

DOVER PLANNING BOARD

MINUTES OF MEETING

Held: October 11, 1983
Dover District Court
Dover, NH 03820

Members Present: George Maglaras, Chairman, Harold Preston, Peter Bouchard, Stephanie Faria, James McAdams, Robert Steele, Kerry Forbes. Planning Director Tim Sheldon and Economic Director George Garrett were also in attendance.

ITEM # 1: Public Hearing on minor subdivision of lands of Josephine and Ralph Potterton at 49 Prospect Street, Assessor's Map 10, Lot 2, zoned R-12.

- Tim Sheldon explained the subdivision proposal stating that the land was in a Flood Hazard Zone and any building thereon would necessitate a State Dredge and Fill permit and a City Flood Hazard Site Development Permit.
- Chairman Maglaras opened up the public hearing.
- Ralph Potterton spoke in favor of the proposal.
- Stephen Speedwell, 31 Prospect Street, spoke in favor.
- Roger Clough spoke in favor.
- Clayton Cole, 2 Prospect Court, spoke in favor.
- Hugh Keazer, 52 Prospect Street, spoke against, citing possible drainage problems.
- Mrs. Grace , of 53 Prospect Street, spoke against, citing existing water problems and said the City Engineer thought a site review was necessary.
- Mrs. Keazer spoke against proposal.

Public Hearing Closed.

Moved by McAdams, seconded by Faria to conduct a site review of property on Thursday, October 13, 1983, at 4:00 p.m. U.A.

ITEM # 2: Public Hearing on a minor subdivision of lands of Donald and Lois Day on Sixth Street, Assessor's Map E, Lot 22E, zoned R-40.

- Mr. Sheldon explained the subdivision request, stating that the applicant had received a Zoning Board of Adjustment waiver for lot frontage. A waiver of the subdivision ordinance (Section 155-51 Driveways) would be required as more than 2 lots will be served by a private right-of-way.

Public Hearing Opened.

- Lewis Locke spoke in favor.
- Donald Day spoke in favor.
- Charlie Day spoke in favor.

Public Hearing Closed.

Discussion ensued as to whether a waiver of the Subdivision Ordinance (155:51) 2 lot requirement was necessary. Mr. Sheldon stated that it was. Kerry Forbes and Harold Preston argued that because the applicant had an excess of roadway frontage, that the regulation was applicable.

Moved by McAdams, seconded by Faria to approve the subdivision with the following conditions:

1. Receipt of City Sewer/WSPCC approval.
2. Waiver granted re: Section 155:51 of the Subdivision Ordinance.
3. No city service shall be provided the applicant until such time as a city approved street is constructed. This requirement is to be placed on the subdivision mylar and in the property deeds.

Motion passed 4-0 (Bouchard, Forbes, Maglaras, abstained).

ITEM # 3: Public Hearing on the site review of lands owned by James Macatavey, six unit apartments on 25 East Concord Street. Assessor's Map 27, Lots 100 and 101, zoned RM8.

Kerry Forbes removed himself from consideration on this item.

- Mr. Sheldon stated that the Site Review Screening Committee reviewed the proposal and that all requirements has been met with the exception of landscape detail.
- Jim Macatavey explained the proposal.

Public Hearing Opened.

- Mrs. Diberio, 5 East Concord Street, spoke against because of the projected increase in traffic.
- Mrs. Bonnie McGeary spoke in favor stating that the project would have little input on the neighborhood or traffic.

Public Hearing Closed.

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

ITEM # 4: Old Business

1. Dover Housing Authority- 20 unit elderly complex off Niles Street - following the Site Review of October 6, 1983 Dover Housing Authority was to write a snow dumping agreement and work out agreements with an abuttor. No response from Dover Housing Authority, therefore the issue will come up under Old Business on October 27, 1983.

2. Ed Hoginski's proposed subdivision of lands on Dover Point Road.

- Chairman Maglaras read a letter received from the applicant dated October 4, 1983 into the record. Said letter stated that the applicant agrees to be responsible for driveway maintenance, snow removal, water lines and rubbish removal on the private driveway if said subdivision is approved.
- Matt Williams, an abuttor, spoke on the issue. The Planning Board agreed to allow him to be heard. Mr. Williams asked what effect will the granting of Mr. Hoginski's subdivision be on his property. (new owner of the Snook property).

Discussion ensued as to who has control/rights over the right of way. It was determined by the Planning Board upon which the right of way of the Snook parcel exists. The Planning Board further discussed the problem created where the Zoning Board grants a waiver of road frontage to proposed subdivisions thereby forcing the Planning Board to grant a waiver of the subdivision requirements Section 155:51 of the Subdivision Ordinance. It was agreed upon that specific requirements must be drafted to better deal with this and discretionary measures. The Planning Board will hold a workshop on this issue immediately following the October 27th meeting.

Moved by McAdams, seconded by Steele, to approve contingent on the following conditions:

1. Waiver of Section 155:51 Driveways of the Subdivision Ordinance.
2. Municipal rubbish collection, roadway maintenance, sewer and water service, and snow removal shall not be provided by the city until such time as a city street is approved by the City Council. This condition shall be placed on the subdivision plan and executed with the deeds.

Approved: 6-0 (K. Forbes abstained)

George Maglaras asked the Planning Board to reconsider the wording on condition #3 of the previously approved subdivision plot (Day).

Moved by McAdams, seconded by Preston to have condition #3 to read as follows:

Municipal rubbish collection, roadway maintenance, sewer and water service and snow removal shall not be provided until such time as a city street is approved by the City Council. This condition shall be placed on the subdivision plan and executed with the deeds.

3. Review of zoning (rooming houses, definition of family).

- Mr. Sheldon explained to the board that the city has no legal control over the number of occupants residing in multi-family units because the Zoning Board lacks a definition of family. Further, he stated that there are no requirements controlling parking for occupants of rooming houses. Mr. Sheldon recommended to the Planning Board that a zoning definition of family be as follows:

1. Family - (a) Individuals occupying a dwelling unit and living together as a single housekeeping unit provided all members are related by blood, marriage or adoption.

(b) Any number of individuals provided that in such household shall contain not less than 300 square feet of habitable floor space per occupant.

- Dick Selleck, Building Inspector, agreed that enforcement was a main issue here and that more specific requirements with rooming houses was required.
- Richard Young, a South Pine Street resident, asked to speak.

The Planning board agreed unanimously to have him heard.

- Mr. Young stated that there is a problem on South Pine street as an abuttor. Property has been rented out to college students and they park their cars on the street. There is no on sight parking.

The Planning board agreed to review the issue at the October 27th workshop.

ITEM # 5: New Business

1. Proposed Sawyer Mills Development

- William Dogan, Vice President of D.B. Marini, of Rhode Island, made a presentation outlining his company's proposed 210 unit rehabilitation of the Sawyer Mills Complex. Plans call for a mix of efficiency one and two bedroom luxury apartment building with extensive landscaping, utility and parking renovations. Mr. Dogan also stated that his firm is working with the city in applying for a 2.5 ± million dollar Urban Development Action Grant.

2. McQuade Realty - request for a waiver of the Site Review requirement on the Portland Avenue Project. Attorney Doug Gray, representing Mr. McQuade, requested a waiver regarding the paving of the site rear loading area and a waiver of the planting of trees along the front landscape area.

- Mr. Sheldon explained the original site plan decision and iden-

tified the Site Review Ordinance concerning paving of the site rear loading areas (Section 49:29A).

Moved by Forbes, seconded by Faria, to waive the paving of rear loading area.

Approved: 5-2 (Bouchard, Preston dissenting)

Discussion ensued regarding the type of waiver where an applicant wishes to plant shrubs instead.

- Mr. McQuade stated that the shrubs would blend in the area better and intends to develop Oak Street and Portland Avenue development properties.

This was remanded to October 13th at a Site Review at 4:30 p.m. U.A.

3. Pacific Mills Quadrangle Proposal.

- George Garrett presented the Planning Board with expansion plans with the existing Pacific Mills Quadrangle Proposal.
- J. McAdams stated that the City Council wanted the Planning Board to review this expansion proposal before they took formal action on it. He further recommended that the expanded area be extended no further than Hale Street and include First Street, Second Street, and Third Street properties.
- Mr. Garrett stated the reason for limiting the expansion to those commercial properties adjacent to the Central Avenue Corridor and stated that the First, Second and Third streets was predominately residential, therefore not appropriate for commercial revitalization development.
- Mr. Forbes spoke in favor of the plan as presented.
- H. Preston asked if there was any demand from the property owners for this type of help.
- Mr. Garrett was contacted by a number of property owners and there was a need.

Planning Board agreed that the expansion plan was logical and helpful to the business community and the City Council should endorse the plan.

Moved by Faria, seconded by Bouchard to adjourn. U.A.