

**DOVER PLANNING BOARD
MINUTES OF MEETING
JULY 9, 2002**

MEMBERS PRESENT: Ron Cole, David Landry, Anthony McManus, Parks Christenbury, Pete Lavoie, Dennis Ciotti, Frank Torr, Beth Thompson, Margaret Stevenson, Joyce El Kouarti

MEMBERS ABSENT: Chuck Maglaras

STAFF PRESENT: Steve Stancel, City Planner; Steve Bird, City Planner; Chris Parker, City Planner; Kate Pelletier, Recording Secretary

ITEM #1: Citizens' Forum

Jason Frontino, 204 Cochecho Court Condos, stated that he had visited the Planning Office and had spoke to someone about development over the years in Dover. He asked what he could do as a citizen to stop development and preserve land. It was recommended to him that he attend a Planning Board meeting to listen to some of the proposals and the discussions surrounding them. He stated that it was his opinion that a moratorium should be declared on building in Dover for the next five or ten years. He expressed his concerns that the City of Dover was at risk of losing its uniqueness, open spaces and conservation areas.

Ron Cole explained the four subcommittees that had been working together for the last three months and that Mr. Frontino would hear more about them as the meeting progressed.

Brenda Whitmore, Henry Law Ave., thanked the four subcommittees for the work they had done. She asked the Planning Board to endorse a proposal that will come to the City Council, which clearly identifies at least three parcels of land in Dover to protect. She stated that the proposal would help to create a balanced plan that the citizens of Dover are calling for with respect to protecting open space in Dover. She stated that it was her hopes that along with the proposed zoning changes, that the Board also bring to the table, land the citizens can buy, acquire or obtain to take off the development rolls.

Citizens' Forum closed.

ITEM #2: Approval of minutes

Frank Torr made the motion to approve the minutes.

Beth Thompson seconded the motion.

Vote U/A

Peg Stevenson abstained from the vote due to her absence from the June 25, 2002 meeting.

ITEM #3 Consideration and acceptance of a minor subdivision of land for Mark Phillips, (owner: Lionel & Doris Chenard) Assessor's Map G, Lot 31-2, Zoned I-2, located on Littleworth/Crosby Roads (P02-33)

Beth Thompson and Parks Christenbury abstained.

Doug LaRosa of Tritech Engineering represented the applicant. He explained the proposal for a minor, 2-lot subdivision, which was a future industrial site. He stated that City water and sewer would service the two lots. He explained that the subdivision was created along the natural geographic boundary and that there was a wet area as shown on the plan. He stated that there was an area of upland suitable for a building site on one lot, and another 5.5 acres of upland on the second lot.

Tony McManus asked if the Board had recently approved a two-lot subdivision for the property, and asked what the definition of a major subdivision was.

Steve Stancel stated that a major subdivision was considered four or more lots over a certain period of time.

Doug LaRosa stated that it was subdivided the prior month into two lots and was now being cut into commercial sites.

Tony McManus asked what percentage of map G, lot 31-2 was wetland.

Doug LaRosa estimated it to be 40-45% wetlands.

MOTION:

Frank Torr made the motion to accept the case.

David Landry seconded the motion.

Vote U/A

Public hearing opened.

Jason Frontino, 204 Cochecho Court Condos, asked how the subdivision would affect the wetlands.

Doug LaRosa stated that once the project goes to the site development stage, the goal would be to have little or no impact on wetlands.

Ron Cole explained there were rules pertaining to wetlands and what can and cannot be done. He stated that there are procedures in place, both locally and federally, to assure that wetlands are not disturbed.

Public hearing closed.

Ron Cole asked for staff comments.

Steve Stancel gave the two conditions of approval.

Beth Thompson stated that the property abuts Crosby Road Industrial Park and that she had spoken with the applicant on behalf of DEDC regarding protective covenants, which the applicant would consider in order to maintain the integrity of the entire park.

Pete Lavoie asked if the Engineering Department had concerns about bringing the sewer all the way up to Littleworth Rd.

Steve Stancel stated that the issue would be addressed when the site plan is reviewed.

MOTION:

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

1. Add the owner's signature to the plat.
2. Add the surveyor's stamp and signature to the plat.

Peg Stevenson seconded the motion.

Vote U/A

Parks Christenbury and Beth Thompson abstained.

ITEM #4: Old Business

a. Request for a six-week extension from Marie Baxter, 210 Gulf Rd.

Steve Stancel explained that the Baxters were changing the location of the proposed driveway and in doing so, they had to go back to NHDES, and so they were requesting a 60-day extension on their approval.

MOTION:

Tony McManus made the motion to approve the request for a six-week extension. David Landry seconded the motion.

Vote U/A

b. Request for an extension to July 31st for MIST Development at the Village of Bellamy Commons.

MOTION:

Peg Stevenson made the motion to approve the request for extension.

Tony McManus seconded the motion.

Vote U/A

ITEM #5: New Business

**Report and discussion on the following Planning Board Subcommittees:
Residential Changes to Manage Growth, Commercial/Industrial Base, Open
Space, and Quality of Life.**

Ron Cole explained the four subcommittees and encouraged the public to attend the upcoming public hearings regarding the proposed zoning changes.

The Board discussed times and dates for public hearings and it was decided that there would be a preliminary public hearing held on the July 23rd prior to the Board posting any changes and then the Board would make a decision of which items they want to post at which time the formal process of public hearings would begin.

Dennis Ciotti, Chairperson for the Residential Changes to Manage Growth Subcommittee, explained the goals and objectives of the committee as follows:

1. To review residential zones for the purpose of recommending decreased densities.
2. To establish utility districts restricting extension of existing utilities even at developer's expense. This was investigated but no satisfactory solution was found.
3. To investigate increasing minimum lot sizes created from parcels previously in Current Use. The committee decided not to pursue this goal due to concerns such a change would discourage landowners from putting their land into Current Use.

He explained the recommendations of the committee including removing the 30,000 sf lot size in an R-40 zone for lots that are serviced by City water and sewer. In addition, any lot developed in an R-40 zone must have 40,000 sf of upland. He also recommended requiring two parking spaces for each dwelling unit for any multi-family dwelling. Lastly, for any major subdivision, off a local street where 28' is required for a roadway, to allow a 24' roadway to ease developers' costs in exchange for the first 100' between the local street and the first property line being a green area or buffer into the neighborhood.

Also on the committee were Dean Trefethen, Dan Gabriel, Steve Bird and David Landry.

Steve Stancel added that there was another amendment applying to all zoning districts that the minimum square footage had to be contiguous, thus preventing pods. He added that there were several areas being considered for zoning changes including Back River

Rd., Mast Rd., and an area near the country club, currently zoned as multi-family, that may be changed to single family zoning.

Beth Thompson, Chairperson for the Commercial/Industrial Base committee reviewed the goals and objectives set forth by the Planning Board and came up with the following recommendations:

1. To allow eating and drinking establishments, personal service establishments and retail stores in the Office zone, permitted only if the total building area dedicated to this use and any other use permitted is less than 3,000 sf per lot.
2. To add residential development in the upper stories in the B-2 district, especially in considering the downtown area, provided that the lot contain at least 600 sf per dwelling unit and that dwelling units are allowed only in the second story or higher of a structure.
3. To take away the ability to convert existing dwellings in the I-1 and I-2 zones to accommodate not more than 2 units, and for the conversion of existing dwelling to accommodate not more than four units in the B-1, I-1 and I-2 districts, and for the conversion of existing dwelling to accommodate 5 or more units in the B-1, I-1 and I-2 districts.

Beth went on to identify problematic residential areas to be recommended for Commercial and Industrial zoning. She also explained that there were several items, including downtown parking, a parking garage, downtown redevelopment and waterfront redevelopment that were not addressed by the committee realizing that there was a Transportation Advisory Committee and staff from the Planning Board and Economic Development already addressing those issues.

Tony McManus stated that he hoped to hear from representatives from those committees in the future and asked that the Planning Board be supplied with copies of the minutes from their meetings on an ongoing basis.

Parks Christenbury stated that it was not possible to address all of the goals and objectives in just three months.

Jason Frontino, 204 Cochecho Court, stated that the City of Dover already had zoning ordinances in affect, and asked if the proposals being presented were within those zoning laws and requirements.

Beth Thompson stated that they were.

Mr. Frontino stated that there was no point in him coming to meetings to make an argument if the laws were already in effect.

David Landry suggested having a workshop on what members of the Planning Board would like to know in regards to significant issues that aren't necessarily on the agenda.

Tony McManus explained the Open Space committee's proposals including the following:

1. Institute a program of transfer of development rights relating to residential land, using Enterprise Park as a model to preserve open space in the Industrial zone.
2. Amendments to Alternative Design Subdivision (ADS) regulations including for any parcel in the R-40 zone, any major subdivision must be an ADS. For R-12 and R-20 zones, a minimum parcel size would be subject to ADS regulations.
3. For Planned Unit Developments (PUD), there would be an added provision in the ADS regulations to allow for commercial components when proposed lot is larger than 50 acres and is in either the R-40 or R-20 zone instead of creating a new ordinance with duplicative regulations
4. Alter the current setbacks so the frontage setback per lot resembles the about a lot for all residential zones, to encourage building closer to the street, thus leaving open space to the rear of lots.

Also on the Open Space committee were Joyce El Kouarti, Heather Hughes, Brian Stern, Kevin McEneaney, Liz Goldman and Chris Parker.

David Landry explained the Quality of Life committee's proposals including the following:

1. Review ordinances regarding elderly housing to create added flexibilities including adding bedrooms via special exception.
2. Update Wetland ordinance to be consistent with Federal and State regulations, including a 50' setback from all Jurisdictional wetlands, imposing wetland impact fee for funding restoration projects, permanent boundary markers to delineate wetlands, an EIA submitted for major subdivisions and possible wildlife study, and contiguous upland in all residential zones.
3. Create architectural design standards, based upon Rochester's standards, recommended for B-2, UMUD, CWD, B-4, B-3, and O zones.
4. Revise the Groundwater Protection ordinance using the previous draft completed in 2000.
5. Revisit the creation of a Historic District zone.
6. Restricting any access to from nonresidential property so that access is not through a residential zone.
7. Revise the Scenic Roads Ordinance including instituting a penalty or violation for both stonewall and tree removal, as well as, the restorative requirement for both stone walls and tree removal.
8. Revise the sign ordinance.
9. Investigate restricting drive-thrus to limited areas of the City.
10. Streetscape regulations to include street trees lining both sides of the street in new major subdivisions where a new road is created.
11. Revise provision allowing 50' intrusions of more restrictive zones.

Also on the quality of life committee were Peg Stevenson, Mark Stafford, Kim Polosky, Tom Fargo, Deb Dineen and Chris Parker of staff.

The Board discussed how they would like to handle the public hearings.

MOTION:

Beth Thompson made the motion to adjourn.

Frank Torr seconded the motion.

VOTE U/A