

DOVER PLANNING BOARD
MINUTES OF MEETING

Held: September 8, 1981
District Courtroom
Dover, New Hampshire

Members Present: Chairperson H. Griffin, G. Maglaras, K. Forbes, R. Steele, J. McAdams and P. Bouchard. Also present was Planning Director T. Sheldon and City Attorney S. Woodman.

ITEM NO. 1: Public hearing on the minor subdivision of lands of RALPH CHAMBERLAIN, Back Road, Assessor's Map M, Lot 93.

Mr. Sheldon explained the applicants intentions. He noted that Mr. Chamberlain received approval for relief from the frontage requirement from the ZBA.

Public Hearing OPENED:

-R. Chamberlain spoke in favor of his subdivision.

No opposition.

Public Hearing CLOSED.

Discussion ensued as to the status of the right-of-way.

Moved by Maglaras, seconded by Bouchard to approve subdivision with the following conditions:

1. That it be noted on the mylar that proper closure be designated for the 11 acre parcel.
2. Receipt of WSPCC approval.
3. Receipt of City Driveway approval.

SUBDIVISION APPROVED: 4-1 AGAINST: Steele

ITEM NO. 2: Public hearing on the minor subdivision of lands of WARREN WEEDEN, Long Hill Road, Assessor's Map A, Lot 43A.

-Mr. Sheldon explained the applicants intentions. He noted that Mr. Weeden had received ZBA approval for relief from the frontage requirement and that the applicant had received WSPCC approval.

Public Hearing OPENED:

-W. Weeden spoke in favor, stating that the proposed right-of-way was the only possible way to reach the back lot.

No opposition.

Public Hearing CLOSED.

Discussion ensued as to the width of the right-of-way and to the number of lots that it was to service.

Moved by Maglaras, seconded by Bouchard to approve subdivision with the following conditions:

1. Receipt of City Septic approval.

Moved by Forbes, seconded by Steele to amend approval with the following condition:

2. That the proposed right-of-way be widened to fifty (50) feet.

SUBDIVISION APPROVED: U.A. (McAdams abstained)

ITEM NO. 3: Public hearing on the Site Review of ATLANTIC DEVELOPMENT, Assessor's Map 20, Lots 18 and 19, 103½ Henry Law Avenue (change from 40 unit condominium complex to a 80 single bedroom apartment complex).

-Attorney Loughlin, representing the applicants, outlined the changes from the proposed condominium containing 40 units to the proposed 80 unit apartment complex. He handed out a written statement to the Board members on the above. Some of the changes would result in: 20 less bedrooms, 20% less ground coverage (buildings), more parking, and less generation of school age children. He noted that the Developer would agree

to be responsible for the garbage pick up, road maintenance (including snow plowing) landscaping and lighting. He further stated that the Developers had an agreement with abuttor Grimes with reference to a 15' right-of-way across the Grimes land for use as access. This right-of-way can be constructed upon given Planning Board approval of a waiver of the Driveway Ordinance.

Public hearing OPENED:

-Daniel Ayer questioned if there was going to be any further development at any future date. AN. No further development. He questioned the type of rights the developer had in the 15' ROW. ANS. Construction rights - the entryway could be enlarged if desired by the Planning Board.

-Joseph Allis spoke in opposition with reference to the Developer supposing to put in the water and sewer. ANS. Developer had extended the water line as required by the City.

-D. Ayer stated that this plan was the lesser of the two evils, even though he still opposed.

-James Migionico opposed quoting the present and future traffic problems.

-Margaret Kohut spoke in opposition. She questioned the validity of an affidavit from the previous site review towards the present one. ANS. Two separate cases - the affidavit cannot be transferred to this site review.

-J. Allis questioned the right to build on previously issued building permit if this site review was denied. ANS. Building permit still stands.

-J. Migionico questioned the water line and its completion date. ANS. Developer's share done, and the City is working on their share.

-Ted Ackman spoke in opposition referring to the traffic problem and the loss of view of the abuttors.

-William Kohut questioned the loss of parking on Henry Law if Developer's request is granted.

-Mrs. Donald Fitzmaurice spoke in opposition stating traffic problems.

-D. Ayer questioned the site review process.

-T. Ackman questioned the need of space for fire fighting apparatus to move around in the back of the buildings. ANS. Chief Bibber did not state that as one of the problems he foresaw.

-Mrs. Ayer spoke in opposition.

Public hearing CLOSED.

Mr. Sheldon discussed the comments from the Crime Prevention Officer Mike Fenton stating that the Police Department received less distress calls from a one bedroom type complex than from two bedroom type complexes. He further noted that the Police Department approved the proposed access/egress into the complex. Mr. Sheldon then read comments from the Fire Chief requesting the placement of two fire hydrants instead of one and a flow test for said hydrants. The following are comments to the City Engineer's review: (a) water meter - the Developer will use a master meter and be responsible for the total bill. He, in turn, will bill the occupants by use of individual meters; (b) private sewer lines - will be noted on final plan that sewer lines are "private"; (c) rubbish disposal - dumpsters are to be delineated on final plan and screened; (d) parking aisles - parking aisles will be widened to eighteen (18) feet; (e) flowage easement(s) - flowage easement to be obtained from owners of Cricket Brook Complex and copy thereof given to the Planning Department; (f) culverts - headwalls to be reviewed by Director of Public Works, City Engineer and Planning Director; (g) open ditch - sqaie to be on a cooperative basis on the boundary line instead of the hill. Will have agreement with Cricket Brook put in writing and copy thereof to the Planning Department.

Discussion ensued on how to keep the traffic to one way. Developer suggested the use of a berm which would all but eliminate local traffic but allow emergency vehicles. Available parking spaces was discussed. The Board will demand the required 120 spaces.

Moved by Forbes, seconded by Steele to approve site review with the following conditions:

(Atlantic Development Conditions - continued)

1. Receipt of State water and sewer approvals.
2. Request for waiver of driveway ordinance.
3. Dumpster location to be delineated on final plan and screened in.
4. Delineation of 120 parking spaces on final plan.
5. Widening of aisle between parking spaces to eighteen (18) feet.
6. Drainage to be approved by City Engineer, Director of Public Works and Planning Director.
7. Placement of two (2) fire hydrants (approved by Fire Chief) and hydrant flow test.
8. Headwall detail to be approved by the City Engineer, Director of Public Works and Planning Director.
9. Review of berm design by City Engineer, Director of Public Works and Planning Director.

SITE REVIEW APPROVED: 5-1. Against - McAdams.

ITEM NO. 4: NEW BUSINESS

A. Alan Hutchins - Mr. Sheldon explained the request from Mr. Hutchins. He stated that the applicant wished to have access into his parcel from Sixth Street instead of the right-of-way which he is presently using (as required by approval of subdivision) quoting the problems of the right-of-way washing out and the extremely poor and dangerous grade.

Moved by Bouchard, seconded by Steele, to approve as per plan.

DRIVEWAY REQUEST APPROVED: 6-0.

B. Mobilehome Ordinance -

Discussion ensued on the two choices that the Planning Board had to comply with the State's legislation:

1. Allowing them in an existing zone(s).
2. Create a new zone.

To be discussed at workshop.

WORKSHOP scheduled for Monday, September 14, 1981 at 6:00 p.m. Board members to meet on Middle Road at the Harris subdivision site.

ITEM NO 5: OLD BUSINESS

A. Industrial Recodification - to be discussed at workshop on September 14, 1981

B. Harris - On 9/8/81, Mr. Harris requested to be placed on the agenda. He stated that he had staked out the proposed road and holding pond as requested by the Board and had expected the Planning Board to review the site. Chairman was informed that the Planning Board (Department) were never notified that in deed the staking was completed and so a site review was not called. Further, that Mr. Harris's request to be placed on the agenda for the 9/8/81 meeting was made too late as the agenda has to be published in the newspaper at least 5 days prior to the date of the meeting. John Chandler, attorney for Harris, spoke informally suggesting the Board view the proposal of having another culvert under Middle Road instead of Harris having a holding pond. Harris to inform his engineer of this suggestion and get back to the Board in seven days. A review at the site will be held on Monday, September 14, 1981.

Moved by Maglaras, seconded by Bouchard to accept minutes of July 14, 1981 meeting as written. U.A.

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