

DOVER PLANNING BOARD

MINUTES OF MEETING

Held: September 27, 1983
Council Chambers
Municipal Bldg., Dover, NH

Members Present: W. Ackerman, K. Forbes, G. Maglaras, P. Bouchard, H. Preston, and Planning Assistant Linda Clark.

ITEM #1: Public Hearing on the minor subdivision of lands of Muriel McDuffee, Assessor's Map B, Lot 23, zoned R-40 on County Farm Road.

- Chairman Maglaras explained that the proposal called for subdividing 12.8 acre parcel into two lots. The proposal meets all zoning ordinances and subdivision regulations.

Public Hearing Opened:

- No one spoke in favor.
- No one spoke in opposition.

Public Hearing Closed:

- Mr. Forbes asked Mrs. McDuffee if she gave the 50' conservation district easement to the conservation commission, or is it there because it is a brook?
- Mrs. McDuffee said that the conservation commission informed her she had to have it.

Moved by Ackerman, seconded by Forbes to accept the subdivision with the following conditions:

1. Receipt of WSPCC approval.
2. Receipt of Driveway Permit.
3. Receipt of City Septic approval. U.A.

ITEM #2: Public Hearing on the site review of land of Dover Housing Authority, Assessor's Map 20, Lot 96, zoned RM8, on the southerly end of Nile Street.

- Chairman Maglaras noted the site review screening committee has reviewed the plans.
- Architect Bill Hammer explained the proposal to construct 20 HUD subsidized units for elderly housing; three separate buildings with the intent of utilizing solar heat. All units are accessible to handicapped.
- Mr. Forbes asked Mr. Hammer why Nile Street was chosen for access/egress and not Court Street.
- Mr. Hammer explained that in order to utilize passive solar heat they used the south side; thus Nile Street.
- Chairman Maglaras read a letter from Public Works Director Peter Bouchard and City Engineer Jay Stephens noting that pipe material for the mains shall be ductile iron, PVC for sewer and RCP for for drains.

State permits for water, sewer and drainage must be applied for. Since there is no cul-de-sac at the end of Niles Street, some provision will be necessary for the turning of snow equipment and deposit of snow during winter operations. Mr. Bouchard then went on to explain there is no way for the truck to turn around. There must be a place to deposit the snow, therefore some provisions must be made. If there is a city-owned cul-de-sac the plow can push the snow into that cul-de-sac. Mr. Bouchard said that now is the perfect opportunity to rectify the problem. Mr. Bouchard stated that the Board does not have the authority to approve without a city accepted street.

- Mr. Hammer asked Mr. Bouchard to explain dimensions of the cul-de-sac to which Mr. Bouchard said approximately 100' to 120' in diameter; some are pear-shaped, hammer-head, etc.
- Chairman Maglaras recommended the Board schedule a site review, and went on to read a letter from Police Chief Reynolds. The letter stated that after examination of the site development plans there is no objection to approval of the proposal providing there will be proper access without view of obstructions. Chief Reynolds sited possible confusion may arise during an emergency situation when trying to identify the Niles Street elderly development and the Niles Drive elderly development. This is of concern since one section will not have direct access to another. Therefore Chief Reynolds recommends that the Planning Board assign two distinctly different names for these areas.
- Mr. Frank Torr stated that the DHA has addressed the problem and he assured the Board that there will be a different name for their project.

Public Hearing Opened:

- No one spoke in favor.
- No one spoke in opposition.

Public Hearing Closed:

- Chairman Maglaras recommended the Board schedule a site review.

The Board unanimously agreed to hold a site review on Thursday, October 6, 1983 at 4:00 p.m. on Niles Street. Action not to be taken until October 11, 1983 meeting.

ITEM #3: Public Hearing On the minor subdivision of lands of George Demosthenes, Assessor's Map I, Lot 25C, zoned R-40 on Drew Road.

- Chairman Maglaras explained the proposed subdivision of 18.56 acres, and said the proposal meets with all zoning ordinances and regulations.

Public Hearing Opened:

- No one spoke in favor.
- No one spoke in opposition.

Public Hearing Closed:

- Moved by Forbes, seconded by Ackerman to approve the following conditions:
 1. Receipt of WSPCC approval.
 2. Receipt of Driveway Permit.
 3. Receipt of City Septic approval. U.A.

ITEM #4: Public Hearing on the minor subdivision of lands of Edward and Frances Hoginski, Assessor's Map L, Lot 95Z, zoned R-20 on Roberts Road.

- Mr. Hoginski explained the proposed subdivision, stating that the lots comply with all regulations with the exception of frontage requirement, and the ZBA granted relief.

Public Hearing Opened:

- No one spoke in favor.
- Stephen White, speaking for Joseph Zammitt asked if there is a requirement that allows only two driveways on a deeded ROW.
- Mr. Forbes asked if Mr. Zammit has a deeded ROW.
- Mr. White said the deed shows a ROW (a footpath) to the water. He added that Mrs. Snook had kept this a ROW for years.
- Mr. Hoginski showed Mr. Forbes a copy of the ZBA meeting minutes after Mr. Forbes asked him if this issue had been raised at the meeting.
- Mr. Hoginski read from a copy of Mr. Zammit's deed; recorded in 1957. "The location of said ROW to be designated by the grantor, Mrs. Snook and her heirs, reserving the right to change the location of said ROW in her discretion!"
- Mr. Hoginski further cited the precedence set by the Calderwood subdivision (granted last year) which allows three people to share a ROW less than $\frac{1}{4}$ mile from his property.
- Elizabeth Merchant asked if she will have ROW to the water.
- Mr. Hoginski said Ms. Merchant's deed reads the same as Mr. Zammit's deed.

Public Hearing Closed:

The Board unanimously agreed to hold a site review on October 6, 1983 at 4:30 p.m. on Roberts Road. No action will be taken until the next scheduled meeting on October 11, 1983.

ITEM #5: Old Business

1. Any old business that may come before the Board.
Ref: sign ordinance-Mr. McAdams asked how long of a time frame is allowed for A-frame signs to comply with current ordinance. Chairman Maglaras will research the question.
- Moved by Preston, seconded by McAdams to accept the minutes of of September 13, 1983. U.A.

ITEM #6: New Business

1. Review of zoning regulations (rooming house, Henry Law Avenue, and definition of family).

- Chairman Maglaras recommended tabling issue until the next scheduled meeting.

Discussion ensued among Board members regarding numerous violations of zoning regulations throughout the City, and recommendation was made to make Planning Director Tim Sheldon aware of the problem and to inform the Building Inspector of such.

2. Any new business that may come before the Board.
- There was none.

-Moved by Bouchard, seconded by Forbes to adjourn.

U.A.