

DOVER PLANNING BOARD

MINUTES OF MEETING

Held: August 28, 1984
Council Chambers
Municipal Building
Dover, NH

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

Alternate Member Present: H. Les Elder.

Other: Planning Director Timothy Sheldon.

Mr. Maglaras called the meeting to order at 7:05 p.m.

ITEM #1: Public Hearing on the minor subdivision of land owned by Daune D. Kay, Assessor's Map F, Lot 23B, zoned R-40, on Columbus Avenue.

Duane Kay explained the proposal.

Mr. Sheldon read the report from the Site Review Screening Committee, as well the comments submitted by Fire Chief Bibber.

Public Hearing Opened.

Roswell Gaunya, Littleworth Road and Columbus Avenue, spoke in favor of the proposal.

In response to concerns raised by Mr. Williams, Mr. Sheldon noted that maps depicting soil profiles and topography are required only for applications dealing with major subdivisions. In addition, Mr. Sheldon explained that, should an applicant fail to receive approval from the WSPCC, the subdivision would be invalid as submitted if receipt of said approval were a condition of the Board's approval.

Mr. Williams reiterated that fact that it was difficult to determine the impact of proposed drainage facilities without a map depicting topography.

Moved by Mrs. Faria, seconded by Mr. Bouchard to approve the

the minor subdivision contingent upon the following conditions:

- 1) If the proposed subdivision is to be used for the placement of mobile homes, the mylar should so indicate.
- 2) Receipt of WSPCC and City septic approvals.
- 3) Receipt of a City driveway permit, when necessary.

U.A.

ITEM #2: Public Hearing on the minor subdivision of land owned by Ralph Chamberlain, (applicant Charles B. Mutrie), Assessor's Map M, Lot 93, zoned R-40, off Back Road.

Charles Mutrie explained the proposal.

In response to a question from Mr. Maglaras, Mr. Mutrie noted that he had received a variance from the Zoning Board of Adjustment for relief from frontage requirements on a public right-of-way.

Mr. Sheldon read the report from the Site Review Screening Committee and the comments forwarded by Fire Chief Bibber.

Mr. Williams commented on Chief Bibber's request for the placement of a fire hydrant.

In response to questioning by Mr. Preston, Mr. Mutrie noted the existing pond on the previous phase of the plan submitted to the Board, but stated that he did not feel that it could provide adequate fire protection for the area because it was not easily accessible. He further stated that he would like to recommend to prospective property owners that they install sprinkler systems in their homes for fire protection purposes.

The Board further discussed the issue of fire protection in the area.

Mr. Sheldon, in response to a question from Mr. Galt, stated that the setback requirement for the cul-de-sac depicted on the plan was five feet.

Public Hearing Opened - No one spoke in favor or in opposition to the proposal.

Public Hearing Closed.

Moved by Mr. Galt, seconded by Mr. Williams to approve the minor subdivision, contingent upon the following conditions:

- 1) Receipt of WSPCC and City septic approval.
- 2) No City services (sewer, water, snowplowing, garbage) shall be provided until the private right-of-way is constructed to City street specifications.
- 3) Waiver of Section 155-51 (Driveways) of the Code of the City of Dover, prohibiting access by more than two lots on a private right-of-way.
- 4) All conditions stated above shall be placed on the mylar.

Mr. Preston stated that he believed the private right-of way being developed by Mr. Mutrie was "well built".

U.A.

ITEM #3: Public Hearing on the major subdivision of land owned by Paul F. Maloney, Assessor's Map B, Lot 1, zoned R-40, on the Corner of Sixth Street and County Farm road.

Paul Maloney explained the proposal.

Mr. Maglaras noted that the lot in question was at the corner of Sixth Street and County Farm Road, not County Farm Cross Road as indicated on the agenda.

Mr. Sheldon read the report of the Site Review Screening Committee and the comments forwarded by Fire Chief Bibber.

Public Hearing Opened.

Dr. Maloney requested clarification of the Fire Chief's request for an additional hydrant.

Public Hearing Closed.

Mr. Maglaras addressed the question raised by Dr. Maloney and then addressed Mr. Bouchard regarding the present location of City water services in the area.

In response to questions from members of the Board, Mr. Bouchard stated that a 12 inch water main currently exists on County Farm Road.

Upon questioning by Mr. Williams, Mr. Bouchard stated that the City is not in a position to provide hydrants for the developer to install.

Mr. Galt commented on the lack of fire hydrants on all of upper Sixth Street.

Moved by Mr. Bouchard, seconded by Mrs. Faria to approve the major subdivision, contingent upon the following conditions:

- 1) Receipt of WSPCC and City septic approval.
- 2) Receipt of driveway permits, when necessary.

U.A.

ITEM #4: Public Hearing on the minor subdivision of land owned by Alice Moscarillo, Assessor's Map B, Lot 10, zoned R-40, on County Farm Cross Road.

Alice Moscarillo explained the minor subdivision.

Mr. Sheldon read the report of the Site Review Screening Committee and the comments forwarded by Fire Chief Bibber.

Public Hearing Opened - No one spoke in favor or in opposition to the proposal.

Public Hearing Closed.

Moved by Mr. Galt, seconded by Mr. Williams to approve the minor subdivision, contingent upon the following conditions:

- 1) Receipt of WSPCC and City septic approval.
- 2) Receipt of driveway permit, when necessary.

U.A.

ITEM #5: Public Hearing on the minor subdivision of land owned by Katherine Towle, (applicant Bradford A. Towle), Assessor's Map I, Lot 54, zoned RM-12, on the corner of Back River Road and Mast Road.

Bradford Towle explained the proposal.

Mr. Sheldon read the report of the Site Review Screening Committee and the comments forwarded by Fire Chief Bibber.

Public Hearing Opened - No one spoke in favor or in opposition to the proposal.

Public Hearing Closed.

Moved by Mrs. Faria, seconded by Mr. Galt to approve the minor

subdivision, contingent upon the following conditions:

- 1) Receipt of WSPCC and City septic approval.
- 2) Receipt of City driveway permit, when necessary.

U.A.

ITEM #6: Old Business

- 1) Review of the subdivision application of Richard J. Haigh (applicant Dale L. Chinburg).

Mr. Maglaras noted that an on-site review of the parcel had been held.

Moved by Mrs. Faria, seconded by Mr. Steele to approve the major subdivision, contingent upon the following conditions:

- 1) Receipt of City septic permit.
- 2) Receipt of driveway permits, when necessary.

U.A.

- 2) Review of the site review application of Thomas DuMont and Raymond Porelle (applicant LoMay Development Associates).

Due to the applicant's absence, moved by Mr. Galt, seconded by Mr. Elder to suspend the rules and continue with item #7.

U.A.

ITEM #7: New Business

- 1) Approval of the minutes of the special meeting and workshop session held August 7, 1984.

Mr. Elder requested that it be noted that he was unavailable for the meeting because he was out of town.

Moved by Mr. Elder, seconded by Mr. Williams to approve the minutes.

U.A.

- 2) Approval of the minutes of the regularly scheduled meeting held on August 14, 1984.

Mr. Williams offered the following amendment to the first line on page seven: "Bob Richard, part owner of the proposal, responded

to the concerns raised by Mr. Williams regarding the amounts of salt typically used in private ways and parking lots."

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

U.A.

3) Mr. Maglaras informed the Board that he had received a letter of resignation from James Beckingham.

Moved by Mr. Galt, seconded by Mr. Elder to accept the letter and forward a letter from the Board thanking him for his service.

U.A.

Mr. Steele noted that the letter from Mr. Beckingham should be forwarded immediately to the City Clerk.

Mr. Maglaras stated that he will send a letter to Council Member Torr informing him of the vacancies on the Board.

Mr. Galt inquired as to whether the Board had sent a letter to Mr. Akerman expressing its' gratitude for his many years of service. Mr. Steele and Mr. Maglaras noted that the City Council was responsible for this type of correspondence.

Moved by Mrs. Faria, seconded by Mr. Galt to send Mr. Akerman a letter which thanks him for his service.

U.A.

4) Construction Standards for Private Right-of Ways

Mr. Williams suggested that the Board consider addressing the development of single-family homes within a homeowners' association the same way as it addresses the development of condominiums, relative to access on a private right-of-way.

The Board discussed this possibility.

Mr. Maglaras stated that he will request the opinion of the City Attorney regarding the legality of Mr. Williams' suggestion.

Mr. Preston suggested that Section 170-06, Frontage, of the Zoning Ordinance be amended to read "City street" in the place of "public right-of-way".

The Board discussed the matter and once again decided to refer the item to the City Attorney for his review.

5) Next Regularly Scheduled Meeting Date

Moved by Mr. Elder, seconded by Mrs. Faria and Mr. Galt to hold the next regularly scheduled meeting on September 18, rather than September 11. This is an effort to avoid possible conflicts which may arise from election day.

U.A.

Mr. Maglaras stated that the Board would now return to Item #6 on the agenda, Old Business, and review the application submitted by LoMay Development Associates.

Mr. Maglaras stepped down for this item and Mrs. Faria assumed the Chair.

Mr. Sheldon read a letter from the Site Review Screening Committee outlining their concerns.

Mr. Porelle stated that he had complied with all conditions outlined in the letter, excepting the drainage proposal.

Moved by Mr. Preston, seconded by Mr. Elder to table this item until the developer has a satisfactory drainage proposal, for a period of sixty days or less.

Mr. Galt inquired if the Board was required to obtain a ninety day extension from the City Council for this item.

Mr. Porelle stated that ninety days was sufficient time for his purposes.

Mr. Preston and Mr. Elder withdrew the motion on the floor.

Moved by Mr. Galt, seconded by Mr. Preston to request a ninety day extension from the City Council for this item.

Mr. Williams stated that it was his belief that the abutters should be notified if the plan undergoes substantial changes.

Mr. Sheldon responded to Mr. Williams concerns.

Mr. Galt stated that he was concerned that the impact of a new drainage proposal may require another public hearing.

Mr. Steele noted that there is presently a drainage plan provided by the developer, however the proposal lacks the necessary easement to make it viable. He further stated that the developer has complied with all the remaining requirements set forth by the Site Review Screening Committee and therefore, he predicted no substantial changes.

Mrs. Faria inquired if the Board had any objections to granting the public an opportunity to speak. It was noted that there were no objections as long as the information provided was new.

Dave Faulkner, 97 Portland Avenue, asked to view the changes in the plans.

Arthur Maglaras, Lock Street, explained the history of the current drainage setup on the property.

Mr. Faulkner suggested that the two additional parking spaces on the plan might warrant additional screening along the property line near his house. Mr. Sheldon noted the stockade fence depicted on the plan.

In response to Mr. Faulkner, Mr. Steele once again noted that a new public hearing would be held only if the Board determines significant changes in the proposal.

Don Roberge, 90 Portland Avenue, inquired about the possibility of making Cocheco Street one-way. Mrs. Faria referred him to the Council's Parking and Traffic Committee.

Vote on motion: U.A.

Mr. Maglaras returned to the Chair and resumed with New Business.

After further discussion, the Board decided to discuss the issue of the construction of road profiles at the meeting to be held on September 18.

6) Strafford Regional Planning Commission Representatives

Mr. Maglaras stated that the Board will be accepting applications for the next three weeks and that nominations will be made after that time period.

Moved by Mr. Steele, seconded by Mrs. Faria to adjourn the meeting at 8:37 p.m. U.A.