



CITY OF DOVER

ORDINANCE COMMITTEE – MINUTES

Meeting Type: **Ordinance Committee Meeting**
Meeting Location: **City Hall, City Council Conference Room**
Meeting Date: **Monday, January 9, 2023**
Meeting Time: **8:30 a.m.**

1. CALL TO ORDER/ATTENDANCE

Deputy Mayor Shanahan called the meeting to order at 8:30 a.m.

2. ATTENDANCE

Present: Deputy Mayor Dennis Shanahan, Councilor Fergus Cullen, Councilor Lindsey Williams, City Attorney Joshua Wyatt, Deputy City Attorney Jennifer Perez, Environmental Projects Manager Gretchen Young, Director of Planning & Community Development Donna Benton, and Patty Moniello, Legal Assistant.

3. PUBLIC FORUM

No citizens or members of the public present for public forum.

4. APPROVAL OF PRIOR MEETING MINUTES –

- September 12, 2022 – Ordinance Committee Minutes
- December 5, 2022 – Ordinance Committee Minutes

Deputy Mayor Shanahan asked if there was any discussion to be made regarding the minutes. Councilor Cullen observed that he did not move and second the motion identified in paragraph 3 of the draft September 12, 2022 minutes. Councilor Williams indicated she should be listed as seconding that motion. With that change, Councilor Williams made a motion to approve both sets of minutes, seconded by Councilor Cullen. Unanimous.

5. REVIEW OF STORMWATER UTILITY UPDATE

Environmental Projects Manager, Gretchen Young, reminded the Committee that the city had a \$100,000 grant to use toward hiring a consultant to help develop the stormwater utility project. This was approved the day before Thanksgiving and it was financed the day after Thanksgiving. RFQ went out and applications were due on December 21, 2022. One application received, Stantec, who is also the same consultant for the City of Portsmouth. They are partnering with VHB, who is a large traffic and engineering firm and have a huge local presence in NH. It is Ms. Young's opinion that Stantec and VHB are a very strong team and the City of Dover is looking forward to working with them. Ms. Young is working on putting together the scope and contract for the project and it should be ready for City Council review at the second January meeting. She also mentioned that she and Deputy Mayor Shanahan have been participating in a workshop and going through a lot of discussion about stormwater utility and how they impact residents and communities. There have been a lot of behind the scene meetings with Ms. Young and other parties like the finance group and Jamie McCullough and Ms. Young met with two homeowner residents in



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a Dover HOA. Also, staff members have met with members of the highway department and discussed the project.

Councilor Cullen asked for confirmation of the original \$100,000 and whether the entire amount was utilized or were other costs going to be included. Ms. Young did confirm that \$100,000 was the approved grant amount and said that she didn't know if there would be any supplemental amounts - the totals have not been finalized yet.

Attorney Wyatt asked what the timeframe would be for work to begin on actually making decisions about drafting the ordinance. Ms. Young said the timeframe has remained the same since she last met with the committee. Stantec is expected to come and to meet with staff is scheduled for Spring/Summer 2023. Outreach to communities is ongoing. Attorney Wyatt asked if NHDES is willing to be available to help with work on this and even review a draft ordinance, and Ms. Young said that multiple people/agencies are involved as a team on this project.

Deputy Mayor Shanahan asked if by the end of this calendar year would remain the same timeline to have the end-product to go before council which could still lead to an implementation plan for July 2024, fiscal year 2025. Ms. Young agreed with the projected timeline.

6. REVIEW OF PROPOSED OR PENDING ORDINANCE AMENDMENTS

In reference to a pending ordinance for Chapter 9, Section 9-8 (Planning Board), Director of Planning & Community Development Donna Benton explained this proposed ordinance amendment is on the council agenda this week. The ordinance grows out of a state statute enabling the City Council to authorize the Planning Board to delegate its site review authority. We needed to update Dover Code 9-8 to do that to further clarify the authority of the Technical Review Committee and what that process would actually look like.

Deputy Mayor Shanahan states that he pulled down RSA 674:43-3 which talks about the local legislative body made by ordinance to authorize the planning board to delegate technically qualify administrators chosen to run this committee.

Attorney Wyatt explained that the vision would be for this committee to be able to streamline and approve minor site changes. Deputy Mayor Shanahan wanted more clarification of a "minor site change". Director Benton explained that the proposed ordinance would technically clarify that the Planning Board could delegate review and approval of minor site plans to the technical review committee, and the Planning Board is going to be working through regulations to implement the authority.

Director Benton discussed membership on the current Technical Review Committee, which includes one member of the planning board.



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Councilor Cullen asked if there would still be notification to abutters regarding these changes and Director Benton indicated they would.

Attorney Wyatt indicated that there would still be an option by applicants/abutters to appeal the delegated body's decision on a minor site plan to the full Planning Board.

Deputy Mayor Shanahan as if there were any further questions and asked for a motion to accept the ordinance change. Councilor Williams moved to approve the change; Councilor Cullen seconded the motion. All in favor – unanimous.

7. GENERAL DISCUSSION

There were no general discussion matters.

8. BUILD AGENDA FOR NEXT MEETING

Deputy Mayor Shanahan stated that he would like to hold open Monday, February 6, 2023 at 8:30 for a future Ordinance Committee meeting, if needed.

Councilor Cullen asked if it was possible to circulate the draft minutes for review prior to the meeting.

9. ADJOURN

Deputy Mayor Shanahan asked if there were any final comments. Not hearing anything else, Councilor Williams moved to adjourn - seconded by Councilor Cullen. Vote unanimous in favor.

Meeting adjourned at 8:51 a.m.