

DOVER PLANNING BOARD

MINUTES OF MEETING

HELD: Tuesday, April 4, 1978
7:00 p.m.
District Courtroom
Municipal Building
Dover, N.H.

ITEM NO. 1: ROLL CALL

The following Planning Board members were present: Lois Schofield, Alan Crowell, Pierré Bouchard, Kerry Forbes, Richard Gerrish, Joan Miller, Peter Murphy, Wallace Ackerman, and Charles Reynolds. Also present were J.T. Fey, Planning Director and Timothy Sheldon, Assistant Planning Director.

ITEM NO. 2: APPROVAL OF MINUTES OF MEETING HELD FEBRUARY 21, 1978

Moved by Crowell, seconded by Miller to amend the above-referenced minutes, Item #2 on page 3 shall read as follows: #6 - Any headwall must discharge residue onto the parcel upon which it is constructed and at the rear of said lot. U.A.

Kerry Forbes and Richard Gerrish abstained.

Moved by Miller, seconded by Schofield to accept the minutes as amended. U.A.

Kerry Forbes and Richard Gerrish abstained.

NOTE: At this time, it was brought up that the Board had no Chairman or Vice-Chairman. It was the consensus of the Board that a temporary Chairman be appointed.

Lois Schofield nominated Joan Miller for Chairman, seconded by Alan Crowell.

Peter Murphy wanted to amend said motion by nominating Richard Gerrish for Vice-Chairman, seconded by Richard Gerrish.

Richard Gerrish moved to go into Executive Session, there was no second.

Moved by Murphy, seconded by Bouchard to nominate Wallace Ackerman as temporary Chairman. U.A.

Moved by Murphy, to have Joan Miller be temporary Chairman, Richard Gerrish temporary Vice-Chairman, and Kerry Forbes be the appointee to the Conservation Commission.

Wallace Ackerman expressed the opinion that the public hearings should be conducted first and the elections could come later.

Peter Murphy stated the Planning Board does not have to meet in Executive Session and if the public wants to be present for elections, they may - they have that option.

Alan Crowell stated that elections were not on the agenda, therefore the Planning Board cannot vote on anything but a temporary Chairman. Elections will be included on the agenda for the next scheduled Planning Board Meeting.

Joan Miller moved that she wants to vote individually Mr. Murphy's motion for Chairman, Vice-Chairman, and Conservation Commission appointee. U.A.

Kerry Forbes withdrew his name for nomination for the Conservation Commission.

The Planning Board members requested from Mr. Murphy that he withdraw his motion, he replied that he would not. (refer to previously made motion)

Moved by Gerrish, seconded by Crowell that Wallace Ackerman be Chairman for this evening's meeting. U.A.

Previous made motion by Mr. Murphy was ruled out of order.

Mr. Murphy appealed the rule of the chair and laid it on the table. Alan Crowell seconded the appeal.

Peter Murphy also requested that the election of Officers be on the next agenda.

The request to lay Mr. Murphy's appeal of the Chair on the table was unanimously voted down. The Board then voted on Mr. Murphy's previous motion (to elect Board Officers). Said motion was disapproved. U.A.

Alan Crowell apologized to the Public for the actions of the Board.

ITEM NO. 3: LIMITED SUBDIVISION OF LANDS OF THE ESTATES OF SIMON JANETOS, ASSESSOR'S MAP N, LOT 13 LOCATED ON COUNTRY CLUB ESTATES.

The plan was explained by Director Fey. Edward Murphy Jr., was present to speak in favor of the subdivision.

Mr. Webb, a resident of Country Club Estates spoke in favor of the subdivision.

There was no opposition to said subdivision.

Moved by Crowell, seconded by Miller that the subdivision be approved subject to the following conditions:

1. approval from the N.H. Water Supply and Pollution Control Commission,
2. restriction of vehicular access to said parcel via the cul-de-sac, and
3. proper compliance with all restrictive covenants as filed in the City Clerk's Office, to the satisfaction of Fischer Homes, Inc., and the City of Dover. U.A.

Kerry Forbes abstained.

ITEM NO. 4: LIMITED SUBDIVISION OF LANDS OF DONALD HASKINS, ASSESSOR'S MAP L, LOT 19, LOCATED ON DOVER POINT ROAD.

The plan was explained by Mr. Fey. Mr. Haskins was present. He stated there was an error on the memo - misprint saying 100' frontage instead of 170' frontage for Lot 1-B.

Moved by Miller, seconded by Schofield to approve subject to:

1. approval from the N.H. Water Supply and Pollution Control Commission,
2. driveway curb-cut be approved by the City Engineer prior to submission to the State Highway Department. U.A.

Mr. Gerrish abstained from voting.

ITEM NO. 5: MAJOR SUBDIVISION OF GREGORIOS KOUTRELAKIS

This item was cancelled.

ITEM NO. 6: DISPOSITION PARCELS C/3/8, C/3/7, C/3/10, and C/3/11 OF THE DOVER HOUSING AUTHORITY LOCATED ON WASHINGTON STREET AND CENTRAL AVENUE.

The plan was explained by Mr. Fey. Mr. Merrill, Executive Director of Dover Housing Authority was present. He stated that these parcels will be sold to private developers as part of the Urban Renewal Plan for both commercial and residential uses.

Richard Gerrish wanted to know if any action had been taken to close the street along Public Market. Mr. Merrill said the question was irrelevant in that the DHA owns it, with the graces of the City Council. Mr. Gerrish requested the City Attorney's opinion on this matter.

James Shultey, Attorney, stated that the streets: Orchard, Waldron, Green, had been deeded to DHA. A street that is deeded is no longer a street, but its considered a parcel of land.

Richard Gerrish asked that it be recorded in the minutes that he requested that the City Attorney be directed to investigate this question, and specifically to determine whether this change in the Urban Renewal Plan was major or minor.

Moved by Bouchard, seconded by Miller that C/3/8 be approved subject to waiving the zoning requirement for maximum building coverage of a lot (70%). U.A.

Alan Crowell and Richard Gerrish abstained.

Moved by Miller, to divide the parcels C/3/7, C/3/10, and C/3/11 for voting and that separate deeds and plat plans be filed for each one. Mrs. Miller withdrew her motion.

Moved by Miller, seconded by Bouchard to approve parcels C/3/7, C/3/10, and C/3/11 subject to C/3/7, the zoning requirement for maximum lot coverage of a building and a 12' rear yard requirement be waived. U.A.

Alan Crowell and Richard Gerrish abstained.

OLD BUSINESS

1. Sambo's - a report by the Planning Director to the Planning Board regarding a submission of a memo by the City Attorney regarding the proper width of the entrance/exit to Sambo's. Mr. Fey indicated that in the opinion of the City Attorney, the Zoning Ordinance takes precedence over the Driveway Ordinance and therefore Sambo's will be permitted to have a maximum curb-cut of 35'. Mr. Fey also indicated that Sambo's has been notified accordingly.

Mr. Shultey, Attorney with Mr. Bryant representing Mr. Weeks, was present. He stated that the Planning Board's site approval has been appealed to the Supreme Court.

2. Jensen's Mobile Home Park - A memo from Jay Stephens, City Engineer, was read, requesting that the performance bond be released (phase I) in its entirety, and that a new bond be set in the amount of \$70,000 for the final phase.

Mr. Bouchard requested that this item be tabled until the next regularly scheduled Planning Board Meeting.

NEW BUSINESS

Mr. Fey spoke regarding Mr. Sheldon being the technical advisor to the Planning Board. Moreover, Mr. Fey requested the scheduling of a work session so to review the revised Subdivision Rules and Regulations and the new Site Review Ordinance.

Moved by Forbes, seconded by Gerrish that the election of new officers be held at the next meeting after new and old business has been completed. U.A.

ADJOURNMENT

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

NOTE: Next Planning Board Meeting will be April 18, 1978.

Respectfully submitted,

Lois Schofield
Clerk

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