

**DOVER PLANNING BOARD
MINUTES OF MEETING
NOVEMBER 27, 2001**

MEMBERS PRESENT: David Landry, Tony McManus, Ron Cole, Dennis Ciotti, John Sullivan, Brenda Whitmore, Beth Thompson, Frank Torr, Pete Lavoie

MEMBERS ABSENT: Margaret Stevenson, Chuck Maglaras, Jerry Reese

STAFF PRESENT: Steven Stancel, Planning Director and Jacqueline Freeman,
Recording Secretary

Chairman Cole brought the meeting to order at 7:00 PM.

Alternates John Sullivan and Dennis Ciotti sat on the Board.

ITEM #1: Approval of minutes.

Tony McManus made the motion to approve the minutes of the last meeting.
Frank Torr seconded.

David Landry stated that on page 6, 4th paragraph, second sentence, should read: He said that the Master Plan envisioned establishing a task force Page 12, second paragraph from the top, 2nd sentence, of debt financing should be added as follows: He said that he is hoping to get out another year or two of debt financing Page 14, 3rd paragraph from the bottom, it should read that David Landry asked if this will include where the pedestrian bridge will be moved.....

VOTE U/A

**ITEM #2: Consideration and acceptance of an application for a Minor Lot Line
Adjustment of land for Everett & Ruth Ann Day, Assessor's Map B,
Lots 6C & 6E, zoned R-40, located at 54 County Farm Cross Road. P01-
60**

Bruce Pohopek, surveyor, represented the applicants. He said that they are proposing to move the lot line between the two lots to the northeast approximately 70 feet. Creating a 1.92-acre lot to go with the house, leaving the remaining lot at 1.19 acres.

John Sullivan made the motion to accept the application.
Dennis Ciotti seconded.

VOTE U/A

The public hearing was opened.
There were no comments.

The public hearing was closed.

John Sullivan made the motion to approve with the following staff recommended conditions:

1. Add both of the owner's signatures to the plat.
2. Revise the plat by adding the minimum building setback lines to Lot 6C.
3. Revise the plat by adding a note indicating the upland area for each lot, a minimum of 40,000 square feet is required.

Beth Thompson seconded.

VOTE U/A

ITEM #3: Consideration and acceptance of an application for a Minor Subdivision of land for John & Robert Torr, Assessor's Map H, Lot 4, zoned B-4, I-4 & R-40, located on Durham & Mast roads. (PO-61)

Frank Torr stated that he is about 9th cousins with the Torrs and has no financial benefit.

Ken Moore stated that he was here a month ago for a subdivision, and now he is here for a lot line adjustment and subdivision. He said that sheet #2 consists of 18 acres with a lot line adjustment to give the proper frontage to make it a conforming lot.

Steve Stancel explained how the project came to the Planning Board a month ago. He said that they were looking at only the subdivision on the corners of Durham and Mast Road, across from Jensens. The tax assessor discovered that the large parcel across Mast Road was also owned by the Torrs and was actually part of the same parcel across from Jensens Trailer Park. Even though the road bisected it, it didn't make it a separate lot. The applicant is before us to separate that parcel off from the original parcel.

John Sullivan made the motion to accept the application.

Dennis Ciotti seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Frank Torr made the motion to approve with the staff recommended conditions as follows:

1. Add both of the owners' signatures to the plat.
2. Add the Surveyor's stamp and signature to both sheets of the plat.

John Sullivan seconded.

VOTE U/A

ITEM #3: Consideration and acceptance of an application for a Minor Lot Line Adjustment of land for Matt & Helen Williams, Assessor's Map K, Lots 26 & 27, zoned R-12 & R-40, located on Dover Point Road. (P01-62)

Bob Stowell, Trittech Engineering, represented the owners. Bob stated that the Williams are in the process of selling the house on lot 27 and chose to sell it with just the minimum lot size required for that lot.

John Sullivan made the motion to accept the application.

Dennis Ciotti seconded.

VOTE U/A

The public hearing was opened.

There were no comments.

The public hearing was closed.

Beth Thompson made the motion to approve with the following staff recommended conditions:

1. Add both of the owner's signatures to the plat.
2. Add the Surveyor's stamp and signature to the plat.
3. Revise the plat to add the two GIS points.

Frank Torr seconded.

VOTE U/A

ITEM #4: Old Business

- b. Discussion regarding the possible reaffirmation fo the Planning Board vote to rezone an area of land adjacent to River Street and Paul Street from I -I, Restricted Industrial and from R-12 Medium Density Single Family Residential to RM-8, High Density Multi-Residential.**

Chairman Cole stated that this item was removed at the request of the applicant.

- a. Discussion and possible vote on Capital Improvements Program (CIP).**

Steve Stancel stated that there is a copy of a memo from Mr. Beecher on the desks giving his recommendations.

Tony McManus asked if it is the present council who will vote on the CIP proposals.

Steve Stancel stated that it was, however, that could change.

Ron Cole explained that the mission of the Planning Board is to make recommendations in the CIP with relation to the Master Plan. He asked the Board what they want to do.

John Sullivan suggested going line item by line item.

- 1. Police Facility – Land Acquisition. \$750,000**

John Sullivan recommends zero for this figure.
Tony McManus seconded.

David Landry said that he is willing to go along and recommend zero but he would like the Board, in line with the Master Plan, to put money in for a study for combining Fire & Police into a safety facility. He suggested that the Board put in \$25,000 for a study and put this issue to bed once and for all.

John Sullivan said that he would change the number from zero to a \$25,000 to study a combined police and fire facility.

Tony McManus stated that he feels that that would be acceptable.

Frank Torr said that he would speak against that. He said that the study is something that has been talked about forever and the players are not ready to accept it so why spend \$25,000 for something that won't be acceptable.

Tony McManus stated that they need the study for the purpose of finding out why the Fire & Police say it won't work. He said if it's a personality conflict or if it's politics involved, the matter still should be looked into. He said two local towns just recently built combined facilities and everybody in the building told him how well it worked out and how much they have saved in building it. Tony said they found that one department could provide support to the other at a further saving. It may turn out that it won't be workable for Dover, but we don't know that yet.

Ron Cole said that it is recommended that we allocate \$25,000 to have a study done on a joint building for Fire and Police.

David Landry said that it is safe to say that \$25,000 be allocated in line with a public safety department as outlined in the Master Plan.

John Sullivan said that he is really talking about a combined facility. If we combine departments but still have separate facilities, we are not gaining anything from planning or cost savings besides one salary. He said that item 1 is for a \$25,000 allocation for a study for a joint police and fire facility.

Tony McManus agreed.

VOTE 4 – 3

Opposed - Beth Thompson, Pete Lavoie, Frank Torr

2. Police Firing Range Building \$500,00

John Sullivan motioned to recommend zero for this figure.
Tony McManus seconded.

Tony said what bothers him is that nobody had to foresight to figure out that this might happen and plan ahead for it. He said that this is the type of situation where area police

forces should get together and have a combined facility. He said that there are much higher priorities. He thought that there should be a solution that would not cost near that much.

VOTE 5 - 2

Opposed – David Landry, Pete Lavoie

3. Fire Facility – North End Station \$1,900,000

John Sullivan stated that Chief Bibber indicated that if we can't afford to staff the facility, we should not build it. He made the motion to recommend zero for this item.

Dennis Ciotti said that he feels that there is a need for this item but said if we can't finance it, and get the mandated personnel to run it – it's putting the cart before the horse. Dennis Ciotti seconded.

VOTE 6 - 1

Opposed – Pete Lavoie

4. Fire Apparatus – North End Station \$450,000

John Sullivan motioned to recommend zero.

Dennis Ciotti seconded.

VOTE U/A

5. General Streets Improvements \$750,000

Tony McManus motioned to approve.

Frank Torr seconded.

David Landry said that after this year that we start looking at recommending that money be put back into the operating budget and a little bit less in debt financing. He said that he thinks that we are very close to getting a handle on things. David said that there has been a tremendous amount of work done in this city on streets and sidewalks and that we are very close to having put enough money in debt financing to start weaning off of that in the next CIP.

VOTE U/A

6. General Sidewalks Improvements \$400,000

Pete Lavoie said that the reason that \$400,000 was put in rather than the \$300,000 is to do Oak St. to Merry St. on Central Avenue.

Tony McManus made the motion to approve the \$400,000.

John Sullivan seconded.

VOTE U/A

7. Demolish Old PW Fac/Recycling Center \$500,000

John Sullivan asked if there wasn't some thought about getting the developer of that property to assume the cost of demolishing the building.

Ron Cole said it is a horse and cart thing. We should wait and let the developer do it and if we don't do it then you won't get a developer.

Tony McManus said that the cost of getting the garage out of there is a relatively small portion of the \$500,000. He said that Tim Sheldon has been talking to developers and the price is going down because of recovering the recycling materials that are in there. He said for a relatively small investment, it would be a much more attractive area for a potential developer. His concern is that he can't believe that it would cost \$400,000 to move the recycling center. He hopes that public works will figure out some way of doing it for less cost.

John Sullivan asked how much it would cost to knock down the old garage.

Pete Lavoie answered that the cost would be \$50,000 to \$75,000.

John Sullivan motioned to amend the figure by \$75,000 and let the developer take care of the demolition and put the money into rebuilding the recycling center.

John Sullivan said that he would like to revise the figure to \$425,000.

There was no second. – Motion dies

Pete Lavoie stated that there is some CDBG money of about \$23,000. He said that he had more than \$500,000 to work with and he needs \$450,000 for the recycling center.

John Sullivan motioned to change the figure to \$450,000.

There was no second – Motion dies.

David Landry stated that the City has the most outstanding recycling program probably in New England. He said that we should support a quality recycling center. He said that \$100,000 of debt financing is a penny on the tax rate so \$50,000 is a half a penny. He said that we shouldn't quibble on this and we should move forward with the riverfront development. He added that he wants that building down.

Tony McManus made the motion to approve the \$500,000.

John Sullivan seconded.

VOTE U/A

8. Silver Street Center Lane \$100,000

Steve Stancel stated that \$100,000 is the City's portion to continue the turning lane on the off-ramp section of Exit 8 E.

Frank Torr made the motion to zero it.

Tony McManus seconded.

Steve Stancel stated that over a year ago McIntosh College came in for an expansion of the Cullinary School and a banquet facility. We started to look at that corridor in terms of what improvements would have to be made in order to handle those improvements. It was roughly about the time that Motiva came in as well. He said that they worked closely with NH DOT and the engineers from Motiva and McIntosh to come up with a concept plan for that corridor to make it safer than it was today. That concept plan included the improvements that have already been made as part of the Woodman Park bus loop but also continued onto the off ramp because of the cars coming off the turnpike at a relatively high rate of speed. The City's cost would be \$100,000 and if Motiva receives approval in the near future they would be presented with a fair share of this particular project.

David Landry asked if the \$40,000 would still be ours regardless of if they go forward with the banquet facility.

Steve Stancel explained that the \$40,000 is in the form of a letter of credit that is good for 6 years. The City, if it chooses to make the improvements itself, can pull that letter of credit as their fair share. If the City chooses not to do the improvements and McIntosh doesn't come back with a banquet facility at the end of six years, that \$40,000 is lost.

Steve Stancel stated that the traffic engineers for McIntosh College, Motiva and Bruce Woodruff and the engineers for DOT have conceptually approved the improvements. They may require wider turning lanes than what was in the concept plan but they like the concept. Part of that \$140,000 is design and engineering and this would have to be approved by NHDOT prior to construction.

Frank Torr stated that Exit 8 was poorly designed in the 1950's. He said that he feels that adding another lane will compound the problem. He said that the City has 6 years with the McIntosh money, maybe other funds will become available at some point and maybe there is a better solution down the road.

Steve Stancel stated that the reason that this is in YR 1 is that the City Council expressed concern about making the improvements to the Woodman Park Bus Loop without doing all the improvements on the concept plan. We've essentially built half the solution and left the remaining hanging.

Dennis Ciotti stated that he hates putting Band-Aids on things that need to be fixed. He said that he thinks that they should be fixed properly the first time. He said that in this instance, we couldn't wait for the State to redo Exit 8 with regard to the public safety. He said that we have to make an effort to make the situation there better. He is in favor of the money.

Frank Torr explained that if you exit McIntosh making a left turn, you are adding another lane to cross because that center lane is going to be a left turning lane, he assumes all the

way from where it is initiated on the ramp to the intersection of Towle Ave. and Silver St. Any left hand turn within the City is pretty hard to make. You really have to wait your turn or get aggressive and that is where you have accidents. Eventually, there will have to install lights and that is why we should step back and take a strong look at it. He said that there are cars at the McIntosh complex parked all over the place and we were told that there wouldn't be many vehicles.

Steve Stancel stated that the lane would provide a stacking opportunity for cars turning left.

David Landry stated that he thinks that it is better having the extra lane to provide a place to hesitate for a minute before blending into the right lane.

Tony McManus stated that he feels that it is premature because we still don't know what will happen to that intersection and we don't know what McIntosh will come back with within the next couple of years. There was some talk earlier about possibly a light at that intersection and there is a proposal out there somewhere for an Arch Street connector behind the houses on Arch Street that comes out of that same location. He said that he hates to spend \$150,000 this year and have to tear up the road two years from now. At some point the State ought to buy the house on the corner and do it right.

VOTE 3 – 4

Opposed - David Landry, Dennis Ciotti, Beth Thompson, Pete Lavoie

Beth Thompson made the motion to approve as proposed.

Dennis Ciotti seconded.

VOTE 4 – 3

Opposed – John Sullivan, Tony McManus, Frank Torr

9. Tolend Road Landfill Remediation \$1,000,000

Frank Torr made the motion to approve.

David Landry seconded.

VOTE U/A

10. Traffic Lights – LED Signals

Pete Lavoie explained that there are many lights in the City that need to be upgraded. He explained how at the Janetos intersection you couldn't tell if the light was red or green when the sun was shining in that direction. This will allow you to see the light in the brightest situation. In the operating budget, at \$200 per light it would take forever and this is a big cost savings.

John Sullivan made the motion to approve.

Dennis Ciotti seconded.

Brenda Whitmore stated that the lamp life is probably 10 years and there is a labor and energy costs savings plus it increases the overall safety of the intersections.

John Sullivan made the motion to approve.

Dennis Ciotti seconded.

VOTE 5 – 2

Opposed – Frank Torr, David Landry

11. Urban Core/Riverfront Traffic Analysis \$100,000

Tony McManus made the motion to approve.

David Landry seconded.

VOTE U/A

12. Butterfield Gym – Foundation Improvement \$200,000

Pete Lavoie stated that they did pay for the work done securing the footings. He explained how they now have concrete floors with nothing holding them. He said that the soil underneath was not compacted and is silt and peat moss from the old riverbed. He said that that is what the building was built on.

Brenda Whitmore stated that this is just a continuation of the structural repairs and she feels that the Board has a responsibility to shore up that building and protect our resources. She said that it is also recommended by the City Manager.

Ron Cole stated the bottom line is, if that became an art center we would be looking at a multi-million dollar expenditure for a recreation facility somewhere down the line.

Frank Torr made the motion to approve the expenditure.

Dennis Ciotti seconded.

VOTE U/A

13. Dover High School Facility Improvements \$1,783,000

Dennis Ciotti made the motion to approve.

Beth Thompson seconded.

VOTE 6 – 1

Opposed – David Landry

14. Horne Street School Fac Improvements – Systems Upgrade \$365,000

David Landry made the motion to approve.

Tony McManus seconded.

Tony McManus, in approving these items for the school, said that he would hope that we would get some commitment from the School Department that the money is going to be used for the purpose for which we are recommending its expenditure. He said that the reason that he says that is that in the last CIP the Board approved \$500,000 for interior

improvements at Woodman Park School. Tony said that shortly after that we were approached by the School Department with the discussion of the bus loop and the parking area behind the school. He said that he doesn't recall being told at that time that the money that was going to be used for that project, was in fact the money that we had recommended and the City Council had approved for interior improvements in the school. He said that he understands that explanation that at some point the recommendation was made that they shouldn't continue to do improvements piecemeal and that it would be better to do it once with the \$6,000,000 in the budget two years from now. He said that the Board did not recommend that money and the Council didn't approve that money to build a parking lot and a bus loop. He said that what has happened is that the money that we have approved for that purpose is gone. The interior improvements that the School Department explained to us were going to be done in the last fiscal year, have not been done. That means that the \$500,000 of improvement at Woodman Park is still out there waiting and needing to be done and has been postponed for two years. The total cost of the bus loop according to Mr. Skaltsis is \$342,512.08. Tony said that he would like a guarantee that the money is going to be used for the expansion of Horne Street.

Tony McManus pointed out that he realizes that Planning Board is advisory, but when a department head comes in and explains to us what the money is going to be used for, he relies on that. He said if somebody had come in from the School Department and said they wanted to borrow \$500,000 for a bus loop and a parking lot, he would have voted against it. He said that he thinks that it is important to do this work at Horne St. and to rely on the School Dept. representation to this Board that that is what the money is for and that is what it is going to be used for.

Ron Cole stated that he would attach a note, if we approve this to the recommendation, that that needs to be part of our checks and balance system somewhere along the line.

VOTE U/A

15. Old Middle School – Design & Improvements \$100,000

Steve Stancel explained that the City controls the building right now. If the concept of the preschool/Kindergarted works in the front of the building and it's looking more and more like it could work, then the front portion of the building would revert back to the school.

David Landry asked if the cost of studying the building for re-use was funded.

Steve Stancel stated that it was previously funded and we are still drawing on that.

John Sullivan said that he thinks that it is appropriate that the school has control of this. But he is wondering what the \$100,000 would do in this case.

Nick Skaltsis stated that the City does have control of the 100,000 sq. ft. He said that it was this summer that the Superintendent made a presentation to the City Council and asked if we could explore uses for the old section of the building, which is about 1/3 of the total sq. footage. The City Council voted to permit them about a nine month window in which to explore school uses for the old section of the facility. He said that they have some expenses that they are going to incur once they move the Alternative School out of the old middle school. They are exploring a multi-faceted group of uses everything from Kindergarten, DALC, HUB and Head Start and for the eventual relocation of the district office to the upper floor. He said that it is unlikely that they spend the \$100,000. There could become a situation where they begin to hear or see negatives in the proposed uses or the exploration that they are going through and at that point, the scope of the work may be reduced. They are looking at a number that will cover the scope of the work for the utilization of all 32,000 square feet. He said that everything that they have gotten back so far for feedback has been very positive.

John Sullivan made the motion to approve as indicated \$100,000.

Frank Torr seconded.

VOTE U/A

Ron Cole asked what the Board wanted to do with the next 13 Community Service Public Works items.

Frank Torr stated that he thinks that they should be consolidated. He asked if this, in conjunction with their operating budget, would have an impact on the sewer and water rates.

Steve Stancel pointed out the chart in the green book and said if everything were funded in water and sewer, you are looking at a debt finance increase of 3 cents in 2003 for the water and 15 cents on the sewer – a total of 18 cents. He said that it's a little tough to follow because that is based to 100 cubic feet of water consumption, which translates to 748 gallons. The combined cost per gallon of what funding everything would be is .008 cents per gallon.

Pete Lavoie explained that both items are for the area further along Sixth Street from Dan Gabriel's project. He said that he has sent out 38 letters to the residents in that area telling them about the public hearing on Thursday night. He said that he put this in the budget because of requests of some of those residents. The main problem is that many septic systems are in failure. This is not to extend the system or the need to extend the system.

David Landry stated that he has a problem when we extend utilities. It's bad enough when we have a developer that comes forward and the Board feels somewhat hampered to say no when he wants to extend utilities and agrees to pay for it.

Tony McManus made the motion to adopt items 16 through 29 with the exception of items number 17 and 23 – Water and sewer main extensions to Sixth Street.

David Landry seconded.

Frank Torr stated that he would like to see them included with the stipulation that the residents would be paying for it and if it's \$13,500, so be it. He said that you are going to find that people have gotten themselves into a situation that they may not have been totally aware of but now there has to be a solution to that and the solution is not to provide services to them but give them the opportunity for the service.

Tony McManus stated that the problem is the difficulty of getting everybody to do it.

Frank Torr said that septic tank failure is probably a good motivation.

Pete Lavoie said that if you install a sewer line in front of their home, they have to tie in if they are within 100 feet, but you don't have that right to do that with the water.

Frank Torr stated that the key issue here is that we know that there is a problem and unless there is City sewerage, we had better be cautious about approval of anything in the future in that general area.

Steve Stancel asked Pete to clarify that there are financing opportunities for the homeowners in terms of paying during an elongated period of time.

Pete Lavoie stated that that there is financing available.

Frank Torr amended the motion to add those two items that were excluded with the stipulation that the individual that receive the services finance them
There was no second.

Ron Cole stated that the motion is to approve numbers 16 – 29 excluding numbers 17 and 23.

VOTE 5 – 2

Opposed – Beth Thompson, Frank Torr

Frank Torr made the motion that we include number 17 and 23 as part of the CIP.
Beth Thompson seconded.

VOTE 2 – 5

**Opposed – David Landry, Tony McManus, Dennis Ciotti,
John Sullivan, Pete Lavoie**

Motion Defeated

Ron Cole stated that he would pass these recommendations on to the City Council.

Ron Cole stated that he has checked with the City Attorney and it is his opinion that alternates can sit for Beth and for Pete.

Ron Cole asked Steve if we are all set to vote on Motiva at the next meeting.

Steve Stancel stated that we have received the new updated plans from Motiva, as well as, a traffic analysis and that late this afternoon we have received, via fax, the City's traffic consultant's response to their traffic analysis. He said that if anyone would like their materials sooner, they can be mailed or can be pick it up.

Discussion ensued with regard to the site and the building.

Tony McManus stated that we have not had a City Council representative for well over 2 months he said that he is not sure if it is appropriate to ask the Mayor or the City Manager, with a month left, to have a representative.

Ron Cole stated that he will contact the Mayor.

Ron Cole stated that he asked the Board at the last meeting for their thoughts on having a Citizen's Forum as a portion of our meetings.

David Landry made the motion to establish a Citizen's Forum and that we have it for a specified period of time not to exceed maybe 15 minutes and not to address items that will be addressed under the public hearings.

Dennis Ciotti seconded. He said that he would like to see it happen before any of the items and that it is kept brief to 10 to 15 minutes.

John Sullivan asked if we are going to accept any letters or e-mails for Citizen's Forum. He said that he would like to have 5 minutes at the end also.

Frank Torr felt that we should see how it goes and if there is a demand, then incorporate the 5 minutes at the end.

Ron Cole stated that he likes the face to face rather than the e-mail.

VOTE 6 – 1

Opposed – Pete Lavoie

ITEM #5: New Business

Pete Lavoie stated that Doug Steel went to the Groundwater meeting in No. Hampton. He gave the Board a copy of his e-mail with reference to that meeting.

ITEM #6: Adjournment

Frank Torr made the motion to adjourn.

Tony Seconded.

VOTE U/A