

CITY OF DOVER

DOVER PLANNING BOARD – MINUTES

Meeting Type: Regular Meeting
Meeting Location: Council Chambers – City Hall, 288 Central Avenue
Meeting Date: **Tuesday, September 27, 2016**
Meeting Time: **7:00 pm**

Members Present: Frank Torr (Chair), Kirt Schuman (Vice Chair), Dennis Ciotti (Councilor), Tom Clark, Dave White, Gina Cruikshank, Catherine Plante, David Landry

Members Not Present: Lee Skinner

Staff Present: Donna Benton (Assistant City Planner), Tracy Smith (Recording Secretary)

The Chair called the meeting to order at 7:00 p.m. F.Torr announced there are Alternate positions available on the Planning Board for anyone interested.

1. CITIZENS' FORUM

Citizens Forum Open. Nobody Spoke. Citizens Forum Closed

2. APPROVAL OF THE PRIOR MINUTES

- September 13, 2016 Regular Meeting Minutes

Motion: K.Schuman made a motion to approve the September 13, 2016 Regular Meeting Minutes. Seconded by D.Ciotti. Vote U/A

3. OLD BUSINESS

K.Schuman stated items 3.A and 3.B would be heard together.

- A. Consideration and acceptance of a Conditional Use Permit for Quantum Real Estate Group, LLC (Owner: Michael Rosholt), Assessor's Map C, Lot 50-A, zoned R-40, located at 84 Watson Road (Proposal is to install a 12" HDPE culvert and a 20 ft. common driveway with a 1,505 sq. ft. Forested Wetland impact, and a 4,630 sq. ft. Wetland Buffer impact). *(P16-22)
- B. Consideration and acceptance of an Open Space Subdivision for Quantum Real Estate Group, LLC (Owner: Michael Rosholt), Assessor's Map C, Lot 50-A, zoned R-40, located at 84 Watson Road (4 lots). *(P16-23)

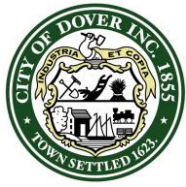
Motion: K.Schuman made a motion to remove items 3.A and 3.B from the table. Seconded by C.Plante. Vote U/A

D.Benton provided the update regarding the applications.

Bob Stowell, Trittech Engineering, represented the applicants, displayed an aerial plan for viewing, and presented the updated information regarding the proposed plan. He answered Board member questions regarding the fire department concerns pertaining to the hammerhead driveway, and clarification regarding the percentage of upland open space.

Public Hearing Opened.

Paula Lavoie, 96 Watson Road, stated her concerns regarding developing near wetlands, tree removal, drilling and fracking, water and drainage issues as a result of development, property value impacts, the loss of privacy and quality of life, the need for no hunting or encroachment signs to be established, the education costs per child, and confirmation that no wells are to be installed. She requested clarification of the wetland buffer impact.



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Apryl Cowper, 94 Watson Road, stated her agreement with her neighbor and her concern that the decision regarding the property had already been decided. She further stated she had been previously told the wetlands near her property could not be developed.

Sherrie Towle, 379 Tolend Road, requested clarification of information discussed at the site walk regarding the open land easement with secondary monitoring. She stated her concern regarding the Homeowner Association (HOA) in charge of the open land and the possibility of future changes affecting her property without secondary monitoring.

D.Benton addressed the abutter concerns regarding clarification pertaining to the no-cut, no-disturb regulations, that the “no hunting” policy is up to the property owner, the education cost for children is not taken into account other than impact fees, clarification regarding the buffers, waivers, and wetlands impact. She stated that the Conservation Commission has not met since the site walk but that the recommendation would probably be for the HOA to be responsible for the conservation easement.

B.Stowell addressed the abutter concerns regarding developing in proximity to abutters with an open space concept with a 50 ft. buffer as part of the regulations, screening on the buffer, and that the applicant has no problem with posting a “no hunting” sign.

A.Cowper stated her concern with the site walk done in September, and the buffer would look different when the leaves are off the trees.

P.Lavoie stated her concern regarding the need for a secondary monitor for the conservation land.

Public Hearing Closed.

Discussion ensued regarding clarification that the plan indicate the drive is private, the conservation land proposed as restricted, and conservation easement property owned by S.Towle.

D.Ciotti addressed A.Cowper’s comments to what she was told about her property and wetlands not being buildable and that those comments cannot be considered unless it was indicated in the deed.

Discussion continued regarding the 20 ft. common driveway location and the abutter impact, and clarification of the location of the City water line.

STAFF RECOMMENDATION: (P16-22)

The Planning Department recommends the Planning Board approve the Conditional Use Permit with the following conditions:

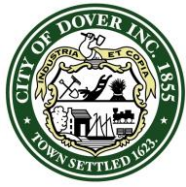
Conditions to Be Met Prior to the Issuance of the Conditional Use Permit:

1. NH DES Wetlands Permit is granted and a copy of the permit submitted to the City.
2. The subdivision plan (P16-23) shall be approved.

Motion: C.Plante made a motion to approve the Conditional Use Permit subject to the staff recommended conditions. Seconded by G.Cruikshank. Vote U/A

STAFF RECOMMENDATION: (P16-23 WAIVER)

The Planning Department recommends that the Board approve the waiver request to allow the driveway in the buffer. The Planning Department recommends adding the following condition:



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Conditions to Be Met Prior to Signing of Plans:

1. A note shall be added to the subdivision plan that the Board has granted the waiver for the reasons stated by the applicant, and the Board finds that the criteria of Chapter 155-51.A have been met.

Motion: D.White made a motion to approve the waiver subject to the staff recommended condition. Seconded by T.Clark. Vote U/A

STAFF RECOMMENDATION: (P16-23 SUBDIVISION PLAT)

The Planning Department recommends approval of the subdivision plat with the following conditions:

Conditions to Be Met Prior to Signing of Plans:

1. The owner's signatures shall be added to the final plat submitted for signature.
2. The Licensed Land Surveyor and Professional Engineer stamp and sign final plans.
3. The applicant shall provide the Planning Department with a digital version of the final plat.
4. The applicant shall revise the plat to:
 - a. Include a revised Current Use plan for the property to the Tax Assessor's satisfaction.
 - b. Clearly indicate that the drive is private on the plan.
5. The hydrant and drive construction shall be revised to the satisfaction of the Fire Department and Community Services Department.
6. The applicant must submit proposed Homeowner's Association Documents addressing access to the open space lot, preservation of perimeter landscaping, and ownership and maintenance of common areas including open space, lighting, drainage infrastructure and utilities. These documents must be reviewed by the Planning Department, with consultation by the City Attorney on compliance with conditions.
7. The applicant shall ask another entity to be second position for monitoring the conservation easement and shall provide said entity's written response to the Planning Department.

Conditions to Be Met Prior to Any Construction Activity:

8. Construction hours shall be limited to Monday-Friday 7 AM-6 PM, Saturday 8 AM-5 PM, with no Sunday hours. Hours of construction shall be documented on a site construction sign along with the contact information for the general contractor. Said signage shall be located and approved by the City Engineer or Assistant City Manager.

Conditions to Be Met Prior to Issuance of a Building Permit:

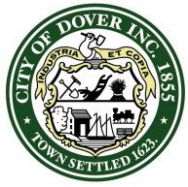
9. Any new dwelling unit shall be assessed the current impact fees in place at the time of building permit application.
10. Any new dwelling unit shall be assessed the current water investment fee in place at the time of application for water service.

Condition to Be Met Prior to Issuance of a Certificate of Occupancy:

11. The applicant shall provide a letter of credit or other form of security acceptable to the City for any unfinished work.

Discussion ensued regarding clarification to the conditions, vegetative shield in the buffer and the ordinance as it relates to the buffer between dwellings and the property lines, and clarification regarding patching the road for the City water line installation.

Motion: T.Clark made a motion to approve the Subdivision Plat subject to the staff recommended condition. Seconded by D.White. Vote U/A



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4. NEW BUSINESS

- A. Update and Public Hearing on the Transportation Alternatives Program funded project by CLD Consulting Engineers for Phase III of the Community Trail, to expand the paved section of the trail from Fisher Street to Route 108 and to improve access to the rural section off of Fourth Street. The Community Trail Advisory Committee is invited to hear the update and join the Planning Board's discussion. *

D.Benton provided an overview of the project.

Rick Lundborn, CLD Engineering, displayed plans and images for viewing, presented the project, and provided the update regarding the timeline and budget for the proposed plan. He answered Board member questions regarding parking locations, the timing of the construction and process according to the federal grant, plans in place for a bicycle lane near the school and the location, clarification regarding no existing extension of the plan to County Farm Crossroad, the enjoyment of the Community trail, and a stone culvert located on County Farm Crossroad built in the 1800s that needs to be explored.

Public Hearing Opened.

Steve Gitschier, 104-106 Rutland Street, stated his concern regarding the parking lot and bike path encroaching his property. He requested a scale on the plans to confirm these would be located 50 ft. from his property line.

Discussion ensued regarding an agreement made in 2008 to have the parking lot and bike path 50 ft. from the property line, that a privacy fence would be provided, and S.Gitschier's request to plant trees.

Bryant Hardwick, 129 Portland Avenue, thanked the Community Trail Advisory Committee, D.Benton as their liason, and the Board members. He stated his approval of the project.

Public Hearing Closed.

Discussion ensued regarding clarification of the GIS research pertaining to the project, endorsement for the research and the process for the public.

Motion: K.Schuman made a motion to endorse the project. Seconded by D.Ciotti. Vote U/A

5. STAFF COMMENTS

D.Benton announced the joint Planning Board meeting with the City Council on October 5th, 2016 to review the CIP.

6. MEMBER COMMENTS

7. ADJOURNMENT

Motion: K.Schuman made a motion to adjourn at 8:07 p.m. Seconded by C.Plante. Vote U/A