

DOVER PLANNING BOARD

MINUTES OF MEETING

HELD: Monday, December 4, 1978
7:00 p.m.
District Courtroom
Municipal Building
Dover N.H. 03820

Moved by Crowell, seconded by Bouchard to appoint Harry Griffin as the Acting Chairperson. U.A. Motion withdrawn.

ITEM NO. 1: ROLL CALL.

The following members were present: Harry Griffin, Richard Gerrish, Alan Crowell, Pierre Bouchard, Lois Schofield, and Chairperson Wallace Akerman.

Also present were J.T. Fey, Planning Director and Timothy C. Sheldon, Assistant Planning Director.

ITEM NO. 2: APPROVAL OF THE MINUTES OF THE MEETING HELD NOVEMBER 20, 1978.

Moved by Crowell, seconded by Bouchard to approve as amended.

AMENDMENT: Item #4, OLD BUSINESS, b. Oxford Heights Release of Bond. It was not unanimously approved as recorded in the minutes, Mr. Griffin voted against this item - so noted in these minutes.

VOTE ON THE APPROVAL OF THE MINUTES AS AMENDED: 4 for, 1 abstention (Gerrish)

ITEM NO. 3: PUBLIC HEARING ON THE SITE REVIEW OF THE COASTAL HEALTH FOOD STORE, ASSESSOR'S MAP 31, LOT 104A ON SIXTH STREET.

This plan was explained by Mr. Sheldon. A memo from the Site Review Screening Committee was read, and is on file in the Planning Board Office. A letter from Mr. Bardwell, an abutter, was read and is on file in the Planning Board Office.

Moved by Crowell, seconded by Schofield to approve as submitted. U.A.

ITEM NO. 4: PUBLIC HEARING ON THE LIMITED SUBDIVISION OF LANDS OF ELSIE E. GAGNON, ASSESSOR'S MAP E, LOT 20 ON SIXTH STREET AND GLENWOOD AVE.

Mr. Sheldon explained this subdivision. A question was raised regarding a right-of-way through this land from Sixth Street to Glenwood Avenue.

Moved by Crowell, seconded by Schofield to approve this subdivision subject to the following conditions:

1. Approval from the New Hampshire Water Supply & Pollution Control Commission.
2. Approval from the City for a septic system
3. Driveway permit be obtained onto Glenwood Avenue.
4. The Planning Director research the ownership of the right-of-way that appears to be on the private property of Mrs. Gagnon, and that the ownership be noted on this plan. U.A.

ITEM NO. 5. PUBLIC HEARING ON THE PROPOSED SUBDIVISION ORDINANCE.

A brief presentation was made to the public by Mr. Fey. Mr. Sheldon explained the Ordinance.

Mr. Johnson, Wilrod Avenue - Will the ADS allow development of parcels that would not normally be developed under conventional methods - wetlands etc.? Mr. Sheldon explained the methodology for determining density, in that all such areas are not included in the calculus for determining that tract's density.

Mr. Joy Glenwood Avenue - He maintains that developments developed under the ADS provision will not be more inexpensive than if developed conventionally.

Mr. Oginski, Dover Point Road - Questioned whether the ADS would allow multi-family units. Mr. Sheldon replied no. He then requested that all sections that give the Planning Board discretionary power be deleted.

Harold Preston, Middle Road - He questioned the enforceable powers of the City regarding any open space in the ADS. Mr. Sheldon responded by explaining the bonding procedures and the legal restrictions placed on the caretaking organization of the open space.

Joseph McCarthy, Central Avenue - He asked if the ADS had appropriate provisions for assuring against a developer's default.

Mr. Thomas, Back Road - He suggested that an ADS only be allowed in areas that have both sewer and water services.

Mr. Chadwick, Elm Street - Speaking on the recodifications, he said that the City is beginning to over-regulate people's land and their inherent rights to do what they wish with it.

Mr. Rodier, Dover Street - Spoke in favor of the Subdivision Ordinance as it will help guarantee a minimum standard of quality development and housing opportunities in the City of Dover.

Irene York - Speaking on the ADS, she feels like the alternative design provisions are essential to the mix of housing opportunities in the City of Dover.

Barbara Sterrock, Washington Street - Questioned, as did Mr. Oginski, the Board's provision for granting hardships.

Frank Torr, Littleworth Road - He asked if the ADS would apply to mobile homes. Mr. Sheldon replied no.

Della Johnson, Wilrod Avenue - She expressed the opinion that all Dover residents, not a select few, have the opportunity to buy homes that are not priced out of the market (via large lot zoning).

ITEM NO. 6. OLD BUSINESS

ITEM NO. 7: NEW BUSINESS:

a. Oxford Heights - Second Phase, Browning Drive - Mr. Sheldon explained this item. Mr. Landry, owner of this parcel, was present. A memo from Jay Stephens, City Engineer, was read and is on file in the Planning Board Office.

Moved by Crowell, seconded by Bouchard that a performance bond be set at \$13,000 (per City Engineer's recommendation) and that a completion date be set for November 1, 1979 for finishing the list of items indicated in the memo from the City Engineer dated 11/21/78. This date is to be shown on the appropriate forms. UA.

NOTE: A work session on recodification and the Subdivision Ordinance will be held Monday, December 11th at 7:00 p.m. The next regularly scheduled Planning Board meeting will be held Tuesday, December 19th at 7:00 p.m.

Personal Privilege - Mr. Gerrish - In regards to the November 13th Planning Board meeting that was cancelled, Mr. Gerrish stated he was home that night and that noone attempted to contact him regarding a quorum - he would have come had he known he was the 5th member. Also regarding the amendment to the minutes of November 6th (passed unanimously November 20th) he does not recall nor was it his intent to speak against the Carrier Subdivision. He takes exception to this statement and objects to the amendment.

ITEM NO. 8: ADJOURNMENT.

Moved by Corwell, seconded by Schofield to adjourn the meeting. Time: 9:15 pm.

U.A.