

**DOVER PLANNING BOARD  
MINUTES OF WORKSHOP  
JANUARY 22, 2002**

**MEMBERS PRESENT:** Margaret Stevenson, Parks Christenbury, Tony McManus, Frank Torr, Ron Cole, Dennis Ciotti, Chuck Maglaras, David Landry, Pete Lavoie, Beth Thompson, John Sullivan, late.

**STAFF PRESENT:** Steve Stancel, Planning Director; Steve Bird, City Planner and Jacqueline Freeman, Recording Secretary.

David Landry went over his list of ideas that he would like the Board to explore elaborating on each one and stated that they are not listed in any order of importance.

- **Architectural regulations** - To see if we can have an affect on the architectural nature of the buildings fitting to our 375-year-old community.
- **Establishment of utility districts** - Try to control residential growth. Once public water and sewer get out of the core of the City, the City ends up with large subdivisions. He wants to see something restricting the extension of existing utilities as a way of controlling growth, rather than focusing as heavily on rezoning.
- **Open Space** – Using Current Use tax money to purchase easements or land. They have 6 or \$700,000 to use but it only comes from taking land out of current use. You've got the money but at the same time, you are loosing open space. He recommended looking at the CIP and use it to procure an appreciating asset.
- **Elderly care facilities** - An excellent example is the Wadleigh House, on Summer Street. The Board should do what we can to promote zoning changes to allow more of these. There are never going to be many people that are going to be interested in running an Elderly Care Facility because it's challenging and the zoning is somewhat against these kinds of facilities. It allows people to stay right in the downtown areas to live and receive care rather than having their options limited by being in the outskirts. The Planning Board has an open invitation to go and visit this facility.
- **Residential re-zoning Fisher Street** – During the rezoning of the Bingo facility, some property on Locust and Fisher was dropped out. He would like to revisit the area that is clearly residential land with an industrial property that has an exit onto Fisher St. He would like that cleaned up.
- Protect residential areas that abut commercial property.
- **Drive-thrus** – Nasty things that need to be restrict to certain areas where they would be appropriate.
- **Drinking water protection zones** – 100 + year plan on how to protect our water resources.
- **Encourage PUD** – Maybe that is something to work on
- **Historic District Zone** – he wouldn't want to tell people what color to paint their house but have something to preserve the basic character and boundaries. Historic districts tend to get people's ire up when they think you are trying to tell them how to care or alter their home. This would be to try and preserve the character of the historic zone on Silver and adjoining streets.

- **Streetscape** – the idea of having streetscapes rather than telling developers what has to go on individual lots. It's creating the whole picture, the roadway, the curbing the grass belt, the sidewalk with street trees running down both sides. It is a commitment on the City's part for maintenance but it would make more attractive areas both commercial and residential.
- **Revisit re-zoning** on Dover Point – There are a couple of significant properties near Thornwood.

Parks Christenbury said that there are two critical things that the City needs to look at are responsible rezoning and commercial growth. He said that there are areas that we may want to look at open space acquisition. He would like to look at the possibility over the next year of acquiring another tract of land for a third industrial park. The Thornwood Market area would be an excellent spot. The need to look at the zoning regulations. We should work with the Chamber with regard to the Sign Ordinance and make sure that our zoning laws will protect the abutters. If we can make the abutters feel that they will be amply protected, the process will be made that much easier. He said that impact fees is another thing that he would like to explore. We need to balance off more open space to minimize the impact of housing. The area that he wants to look at are the Rt. 9 Corridor, close to the 155 end, Dover Point Road in the area of Thornwood Market and the Dover Point Office Park and north of the Weeks Crossing. His last issue is to revamp the Ethics Board. One of the things that he hopes to put in place is an across the board training program for all boards and commissions. He could turn to the Planning Department and the Planing Board Chair to come up with a program for the Planning Board. He feels that there should be a minimal check in process, either meeting with Steve, the City Attorney and probably with Beth Thompson and they would touch on things that a new member would need to know. He is also looking at an annual in-service training to stay on the Planning Board or ZBA. It could be something that would be sponsored by the NH Municipal Association or the City. That would go for the Council members also. Maybe we can get a program that would be a model program for all Cities. **He said that top of his list is a balance between rezoning and acquiring open space.**

Steve Stancel stated that he went through the Master Plan and then also pulled out goals from previous years and checked which ones that were not achieved. To him, besides impact fees, which they are very close to being finalizing, if staff time could be found for a few weeks straight. He said that we need to look at growth management.

## **Growth Management**

### Increase Commercial/Industrial Base

1. Review an area for possible rezoning
2. Review existing non-residential zones to create added flexibility – might be able to get better growth in some of our currently zoned areas if we added some flexibilities.
3. Move forward with waterfront rezoning – should be a priority

### Limit Residential Growth

1. Review areas for potential residential rezoning – decrease density – the most restrictive zone is the R-40 where if you have sewer you can build a house on 30,000 sq. ft. of land. That is pretty lenient. We need to look at that and at certain areas where we definitely want to increase the minimum lot size requirement.
2. Utility extension for PUD's – we have that opportunity on Dover Point Road.

### Open Space

1. Transfer of Development Rights – Creating some type of TDR Ordinance. The concept is that a developer would be able to purchase the property rights of a property in a rural area of town in exchange for a higher density in a project in the urban center of town. If there were a parcel of land on Tolend Road that you would be able to put 10 houses on and you had a piece of land on Washington St. that you could put 10 houses on. You might be able to purchase development rights in that parcel on Tolend Road to put 20 houses on Washington Street and that land on Tolend would be forever preserved as open space with protective covenants on it.
2. Required Alternative Design Subdivisions in advance of conventional subdivisions. You could pick certain areas of town where you would have to use ADS.

### Other

1. Impact Fees
2. Elderly Care Facilities
3. Groundwater Ordinance – we are using the revisions, however we haven't officially adopted them.
4. Wetland Ordinance – we would like to redo those and make them more in line with the State and Federal definitions.
5. Revision of the 50' provision that allows people to go 50' into the more restrictive zone. It's complicated because the zoning boundaries in the City of Dover don't follow property lines, they follow distances for the most part. Need to come up with a way to better protect some of the surrounding abutting parcels.

Peg Stevenson said that she wanted to add participation in some of the grant programs. The LCHIP Program, Heritage Program, Water Protection Grants also the Nature Conservancy Program. If the public is more aware of some of these programs maybe they would take advantage and put land into the Conservancy Program which helps to maintain the open spaces. She would like to see Dover get some of the grant funds that are out there. LCHIP gave \$405,000 to one of the projects in Concord, which was 40% of the purchase price to get 175 acres of orchard land to be preserved. The Tamposi project behind Blockbuster, it is sad to see where the Smith Well is and that we are going to have development going in there. She said it would have been nice to have been in the running for the LCHIP funds to procure that land.

Tony McManus said that it is important that rather than just looking at a map and seeing what land is open and changing the zoning so that houses are not built on that space. We need to be scientific and find out if that land is compatible for commercial or industrial development. He said that we are overlooking an area that is already available for commercial development - the downtown. He said that a substantial percentage of the land in the downtown is being used for parking. It's not producing tax revenue. He used Portsmouth for an example and said that we need to look at a parking garage. We are wasting space and wasting available tax generating space. He would like to have a vibrant downtown first. He said that there is space on Third St, Fourth St., Fifth St., First St. and Second Street, all of which is under utilized.

Beth Thompson said that she has a problem with the definitions. She said that since that was done, there are all kinds of businesses that aren't specifically addressed so that it is up to Tom Clark to interpret. She said that she and Tom have had a hard time trying to figure out the Accessory Use clause. It specifically is related to the amount of space this accessory use has. Perhaps it should be broader and it should be measured by percentage wise. She said that a business that they were working on used a lot of space to warehouse and showcase goods and it generates only about 1/20<sup>th</sup> of their money. It took a variance to put them were they were. This is something that should be broadened.

John Sullivan arrived at 6:35 PM.

Chuck Maglaras stated that he has brought up to Steve Stancel before that any property that is currently in Current Use (10 or more acres). He would like to propose that if it was taken out of Current Use, you would have to have a minimum of two-acre lots. Example, if you have a 30-acre farm, instead of having an R-40, you would have an R-80 and would need to have 80,000 sq. ft. to create a lot. It's not for a person who owns 4 or 5 acres of land, the R-40 is fine for that. Chuck said that it was done along the waterfront.

Dave Landry said that the Change of Use Tax would also be reduced because it is based on the amount of the value of the development.

Chuck Maglaras said that he is concerned about Tuttle's farm and that we will see another 70 homes down there. He said if we have to buy the land, then lets buy it. He said that he would not see a problem to rezone it to office park, anything but homes. Dover Point Rd. on both sides from Dover Auto World and Weathervane south to Bill Dube and the cemetery is an area for rezoning. Chuck said that the Board tried it before and the people were all upset, but that is the main road in and out of the City and that's where the commercial development has to be.

Chuck Maglaras said that New Rochester Road has to be rezoned. He said that we could protect Willand Pond by leaving a buffer zone. We need more stuff on the positive side of the tax roll and that's one of them.

Frank Torr said that his two issues are Open Space and in filling of the Downtown. He said that he is basically touching on the same points as Tony but maybe expanding on it. He said that he wasn't just talking about filling in the second stories. He said that similar to what Nick Skaltsis did with the mall block, although he doesn't think that Nick went far enough. The infrastructure is there and we should utilize it. We have other buildings in the downtown district that are being utilized for other purposes. He said that a better way to serve the downtown rather than warehouse would be some type of residential, if not commercial. The old Buick garage now has a store downstairs and the space upstairs is used as a warehouse. He said that in the process of changing these properties over, they would probably enhance the outside. Open space is another item that he would like to preserve. Legislation to change the Change of Use, the cost would be more expensive.

Steve Stancel stated that the open space penalty is not sufficient any more.

Steve Bird said that that it is 10% of the current value when you take the land out.

Frank Torr said that one other thing is that he considers the waterfront to be part of the downtown. He said that that rezoning has been sitting on the shelf should come off the shelf. It needs to be done while the time is right.

Chuck Maglaras said that there is a rumor that 80 houses are going in at Thornwood. It's zoned R-40 and we need to take the steps tonight or at the next meeting to start rezoning proposals for that area before they bring in a plan. He said that it is already a going business and would be a great spot for commercial.

Tony McManus asked if the Planning Dept. could bring in a rezoning proposal for the next meeting so that we can stop the clock in that area.

Steve Stancel said that they might be able to bring in a skeleton proposal that could at least be posted. He said that there has been contact between the property owner and City and there has been discussion regarding potential mixed-use development on that parcel as opposed to 80 or 90 houses. He said that he agrees that that needs to be a top priority.

Tony McManus said that we need to get something on the books that will give the opportunity for the City to make a plan rather than someone else.

Steve Stancel stated that it is important that we don't just pick on Thornwood Farms, we may want to expand to some of the other abutting parcels.

Parks Chirstenbury said that we have the opportunity to rezone the entire waterfront area CWD. That would give us the maximum opportunity to utilize that area and make it one contiguous zone. He said that Thornwood Market is something that he would like to see on the front burner.

Steve Stancel stated that the front part of the Thornwood parcel is already zoned B-3 and there are some commercial uses there. There are industrial type buildings on the parcel.

He said that the operation that they were running, in many respects, was closer to industrial than floriculture. You may want to allow some residential development too. Steve said that he will type out all these suggestion and get the sense of what the top priorities might be and we can discuss that further at the next meeting. He asked how the Board would like to proceed in the future. Whether you want to create smaller subcommittees that head up some of these proposals or have one larger group.

Ron Cole said that he has had contact from a couple of citizens (more conservation oriented than anything else) that want to be on a committee. He said that we do need to understand is that the Planning Department isn't the Planning Board's Planning Department and dealing with the Planning Board isn't the only thing that the Planning Department has on its plate. He said that the Board has to work within the scope and we don't want to overtax the professionals.

Ron Cole asked the Board to give some thought to committees and maybe a committee of 5 – 6 people or maybe a couple of subcommittee that can report back to the Board as a whole. He said that there have been some great suggestions and we need to link up with the Chamber of Commerce and the Main Street Program. He said that one thing that did not get mentioned at all was the train. We know that we are not Portsmouth and probably don't want to be and never will be. He said that he can't recall feeling so good about the Dover community as he did toward the end of last summer walking downtown at 7:00 PM the lights were on and the stores and restaurants were open. It's a beautiful downtown and people are beginning to utilize it. It's our job now to keep moving in that direction.

Tony McManus said that one of the things that we might have done wrong the last time was not to involve the people in the areas under consideration in the planning process. We sort of came out and said that we have decided that this would be a good thing for your neighborhood and the normal reaction was nothing doing. We need to decide what areas we are going to talk about and notify the people and invite some to participate. They may still end up being opposed to it, but at least with some involvement they will not be able to say that they weren't given the opportunity to be involved in the process.

Ron Cole ended the workshop by saying that there were some good ideas.