

DOVER PLANNING BOARD MINUTES

September 23, 2013, Approved as Written, October 7, 2013

Chair Mark Sarro called the meeting to order at 7:30 PM at the Dover Town House. Also present were Board members Jane Remsen, John Dougherty, Greg Sullivan, Consulting Planner Gino Carlucci, and Administrative Assistant Sue Hall.¹

1. DEFINITIVE SUBDIVISION, 57 HARTFORD STREET

Present were applicants, Craig Rafter and Mark Howe, their attorney Vincent O'Brien, property owner's attorney Jack Donoghue, and several abutters.

Mr. O'Brien informed the Board that the applicant would be agreeable to put \$15,000 in an escrow account for the purposes of work to be done for the abutters, Bill and Betsy Serjak. The work proposed is to relocate their driveway from Hartford Street to either Saddle Ridge Road or the new proposed subdivision road.

The Serjaks do not want to commit to any agreement until their engineer and attorney review all the options presented.

The applicant and the Serjaks agreed to set a 45 day termination date that would start when the decision is filed with Town Clerk. This agreement is for the proposed work on the Serjak's property.

On a motion duly made and seconded, the Board voted to continue the hearing for 57 Hartford Street to the next meeting October 7 at 7:30 PM. The motion passed unanimously with four members voting.

2. ENDORSEMENT OF ANRs, 32 & 36 PEGAN LANE

Consulting Planner Gino Carlucci briefed the Board on the plans submitted for 32 & 36 Pegan Lane. After a brief discussion the Board agreed to endorse the plan.

¹ Board member Henry Faulkner was unable to attend due to other commitments.

On a motion duly made and seconded, the Board voted to approve the ANR plans, as submitted, for 32 & 39 Pegan Lane. The motion passed unanimously with four members voting.

3. CONTINUATION OF SCENIC ROAD HEARING, 25 WILSONDALE STREET

On a motion duly made and seconded, the Board voted to close the hearing for 25 Wilsondale Street and to allow the applicant to reapply at a future date only having to pay \$50 to cover the legal notice costs. The motion passed unanimously with four members voting.

4. DISCUSSION RE: 33 FARM STREET

Present was architect Charles Rolando, attorney Robert Dionisi representing the property owner of 33 Farm Street, abutters Jay Hughes and Stephan Burke. Mr. Dionisi presented the case that the 30-foot right-of-way on this property constituted a right-of-way that predated the adoption of the Subdivision Control Law in Dover and that therefore it could serve as frontage for one of four lots that made up this property. One of the lots, with frontage on Farm Street, has an existing house on it while two other lots have conservation restrictions on them. This fourth lot is at the rear of the property and its only access is through the 30-foot right-of-way since the conservation restrictions cannot be crossed with a driveway.

The history of the property was discussed, which included a decision by the ZBA to grant a frontage waiver to a lot with 30 feet of frontage on Pegan Lane and a Planning Board decision to approve a driveway through the 30-foot right-of-way to serve a single residence on a lot with no frontage.

Due to the complicated nature of this issue, no conclusions could be reached about the status of the right-of-way. The applicant stated that his next step would be to ask the Building Inspector/Zoning Enforcement Officer for an opinion.

The meeting adjourned at approximately 9:30 PM.

Respectfully submitted

Susan Hall, Administrative Assistant