



some input. The purpose of the public hearing is to give citizens the opportunity to provide some input into the project.

Tony McManus asked if a boat landing or canoe and kayak entry area could be added to the list.

Steve Bird explained that there is some mention of a boat launch project in the draft on page 5. They have been in touch with the NH Fish and Game Dept. to discuss where along the City's property that it would make the most sense to have a boat launch. The Council has made that an objective of redevelopment of the waterfront. They are promoting public access to the river because it is a key component to the Coastal Program Funding. Steve Bird said that they will have the consultant look at access to the river. The more access to the river the better.

Peg Stevenson questioned #45, under Project need. She asked how much had already been appropriated for Maglaras Park.

Steve Bird answered that in this year's CIP there was \$40,000 set aside for park improvements and that Gary Bannon said that some of that money had already been spent on another project and what remains is \$32,000 and change.

Tony McManus asked if the \$32,000 is what is left of the CIP approval. He said that there was an appropriation made in this year's CIP for Hancock Park and asked if that park would still receive that money.

Pete Lavoie stated that there is still money for other park improvements.

Steve Stancel stated that there may be monies available from developers who are required to contribute into a fund in lieu of them putting recreation facilities on their sites. He said that it goes into a general fund and they try to spend it on the facility that is closest to the project.

Steve Bird explained that Maglaras Park is not considered a neighborhood park but a City-wide park because it draws people from throughout the City. The amount that they are asking the Council for is the maximum. He said that they can use developer contributions. The other thing that the Coastal Program allows is in kind services as a local match and that can also help to reduce the amount of cash the City would need. Ron Cole asked about other Coastal Grants that the City has received.

Steve Bird answered that the City has received numerous Coastal Grants; some of which are the Riverwalk and the whole renovation of Henry Law Park, the construction of the pedestrian bridge. The downtown traffic study that is going on right now is partially funded by a Coastal Grant.

Ron Cole suggested that it might be a nice idea to mention in the application that this would be a continuation of the partnership that we have had with the State on the Coastal Grant.

Ron Cole asked what the volume of the spoils would be.

Steve Bird stated that the facility is designed to handle somewhere between 60,000 and 70,000 cubic yards of dredge materials. He said that he met with Dean Peschel to discuss how this project could be incorporated into the potential reuse of the dredge disposal site once it's capped and completed. The plans show that the elevation of the dredge disposal site will be just about even with the elevation of the baseball fields as they exist today.

Discussion ensued with relation to the dredge site. Steve Bird said that they will be discussing with the consultant what the potential reuses of the dredge site would be and could be incorporated in the overall redevelopment of the recreation facilities up on Maglaras Park. There are a slew of options for re-use that could be looked at. He said that they cannot have anything there that would puncture the membrane, such as goal posts. He said that the grant is a competitive grant so even if they apply for \$32,000, they may not get the \$32,000. They will know in April or May whether we will receive the grant. The schedule that they have laid out shows them beginning the project in a October/November timeframe. It is about a 14 month project.

Ron Cole suggested that the City work very hard to get an artificial turf field there. He said that he will put some numbers together in anticipation. It would be a perfect opportunity to do a public/private field. He said that once the artificial turf is in, there is little maintenance and they have a 10-year warrantee. He said if there was potential for lights, it would be the final piece of the puzzle for the City.

Steve Bird stated that in speaking with Gary Bannon, he suggested as part of the study that they look at the cost benefit analysis of using that type of field. The upfront cost would be more but there would be a savings because the maintenance is lower.

The public hearing was opened.

There were no comments.

The public hearing was closed.

### **ITEM #3: Old Business**

- a. Discussion and possible vote on amendments to Chapter 155-"Subdivision of Land" of the code of the City of Dover. The amendments, to 155-22, clarify requirements (zone, original lot size) for an Open Space Subdivision (OSS). The amendments require financial documentation demonstrating that the proposed yield plan is realistic and practical. The amendments also remove utility, preliminary hearing and impact statement prerequisites for mandatory OSS, while leaving the preliminary hearing and impact statement prerequisites for non mandatory ones. Finally, the amendments change the minimum lot size for R-12

lots, within an Open Space Subdivision, from 10,000 square feet to 8,000 square feet and change the setbacks from 15 – 10 feet. The full text is available for public inspection in the Planning Department and on the City's website at [www.ci.dover.nh.us](http://www.ci.dover.nh.us).

Christopher Parker read each item and asked if there were any questions.

Peg Stevenson read item 1 – “The Planning Board may consider a subdivision to be a major, if the Planning Director's decision is appealed.” She asked if appealed meant through a court system.

Chris Parker explained that it meant that if Steve Stancel says one thing and the developer disagrees, they would come to this Board to override that. He said that an appeal scenario would be if the developer comes to the Planning Director and the Planning Director tells him that he has a major subdivision and the developer doesn't think that it should be. The Planning Board is the Board that the developer would appeal to. The intent was to clarify revised vs. appealed. He added that he can run the thesaurus and see what else he can come up with.

Peg Stevenson said that another comment was on Page 4, #10. H Fiscal Analysis. She thought that there is probably good reason to know this information because we have had a few projects that were approved and then have gone belly up before everything was completed. She said that she feels that the way that this is worded she would not go along with this because it gives the indication that some developers may have to provide this information and others may not. She said that as a Board they have the responsibility to treat all of the developers the same. They should all benefit the same and they should all have the same burdens.

Chris Parker asked if she mean that she would like to see “may” become “shall”.

Peg Stevenson indicated that she thought that it should become “shall”.

Steve Stancel stated that 90% of the OSS's have not been a problem in terms of determining if the yield plan is reasonable or not but the other 10% has been a problem. They thought that they would try to make it a little less threatening to the developers after the public hearing if it was made as an option to the Planning Board if they felt that there wasn't enough information given. He said that he can understand where Peg is coming from.

Peg Stevenson said that the Board has had some projects come before them where the owner/applicant has had every intention of selling their project. Maybe they wouldn't have the finances to go through with the project but they know that the person waiting in the wings to buy it from them with the approval could do it. She added that it may be unfair in that respect.

Chris Parker said that he didn't see the inequality that it promotes but it could be something that could be discussed and looked into.

Dennis Ciotti suggested the change to say that a yield plan that is realistic may be required of the applicant or at the discretion of the Planning Director and make that appealable also. If in Steve Stancel's opinion this analysis should be done and the developer doesn't want to do it, it can be appealed to the Planning Board. It would put the impetus on the Planning Director to say yes or no in those instances.

Tony McManus said that he agrees with Peg Stevenson. The more that you leave up in the air that it can apply to some but doesn't have to apply to others, you have to give the developer the ability to come in and say that the ordinances are vague and undefined and it shouldn't apply because there is no hard and fast rule. He said that if the regulations say that everybody has to do it then you avoid the potential of getting the Planning Department caught in the middle.

Ron Cole said that it may be a vast simplification but if the developer doesn't want to do it then he doesn't have to develop in "our town."

Chris Parker asked if everyone wanted "shall" in there. He said that he would like to know how the Board wants him to rephrase this.

Tony McManus said that he had a question on page 1, first paragraph. It says major subdivision - The following rules and regulations shall pertain to the subdivision of land into four (4) or more separate parcels. Then it says - A subdivision shall be considered major if in the judgment of the Planning Director the proposed subdivision may present significant engineering/planning problems, etc. To him it almost reads as if somebody could come in with a 6 lot subdivision and start arguing with the Planning Department that even though there are 6 lots it doesn't present significant engineering planning problems and there is no further subdivision likely. He said that he never understood why major subdivision isn't three lots or more or four lots or more, period. This way everybody would know if it's 4 lots or more, certain things would be expected, and it would not be putting the Planning Director in the position of having to argue with some developer about it.

Steve Stancel explained that when a parcel is being subdivided into 4 lots, it is a 4 lot subdivision but the Department only charges for the 3 new lots. He added that it still would be considered a major subdivision.

Ron Cole went back to item #10 again and asked if there was anyone opposed to changing the word "may" to "shall".

Steve Stancel stated that he doesn't have any problem with "shall." He said that they had proposed more restrictive requirements initially, they only dropped that down a bit based on public comment and made it "may" as opposed to "shall." If the Board feels that this information is important, then he would recommend going with the "shall" as well.

Chris Parker said that in Peg Stevenson's point of equality, you open yourself up to someone saying you like that developer better than me and that is why you didn't make him do this. If you have shall, you don't have that option.

Dean Trefethen felt that it should say "shall."

Steve Stancel recommended sending this to another public hearing because of the changes that have been made to give the public one last look at it.

#### **ITEM #4: New Business**

##### **Discussion of Goals and Objectives 2004**

Steve Stancel stated that in January the Department creates Planning Board Goals for the following calendar year. He went over the list and explained each one.

Ron Cole asked how much Strafford Regional Planning Commission was used.

Steve Stancel stated that we have used them more in the past than we do now. At one point they had a rather aggressive transportation planner that was a big help to the City of Dover. Today they still help in terms of regional planning issues. They could be more effective but they are an important partner in the overall planning scheme.

Ron Cole stated that he had the same things on his list. Ron said that he will be forming some subcommittees for some of these items.

Tony McManus stated that it is a good list.

Tony McManus announced that there will be a regional meeting in the Auditorium tomorrow night at 6:30 PM, updating on the Newington Bridge traffic.

#### **ITEM #5: Adjournment**

Beth Thompson made the motion to adjourn.

Dennis Ciotti seconded.

**VOTE U/A**