



CITY OF DOVER

## DOVER PLANNING BOARD - MINUTES

Meeting Type: Regular Meeting  
Meeting Location: Council Chambers - 288 Central Avenue, Dover, NH 03820  
Meeting Date: **Tuesday, December 12, 2006**  
Meeting Time: **7:00pm**

Members Present: Tony McManus, Ron Stock, Marcia Colbath, Ron Cole, Kirt Schuman, Perry Plummer, Doug Steele, Frank Torr, Dennis Ciotti

Members Absent: Bryan Cahoon, John Swartzendruber, Dean Trefethen, Donald Andolina

Staff Present: Steve Stancel, Planning Director; Steve Bird, City Planner and Jacqueline Freeman, Recording Secretary

Chairman Cole brought the meeting to order at 7:04 pm.

### 1. Citizen's Forum

There were no speakers.

### 2. Approval of the minutes

Ron Stock made the motion to approve the minutes of the previous meeting.

Kirt Schuman seconded.

**VOTE U/A**

### 3. Public hearing to hear comments on the City's proposed Capital Improvements Program FY08 – 2013 (CIP). The CIP can be found on the City's web site [www.ci.dover.nh.us](http://www.ci.dover.nh.us).

**The public hearing was opened.**

Bonny Brault, Office Manager for Tisuelink Medical, stated they are located at One Washington Center mill. They are looking at a large expansion and for potential locations in other Cities. They have 110 employees and will be tripling their employees in the next few years. Their lease is coming up for renewal and the issue is parking. They now park in two different lots. They would like to stay in Dover but parking will be a constraint to them. Their decision will be made in the next two weeks on if they are going to be staying in Dover. Dover is their corporate office. They are located in 12 different countries and all through the US. They like Dover and love the culture and would like to stay.

Linda Hagen, of Jewelry Creations, supports the parking garage and asked the Board to support it. She explained how important it is to keep their business and employees in Dover. It is their 25<sup>th</sup> year and it is getting harder and harder with regard to the parking.



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Michael Provost, Executive Director of the Dover Main Street Program, works with small businesses making sure that they are happy, growing and thriving. He said that the parking garage is key to keeping businesses in the downtown.

Janet Perry, Nicholes Hallmark, stated that the parking garage is needed. She spoke on how people must go around town several times before finding a parking space.

Beth Thompson, Economic Director, stated that the success of the downtown businesses hinge on the availability of parking. She urged the Board to fund the parking garage.

Don Medbury stated that he supports the parking garage.

Chairman Cole read letters from Brint Shone, Great Mills Management of One Washington Center; Doreen Rainville & Jessica Smith of Winsor Brook Property Advisors for Cocheco Falls Millworks and Jacqueline Eastwood of TissueLink Medical Inc., all in support of the parking garage.

Gail Moore, Silver St., urged the Board to pay attention to the increased traffic on Silver St., particularly the tractor trailers. There are many houses built in the 1700's and 1800's that are very close to the road. The trucks shake the foundations and crack the walls. She thought that the trucks could come off the turnpike at another exit. She asked the Board to not lose the advantage of a beautiful entry to Dover as the waterfront is being developed.

Don Medbury spoke regarding undue noise generated by trucks and motorcycles and felt a noise ordinance would help.

Chairman Cole suggested that noise concerns be addressed to the Transportation Advisory Committee.

The public hearing was closed.

#### **4. Consideration and acceptance of a request for a lot line adjustment of land for Hugh Scott, Assessor's Map 29, Lots 5 & 6, zoned R-12, located at 2 & 4 Reservoir Street.\*(P06-59)**

Hugh Scott explained how his plan would make two non-conforming lots less non-conforming.

Tony McManus made the motion to accept the application.

Perry Plummer seconded.

**VOTE U/A**



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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:

1. Add the owners' signatures to the plat.
2. The applicant shall provide the Planning Department with a digital version of the survey.
3. The applicant shall revise the plat by adding a note listing the minimum dimensional regulations for the R-12 District.
4. The applicant shall revise the plat by labeling the old lot lines as "lot lines to be eliminated."

Perry Plummer seconded.

**VOTE U/A**

### **5. Old Business**

#### **a. Discussion and possible vote on a lot line adjustment and Conditional Use Permit for Charles Kageleiry, John O'Neill and Michael Brigham, located on Dover Point Road, Thornwood Lane and Middle Road (P06-51)**

Ron Stock made the motion to take this item off the table.

Dennis Ciotti seconded.

**VOTE U/A**

Malcolm McNeill, attorney for the project, explained that there is less than 10,000 sq. ft. of wetlands in the project. They have gone to the Conservation Commission for a Conditional Use Permit and feel that the project is ready to be acted on. There were two issues brought up on the site walk. The issue of the roadway is for the Board to decide. The applicant and the neighborhood groups would prefer it to be private, but they are fine with whatever the Board decides as long as it doesn't delay the project. The congregate care setback at its closest point is 75 feet from the property line, as opposed to the 50 foot requirement. An office building could be built on this site that would be 55 feet tall. Much of the land that the proposed commercial development is on is already occupied by buildings that were used for commercial purposes. The residential will be located in a well-wooded and buffered area. The congregate care use is compatible with the residential uses. With regard to the Applevale development, the loading dock area is 500 feet from the boundary and 700 feet from the closest property in Applevale. With regard to the Meadow Brook project, and the buffering between the congregate care facility, they propose a mix of deciduous and evergreen trees. He went over the standard of review for the Conditional Use Permit. He said the possible use of a kennel caused some



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concern and they are now thinking a fitness center would be ideal. There will be access by foot for the congregate care facility to the retail. They provided for walking trails throughout the property. He went over the Phasing Plan that was submitted to the Planning Office.

Atty. McNeill stated the thru-road, with a round-about, would be completed upon occupancy of the retail component of the commercial project. Prior to the completion of the retail shopping center, access would be provided to the residential and commercial areas as needed to meet reasonable access requirement. Infrastructure would be provided on a phased basis, except under circumstances where looping or other requirements unique to particular infrastructure is required. Environmental remediation would be completed prior the start of the commercial development. Bonding and the release of bonding shall be phased consistent with the phasing plan.

He said that there would be no detrimental affect on surrounding properties. This project won't be a traffic hazard. Most of the traffic is centered in the middle of the project. Noise would not be intense. The natural resources have already been degraded and they are proposing remediation. The fiscal impact analysis indicates that this would have a positive fiscal impact of \$445,000 on an annual basis. It is a 55 and older residential development, the congregate care is for adults and the commercial project will expand the tax base.

They have to provide adequate sewer to this site and that can be a condition of any Conditional Use Permit. He said that the drainage plan would be more part of the site review approval. There are a lot of sidewalks in this project and on both sides of the main road. They were asked to expand the traffic study to include Stark Ave. and they are willing to do that. They are in the process of completing a remedial action plan. The condition of the site will only get better from an environmental perspective. He said in regard to the fiscal impact analysis, the Planning Department felt the cost associated with maintenance might be too low. If that's the case, they'll admit to that. They will seek some relief for the impact fees for the 55 and older. They expect to pay similarly to the Tolend Road project. They feel that flipping the loading dock at this stage is not necessary. The power lines will be moved away from the residential properties. They have serious contractual obligations as this property is under the control of a court appointed receiver and they need to move on. They feel that this project is approvable. When asked if there would be a supermarket at the site, Mr. McNeill stated that the building is a size that would be customary for a supermarket but they are planning retail uses.

Tony McManus asked about the dam and the pond on the site.

Bob Stowell said it would be a benefit to the project to clean up the pond. The dam is in failure and needs to be rebuilt.

The public hearing was opened.



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Anthony Hartnett, represented Meadow Wood development, had concerns in the area of the congregate care facility. He quoted Chapter 149-14.2 in Site Review. He feels that the setback of the 75 feet is 25 feet more than the 50 feet but they are still minimum requirements. The congregate care buildings are three stories and they would prefer 2 stories. If they are going to be three stories they feel they should have a 200 foot buffer setback. The developer stands at 75 feet and perhaps there could be a compromise that could be part of the approval for the Conditional Use Permit. They requested that the trees for buffering be of sufficient maturity so that they do the job they are supposed to do and not only for the congregate care but for the possible supermarket. He said because a commercial use is in close proximity to a residential uses it is important that Board impose screening and that the buffer be extended beyond the 75 feet. There should be no further development, parking or traffic in the rear of the project. They would appreciate mature coniferous trees.

The public hearing was recessed.

Steve Stancel stated the Planning Department is not ready to make recommendations this week as there are outstanding issues to be addressed. They received the Phasing Plan after 4:00 this afternoon haven't had the opportunity to study it in detail. He would like to see more specific phasing placed on the plan so it is easier to see what sections will be completed first and how that connects to the site and off-site improvements. They asked for additional traffic information for Stark Avenue as there are concerns that happen at that signal. He said that they would like to review the screening more closely. This has been placed on the next agenda of the 19<sup>th</sup>.

Marcia Colbath said she is uncomfortable with the congregate care facility and whether to consider it commercial or residential.

Steve Stancel stated that the congregate facility is residential. Do the 112 units represent 112 units or just a percentage of the total housing, is a question.

Frank Torr asked about the letter from DES, where they indicated the locations of tests in the report. He would like to see a map of where the tests were done.

Steve Stancel asked if the applicant's engineer could provide us with a map with the locations.

Doug Steele stated the discharge of the pond is currently eroded. He asked if it would be addressed and be put into proper condition. He said that it doesn't have to be addressed as part of the Conditional Use Permit, but it would be for any other approval.

Frank Torr asked where the turn around would be in the public road.



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Doug Steele asked for the road to remain private until the roads are connected and have the City assume responsibility at that time.

Dennis Ciotti asked if Public Works is ready to plow a public road. He felt that the road should be public and become private for the commercial portion.

Steve Stancel reiterated that the main road should be public.

Perry Plummer indicated that he would like to move this project forward.

Doug Steele echoed that thought and felt the Board has bent over backward to appease the abutters.

Frank Torr made the motion to table with the understanding that the project would be addressed Dec. 19<sup>th</sup>.

Doug Steele seconded.

**VOTE 7 – 1**

**Opposed – Ron Stock**

### **b. Discussion on CIP.**

Steve Stancel asked if there were any questions with regard to the resolution that is going to the City Council tomorrow with regard to the CIP. He asked if there were any items that were not clear. He said they can have someone present next week to answer anything that is not clear. The Council will be holding their public hearing on January 10<sup>th</sup> and voting on January 17<sup>th</sup>. He said the Board could wait to vote on this at the first meeting in January.

The various items were discussed and questions were answered.

Tony McManus felt that the Police storage facility was premature as there is a question on if there will be a new Police Facility and he felt that both items should be discussed at the same time. It didn't make sense to build it at the public works facility with the police station at the other end of town. He thought that the police facility and the storage should be at the same location. He said that he will vote to delete that item. He said that he couldn't understand why a simple building would cost \$90,000. He would like to have that information.

Marcia Colbath said that she was uncomfortable with the wish list from the Recreation Dept. It seems a bit excessive. She would like to see the list prioritized. She had big questions about the \$6,000,000 to fix the water pressure issue. There are other ways to fix that without spending that much. What is the cost per residence?



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Perry Plummer said if the police have to get rid of the building on River St. before another building is up and running it will be problematic. There is no place else in the City to store that stuff if we don't build something. The police facility will be downtown and it is doubtful they will find room for the storage also.

Tony McManus said that he can see that could be a problem. He felt that all the storage should be part of the police storage. He agreed if the developer for the waterfront starts developing before the bridge is up, we need to do something.

Dennis Ciotti said that there is a strong demand for record storage also. It's not so much for the police it should be a combined storage. He thought there should be one storage building to satisfy everything. The building will be heated and air conditioned.

Frank Torr echoed the storage facility and Marcia Colbath's comments on Maglaras Park. He didn't feel the City can substantiate the cost to support a minor league team. He said that they were invited to a minor league team in Concord and the draw was very poor. He questioned the water pressure improvements saying that there must be a more economical way.

Ron Cole stated that he would like to have the appropriate people up front like Gary Banon, Police Dept.

Frank Torr felt that there would be a lot of space available at City Hall when the School Department moves out.

Marcia Colbath felt that the Dover High field is underutilized. She wants Garry Banon to prioritize what he needs.

Perry Plummer handed out documents to the Board. One of the comments in the CIP is the fire trucks listed at \$450,000. That figure has been revised to \$350,000 as they are changing the type of apparatus that they are getting. He felt that they should take a look at the list and prioritize the items that have to be done and then go on from there.

Kirt Schuman asked if the City Manager could give the Board more detail and let us know what is going on with the Space Needs. The Northend water pressure seems to jump out and he felt that it is a bit premature right now.

### **6. New Business**

#### **a. Update on the Master Plan**



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Steve Bird explained that the Planning Board formed three subcommittees a few months ago to work on the Master Plan Update. One committee looked at the recently completed Speak Out Dover project and the telephone survey. There is a draft of the final report of the Speak Out Dover report. 220 people attended the sessions. He went over the results of the Speak Out Dover sessions and the questionnaire. He said that people appreciated the opportunity to come together and feeling that someone was listening. He said that the parking garage was an item that generated a lot of interest. They drafted a telephone survey and it has been sent to the UNH Survey Center.

Economic & Land Use Chapter Committee is an important chapter covering economic development land use and housing, etc. They met with SRPC and discussed the demographic data and SRPC agreed to assist the committee. They will be having a meeting in January to review the work that has been done so far. This will include a build-out analysis.

Community Facilities and Utilities Chapter, this covers buildings, water pressure, sewer/water capacity and things of that nature. There will be a meeting in January for that subcommittee. The space needs study will provide important information to the study.

Steve Bird said that the Speak Out sessions were a great success.

Steve Stancel explained the Department is contacting 500 households and from a statistical standpoint, it means that based on the sampling of the households done on a random fashion, the results that are received are the same as you would receive by surveying the entire City, plus or minus 4%.

### **7. Committee Report**

Frank Torr spoke about the Waterfront Committee. The committee had a design taskforce that met on Dec. 4 at the Library. There were 80 suggestions put forth in the form of a survey that was sent out to the participants and they were due back today. The next regular meeting of the Waterfront Advisory Committee will be Wed., Dec 20, in the Council Chambers. He stated that the One Washington Center is an area that is extremely important in the conversion of the waterfront.

Discussion ensued with regard to the waterfront and the developer.

### **8. Adjournment**

Frank Torr made the motion to adjourn.

Perry Plummer seconded.

**VOTE U/A**