

**DOVER PLANNING BOARD
MINUTES OF MEETING
JULY 14, 1998**

MEMBERS PRESENT: Reuben Hull, Margaret Stevenson, Brian Preston, Jerry Reese, Mike Bobinsky, Ronald Cole, Frank Torr, Anthony McManus, Karin Crittenden, Charles Maglaras (late)

MEMBERS ABSENT: Paul Beecher

STAFF PRESENT: Steven Stancel, Planning Director, Steven Bird, City Planner, Jacqueline Freeman, Recording Secretary

Chairman Cole brought the meeting to order at 7:08 PM.

ITEM #1: Approval of minutes.

Jerry Reese made the motion to approve the minutes.

Brian Preston seconded.

Tony McManus stated that on the last page he made the motion to adjourn, not approve.

VOTE U/A

ITEM #2: Consideration and acceptance of an application for a site plan of land for United States Postal Service (Owner, United States Postal Service/City of Dover), Assessor's Map 1, Lot 40, zoned RM-06, located on the corner of Washington/Chestnut Streets.

John Merkle, Engineer and agent for the applicant, stated that this plan will clean up the dead end section of Green Street, eliminate the island, increase the parking spaces, and help the flow of traffic.

Mike Bobinsky made the motion to accept the application.

Margaret Stevenson seconded.

VOTE U/A

The public hearing was opened.

Norm Champagne, 13 Church Street, is in favor of the project.

Ron Cole read a letter from Jeff Sabin, Site Manager of Cocheco Park Assoc., stating that he is not opposed to the project but he is opposed to the relocation of any existing trees onto the Riverview property.

The public hearing was closed.

Chuck Maglaras arrived at 7:20 PM and took his seat on the Board. Alternate Karin Crittenden stepped down.

Jerry Reese made the motion to approve with the following conditions:

1. Add the owner's signature and engineer's stamp to the plan.
2. Revise plan to relocated the fire hydrant to the north side of Green Street, at the end of Fayette Street.
3. Revise plan to add details for the concrete sidewalk, drop inlet structure and drain manhole.
4. Revise plan to indicate that the existing hydrant main at the main line will be cut and capped.
5. Revise plan to indicate that the left over piece of concrete sidewalk off Chestnut Street (near the relocated tree) will be removed.
6. Submit the draft agreement between the US Postal Service and the City regarding parking, access and maintenance of the former Green Street right-of-way. The agreement must go to Council for their review and approval as a condition of approval of this plan.

Frank Torr seconded.

VOTE U/A

ITEM #3: Consideration and acceptance of an application for a minor lot line adjustment of land for Glen and Leigh Jerry, Assessor's Map H, Lots 6 & 6-3, zoned R-20, located on Durham Road.

Ron Cole stated that this item has been withdrawn and will be submitted at a later date.

ITEM #4: Consideration and acceptance of an application for a change of use for St. Mary's Academy (Owner, Roman Catholic Bishop of Manchester), Assessor's Map 9, Lot 89, zoned Office, located at 110 Locust Street.

Ron Cole stated that because all of the abutters were not be notified, this item will not be heard tonight. Ron recognized Atty. Malcolm McNeill.

Atty. Malcolm McNeill, 180 Locust Street, introduced Father Robert Cole, Sister Monica, Principal of St. Mary's and Rose Marie Reese, Vice Principal.

Jerry Reese stepped down.

Malcolm McNeill, stated this property has been gifted to the Church for the purpose of establishing a kindergarten and other accessory uses at this site. He said the church desires to modify this building to accommodate the needs of children in the city as quickly as possible. He asked the Board to go look at this building and the modifications to the Greek Church right up the street so everyone is familiar with the area. Malcolm asked the Planning Department to be available to renew the discussions with regard to the

alternatives that may exist to accommodate this site such as the possible widening of Church St. or other roadway modifications that involve other actions of other bodies within the City.

Malcolm stated they had hoped to open the school for September. He stated he would like to request that they be placed on the next meeting. He hopes that this project can be approved so that the Church can acquire a building permit to make restorations as quickly as possible. He said that the problem has been because this is a Change of Use, they can't modify the building without Planning Board action despite the fact that this use is entirely legal in this zone and doesn't require any waivers.

Jerry Reese took his seat on the Board.

ITEM #5: Old Business

a. Discussion and possible vote on a major subdivision for BAK land, Inc., (Dan Gabriel), located on Sixth Street.

Ron Stated that the Planning staff recommends that the plan remain on the table because of the list of outstanding concerns for this project.

b. Discussion and possible vote on the Economic and Land Use Analysis of the Dover Master Plan Update.

Ron Cole stated that the public hearing has already been held on this item and he will not be taking any more input at this time. Ron Cole stated that we need to balance the zoning of our existing land base. He said the Board must do their job to give Dover a chance to diversify its tax base and survive well into the next century. Ron stated that he has a letter from a Mr. Bate which states that he is not happy with what the Board is doing in respect to Watson Road. He said that he has received a petition with about 65 signature of residents of Watson Road opposed to Watson Road being rezoned. Ron said he has a letter with respect to a development on Dover Neck Road that is already in the pipe line from Park Avenue Development Corp.

Steve Stancel stated that there is a resolution on the desks that would approve this section of the Master Plan. He said that if it is approved, he would like to post several of the changes as recommended in the Master Plan.

Frank Torr asked Steve to go through the process for the benefit of the public.

Steve Stancel stated that should the Board approve this section of the Master Plan, it will get posted with the City Clerk's office and becomes official. He said if the Board takes up the posting of the recommended zoning proposals that are before it tonight, it will be posted in Foster's as well as on bulletin boards throughout the City. He said what staff is recommending is that the public hearing for the zoning changes be set for September 22, 1998. He said that in between now and Sept. 22, there would be a series of neighborhood

meetings held in each neighborhood to take public comments and explain what we are attempting to do with these zoning changes. The proposed zoning changes that will be posted are meant to be a starting point. He said as we go through the neighborhood meetings and the public hearing process, those zoning changes will become revised and finalized. He said that from that point the Planning Board will make a decision on each of the zoning proposals. He said they will then go on to the City Council who will hold another public hearing and they will vote to either accept or reject the proposals. He added that it would take a 2/3 vote of the Council to change any recommendations. Steve stated that as we go through the neighborhood meetings, there is nothing to stop the Planning Board from withdrawing any of the proposals that are posted or making any revisions to the proposals. Steve stated that September 22, 1998, is the official date of the public hearing. Steve stated that there probably will be additional zoning changes proposed by this Board between now and September 22nd. He said he would like to make all the proposed changes at the same time because a City-wide mailing costs thousands of dollars.

Jerry Reese wanted to be certain that it is clear to everyone there that there is nothing being voted on tonight that will change anyone's zoning.

Steve Stancel stated that in any of the areas that are proposed for rezoning, if somebody comes in for a Building Permit and it doesn't meet with the new proposed changes then that Building Permit is not issued. Developers are still able to come through the process but if they get approvals there is a condition that that subdivision has to meet with any new changes. He explained that any projects that have been accepted by the Planning Board are grandfathered and he is seeking a legal opinion on two projects that have come into the Planning office. He said that one is a subdivision that has gone through TRC, and the other is going to TRC tomorrow. Steve explained that it is the wetlands and riverfront residential overlay district changes that would affect these projects.

Jerry Reese made the motion to remove this issue from the table.

Mike Bobinsky seconded.

VOTE U/A

Anthony McManus stated that adopting the Master Plan means a lot more than the comments that have been made to this point. He said that it does become a blueprint for Dover's future and it becomes an official document. He stated that he agrees that we are not locked into approving the zoning changes in the Master Plan. He said when we adopt the Master Plan we are adopting the recommendations made by our consultant that certain things be done in our community including specific rezoning. We have already taken the first step to adopting those recommendations. He agrees that we need more industrial and commercial available. His particular objection to the plan is strip zoning. He said it is allowing corporate offices to plan Dover's future. He said Dover has created a nightmare for the people north of the Weeks Crossing and he doesn't want to create a strip development on every entrance to Dover. He said strip zoning would suck the life out of the downtown.

Anthony McManus made the motion to delete the proposals on page 5-12 III as it relates to a commercial district along the Durham Rd. and to delete in its entirety page 5-14 Article 4.

Ron Cole asked for a second. The motion died for lack of a second.

Reuben Hull stated that he agrees with Tony in regard to strip zoning but he is comfortable with moving the Master Plan as presented forward.

Mike Bobinsky stated that he concurs and that we need to move forward.

Jerry Reese made the motion to approve the Economic and Land Use Section of the Master Plan as provided by the Planning staff and Applied Economic Research.

Brian Preston seconded.

VOTE U/A

Steve Stancel stated that he will go ahead and schedule several neighborhood meetings between now and September 22, 1998.

Ron Cole suggested that the Councilor for each of the neighborhoods that are being rezoned be invited to the meetings.

c. Extension of approval for Wallace Woods, located on Columbus Avenue.

Steve Stancel stated that he has received a letter from Jeff White requesting an extension of 30 days for his project on Columbus Avenue.

Jerry Reese made the motion to approve the extension.

Tony McManus seconded.

VOTE U/A

ITEM #6: New Business

Ron Cole stated that Fire Lieutenant Steve McCusker and Assistant Chief Ron Clymer have serious concerns about sprinkler systems in private developments outside of the water supply area. Ron stated that he would like to schedule a workshop in the fall and invite contractors and developers so the Board can hear both sides of the story.

Steve Stancel asked if the zoning change proposals were voted on to be posted as part of the Master Plan?

Ron Cole stated that it was his understanding they were.

Jerry Reese stated that it was his intentions when he made the motion.

Tony stated that he thought it was just to approve the resolution.

Frank Torr stated that he thought it was just to approve the resolution, and to be safe a separate vote should be taken.

Steve Stancel stated that this resolution is only to adopt the Economic and Land Use Section of the Master Plan and posting would be a separate motion.

Jerry Reese made the motion, as a separate item under #5. b., that we approve the memorandum dated July 9, 1998, as outlined by the Planning staff, and to post the recommended zoning changes as submitted and to hold the public hearing on September 22, 1998.

Frank Torr seconded.

Tony McManus said he has some concerns about the issues raised by Atty. Griffin on behalf of the people with the subdivision on Dover Neck Road. He wanted Steve's opinion on holding off for two weeks

Steve Stancel stated that in his opinion if the residential rezonings are delayed, you would see the two projects come in for 49 to 50 units.

Tony what the value of the proposed homes in the Dover Neck area would be.

Steve Stancel stated that the developer indicated around the \$200,000 range, but he thinks it could be higher given the current market. Steve stated we are getting a legal opinion because these two developments may be grandfathered, given the extent that they have gone through the process. Steve said we should know by the next meeting.

Steve Stancel stated that if the Board wishes to hold off on those two residential changes, it would allow these two projects to move forward. He added that there may be other residential projects that would come in that would be affected by this in the meantime.

Reuben Hull asked if it is just the Items 9 and 10 regarding the wetlands and the residential overlay district that are in question.

Steve Stancel answered yes.

Reuben Hull stated that for discussion purposes only, he would make an amendment to strike out Items 9 and 10 from the list that we are voting on this evening.

Anthony McManus seconded it just for discussion.

Frank Torr stated that he is concerned with this motion because it would unravel what was laid out as a good plan.

Brian Preston stated he agrees.

Ron Cole called for the vote on amendment that would remove the Items 9 + 10 until the meeting of the July 28, 1998.

VOTE 2 - 5

For - Reuben Hull, Anthony McManus

Opposed – Margaret Stevenson, Brian Preston, Jerry Reese, Mike Bobinsky, Frank Torr, Chuck Maglaras

Ron asked for vote on the motion to accept the recommendations of the Planning Board and the posting of the recommended zoning changes and to hold the public hearing on September 22, 1998.

VOTE U/A

ITEM #7: Adjournment

Jerry Reese made the motion to adjourn.
Brian Preston seconded.

VOTE U/A