

**DOVER PLANNING BOARD WORKSHOP
MINUTES OF MEETING
OCTOBER 20, 1998**

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

MEMBERS ABSENT: Paul Beecher, Charles Maglaras

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

Chairman Cole got the workshop started at 6:05 PM.

Mike Joyal, Assistant City Manager, handed out the Capital Improvements Programs for the Year 2000. Mike said that he would like to have the Planning Board members review it and give their recommendations to the City Council soon after Thanksgiving.

Ron Cole explained that this is a workshop and the public hearing on the rezoning will be continued next Tuesday night.

Steve Stancel stated that having adopted the Economic Section of the Master Plan, we have bought into the goals and objectives that were outlined in that Master Plan. Steve said that people are in limbo and it is time to start making some hard decisions. He said the Board needs to look at each one of these areas and ask if it meets with the goals and objectives of the Master Plan, and if it achieves a more balanced community. He said he chose to do all of the areas at once to look at the City as a whole. Steve said that all the areas meet with the zoning criteria. He said they were put forth to generate discussion and to allow for the opportunity to prioritize and choose the areas that best meet with the goals and objectives. He asked the Board members to indicated what they like or dislike about the items as he goes through them.

Steve Stancel stated that he has received many recommendations which are very positive and will be pursued by the City. He reminded the Board that Dover has 10,000 vacant acres of land, half of which are developable. He said that 90% of those 5,000 developable acres are zoned residential, and less than 5% are zoned non-residential. He said that it is important to move forward on downtown development, impact fees, attempts to slow down residential growth in residential areas, but just as important to rezone land to non-residential use so it is available in the future.

Steve Stancel said because there was concern about thoroughfare districts and the type, quality, and aesthetics of development that may go in them, he has proposed a site review amendment. Steve said this would create protection in the new zones, as well as, create protection in the existing thoroughfare districts. He said that he has some general concepts to start with. He suggested that some additional workshops be held in the next

couple of months to discuss the advantages. He went over the different concepts in the ordinance and how they could help the City of Dover.

Item #5 – Dover Point Road

Ron Cole stated that he is not participating in any discussion of this item because of a conflict of interest.

Steve said the staff recommended no change to this area.

Anthony McManus stated that this is commercial strip zoning and that is not the kind of development that most people want. He feels that the arterial roads have been clogged by allowing commercial strip development. He stated that he will be voting against this because he feels it is not a good proposal.

Karin Crittenden stated that she agrees with Tony and it will create a lot of traffic congestion and feels it is not good planning.

Mike Bobinsky thinks that the site review changes will solve some of the traffic concerns as well as the visuals.

Frank Torr felt that the Board should address both the rezoning and the site review regulations at the same time.

Item #6 – New Rochester Road

Steve Stancel read the changes that were made to this area. He said he did some deed research regarding the protective covenants on some of the parcels. He stated that the covenants say that no building except private residences with customary outbuildings shall be erected on the premises. He said there are two lots that have covenants restricting gas station or auto service repair uses. Steve said he has spoken to a couple of land use attorneys and they feel that protective covenants and city zoning regulations should remain separate items and protective covenants should never dictate to a city what the zoning should be. He added that these lots are located right in the heart of the rezoning area and could be a substantial restriction. He stated that this subdivision occurred around 1955.

Ron Cole stated that after listening to the people who live on the pond side, he would not vote for it.

Brian Preston stated that he would vote against it also. He said perhaps the staff can take another look at extending the area closer to the B-5.

Mike Bobinsky stated that there may be some people between New Rochester Road and Old Rochester Road who would be supportive of rezoning their property. He said it might be worth taking another look at it.

Jerry Reese stated that he agrees with Brian. He feels that it should all be rezoned or all stay as is. He felt that if the B-5 was moved north, it would just be squeezing the residential units in more. He stated that he is not sure he would support moving the B-5 north.

Frank Torr stated that he is reluctant to do anything on the pond side. He said he feels this one should be scrubbed. He said that maybe down the road, as a result of a build up on 108, there may be a request in the future.

Reuben Hull concurred with everyone else. He said that we should make an effort to do a neighborhood master plan in that area, working with the residents to come up with a vision. He said he would be willing to pursue that.

Item #7 – Sixth and Whittier

Steve Stancel stated that they recommend no change.

Tony McManus stated that this area is not part of the Master Plan. He said that none of the people who would be affected have asked for it and it is at a dangerous intersection.

Steve Stancel stated that it is in the Master Plan on Page vii. He said it was chosen because of its visibility to the turnpike, Exit 9, and the Connector Road. He stated that Sixth Street is becoming more and more a thoroughfare.

Margaret Stevenson thought that because of the slope it would be reasonable to have it remain residential.

Ron Cole agreed with Margaret.

Brian Preston stated that he would not vote for it.

Frank Torr thought that if it is kept as residential, the lot size should be increased to take advantage of the river frontage and get the higher end housing market.

Karin Crittenden stated that she agrees with Frank and would not vote for rezoning.

Tony McManus stated that the families who own these properties have no intentions of selling and would like to keep it in its natural state for as many years as they can.

Jerry Reese stated that he agrees with Frank and we should have a better use for the river frontage.

Item #8 – Central Avenue

Steve Stancel explained the rezoning and stated that it is at the request of the property owners.

Anthony McManus stated he is staying out of it because he owns property across the street.

Jerry Reese stated that this is an area where everyone is in favor.

Item #9 – Knox Marsh Road

Steve Stancel stated that they have recommended no change for this one. Steve said that this site was looked at for a Public Works facility. He said that the owner believes there is enough uplands on this site for a development project. He said that a significant number of multi-family units could go on the piece that is zoned RM-20, but the owner prefers that it be non-residential. He said that the B-4 is a rather restrictive commercial zone with 5 acre minimums. He stated that there are approximately 25 total acres and 12 would be developable. He said it could provide a prime commercial building site as opposed to having multiple family units on it.

Item #12 – amend 170-12

Steve Stancel stated that they recommended no changes to this.

Items #16, 17, 18 – mobile homes

Steve Stancel stated that staff recommends these items be withdrawn.

Frank Torr stated that the owner of Jensen's is asking that the language be changed. They would prefer the term "manufactured" rather than "mobile" homes.

Item #21 – Urban Renewal District.

Steve stated they will take this out.

Item #22 – Amend 170-12 in regards to aircraft take offs and landings

Steve Stancel stated they are recommending some minor changes. He said that after further research he found that planes can be disallowed and still allow helicopters.

Item #24 -

Steve went over the changes. He said that given the size of existing B-3 lots and lots in the Office zone, 10,000 sq. ft. seemed too restrictive, so we are going to 5,000.

Preston asked if that is drastic.

Steve Stancel stated that other than the big area behind the state barns there really are no large B-3 lots.

Steve Bird stated that the density allowed in Dover is significantly higher than most other communities.

Steve Stancel stated that the original concept behind allowing multi-family units in that zone was to create flexibility and a mixed use in thoroughfare areas. Steve stated that they were also looking at the Office zones which are located along Silver St. and Central Avenue. He said that it will allow the owners of those larger buildings to have flexibility to put in residential units so they can maintain their property.

Item #27 – Educational Use

Steve Stancel went over how they divided the different educational uses.

Item #28 Steve Stancel stated that this item will be deleted.

Rezoning area Locust/Central/Cataract

Frank Torr stated that Mr. Gitschier's drainage problem should be addressed.

Mike Bobinsky stated that they have looked at that and have been doing the best that they can do. He asked if we condition this on the developer as a condition of approval.

Steve Stancel stated that he received a request from the owner of Map 15, Lot 17 to be included into the B-3 rezoning.

Anthony McManus stated that he is opposed to it. He stated that we do not need a convenience store/gas station. He said it is a terrible intersection and we would be creating more problems.

Margaret Stevenson stated she is against the rezoning because the area is overly congested.

Jerry Reese stated that he concurs because it is already a difficult area.

Discussion ensued regarding the problems with the stacking of the traffic and the over all traffic problems.

Steve Stancel stated that he hesitates saying just close off access to Cataract. It is possible that it might actually make sense to close off one of the entrances directly on Central Avenue to have them come out Cataract to get to Central. He said we would be requiring a traffic analysis for any project that goes in there. He said that an option is to have Mr. Kageleiry come in with better plans and he could also go the Variance route.

Steve added that there are way to make things better for people in that area in terms of screening.

Tony McManus stated that he wanted to revisit **Item #2 – Littleworth –Columbus Avenue**

Tony stated that he has reservations about allowing commercial within that area along the Littleworth Road. He said he can't concede of much retail or commercial development that would go in that would not negatively impact the people in that area. He stated that some person could put retail all along Columbus Avenue with this proposal. He said Littleworth is an arterial road and if you begin to allow retail and commercial it will impact the purpose of that roadway. He said you may end up with another Miracle Mile. He stated he is concerned with the future of the downtown and what impact rezoning commercially along these areas is going to have on the downtown and waterfront area. He stated that his idea is to have an inn or an attractive hotel as an anchor to get people in the downtown area. He said he agrees with Steve that somebody who is going to come in with a Holiday Inn or a residential inn is going to want to be near the turnpike and if they go there they are not going to go into the riverfront. He stated that, as planners, the Board needs to make a decision as to where commercial development should be at this time. If we are concerned with riverfront downtown development, we are selling ourselves short by creating these areas right now and allowing this decision to be made by some major chain and not by the City.

Steve stated that he respects Tony's position, but that the type of users that are interested in locating in thoroughfare areas are not the same type that are interested in locating downtown. He said that creating additional opportunities for thoroughfare retail outside the urban core will only promote additional tax revenue for the city as opposed to hurting the downtown area.

Frank Torr stated that he received a letter from Jeff White regarding this rezoning and his project on Columbus Avenue.

Steve Stancel stated that the developer was warned about the rezoning in advance.

Frank Torr stated that the City entered into an agreement to provide for accessory facilities for that development. He said he did not know if the City had planned that the water line was going for commercial development or for the proposed residential development.

Steve Stancel stated that the water line was for commercial development and there were discussions about the City participating in extending the sewer line as well because of the potential commercial development. The City was interested in promoting any infrastructure improvements for non residential uses.

Mike Bobinsky stated that he concurs with that. Where there is shared cost we interpret that to be consistent with our goals and the goals of the Master Plan. He said they

worked very closely with the developer and his engineers on coming up with a appropriate sized water line and a location so when development occurred they would be prepared. That line has been installed and we will be paying our share.

Ron asked if the City had not contemplated commercial development in that area would the entire cost of the water line have fallen upon Mr. White.

Steve Stancel stated that the location of the water line would have changed. Mr. White would have been allowed to bring the water in through the back of the property and the City would not have participated. Steve said the concept was to get the water line in Columbus Avenue and it wasn't for future residential use.

Mike Bobinsky stated that they sized the main to accommodate future need capacity.

Ron Cole stated that the public hearing will be continued on Tuesday, October 27, 1998.

Ron Cole closed the meeting.