

DOVER PLANNING BOARD
MINUTES OF MEETING

Held: January 18, 1983

Members present: G. Maglaras, W. Meserve, St. Faria, K. Forbes, A. Peters, P. Bouchard, and R. Steele. Also present was Planning Director T. Sheldon.

ITEM #1: Public hearing on the minor subdivision of lands of ROBERT and GERALDINE SYLVESTER, Assessor's Map N, Lot 22 on Coheco Street.

-Mr. Sheldon explained the Sylvester's request.

PUBLIC HEARING OPENED:

-Mr. Sylvester described the proposed subdivision.

PUBLIC HEARING CLOSED.

Moved by Steele, seconded by Faria to approve the subdivision with the following conditions: U.A.

1. Receipt of Driveway Permit.
2. Drainage plan to be accepted by the City Engineer and City Manager.

ITEM #2: Public hearing on the minor subdivision of lands of JOSEPH and JEANNE LABBE, Assessor's Map L, Lot 96E off Dover Point Road.

-Mr. Sheldon explained the proposed subdivision of approximately 4 acres of land off 256 Dover Point Road into two lots. He further explained the subdivision meets all zoning and subdivision criteria as required, having received a waiver of the frontage requirements for the second lot from the Zoning Board of Adjustment. Mr. Steele questioned why the Labbe's would not allow a minimum of a 50' right of way since there would be sufficient frontage. Mr. Sheldon told the board that right of way may be included in frontage, and since that is not multiple development there may not be a need for a 50' right of way. Mr. Steele was concerned that by approving the subdivision with the 25' right of way the Planning Board would be setting a new precedent, considering previous subdivisions have required a minimum of a 50' right of way.

-Mr. Bouchard concurred.

-Mrs. Walker, representative for the Labbes, stated that the applicants had planted trees and feared by allowing a 50' right of way they would be forced to destroy the trees.

-Jim McAdams, 7 Riverside Drive, felt it would be inadvisable for the Board to allow a 25' right of way for safety reasons.

PUBLIC HEARING OPENED:

No one spoke in favor or against the subdivision.

PUBLIC HEARING CLOSED.

Mr. Sheldon explained that the ZBA said they could adequately service the 25' right of way but that the Planning Board, not the ZBA has control over the width of the right of way. The ZBA allowed only the waiver of the frontage of Lot #2.

Moved by Peters, seconded by Meserve to grant the subdivision with the following conditions:

1. Receipt of Driveway permit.
2. That the deed restrict the parcel to a single family dwelling.

APPROVED: 5:2 (Bouchard, Steele)

Mr. Steele expressed concern and felt the Board should re-examine the driveway ordinance possibly at the January 25th workshop.

ITEM #3: Public hearing on the major subdivision of lands of DANIEL FISHER, Assessor's Map K, Lot 2 off Henry Law Avenue.

-Mr. Sheldon explained the subdivision; the development plan in the future would be to subdivide 50 acres into 100 single family residential lots, as the R-12 zone would permit. Mr. Sheldon described Phase I only of the project which would develop 15 lots with a minimum lot size of 12,000 sq. ft. having a loop road coming in from Thompson St. Mr. Fisher has requested a waiver of the sidewalk requirements and underground utility provisions of the subdivision ordinance.

-Attorney Robert Fisher, representing Mr. Fisher, stated to the Board that the request of the waiver of underground utilities is not absolutely necessary, however, the request for waiver of the sidewalk requirements is essential.

PUBLIC HEARING OPENED:

Robert Whiting expressed concern over the waiver(s).

PUBLIC HEARING CLOSED.

The Board agreed to defer action until a site review was held at the site. Site review will be held on Saturday morning, January 22, 1983 at 10:00.

ITEM #4: Public hearing on the Site Review of the Bellamy River Development, Assessor's Map H, Lot 41 off Westgate Drive.

-Developer James Coughlin and Engineer Eric Mitchell explained the proposal of the 192 multi-family units to the Board, stating that because all criteria of the City's site plan ordinance have been met or exceeded they would therefore request final approval be given to 48 units on Lot #5, and final approval be given to the remainder of the units subject to the allocation of sewer, and subject to the working of a traffic pattern.

PUBLIC HEARING OPENED:

-Frank Flannery questioned the future allocation of sewer capacity if the 48 units were approved. Mr. Steele explained that if the units are accepted, they would use all the residential allocation in the area until such time as the sewer mains are enlarged. However, it would not use the space expressly reserved for industrial and commercial use. Mr. Sheldon further explained that sewer allocation for 22 additional single-family residential units has been also reserved in the sewer service area.

-John Gembinski, 22 Lisa Beth Drive, questioned state law of notification of hearings. Mr. Gembinski expressed concern that the use of the river as open space is not in accordance with the open space ordinance, and that the proposal in total was, "simply putting a high rise on a postage stamp."

-Herb Malo, 21 Lisa Beth Drive, said City Attorney Scott Woodman has had two entirely different rulings on minimum lot size; including ambiguous meanings of term open space. Mr. Malo further stated that in view of these discrepancies it would be "a piece of cake for a municipal lawyer", and that the Board would not need this "potential grievance."

-Jim Church, 20 Lisa Beth Drive questioned what the Board has done about investigating traffic density. Mr. Church asked about the possibility of talking to the state officials regarding a traffic light at Westgate Drive.

-Mr. Sheldon explained that the State would have to become involved with the intersection because it is a State highway. He further stated that he met with Public Works Director Pete Bouchard and City Engineer Jay Stevens to review technical plans to see if they met the necessary requirements and informed Mr. Coughlin of what would need to be rectified at the intersection before the remaining 144 units could be developed.

-Mr. Coughlin acknowledges the problem and will deal with it accordingly.

-Mr. Church would like the Board to request underground utilities.

-Richard York spoke in opposition of the proposal and expressed concern regarding the traffic problem. Mr. Sheldon stated that Chief Reynold's opinion is to deny the 48 units approval until an alternative plan has been drawn up.

PUBLIC HEARING CLOSED.

Mr. Steele noted he would like to table any action until the February 8th regular meeting and have written communication from Chief Reynolds expressly concerning the 48 units.

Moved by Peters, seconded by Forbes to make final decision on 48 units on Saturday, January 22, 1983 at a site review with a letter of recommendation from Chief Reynolds.

Mr. Steele moved for a 2 minute recess, after which the Board agreed to meet at the above-referenced site at 10:30 for final decision of the 48 units, and with Chief Reynolds attending. U.A.

ITEM #5: Public hearing on the minor subdivision of lands of JOHN and RUTH PALMER, Assessor's Map 20, Lots 80 and 82 at 3-7 Wentworth Street.

PUBLIC HEARING OPENED:

-Attorney James Koromilas representing the applicants, explained the subdivision. He stated that the Palmers had received a waiver from the ZBA for relief from insufficient frontage and setbacks for two of the three proposed lots.

PUBLIC HEARING CLOSED.

Moved by Faria, seconded by Meserve to approve subdivision as submitted. U.A.

ITEM #6: Public hearing on the minor subdivision of lands of THOMAS CURRY, Assessor's Map A, Lot 47 at 505 Sixth Street.

-Mr. Sheldon explained the proposed subdivision. He stated that the land was to be combined with an abutters property and that it would not be a separate lot.

PUBLIC HEARING OPENED:

No one spoke in favor or in opposition.

PUBLIC HEARING CLOSED.

Moved by Peters, seconded by Bouchard, to approve as submitted. U.A.

ITEM #7: Public hearing on the minor subdivision of land of PATRICK BRADY and RICHARD VANGROUW, Assessor's Map C, Lot 40 on Tolend Road.

-Mr. Sheldon explained the proposed subdivision stating that the applicants had received a waiver from frontage requirements from the ZBA. He further stated that the proposal met all other subdivision requirements.

PUBLIC HEARING OPENED:

No one spoke in favor or in opposition.

PUBLIC HEARING CLOSED.

Moved by Steele, seconded by Bouchard, to approve as submitted with the following conditions: U.A.

1. Receipt of WSPCC approval.
2. Receipt of City Septic approval.
3. Receipt of Driveway permit.

ITEM #8: NEW BUSINESS.

A. Conceptual Development Plan - Shop & Save - Larry Plotkin, Vice-President of Hannaford Brothers presented conceptual drawings of the proposed Shop & Save complex. Mr. Plotkin noted that Shop & Save would share half the cost of a corridor study that would outline intersection problems. Shop & Save acquired an option on Garrison Greenhouse property along with 12 surrounding acres part of which lies in Rollinsford. 82% of the 102,000 square foot building would be in Dover. Total estimate cost - \$4-\$5 million.

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B. Conceptual Development Plan - Shaws - Jack Thornton, director of real estate for Shaw's showed conceptual drawing of Shaws supermarket on approximately 50 acres of land. Mr. Thornton explained Shaw's has negotiated a purchase and sales agreement with the owners of Siegels, and an option on adjoining land. The complex is estimated at 129,000 square feet. Mr. Thornton added that Shaw's would share in half the cost of the corridor study.

Mr. Sheele explained that prospects of the UDAG grant look positive at the present time.

The Chairman recessed the meeting and instructed the Board that the meeting would reconvene on Saturday, January 22, 1983 at 10:00 a.m. at the Fisher property site.

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