



CITY OF DOVER

DOVER PLANNING BOARD - MINUTES

Meeting Type: Workshop
Meeting Location: Council Chambers – 288 Central Avenue, Dover, NH 03820
Meeting Date: Tuesday, November 27, 2007
Meeting Time: 7:00 pm

MEMBERS PRESENT: Marcia Colbath, Dean Trefethen, Linda Merullo, Kirt Schuman, Tony McManus, Ron Stock, Frank Torr, Donald Andolina, Perry Plummer, Ronald Cole, John Swartzendruber, Kirt Schuman

MEMBERS ABSENT: Doug Steele

STAFF PRESENT: Christopher Parker, Planning Director, and Jacqueline Pease, Recording Secretary

Chairman Ron Cole started the workshop at 6:30 pm.

Christopher Parker spoke on growth management techniques. He went over some trends that have been seen within the past few years. In 2000, the Board formed committees to look at areas in the land use code which resulted in 41 zoning changes. He gave a rundown of the ten most growth management based changes.

He said that Dover is 73% single family residential and when you add in the multi-family, the City is 77% residential.

Alan Krans, City Attorney, said there are two alternatives when it comes to growth management ordinances. The first is an interim ordinance that is permitted by statute and has to do with a situation where more time is needed to draw up a Master Plan or work on the CIP. This is not probably applicable in Dover. The other is a more permanent lasting type of regulation but it is not forever and has to do with laying a proper foundation for the growth management ordinance. It must be reasonable, and it must be based on careful and solid scientific evidence and planning. He spoke of a case in the 1980's where they had a survey of the community as to whether or not they wanted 0%, 3% or 10% growth. The survey came back 3% growth and they hung on to that as their scientific basis and the court struck it down. Public criteria that a court should be looking at regarding a growth regulation by statute, is whether or not the community has made good faith effort to increase the capacity of its municipal services based on normal growth. Normal growth is an accepted constant in any town or city and they have to make a good faith effort to increase the capacity of municipal services. Growth regulations cannot be parochial. The famous phrase you hear is that you cannot build a moat around your community and draw up the bridge and expect that you won't have any growth. It must be part of a reasonable overall plan if you are going to enact a growth ordinance pursuant to this statute RSA674:22. It must be part of a broad plan. You need to coordinate your growth regulations with the region and other communities that surround you. Those are the types of things that you need to look at if you are contemplating this type of ordinance. As the economy goes down, the challenges will be diminished because developers are not interested in building out during a downturn in the economy. As the economy goes up the development will increase. Somersworth is at the tail



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end of a one-year interim growth management regulation and they haven't had any challenges. He felt it is more because of what the economy is doing.

Dean Trefethen asked Chris to go back to the table that shows the approved units. It is primarily from 2004 forward and there is very little on the sheet prior to that. He said that whenever someone looks at this number it seems very high. There are projects that are approved and are not built. He said that he can think of a couple of subdivisions that were approved and not a single shovel of dirt has been turned over yet.

Chris Parker explained that there have been projects that have been approved more than once. Either because they expired or came back with modifications. Picnic Rock and Cornerstone Crossing Phase III were approved and sat out there and expired.

Dean Trefethen said he is looking more for a historical percentage that is not built. Some sort of a line chart to show what is approved vs. what has been built. He felt he would have to go back several years to do that.

Chris Parker said that he would do something similar to the first table and add columns for approved, built, un-built or remaining.

Donald Andolina felt the numbers presented using building permits distorts the results. Using the CO would be true to the very period that we are discussing with every year. It also would address the issue that is being brought up because we would know what was built and what wasn't built. He suggested using Occupancy Permits because to do otherwise, distorts the results.

Linda Merullo asked about the last column under students. The figure is based under occupancy but we are not sure if it is a pre-school, or up to eight grade or if they are going to private school. She asked Chris, if he was going to update completed projects, if he could put in how many students were added to the school and if they were in high school or elementary school. She would like more of a factual number.

Chris Parker said that he will look at the feasibility of producing those results. It is one thing to go to the school department and ask how many public school students there are. They get an idea of where they live but the private schools are a separate matter. We do know where kids are going to school and we have looked at case studies to see where kids are entering into the school system from those homes. There is no way of telling if the kids move from an existing house to a new development. The student column is based upon the ratio developed by the impact fees that was started in 2004 on how many students were generated by housing types. Staff is now looking at redoing the impact fees and met with a consultant last week. The number was 0.4 students per single family house and we are looking to see if that has changed.



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Linda Merullo said many people's first thought when looking at development, is that we are overloading the schools. It would be good to see updated information.

Chris Parker said that the enrolment, for the past 5 years, hasn't bumped up that much but we can look at those numbers.

Ron Cole stated when there is a downturn in the economy there is always concern that some of the private school students will end up in the public schools.