

BOARD OF APPEALS
Town of Dover

Meeting Minutes
11 March 2021

Chairman R. Alan Fryer called the meeting to order at 4:30 p.m. at 61-63-65 County Street, Dover to conduct a site visit in connection with the application of Red Robin Pastures, LLC for the issuance of a Comprehensive Permit under Gen. Laws chapter 40B, sections 20-23, for the property at 61-63 County Street, Dover. Present were Board Members LaVerne Lovell and Erika Alders and Associate Members Hamilton Hackney and Michael Donovan.

On behalf of the applicant, Paul McGovern and Ardi Rapi were present. Courtney Starling, Land Use Director for the Town of Dover, was also present and streamed the proceedings live via Facebook in order to permit remote attendance by the public.

Others Present: John Vounatsos (65 County Street), abutters at 67B County Street and 81 Tisdale Drive, and remote audience (Janit Greenwood, Robert Andrews, Michele Leon Buckley)

Documents and Exhibits Used

- a. A plan entitled “Staking Points for Site Visit” prepared by Cheney Engineering Co., Inc. and dated March 10, 2021.

Alan Fryer, Chair of the ZBA, called the meeting to order at approximately 4:35 p.m. Mr. Fryer instructed members the Board to limit themselves to factual questions and discussions and to refrain from engaging in any substantive discussions until the continuation of the hearing on March 25, 2021.

The Board met at the rear of the property and commenced the site visit adjacent to the road frontage at 61 County Street. There was continuous traffic in both directions on County Street, as well as cars entering and exiting Apple Tree Lane, directly opposite the proposed driveway for the project..

Ardi Rapi, of Cheney Engineering, on behalf of the applicant, began the site visit by orienting the board to the locations of survey stakes identifying the building location (pink blazes), the lot lines (blue blazes), retaining walls, driveway & parking areas, and their corresponding numbers to their locations identified on the site plan.

The ZBA first reviewed the locations of the corners of the buildings working from 61 County Street to 63 County Street, while reviewing the lot lines as pertinent. Once the building locations were solidly identified, the ZBA then set about reviewing the driveway location.

John Vounatsos, 65 County Street, asked for clarifications regarding the location of the proposed driveway. Mr. Vounatsos indicated that the proposed driveway location and apron did not have a sufficient buffer from his property or the adjacent intersection at Apple Tree Lane, and stated that the area was known for traffic accidents and that he was concerned about his ability to get fire apparatus down his driveway. Mr. Vounatsos requested the proposed driveway serving the project be moved to the other side of the site to reduce confusion and increase the separation between his property and vehicular circulation at the adjacent property. Mr. Vounatsos also stated concern about the proposed removal of the mature trees along the property line that currently provide irreplaceable screening.

The applicant, Paul McGovern, stated they had designed the site with the driveways collocated because they had assumed that he and the other abutters would prefer a driveway to the building being closer to the property lines.

Mr. Vountasos stated a preference for the driveway to be further away, but for the applicant to address issues with the height and massing of the building and to retain the existing trees that provide screening.

The ZBA then moved toward the rear of the site to view the locations and heights of the proposed retaining walls, parking area, and their proximity to the wetlands on the rear of the site.

Mr. Rapi explained that a retaining wall on the west side of the site will begin approximately even with the location of the existing garage on 63 County Street at a height of roughly one foot, and will extend along the west side lot line toward the rear of the site, gradually increasing to a height of eight to ten feet at the rear corner and then along the rear lot line of the site, with some filling to construct a level parking area. Mr. McGovern confirmed that access to the woods behind the site (not owned by the applicant) will not be provided, and the retaining wall will have a safety fence located on top which will further block access. Some members of the board and public then hiked from the location of the retaining wall and rear lot line toward the wetland area below the site.

After reviewing the wetlands, the board then reviewed the proposed parking area. Courtney Starling stated that she had asked the applicant to minimize parking on site to reduce stormwater impacts after concerns were raised about the ability for the parking on site to meet peak demands, such as around holiday times.

At 5:35 pm, it was moved and seconded to adjourn the meeting. Motion was unanimously approved.