

DOVER PLANNING BOARD

MINUTES OF PUBLIC HEARING

HELD: Thursday, Nov. 13, 1969
7:00 p.m.
Council Chambers
Municipal Building
Dover, New Hampshire

ITEM NO. I: ROLL CALL:

On Roll Call the following were present: Acting Chairman Albert O. Bernard, Secretary Armand J. Dimambro, Mr. Peter H. Adams, Mr. R. Normand Alie, Mr. Donald E. Chick, Mr. John H. Sowerby.

ALSO ATTENDING: James F. Harrow, Planning Director, Mr. Carl Vancelette of WTSN, Mr. George Greer of Foster's Daily Democrat and approximately 15 members of the public.

Moved by Chick, seconded by Alie, that in the absence of Chairman Akerman, Mr. Bernard be appointed as Acting Chairman. Unanimously adopted.

Acting Chairman Bernard called the meeting to order and referred the meeting over to Mr. Harrow, Planning Director.

Mr. Harrow stated that the reason that the subdividers were here was because of the interpretation of the New Hampshire State Statutes which now state that any sale of land or any split of land including just selling one lot is a subdivision and in the eyes of the State has to be approved by local planning authorities.

He stated that there were three applications now before the Board.

- (1) Boston & Maine Railroad, Southeast corner of Chestnut and Fourth Street - 2 lots:

Attorney T. Casey Moher was present representing the applicant.

Mr. Harrow pointed out the location of the subdivision and the Board looked over the plans. He stated that this subdivision includes two properties with two different individuals who are buying property that they now rent from Boston & Maine. He stated that one was owned by Mr. Anthony Ferrigno, owner of Tony's Bicycle Shop and the other was owned by Mr. Roland Grondin, owner of Rolly's Restaurant. Mr. Harrow stated that he had checked the Subdivision Regulations and the Zoning Ordinance and these conform except as to scale of the drawing.

Mr. Harrow asked Mr. Moher what the disposition of the railroad siding was. Mr. Moher informed him that the siding would be retained by the railroad. He stated that this will stay in use by the railroad for the present time.

Mr. Moher agreed to give the Planning Board copies of the buyer and seller agreement.

Judge Galanes stated that he disagreed with the City Solicitor's opinion that the Board must have a public hearing on technical subdivisions. He stated that he thought this law must have gone through without notice by some of the Legislators.

Mr. Chick stated that the Planning Board had noted this and upon the advice of Mr. Ouellette had set up a subcommittee to look into such.

Mr. Moher stated that for the record he wanted to make clear to the Board that his party intended to reserve the railroad siding.

(2) Hugh C. Tuttle, Tuttle Lane - 1 lot:

Mr. Tuttle then stated that he would like to step down from the Board as he was applicant in this case. He stated that he was interested in selling a house lot to Mr. Richard Carroll and would like to request permission to subdivide a portion of a tract of land fronting on Tuttle Lane. He continued that the lot was east of the existing house owned by Andrew Haley. He stated that he had a letter of approval from the State Water Pollution Commission.

Planning Director Harrow stated that the lot meets the requirements of the Subdivision Regulations and the Zoning Ordinance with the exception of scale. He stated that the required scale is 1" = 50 feet.

Mr. Tuttle stated that the plan would conform to scale at the time of transfer.

Mr. Richardson of Tuttle Lane stated he was in favor.

(3) New Hampshire Builders, Inc. (Olde Madbury Lane Apts.):

The Planning Director passed the plans around to the Board Members. He stated that the subdivision meets the requirements of the Subdivision Regulations and the Zoning Ordinance. He stated that the scale, however, was 40 feet and the requirement was 50 feet. It was noted that this was Phase I of the development.

Mr. Henry McCrone, Knox Marsn Road, stated that he had no objection to the development but would like to call attention to the drainage and normal run off. He continued that there is a natural run-off. He was informed that this would be taken care of.

Moved by Dimambro, seconded by Bernard, that the Board go into regular session and decide what they wanted to do about these three subdivisions. Unanimously adopted.

(1) Boston & Maine Railroad:

Moved by Dimambro, seconded by Alie, that the Board accept the subdivision and waive the scale and contour lines. Unanimously adopted.

(2) Tuttle Land:

Moved by Alie, seconded by Dimambro, to waive the scale and contour lines and accepted the subdivision as shown. Unanimously adopted.

(3) Olde Madbury Lane Apartments:

Moved by Bernard, seconded by Adams, to accept Phase I and waive the scale and contour lines. Unanimously adopted.

Mr. Harrow then stated that he would like to talk to the Board regarding the townhouse ordinance pending before the Council. He stated that Mayor Stocklan had asked him to look over the ordinance and asked for a recommendation as to what should be done. Mr. Harrow stated that after considerable effort on his part to see what that ordinance could do to benefit the entire community, his analysis was that the ordinance as written would not really be of benefit to the community as a whole. He stated that in light of our housing crisis, this particular ordinance would not aid to any large degree the crisis in housing. He stated that he would have a planned-unit development ordinance prepared for the next meeting of the Planning Board.

Moved by Adams, seconded by Tuttle, that the Planning Board recommend to the City Council that the townhouse ordinance be disapproved. Unanimously adopted.

Moved by Adams, seconded by Tuttle, to adjourn. Unanimously adopted.

Respectfully submitted,

Armand J. Dimambro
Clerk