

DOVER PLANNING BOARD
MINUTES OF MEETING

Held: Tuesday, Sept. 25, 1979
Council Chambers
Dover, N.H. 03820

ITEM NO. 1: ROLL CALL

Members present: Chairperson Kerry Forbes, George Maglaras, Lois Schofield, Alan Crowell, Councilman Peters, City Manager Robert Steele and Public Works Director Peter Bouchard. Also present was Planner Jack Donovan.

ITEM NO. 2: APPROVAL OF 8/21/79 MINUTES

Moved by Maglaras, seconded by Schofield to approve minutes as written.

U.A.

ITEM NO. 3: PUBLIC HEARING ON THE MINOR SUBDIVISION OF LANDS OF COCHECO RIVER TRUST, ASSESSOR'S MAP 32, LOT 36D ON FOURTH STREET.

Mr. Donovan explained the subdivision.

George Whitehead, an abuttor, questioned the effect of the fill that was being put in on the natural drainage of the area. He also stated that a drain was necessary in the fill area to handle the drainage in the Fourth St/Snow Court area.

Tim Pearson, applicant, plans to put in pipe along the natural depression for drainage. He plans to take whatever steps necessary to help prevent the problem of flooding.

Mr. Tasker, an abuttor, raised questions regarding the water running down Fourth Street and asked if the Board could stipulate in their conditions of approval some measures for rectifying the problem.

Mr. McShea, an abuttor, stated that he was already having water drain into his property and with the fill, the runoff would be greater.

Mr. Lawrence Jillette, an abuttor, mentioned that the water flooded his cellar each year.

Marilyn Jordan, an abuttor, questioned whose responsibility it was to take care of the water.

Moved by Bouchard, seconded by Crowell, to hold a site review with applicant and City Engineer at 4:00 p.m. on Thursday, September 27, 1979.
U.A.

ITEM NO. 4: PUBLIC HEARING ON THE MINOR SUBDIVISION OF LANDS OF ANNA M. DUBE, ASSESSOR'S MAP A, LOT 16, ON PHILIPS STREET/LONGHILL ROAD.

Mr. Donovan explained the subdivision. He stated that WSPCC had been received by the Planning Office.

B. Laughlin, representing Anna Dube, spoke in favor of subdivision.

J. McCormack, an abuttor, questioned what was going to be put up on the land.

Chairperson Forbes explained to Mr. McCormack that it was not the Board's business in knowing what was to be built, only if the subdivision conforms to the City's specifications.

Moved by Maglaras, seconded by Crowell, to approve subdivision as submitted with the following conditions:

1. Receipt of City Septic System approval
2. Receipt of Driveway Permit

U.A.

ITEM NO. 5: PUBLIC HEARING ON THE MINOR SUBDIVISION OF LANDS OF WILLIAM GRIMES, ASSESSOR'S MAP 20, LOT 60 PORTLAND AVENUE.

Mr. Grimes spoke briefly of his intentions and reasons for subdividing.

Moved by Crowell, seconded by Maglaras, to approve subdivision with the condition that the remainder of lot not to be sold be included in one common deed with the adjacent property of William Grimes.

U.A.

ITEM NO. 6: PUBLIC HEARING ON THE MINOR SUBDIVISION OF LANDS OF PAUL J. MARTEL, ASSESSOR'S MAP E, LOT 57 ON TOLAND ROAD.

Planner Donovan explained this subdivision.

Mr. Martel, applicant, mentioned that there was a culvert within the 100' right of way and that was the reason the right of way was being made that width.

Moved by Maglaras, seconded by Bouchard, to approve subdivision as submitted.

U.A.

Motion by Maglaras, seconded by Schofield to move Item #7, Public Hearing on the lands of Walter Cheney, until after hearing Items #8 and #9.

U.A.

ITEM NO. 8: PUBLIC HEARING ON THE WAIVER ON DRIVEWAY ORDINANCE 41:6.a ON THE PROPERTY OF D. MACRIS, ASSESSOR'S MAP 29, LOT 51 & 51D ON HORNE ST.

Moved by Maglaras, seconded by Steele, to approve as submitted.

VOTE: 6-1 (Crowell opposed). Waiver granted.

Discussion ensued on the Driveway Ordinance and it was suggested that the City Engineer approve waivers instead of Board. If a Driveway Ordinance should be denied, the applicant could then appeal to the Planning Board. A suggestion of removing the Driveway Ordinance completely was made. To be continued at next meeting.

ITEM NO 9: PUBLIC HEARING ON ORDINANCE 25-8/15/79, AMENDMENT TO CHAPTER 21, ZONING MAP, REGARDING THE ABANDONMENT OF A SECTION OF GARRISON ROAD.

Attorney McKee, representing heirs of the B & A Realty stated if the abandonment did get approval, that her clients were prepared to sue the City for damages under RSA 238.4.

Real Estate broker Ninder said that he appraised the land to be valued between \$30,000-\$40,000. (\$40,000 for loss of frontage)

Mention was made that this section of Garrison Road was made a Scenic Road by the Council.

The City does not want to be responsible for the upkeep of this section of road. Nor do they want to have the financial responsibility of reconstructing this road to conform to the City's street specifications.

Moved by Crowell, seconded by Schofield, to refer this issue to City Attorney Scott Woodman to see if there was any other way other than abandonment to relieve the City's responsibility of servicing this section of roadway.

VOTE: 5-1-1 (Opposed - Bouchard; Abstained - Steele) To be referred to Attorney Woodman.

ITEM NO. 7: PUBLIC HEARING ON THE MAJOR SUBDIVISION OF LANDS OF WALTER W. CHENEY, ASSESSOR'S MAY 28, LOT 37 ON GARRISON HILL CIRCLE.

Due to the fact that not all abutters were notified by certified mail, the hearing was tabled.

Moved by Bouchard, seconded by Maglaras to set another hearing date and to have a Site Review on Thursday, September 27, 1979 at 4:30 p.m. U.A.

ITEM NO 10: OLD BUSINESS

A. Parks/Forbes Subdivision

Chairperson Forbes stepped down and Member Maglaras took over as Chair.

Attorney Dibble explained that the applicants wanted to have their approval be done in two phases (due to the fact they have received WSPCC approvals on lots 1-14).

Moved by Steele, seconded by Schofield, to modify approval into two phases, such being 1-14, Phase I, and 15-23, Phase II.

VOTE: 7-2 (Forbes and Crowell abstained)

B. Economic Recodification

Discussion ensued on Economic Recodification and it was decided to table it until the next meeting after the Council had made a decision on the Resolution which is before them.

ITEM NO 11: ADJOURNMENT

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