



CITY OF DOVER

## CITY OF DOVER - RESOLUTION

Agenda Item#:

Resolution Number: **R – 2008.06.11**

Resolution Re: Endorsement of Memorandum of Understanding –  
Community Garden at Autumn and Sixth Street

WHEREAS: The City of Dover is the owner of property located near Autumn and Sixth Street; and

WHEREAS: Citizens have requested use of said parcel for the purposes of creating a community garden; and

WHEREAS: Members of the Community Garden group and neighbors have reached a mutually acceptable understanding.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND DOVER CITY COUNCIL THAT:

The City Council endorses the Memorandum of Understanding for a community garden located on City Property at Autumn and Sixth Street and encourages future cooperation between gardeners and neighbors, with the approval and oversight of conservation commission.

### AUTHORIZATION

Approved as to Funding: Daniel R. Lynch  
Finance Director

Sponsored by: Councilor Callaghan

Approved as to Legal Form: Allan B. Krans, Sr.  
City Attorney

Recorded by: Karen Lavertu  
City Clerk



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### DOCUMENT HISTORY:

First Reading Date: 2008.06.11	Public Hearing Date:
Approved Date: 2008.06.11	Effective Date: 2008.06.11

**DOCUMENT ACTIONS:** motion to substitute in whole by Callaghan seconded by Cheney passed 8/0 .  
Resolution amended and passed 7/1 with DeDe opposed

VOTING RECORD		
Date of Vote:	YEAH	NAY
Mayor Scott Myers	x	
Deputy Mayor*	n/a	n/a
Councilor Robert Keays, Ward 1	absent	
Councilor Douglas DeDe, Ward 2		x
Councilor David Scott, Ward 3	x	
Councilor Dean Trefethen, Ward 4	x	
Councilor Catherine Cheney, Ward 5	x	
Councilor Richard Callaghan, Ward 6	x	
Councilor Steven McCusker, At Large	x	
Councilor Karen Weston, At Large	x	
Total Votes:	7	1
Resolution does pass.		
* Deputy Mayor not elected at time of vote.		



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### RESOLUTION BACKGROUND MATERIAL:

#### Memorandum of Understanding

An understanding between The Dover Cassily Community Garden Stewards (hereinafter referred to as DCCG) and the abutters of the city owned garden property, this includes Autumn St and portions of Sixth St of Dover NH (hereinafter referred to as The Neighbors ).

Duration of the memorandum: Period of 1 year starting on May 1, 2008 until May 1, 2009

The purpose of this document is to come to an understanding on the scope and use of the land the city of Dover has allocated for a community garden.

Articles of the Memorandum:

- Garden size: DCCG agrees to keep the garden at ½ acre for the first season and maintain the trails to the garden
- A shed will be constructed in the parking lot at Beckwith Park
- Autumn St will not be used, at anytime, for access to the garden unless an agreement can be made for a special need, on a case by case basis
- The Neighbors are not responsible in any scope for the garden and its contents
- DCCG stewards encourage The Neighbors to join and participate in the garden
- The DCCG agrees not to install fencing around the garden plot for the first growing season
- Any major changes to the garden portion of the property will be approved by the Dover Conservation Commission prior to implementation
- Abutters will also be notified of any meeting before Conservation Commission or City Council which seek approval to implement changes to the property
- Any mowing or trail maintenance by DCCG will be done to discourage the use of Autumn St as an access point to and from the garden
- The DCCG will strive to minimize their impact on the scenic quality of the property as governed by the Conservation Commission and their interpretation of the LCHIP Cassily – Cocheco Park Stewardship & Management Plan document.

Methods of communication: Discussion, problems, concerns shall be brought to a contact person for each group. The contact for DCCG will be Regan Gentner, email: [regananne13@yahoo.com](mailto:regananne13@yahoo.com) or by cell at 978-979-7860. For The Neighbors: Michael Busby of Autumn St. email: [Michael.Busby@us.ngrid.com](mailto:Michael.Busby@us.ngrid.com)

Any changes or additions to this document, disagreements or any other issues will be discussed at a meeting of a majority of the parties at an agreed upon time and place.