read aloud.
- Moved by Mr. Williams, seconded by Mr. Preston to suspend the rules.
- U.A.
- Mrs. Faria directed questions to Mr. McNeil regarding his interpretation of Robert's Rules of Order relative to standing and select committees. Mr. McNeil reiterated the points he made in his letter.
- Mr. Preston raised concerns regarding the accuracy of the property lines presented on the plan submitted with the application. Mr. Forbes stated that he had relied on a title search undertaken in 1980 or 1981, and that subsequently he learned of the five foot strip of land which had been subdivided.
- Mr. Williams reiterated that concerns of Mr. Preston. Mr. Sheldon responded.
- Mr. Beckingham reminded that Board of the original issue before the Board, that being the letter submitted by the City Attorney. Mr. Galt stated that he believed that items being discussed were valid.
- Mr. Williams raised concerns regarding the Board's approval of a plan which depicted "approximate boundaries".
- Mrs. Faria restated her position regarding the section of Robert's Rules of Order relative to standing committees. She noted that she believed this section gave her authority for her motion to reconsider the application.

- Moved by Mrs. Faria, seconded by Mr. Galt to reject the letter submitted by Attorney Woodman. Mrs. Faria and Mr. Galt spoke to the motion.
- Mr. Williams stated that the Planning Board did have the option to petition the City Attorney to address the matter in Superior Court.
- Mr. Beckingham spoke in opposition to the motion on the floor and noted that the Board could accept Attorney Woodman's letter and still request a review of the opinion supported by Mrs. Faria.
- Mr. Maglaras stated that he did not believe that the Planning Board was either a standing committee or a select committee.
- Mrs. Faria and Mr. Galt requested that the original motion include a second part; to read as follows: The Planning Board shall request the opinion of the City Attorney regarding the status of the Planning Board as a standing committee.
- Moved by Mr. Bouchard, seconded by Mrs. Faria to divide the question.
- U.A.
- Vote on part one of the motion (to reject the letter submitted by Attorney Woodman): 5-3 (Preston, Steele, Faria).
- Mr. Maglaras called for a motion to accept the letter. Moved by Mr. Beckingham, seconded by Mr. Williams to accept the letter submitted by Attorney Woodman.
- Vote: 5-4 (Faria, Steele, Preston, Galt) - Mr. Maglaras cast a "yes" vote to break the tie.
- Vote on the second part of Mrs. Faria's original motion (to request the opinion of the City Attorney relative to the status of the Planning Board as a standing committee); U.A.
- Mr. Maglaras, upon a suggestion from Mr. Preston, stated that an addendum to the August 14, 1984 agenda will be initiated so as to permit the discussion of the Planning Board's compliance with City ordinances.
- Also upon a suggestion from Mr. Preston, Mr. Maglaras stated that he will request an opinion from the City Attorney regarding the consequences of actions by the Planning Board which are not in compliance with City ordinances.
- Moved by Mrs. Faria, seconded by Mr. Steele to adjourn the meeting at 7:45 p.m.

DOVER PLANNING BOARD
WORKSHOP SESSION

MINUTES OF MEETING

Held: August 7, 1984
Council Chambers
Municipal Building
Dover, NH

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

Alternate Member Present: Robert Weisner.

Other: Planning Director Timothy Sheldon.

Conservation Commission Members: Chair Arthur Thomits, George Niles, Richard Kane, Dennis McCann.

(This workshop session followed the special meeting held at 6:45 p.m.)

REVIEW OF SITE REVIEW APPLICATION OF JAMES COUGHLIN

Mr. Sheldon explained the site review application and noted the reasons for the scheduling of this joint meeting between the Planning Board and the Conservation Commission.

Various members of the Board requested a further clarification by Mr. Sheldon.

Mr. McCann inquired about the absence of the applicant. Mr. Maglaras noted that Mr. Sheldon legally had the authority to explain the proposal.

In response to a question from Mr. Thomits, the Board noted that the Bellamy River was classified as a Class B waterway.

The Board and the Conservation Commission discussed their concerns regarding the sheet-flow drainage from the proposed parking lots.

Discussion of the number of parking spaces included in the proposal followed.

Mr. McCann noted the guidelines used by the Conservation Commission when considering any proposal.

Mr. Sheldon reviewed the conditions which could possibly be included in any approval granted.

It was noted that this item will come before the Board at the Public Hearing scheduled for August 14, 1984.

Meeting adjourned at 8:20 p.m.

MEMORANDUM

TO: PLANNING BOARD MEMBERS
FROM: CHAIR GEORGE MAGLARAS
DATE: JULY 20, 1984
RE: PROPOSED CHANGE TO PLANNING BOARD BY-LAWS

ARTICLE IV. Section 3: The word regular could be inserted before the word membership.
in order to provide further clarity regarding the role of
the alternates.