

DOVER PLANNING BOARD
MINUTES OF MEETING

Held: Tuesday, May 26, 1981
Dover District Courtroom

Members present: Chairperson Griffin, R. Steele, G. Maglaras, K. Forbes, J. McAdams, and P. Bouchard. Also present was Planning Director T. Sheldon and Assistant Director J. Donovan.

1. PUBLIC HEARING on the major subdivision of lands of EDMUND O'BRIEN JR., Assessor's Map M, Lot 89 on Middle Road.

Mr. Sheldon explained this subdivision and noted that it met all the City's Subdivision and Zoning Ordinances. He further noted that the applicant had applied for and received a permit to remove loam from the property. Applicant noted that approximately one acre was to be removed.

PUBLIC HEARING OPENED:

-Frank Chenevert, abuttor, stated that he had not been notified and demanded the public hearing be voided. The secretary stated that according to the office records, a letter had been sent to Mr. Chenevert. The Post Office has been requested to trace.

-James Caliendo, abuttor, questioned the effect of the two springs on Lot 1 and the placement of the septic system.

-Harold Preston, abuttor, spoke on the difference between State approval for subdivision and State approval for septic systems.

-F. Chenevert questioned the placement of the test (septic) holes (25' from his property line) and the quantity of said holes.

Moved by McAdams, seconded by Crowell to CLOSE PUBLIC HEARING. U.A.

Moved by Maglaras, seconded by Bouchard to hold a site review on Monday, June 1, 1981 at the site at 5:00 p.m. Action to be deferred until the site review. U.A.

2. PUBLIC HEARING on the request for a waiver of the driveway ordinance by WARREN DOWALIBY, Assessor's Map C, Lot 42D at 292A Tolend Road.

Mrs. Dowaliby stated request for a horseshoe type of driveway. Mr. Sheldon noted that due to heavy foilage on both side property lines and the fact the applicant had heavy equipment moving into and out this driveway, a single drive would create a hazardous condition. He further noted that the applicant had this gravel driveway prior to the driveway ordinance restricting one entrance to each lot.

PUBLIC HEARING OPENED:

-Paul Lester noted that the Dowaliby's had enough frontage (300+ feet) to legally have more than one lot - thus more than one driveway.

Moved by McAdams, seconded by Crowell to CLOSE PUBLIC HEARING. U.A.

Moved by Forbes, seconded by McAdams to approve driveway waiver. FOR: Steele, Griffin, Forbes, McAdams, Maglaras. AGAINST: Bouchard

3. Resume PUBLIC HEARING on the site review of KERRY FORBES and DOUGLAS DODD, of proposed condominiums on property owned by James and Irene York, Assessor's Map I, Lot 1N on Garrison Road.

-K. Forbes removed himself from the Board at this time.

Mr. Sheldon spoke of the traffic study performed by the Police Department and read into the record a memo from Police Chief Reynolds stating that the proposed condominium project would not create any further vehicular problems, and further noted that as there were not any sidewalks prior the proposed development, he felt none were required with in the project.

Applicant Forbes was requested to reply to the outstanding questions of the Board. He noted that he would put in sprinkler systems into each units to bring the development into conformance with "single family status" protection coverage. He stated in reference to State sewer and water permits that it was a technicality and he could not apply for the permits himself, but the City had to do so. Status of the narrow road pavement at the entrance was addressed by Police Chief Reynolds memo.

PUBLIC HEARING OPENED:

-Andy Sweatt, abuttor questioned the pressure of the water system as mentioned in the minutes of previous meeting. He further noted the way the minutes had been amended with reference to the opening and closing of public hearings.

Mr. Sweatt was informed that it was previously a policy not to include in the minutes, written testimony that the public hearings were opened and closed. As of the minutes of May 12, 1981, this policy has been changed.

-Councilman Robert Whiting questioned the traffic study performed by the Police Department.

-Paul Lester noted that J. McAdams had moved to "table" action on both subdivision and site review. He further spoke of water flow and pressure and the effect citywide.

-Elaine Sweatt, abuttor questioned the minutes of the York subdivision and the approval thereof.

-Dave Burgess noted that he had sent a letter to the Board re: rezoning of the area in question. He was informed that it would be brought up under new business.

Moved by McAdams, seconded by Maglaras to CLOSE PUBLIC HEARING. U.A.

Moved by Crowell, seconded by Steele, to approve site review subject to the following conditions:

1. Receipt of letter from Fire Chief re adequacy of sprinkler system for fire protection.
2. Receipt of State WSPCC approval.
3. Receipt of City Septic Approval.

FOR: Bouchard, Maglaras, Crowell, Steele. AGAINST: McAdams, Griffin.

APPROVED: 4-2.

NOTE: Maglaras requested that it be noted into the record that the State Legislature procedure was that it was the Chair's discretion to open and close public hearings, and that a motion was not necessary.

TWO Minute recessed called.

4. REQUEST from JADE REALTY to waiver the requirement of planting two street trees per lot at the Tofftree Lane development.

Mr. Sheldon brought the Board up to date re the approval of Tofftree Lane development and the remaining unfulfilled conditions thereof.

-John Burg, representing Jade Realty, questioned the placement of "street" trees when they would be in 15 feet from the street itself.

Discussion ensued with reference to the conditions of the original approval as set forth by the Board and the subsequent request for a waiver of one of the conditions. Further discussions ensued with reference to the trees and shrubs already placed by the applicant.

-Deborah Smallwood, land owner in Brittney Park, noted that the developer had not complied with the original conditions of the approval or with agreements with the individual parcel owners, ie, no lawns, street and driveway paving, etc.

-Jack Neuner spoke in opposition to waiver stating the development needed the street trees to make it not so barren.

Discussion ensued whether or not to have a site review.

Moved by Crowell, seconded by Steele to deny request for waiver of street trees and if any problem exist with individual lots, to rectify them with the Planning Director and Director of Public Works.

FOR: Steele, McAdams, Griffin, Crowell, Forbes. AGAINST: Maglaras

REQUEST DENIED: 5-1.

5. OLD BUSINESS

A. Site Review of Dr. Ingvars Vittands, Assessor's Map 29, Lot 23 on Central Ave.

Mr. Sheldon brought the Board up to date. He noted that he had a verbal comment from Police Chief Reynolds as to the access/egress to the site.

Moved by Forbes, seconded by Maglaras, to approve site review as submitted with the final planting to be reviewed by the Planning Director.

B. Discussion of the Crosby Road Industrial Development Plan proposal.

The Board was requested by DIDA to review the prepared recommendation for their input.

Street lighting was discussed.

Steele clarified DIDA's position in reference to the Crosby Road Development. He further stated that the prices noted within the package were estimates only.

-Attorney A. McManus, representing DIDA stated that they were going with Phase I, then step by step.

Moved by Maglaras, seconded by Crowell, to accept concept on development on Crosby Road. U.S.

C. Request for waiver of sidewalk requirements by Harris (Adams subdivision).

Mr. Sheldon noted that request for waiver of sidewalk requirement from Mr. Harris was withdrawn by Mr. Harris.

6. NEW BUSINESS

Chairman Griffin read letter from Dave Burgess requesting the rezoning of area comprising of the area bounded by Back River and Garrison Roads, the Bellamy River and the power lines.

Discussion ensued with reference to the fact that the letter came from someone who did not live in the area in question, and the fact that the City had just been recodified.

Moved by Maglaras, seconded by Crowell to accept communication and refer it to the City Council.

FOR: Bouchard, Crowell, Maglaras. AGAINST: McAdams, Griffin, Steel. Forbes abstain

Moved by Maglaras, seconded by McAdams to table and to be researched by the Planning Director.

FOR: Steele, McAdams, Griffin, Maglaras. AGAINST: Crowell, Bouchard. Forbes abstain

MOVED by McAdams, seconded by Crowell to approve minutes of meeting held May 12, 1981 U.A.

MOVED by McAdams, seconded by Crowell to adjourn. U.A.