

**DOVER PLANNING BOARD
MINUTES OF MEETING
MARCH 14, 2006**

MEMBERS PRESENT: Ron Cole, Anthony McManus, Perry Plummer, Dean Trefethen, Doug Steele, Marcia Colbath, Ron Stock, Kirt Schuman, Frank Torr, John Swartzendruber

MEMBERS ABSENT: Bryan Cahoon, Donald Andolina

STAFF PRESENT: Steven Stancel, Planning Director; Rick Jones, Community Development Coordinator and Jacqueline Freeman, Recording Secretary.

Chairman Cole asked Kirt Schuman to take Donald Andolina's seat.

Chairman Cole brought the meeting to order at 7:02 PM.

ITEM #1: Citizens' Forum.

No one spoke.

Chairman Cole announced that ITEM #4: **Dover Business and Industrial Development Authority (DBIDA)** would not be addressed and has been moved to the meeting of March 28, 2006.

ITEM #2: Approval of minutes

Tony McManus made the motion to approve the minutes of February 28, 2006.
Dean Trefethen seconded.

VOTE U/A

Tony McManus made the motion to approve the minutes of March 7, 2006.
Dean Trefethen seconded.

VOTE U/A

**ITEM #3: Consideration and acceptance of a minor subdivision of land for
Hartswood 15 Realty Trust, Assessor's Map 14, Lot 35, Zoned R-12,
located on Hartswood Road.*(P06-12)(1 lot)**

Bob Stowell, Tritech Engineering, represented the applicant for a one lot subdivision proposed at the end of Hartswood Road. This application went before the Zoning Board of Adjustment in October of 2005. The lot meets the size requirement for the R-12 district but does not have adequate frontage. They received a Variance to proceed.

Dean Trefethen made the motion to approve.

Kirt Schuman seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Frank Torr made the motion to approve with the following conditions of approval:

1. Add the owners' signature to the plat.
2. Provide the Planning Department with a digital version of the plat.
3. The applicant shall revise the plat to label the proposed lot lines.
4. The applicant shall revise note #13 on the plat to add the conditions of approval required by the Zoning Board of Adjustment.
5. The applicant shall provide the Planning Department with the proposed access and utility easements in favor of the owners of map 14, lot 35-1 and map 14, lot 5-I for review prior to signing the plat.

Doug Steele seconded.

VOTE U/A

ITEM #4: Consideration and acceptance of a minor subdivision of land for Dover Business & Industrial Development Authority, Assessor's Map D, Lot 11-1, zoned I-4, located on Quality Way.*(P06-14)(3 lots)

This item was withdrawn until the meeting of March 28, 2006.

ITEM #6. Old Business

Steve Stancel said there was a request for a 15 day extension of approval for Tolend Road Properties, LLC. – 72 units off Tolend Rd., with the idea that they would come in this evening with a more formal request for an extension.

Atty. Bill Tanguay, stated that they did receive a 15 day extension. He said that they thought that they had a settlement with the seller of the property. There was a tentative settlement and they were getting the documents ready when they reached an impasse. They had hoped to come in saying that they had a settlement and needed a 90 day extension in order to get the approvals. He said that he is still looking for a 90 day extension as they are holding out some hope that they will get a settlement, although it is getting to be less likely by the passing day. If it does come to a settlement they will need the 90 days and if the discussions fall apart, the time will be needed to file litigation in the court. He said they are looking for a 90 day extension. He said that it is an important project for the City and for them because they have invested a lot time and money. It is important to the City because they would be extending the sewer line to industrial properties that might never get that sewer line but for this project.

Steve Stancel said that the applicant asked for a 90 extension on December 14th. At that time the applicant had a mediation scheduled for early January and this Board gave a 90 day extension so the 45 day extension became March 1st. They held the mediation on March 1st and it wasn't until just last week that suddenly there was progress made. He said that he wasn't inclined to recommend extending this a full 90 days again. It is important that we only do 30 days and keep their feet to the fire to keep the developers talking among themselves. If an agreement is reached in the 30 days they can come back and ask for additional time for financing and closing. He felt that the 30 days is the proper period to make sure that this project moves forward.

Steve Stancel explained that there are no limitations on the number of extensions that can be granted. It is totally up to the discretion of the Planning Board. The Board needs to know if things have changed in the area that might not make this project very viable or good for the City anymore. The only reason that we feel comfortable in extending this for the 4th time is that nothing has changed in the Columbus Ave./Tolend Road area. As we prepare to redo the Master Plan, there may be recommendations for changes in that area. Therefore, we may not want to extend this indefinitely.

Tony McManus said that he doesn't think the problem is keeping the developer's feet to the fire. He felt the developer would start digging tomorrow if they had the ability to do that. He said that it is the other party who is holding everything up. He doesn't know what could be accomplished within 30 days – certainly not getting any kind of a decision out of a court. He felt that this is an important project for the City. The City would be getting a sewer line at no cost which would open up some land for industrial development. He also liked the idea of the recreation area that would be created. He would go for a longer extension.

Frank Torr made the motion that we grant a 30 day extension.
Marcia Colbath seconded.

Doug Steele asked when the 30 day would start.

Steve Stancel stated that the 15 day extension ends on the 22nd, so 30 days would go to April 22, 2006.

VOTE 7 – 1

Opposed – Tony McManus

ITEM #7: New Business

a. Request for a School Impact Fee Waiver for John Chesley & Lizabeth Watson, Assessor's Map 10, Lot 16-1 , located at 28 Highland St.

Steve Stancel explained that the Impact Fee Ordinance was approved by the City Council on 1/22/03 and the Planning Board adopted the School Impact Fee on 2/25/03. RSA 674:39 was amended by the legislature on June 7, 2004 to remove any grandfathering from impact fees after a project is substantially complete and four years have passed since recording. In this case, the lot has existed since May 9, 1989 and a building permit

to construct a dwelling unit was not applied for until April 11, 2005, after the change to RSA 674:39 was in effect. The applicant paid the impact fee invoice on January 5, 2006. Since RSA 674:39 does not grandfather existing lots from impact fees and this waiver application does not meet any of the three criteria for waivers listed in Chapter 170-28.7-G, the Planning Department recommends that the waiver be denied.

Dean Trefethen said that he understands what they are trying to say in their application that the money is not used immediately for school needs but goes into a fund for facility improvements and facility expansion. At some point in time this home is likely to change hands and could potentially produce school age children. He said he would vote to deny.

Dean Trefethen made the motion to deny the request for the Impact Fee Waiver.
Marcia Colbath seconded.

VOTE U/A

ITEM #5: Public Hearing to hear Community Development Block Grant (CDBG) Funding Requests for Fiscal Year 2007. All applicants for CDBG funding will be given the opportunity to present their application to the Board.

Chairman Cole asked the applicants to come up and identify themselves and to keep their presentation to 5 minutes.

Steve Stancel gave a brief synopsis explaining the Community Development Block Grant program. He added that the CDBG entitlement grant this year is \$362,089., which is a reduction of about \$40,000. from last year. The anticipated income from the Dover Economic Loan Program, which is a loan program for businesses within the community, is \$72,000. The estimated School Street Parking lot income is about \$2,000. The CDBG program owns the School Street Parking Lot and receives revenue from that. In addition, there are some reprogrammed funds that are remaining from projects that have been either completed and have left over money or they are projects that have gone by the wayside and were reprogrammed Fiscal Year '03 funds of \$7,270. There are Reprogrammed Fiscal Year '04 funds of \$27,383. Dover is looking to reprogram some money from the HRL program of \$87,991. In addition we anticipate the sale of City property that CDBG owns of approximately \$3,500. for a total money available figure of about \$581,369.

Dean Trefethen thought that the land on Indian Brook Drive for the NH DOT park n' ride was owned by CDBG.

Steve Stancel explained that the \$3,500. is actually the small piece that is coming off that parcel. In addition they have been talking to the State about the purchase of that parcel for a park n' ride and they just recently came in with an appraisal. Once the Council approves it those monies can also be added. We anticipated receiving at least \$125,000. for that land so we have already allocated it to a project this fiscal year. It's quite possible that we are going to see a significantly higher amount of money.

Rick Jones, Community Development Coordinator, explained that for Administration, the maximum amount of program funds that can be used for administration and planning purposes in any given fiscal year is twenty percent. Public Services agencies are capped at 15% of the total grant amount, plus program income from the previous year. If the additional revenue is brought in this year, the Board will be able to come back to increase the Public Service cap which right now is going to be a \$74,138. The total requests received from the public service agencies is \$139,518., which leaves a shortfall of \$65,380. That money could bump up the public service expenditures by 15%.

Rick Jones pointed out that down toward the bottom of the list of applicants the Program Administration for the City of Dover is looking for \$91,045 and that also matches section 2, which is the maximum amount for the Program Administration. The next thing that the City is looking to fund is \$20,000 for playground equipment at the McConnell Center that will be used by residents of the area as well as the Dover Children's Center when they go in there. The McConnell Center Building Oversight at \$32,250. There are quite a few projects that are going on at the moment that are all eligible CDBG projects. The amount of staff time that it is taking one of the staff is quite significant so they are asking for an offset to the City budget to try to fund that position. The Housing Revolving Loan Fund Administration and then the Economic Development Administration are all the City projects that they are looking at.

DOVER CITY WELFARE SECURITY DEPOSIT

Rick Jones represented Janet Poulin, from the Welfare Office. He said that they were requesting a continuation of their Welfare Security Deposit Assistance Program. The funds go from the City directly to the landlord. If we didn't fund this program the General Fund would be increased. Janet Poulin gets back between \$2,000 and \$4,000 from people that have moved out and the security deposits are returned. They requested the amount of **\$15,000**.

COMMUNITY PARTENERS

No one was present to represent the application requesting **\$18,872**.

MY FRIEND'S PLACE

Bob O'Connell, Executive Director of My Friend's Place, said that he was looking for support for their homeless shelter located at 368 Washington St. and their six transitional units which are scattered sites throughout Dover. They requested the amount of **\$14,000** to offset their operating costs for those programs, **\$10,000** for emergency shelter and **\$4,000** for Transitional Housing.

CROSS ROADS HOUSE, INC.

Chris Sterndale, Executive Director, stated that he lives on Forest Street in Dover. He stated that Cross Road House is a homeless shelter serving families and individuals and is located in Portsmouth. He said there are presently 10 families there and 18 or 20 children. They served about 600 different people per year. He said that about 40 of those people were from Dover. The City of Dover represents 7 or 8% of their business. He asked the Board to make more low cost housing available to people. It would pay big dividends not only for them but for the whole community down the road. High income housing is not doing anything to address the largest housing needs in the communities and he asked the Board to keep that in mind. He added that they appreciate the help and they are requesting **\$4,000**.

AIDS RESPONSE-SEACOAST, INC.

Dawn Mahoney, Director stated that they are asking for **\$13,644**, for case management and support services. They assist people in applying for assistance they may be eligible for, such as emergency housing and utility assistance, transportation to medical appointments, some funds for mental health counseling, nutritional counseling. They have a food pantry for their clients. They experienced a 6% increase in their clients over the last year. She said that they have staff that goes out into the community and the schools and the homeless shelters providing information.

A SAFE PLACE

Pam Hagarty, Executive Director, said that they are asking for **\$5,540** this year to partially support their 24 hour hot line services, legal advocacy, referrals that they make for other needed social services and their support group and shelter services. 80% of their total clients are within the guidelines for the CDBG in terms of income. 7 to 8 of the clients who use their services come from Dover. They stay at the shelter a couple of days and then they work with them to find housing for them. One of the major reasons that people stay in domestic violent situations is because they don't have affordable housing that they can go to in a safe location.

HOMELESS CENTER FOR STRAFFORD COUNTY

Bob O'Connell, Treasurer, stated that he is representing this application and they are requesting **\$12,000**. He said that Janet Poulin got a group together 9 years ago because she was very concerned about homeless people in the winter and something needed to be done. He said that Waste Management provided them with a building rent free that they have used for the past 5 years. They have entered another five year lease with them. The house is open from mid to late October until the end of April. They have had about 46 families and 9 of those are from the Dover area.

DOVER DAY CARE LEARNING CENTER, INC.

Mary Lou Beaver, Executive Director, she said that she was under Social Services and Public Facilities and asked if she should address both at this time.

Ron Cole asked her to address both.

Mary Lou Beaver started with her Social Services tuition assistance program for their low income families who reside in Dover. They are asking for **\$9,200** to help with their estimated shortfall. They are estimating an overall deficit of \$12,000 next year in tuition assistance if they do not increase their tuition, which they try not to do. They have 147 children on the waiting list.

Mary Lou Beaver stated that they are hoping to go into the McConnell Center and do a second site there. The demand for childcare is there. They are requesting **\$150,000** to do the fit-out of the space. That will allow them to serve 80 children in the Dover area that are in need of affordable childcare. The 1st phase would be for 28,000 sq. ft.

SEYMOUR OSMAN COMMUNITY CENTER

Thad Mandsager, said that their primary means of serving families is through after school programs to aid youths in learning life skills, improving academic performance, discouraging drug use and delinquency and promoting pro-social behavior and life long learning. They have about 175 enrollees and their average attendance is 80 per day. They are request is for **\$11,683** for social skills workshops for their youths and staff training.

BIG BROTHERS AND BIG SISTERS

No one represented this application.

GREAT BAY CHAPTER-AMERICAN RED CROSS

Sarah Scherne, Executive Director, requested that the City reinstate their funding of **\$2,000**. In years past the City of Dover has supported the American Red Cross but has not for the past 3 years. They have representation on their Board of Directors from Dover and they serve a lot of individuals from Dover. She stated that all of their work is done through volunteers. They have 26 people who are trained to respond to national disasters. She stated that they helped 8 Dover residents this year and 12 residents last year. This week they have responded to fires in Dover which has increased their numbers. For the most part every community supports what they do according to their budget. She said that they ask people for their financial information such as do they have insurance on their home, but regardless, when it's 12:00 AM, and there is a fire, there is no place to go. You need a hotel, clothes and medication for the night so you can go to the bank the next day to get money. That's where the American Red Cross comes in to provide assistance on the scene. She said in 2006, they have assisted 8 fire victims in Dover so far and in the prior year they assisted 13.

Tony McManus asked how many employees come under the \$301,000 listed as salaries and employee benefits.

Sarah Cherne answered they have 5 full time employees and two part time employees. They manage 700 volunteers and they serve 39 Cities and towns.

THE HOMEMAKERS HEALTH SERVICES

Claudette Boutin, Executive Officer, stated their mission is to keep people in their home with the support services that they need to avoid unnecessary hospitalization or nursing home placement. It is much more cost effective. They are requesting **\$28,169.** to provide support services, grocery shopping, housecleaning, check ins, and companionship services. Dover is about one third of the population that they serve throughout their agency.

Marcia Colbath asked if they provide services to those who are not in dire financial need and can pay for the services but are having a hard time finding these services elsewhere to help supplement those who can't afford to pay.

Claudette Boutin said that they do that. Half of their revenue is funded through the Medicare program. They have been subjected to cuts in Medicare. What used to support this program is dwindling with cuts on the Federal and State end. They do have sliding scales for payment of services.

COMMUNITY ACTION

Charlie Wolf, Housing Director, requesting **\$25,000.** He said that the funds are used in Dover to either leverage, or help them provide services such as weatherization, handicap ramps, and roof repairs. They have added a new program called the Fix-it Program. He explained that it does little repairs like sweep the driveway, clean out the gutters, whatever. They return to the community 2 to 1 because they leverage everything. It doesn't cost anything to administer the program. They use those funds to get as much done as they can for some of the neediest people. They are gradually improving the quality of life here and they are making a difference.

THE HUB FAMILY RESOURCE CENTER

Greg Burdwood, Executive Director, and also lives on Cedarbrook Drive in Dover. They are asking for **\$45,000** which would help them with the anticipated fit-out costs for the space they would be renting at the McConnell Center. Of the 650 Dover residents they anticipate serving in the next year, 550 – 575 of those will receive services at the McConnell Center. They provide play groups, parents group for young parents from 15 to 20 years of age, cooperative parenting and divorce groups, parenting adolescents and grandparents or relatives taking on the primary parenting role groups. These are all known as protective factors. When these factors are in place, there is significant saving in costs with difficulties in school, teenage pregnancies, etc.

Chairman Cole scheduled a workshop for next Tuesday, March 21, 2006.

ITEM #6: Old Business

Steve Stancel announced that the updated version of the Overlay District and the public hearing will be held on March 28, 2006.

ITEM #7: New Business

Chairman Cole stated regarding the Council Meeting, that he had the portion of the Council minute's pertaining to the Resolution of enacting a Growth Moratorium in the Northend of Dover, sponsored by Councilor Keays. It ended up being requested of the Planning Board that we apprise the City Council of our actions with regard to the Land Use portion of the Master Plan. Ron Cole stated that we are all volunteers and we will be holding public meetings in each one of the wards. There is just so much time to get all of this done and get it done right. We will be addressing the Land Use portion of the Master Plan over the next few months. We will be moving some things aside in order to do this and to bring this back to the Council in a timely fashion.

Steve Stancel stated that at the up coming workshop we will start talking about updating the Master Plan and the steps required to do that.

Chairman Cole explained that he will include people from the Planning Board and people from the community to assist in the updating of the Master Plan.

Doug Steele stated that there was a question about monitoring wells at the last meeting. He said with regard to the proposed hotel, currently we have 5 monitoring well around the Smith and Cummings wells that they check three times a year. They have found an issue with MBTE with the Cummings Well and they have hired a firm to investigate where the source is coming from. The part of this study's recommendations was that we add additional wells in that part of town. He said that they will be adding 3 monitoring wells behind Planet Fitness. They will be looking to see if there should be additional wells in the areas by the State Garage.

ITEM #9: Adjournment

Frank Torr made the motion to adjourn.

Marcia Colbath seconded.

VOTE U/A