

DOVER PLANNING BOARD
MINUTES OF MEETING

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HELD: Monday, December 13, 1971
7:00 p.m.
Municipal Courtroom
Municipal Building
Dover, New Hampshire

ITEM NO. 1: ROLL CALL:

On Roll Call the following were present: Acting Chairman Hugh C. Tuttle, Mrs. Lois Schofield, Mr. Harry N. Griffin, Mr. Donald E. Chick, Mr. Frank Q. Estes.

Also attending were Planning Director Christopher Sheridan, City Engineer Redford Rand, Mr. Grant L. Davis, Judge William E. Galanes, Mr. Ben Page, Mr. Franklin Torr.

In the absence of the Chairman, Mr. Tuttle was appointed as Acting Chairman.

ITEM NO. 2, 3 and 4: APPROVAL OF MINUTES OF MEETINGS OF NOV. 1, NOV. 15 and Nov. 22:

Moved by Mrs. Schofield, seconded by Griffin, that the minutes be adopted as written. Unanimously adopted.

ITEM NO. 5: PUBLIC HEARING ON SUBDIVISION OF LAND BY THEODORE CARABELAS, ET. AL., ASSESSOR'S MAP M-96A:

Mr. Sheridan's memo of December 2 was then discussed. The recommendation was that the subdivision be approved.

Mrs. Caroline Euler asked for the approximate frontage on the road and the depth of the proposed lots.

Moved by Chick, seconded by Mrs. Schofield, that approval be granted, subject to the layout meeting the public street layout requirements as far as the turn-around access is concerned and that the maximum permitted length of the cul-de-sac be waived for the street. Unanimously adopted.

ITEM NO. 6: CONTINUATION OF PUBLIC HEARING ON LIMITED SUBDIVISION OF LAND BY WALTER CHENEY, ASSESSOR'S MAP 28, LOT 1:

a) Report from Planning Director:

Mr. Sheridan's report recommended that the application be approved for a limited subdivision with the following recommendations: first, that if Lot 1 is to be developed with multi-family structures that the developer attempt to take access off Old Rollinsford Road; second, if this should

prove to be infeasible, that the developer provide a sufficient easement along Ascension Avenue to insure adequate vehicular access to this parcel. The existing r.o.w. on Ascension Avenue appears to be 40', which would indicate the need for a 10' easement.

Mr. Sheridan told the Board that the petitioner has sent a letter to the Board Office informing the Board that Doctor's Park is now legally a part of this application.

The Board agreed to view the site on Thursday, December 15 at 8:30 a.m.

Mr. Tuttle asked Dr. Cusack if the Group which he represented would consider granting a right-of-way sufficient to provide a legal street down onto the Old Rollinsford Road. Dr. Cusack stated that he would meet with them and report back to the Board regarding their decision.

Mr. Rand said that the thought of a street out to Ascension Avenue frightened him.

ITEM NO. 7: CONTINUATION OF PUBLIC HEARING ON SUBDIVISION OF LAND BY RESIDENTIAL MORTGAGE CO., LOT 5A, ASSESSOR'S MAP 21 (SWEENEY TRACT):

Mr. Chick told those present that he felt a legal opinion should be sought as to whether or not the postponement of the hearing was legal and whether proper notification was given to the people in the area.

Mr. Peter Russo asked Mr. Rand where the water would drain after it left Mr. Taylor's property. He asked who would pay to run those pipes.

Planning Director Sheridan read a memo from him to the Planning Board dated Dec. 1, 1971, and a communication from the City Attorney dated Nov. 30, 1971. He then read his memo dated December 13, 1971 to the Board regarding supplemental recommendations.

Mr. Donald MacLeod questioned the deed restrictions on the lots. Acting Chairman Tuttle told him that these are on the lots to be sold and not on the existing lots. It was noted that these restrictions will prevent reductions in the elevation of the existing roadbed in these lots.

Mr. Russo asked about the house on the corner of Hanson and Henry Law Avenue. He told the Board that in the Spring the house is flooded. He noted that this development would make the problems worse.

City Engineer Rand said that the project will not put more water on the land below. The same watershed is running down there so that if an inch of rain falls over that

watershed, the same number of gallons go down that waterway. He continued that there will be a slightly higher and quicker peak.

Mr. Thomas Murphy asked what has been done about the water which runs over Mr. Hamnett's land. Mr. Murphy noted that there are two catch basins at the end of the street. He asked how much more expensive it would be to run a lateral open grid drain all the way across the proposed Nola Street.

Mr. Tuttle asked Mr. Rand, if, in his professional opinion, the increased rate of flow was going to be measurable and legally attributable to the City. Mr. Rand stated that the upstream watershed is large and the amount of water coming off the whole watershed in a storm would be extremely difficult to measure, because the watercourse itself is so irregular.

Mrs. Schofield asked Mr. Davis if he felt that the developer will go along with the supplemental recommendations of the Planning Director. Mr. Davis replied that it must be referred to the developer.

In response to a question by Mr. Tuttle, Mr. Rand told the Board that during the construction phase, the developer will provide some erosion controls to prevent sudden rain from causing damage.

Mr. Creighton asked if the developer would have to pay to go into the sewer system. He was told that the developer would. Mr. Chick stated that this should be subject to investigation by the Public Works Director so that no permit should be given unless the City is paid.

Mr. Griffin then quoted the water pressure in the area. He added that the pipe between Henry Law Avenue and Court Street will increase the pressure.

Upon question by Mr. Murphy, Mr. Tuttle replied that the developer is going to put in an 8" pipe and that the Water Department would pay the difference between a 6" and 8" pipe.

A communication from Residential Mortgage Corporation requesting a 30 day extension was then read.

Moved by Tuttle, seconded by Schofield, that preliminary approval be granted with the understanding that final approval would be conditional on the developer's satisfying the four recommendations contained in the Planning Director's supplemental memo of Dec. 13. Unanimously adopted.

ITEM NO. 8: OLD BUSINESS:a. Proposed Mobilehome Park of Mr. Torr:

The Planning Director suggested that he work with the City Attorney on the clarification of the recent opinion and then work with Mr. Torr to clarify his standing without involving the Board again until a formal application is submitted. The Board asked Mr. Sheridan to pursue this petition and report back.

b. Limited Subdivision Ordinance:

Mr. Sheridan noted that City Attorney McManus has recommended that Section 2.4 of the Subdivision Regulations regarding limited subdivisions be deleted and that all subdivisions must now be treated as full subdivisions until revised procedures are promulgated in the new subdivision regulations.

Moved by Chick, seconded by Griffin that the Planning Director be requested to bring in a revised regulation for the Board's consideration and that Chapter 2.4 be deleted, and that a legal opinion be sought.

c. Water Pressure Tests on Floral Avenue:

The Board then heard a memo from Mr. Griffin concerning the water pressure tests on Floral Avenue. The memo read that the Public Works Department plans to shut off the old 4" water line and discontinue its use in the near future. Mr. Griffin emphasized again that his recommendation is for the developer to tie into the new six inch main, and this was communicated to the developer, Mr. McQuade.

d. Communication from City Council relative to rezoning request - tract of land from Agricultural to Industrial:

Planning Director Sheridan agreed to research this rezoning matter and report back.

e. Presward Subdivision:

Moved by Chick, seconded by Estes, that a one year extension to the preliminary approval be granted. Unanimously adopted.

ITEM NO. 9: ADJOURNMENT:

Moved by Chick, seconded by Estes, to adjourn. Unanimously adopted.

Respectfully submitted,

Frank O. Estes