

**DOVER PLANNING BOARD MINUTES**  
February 23, 2015, Approved as Written, May 4, 2015

Chair Mark Sarro called the meeting to order at 7:30 PM at the Dover Town House. Also present were Board members Jane Remsen, Kate Bush, Henry Faulkner, John Dougherty, Consulting Planner Gino Carlucci, and Planning Assistant Susan Hall.

**1. SCENIC ROAD HEARING, LOT 3 CLAYBROOK ROAD**

Present were Attorney Matthew Watsky representing the applicant and Attorney Brian Levy representing abutters Ken and Ann Gorson. Chair Mark Sarro opened the joint hearing with John Gilbert the Tree Warden and referred to, but dispensed with the reading of the legal notice.

Attorney Watsky gave the Board an overview of the lot and explained that previously there was an application before the Board but it was not a joint hearing, which is required so the application was withdrawn without prejudice. He then proceeded to explain the request for the hearing. There were two trees that were in need of removal in order to construct a driveway for the proposed house. One was a 14 inch red oak and the other one was a 39 inch red oak. The Town Engineer reviewed the traffic study, dated January 30, 2015 by Gillon Associates and agreed that the location of the driveway was acceptable, but the two trees present obstacles for fire and safety vehicles and should be removed. The Superintendent of Streets and Tree Warden agree that the trees should be removed.

Attorney Levy stated that there were several matters that had not been resolved and asked the Board to refrain from voting on the issue. He said the applicant had no permit from the Superintendent of Streets for the location of the driveway indicating a waiver of the 10-foot setback from abutting lot lines to 9 feet. He also said that the matter needed to go back to the Conservation Commission because the material that the driveway would be constructed of had been amended from the original submission to the Conservation Commission. Candace McCann, Chairman of the Commission commented that the Commission determined it was not necessary to formally apply for an amended Order of Conditions for what was deemed a minor modification. The Board then closed the hearing.

**On a motion duly made and seconded, the Board voted to approve the application as submitted, with the conditions that no tree removal take place until such time as the Superintendent of Streets issues a driveway permit and that two replacement trees be planted, of a species and location determined by the Tree Warden, The motion passed unanimously with five members voting.**

**2. SIGN PERMIT, COUNTY COURT**

Present was Steve Dangel, Trustee of County Court and abutter Mike Donovan. Mr. Carlucci reported that he had viewed the sign, which is approximately 36" x 48" in size and mounted between two 4"x 4" posts with finial caps. The light fixture installed on the

sign now has a gooseneck lamp attached and pointing down onto it. Also, a permanent shield had been placed on the lamp post closest to Mr. Donovan's property. This matched what had been suggested at the previous meeting. Mr. Donovan reported that the situation was much improved.

**On a motion duly made and seconded, the Board voted to approve the application for the sign installed on County Court with the condition that the light level be limited to 500 lumens or less. The motion passed unanimously with five members voting.**

Exhibit one:

- Crash Report

### **3. REPORT TO ZONING BOARD OF APPEALS, 33 MILLER HILL ROAD**

Present were the owner's son, Thaddeus Bouchard and architect Robert Lucchetti. Special permits for accessory apartments are granted by the Zoning Board of Appeals, but the applicant must first consult with the Planning Board and Board of Health before applying for the permit.

The three Issues the Planning Board must address are as follows:

- A determination of the area of the lot on which the apartment is located
- A general description of the neighborhood in which the lot lies and the effect of the proposed apartment on the neighborhood.
- The Planning Board's recommendations as to the advisability of granting the Special Permit and as to any restrictions which should be imposed as a condition of such Special Permit.

A draft report on these items was reviewed and approved with amendments. The Planning Board added that it wished to retain the right to comment further based on any issues that arise at the hearing.

### **4. RELEASE OF LOTS, KIRBY FARMS**

Present was property owners Mark Howe and Craig Rafter and their Attorney Vinnie O'Brien. Mr. O'Brien presented the Board with a tripartite Agreement for its review. A bond amount of \$117,000 was agreed upon. The Board agreed to have Town Counsel review the Agreement before executing it.

**On a motion duly made and seconded, the Board agreed to approve the lot releases for Kirby Farms, subject to a successful execution of tripartite under agreement and Town Counsel's approval. The motion passed unanimously with five members voting.**

**5. LIAISON TO THE 46 SPRINGDALE AVENUE COMMITTEE**

Chair Mark Sarro agreed to replace Kate Bush to represent the Planning Board as a liaison to the 46 Springdale Avenue Committee. Mark Sarro and Jane Remsen will represent the Board at Committee meetings but all members were welcomed to participate.

The meeting adjourned at approximately 9:30 PM.

Respectfully submitted

Susan Hall, Administrative Assistant