

**DOVER PLANNING BOARD WORKSHOP  
MINUTES OF MEETING  
NOVEMBER 2, 1998**

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

**MEMBERS ABSENT:** Paul Beecher, Charles Maglaras

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

Vice Chairman Reuben Hull opened the workshop at 7:36 PM.

Reuben Hull stated there are three categories in the rezoning, the wetland issues, the housekeeping items and the rezoning areas. His suggestion was to look at the housekeeping issues first.

Steve Stancel stated that the items that were removed are the mobile home items #16, 17, 18, and 29. Steve stated that he considers #13, 14, 15, 19, 20, 23, 25, 26, 27, 29, and 30 housekeeping items

Discussion ensued regarding item #15 – The definition of Kennel. Steve Stancel stated he will take a look at other definitions.

Margaret Stevenson asked if a maintenance clause should be added to item #26 – Fence regulations. It was the consensus of the Board that it should be added.

Tony McManus asked about #10 – Wetlands density requirements. He was concerned with having a separate wetlands category for residential and one for industrial and commercial. He said it has to be justified legally for making the distinction. He said if this is meant to protect wetlands, then he is not sure he understands the distinction.

Steve Stancel stated that he spoke to the City's legal consultants. It is not just for the protection of wetlands but also to limit the future density of projects, and to increase the quality of development. He said because there are three purposes for this, they felt that it was not going to be a legal issue in separating residential vs. non-residential. He said that all non-residential development goes through the site review process, where subdivisions do not. He said a non-residential entity has to meet some very stringent drainage calculations on their parking areas etc., and if they do any expansion, they have to come back to this Board. He said when subdivisions are approved, people come in and get their building permits, and through the years they fill in their back yards. Steve added that they went through a very exhaustive review process on this particular proposal with the Conservation Commission

Discussion ensued regarding Mr. Bardwell's letter. Steve Stancel stated that he may be suggesting a different standard for higher-end empty nesters.

Steve Stancel asked if everyone is in agreement with the mobile home changes. No one voiced any problems with it. Steve stated that they would change the definition of mobile home at a later date.

Steve Stancel stated that item #21, Chapter 170-28, was initially recommended for deletion but they have changed their recommendations so that the Urban Renewal District would remain on the books.

Steve Stancel asked if everyone was satisfied with #22, the aircraft item.

Tony McManus asked if the language should say "fixed wing" landing areas are prohibited within the City. He said that his understanding is that landing strips are allowed in the State of NH unless each City adopts some proposal to regulate them. He said without mentioning "fixed wing", we could run into a problem. He said someone could come in and say if isn't prohibited, it can be done.

Steve Stancel stated that adding "fixed wing" would be a good idea.

Steve Stancel asked if anyone had any question on #12 - Increasing the minimum lot size per dwelling unit in the RM-8, RM-12 and RM-20 districts.

There was no discussion.

Steve Stancel explained #24. He said they are creating a minimum lot size per dwelling unit for multi-family uses in the B-3 district for 3 to 4 family dwellings, as well as, in the Office zone. Steve said that one of the main reasons they dropped it from 10,000 to 5,000 sq. ft. is because many of those large Victorian houses along Silver Street are in the Office zone. Right now, you can have as many units as you can fit into a house as long as you have the off street parking. He said when they went to 10,000 sq. ft. per unit they found that very few lots would be able to have more than two units, therefore, it was dropped down to 5,000 sq. ft., which is more reasonable.

Ron Cole arrived at 8:15

Reuben Hull stepped down.

Chairman Cole took his seat at 8:15.

Ron Cole asked for discussion on rezoning **Area #1. Watson/Tolend Road.**

Brian Preston stated that he is opposed to this rezoning because he said the river makes a good natural boundary and it is zoning creep going the wrong way.

## Rezoning #2 – Littleworth Road/Columbus Avenue

Frank Torr stated that he is totally uncomfortable with what is proposed out there. He said on the Tolend Road side we are proposing a setback on property that is pretty much totally vacant. He said when it comes to the Littleworth Road side, we are going right up to the road. He said that 20 years ago when this was first proposed it might have been ok, but the nature of the area has changed considerably and has been built up with quality homes. He felt the residents would be more comfortable if a setback was provided to the existing homes. He said as it is right now, he will not vote for it.

Tony McManus stated that he has the same concerns. He thinks that there is some potential for a good type of industrial development in some of the back land behind Littleworth Road. He said he would like to see the Board vote against this until a good package is put together. He said he is opposed to rezoning that area so that it will allow strip development. He said he would vote against this in its present form until a package is put together to provide some industrial space while protecting the character of the existing property.

Mike Bobinsky said that he would urge the Board to adopt this particular zoning. He said that one of the roles of the Board is to look at a large picture and look at the technical part, as opposed to some the political aspects. Mike said that the outcome of this process will be reviewed and modified by the City Council. He said that the Board is in charge of looking to the future and looking at areas that have potential for growth. He said one of the messages in the AER report is that we need another Enterprise Park. He said that we have just installed water lines on Columbus Avenue for just that purpose. He said he is very concerned with the growth issues. He is concerned that the Councilors will face challenges in the years to come with increasing the tax rates because the residential will not pay its own share. When you look at the number of areas that have potential, there are some that he is willing to give up, but this area has potential for the City based on transportation access and linkages that are there. He said it is essential that this area be adopted and he urges the Board to adopt it.

Steve Stancel stated that this area is the highest priority for rezoning of all the areas. He said he believes that we have spent significant time and effort in attempting to address the major concerns of the residents. He said new structures that are built would have to be 150' from any residential structure and would have to be visually separated from these residential structures. He feels that that protects the residents. He said the minimum lot size was increased from 20,000 sq. ft. to two acres, the maximum coverage of the lot was lowered, and they have eliminated uses such as restaurants, gas stations, and automotive repair. He said that if you leave a setback from Littleworth Road, there is an I-2 zone across the street, and you will eventually end up having non-residential development completely surrounding the residential structures. Steve said by rezoning everyone and negating setbacks, you allow people to use their structure in the same manner as what will be surrounding them.

Tony McManus said that looking at the figures for Littleworth Road, there are 564 total acres and 300 total developable acres. He said only half of what we are going to rezone is developable. He asked why we don't rezone the developable acres and not intrude on the undevelopable. He said it does not make any sense.

Steve Stancel said that the wetlands and uplands are intermingled so it is not like there are large areas of wetlands that may be set aside. Steve stated that we are not doing this just to limit residential growth, it is to provide opportunities for non-residential growth. He said that we need to put this land aside for that purpose. Steve said that sections of wetlands that can't be built on will be set aside because they can't be used for construction purposes, which is the case whether they are residential or nonresidential.

### **Rezoning area 3 & 4 – Mast Road/Durham Road**

Tony stated that he doesn't have any problem with this and it seems an appropriate area for industrial development

Mike Bobinsky stated that the Ireland Well and Griffin Well are at the Mast Road site. Mike said any development would have to comply with the Groundwater Protection Ordinance and other environmental concerns beyond the road upgrades and the sewer improvements.

Brian Preston stated that he would like to be sure that the site review amendments coincide with passing the rezoning.

Steve Stancel stated that he would recommend that the Board set a workshop for early December to discuss the site review amendments.

Frank Torr felt the site review amendments need to be done with the rezoning. He said putting one ahead of the other is not a good situation.

Steve Stancel stated that it will be a minimum two-month process before the Council has their final vote. He said he is willing hold workshops sooner if the Board wishes. He said that the Council does not have to adopt site review regulations, however, the Planning Board has to hold a public hearing.

Jerry Reese stated, with the holidays coming, practicality says the rezoning will not be acted on until January, 1999. He said there is no way that it will be acted on this year.

Tony McManus stated he would be more willing to consider some of the rezoning proposals if he knew that the site review regulations were going to meet some of his concerns. He said if that is not going to happen, he might not be in favor of the zoning changes.

Steve Stancel stated that everybody has made the commitment to change the site review regulations, and the changes will have to be worked through. Steve stated that people's lives are being affected by this posting and we need to start making decisions.

**Rezoning Area #5 – Dover Point Road**

Ron Cole wanted the record show that he is not involved in any discussion on this area because of a conflict of interest.

There were no other comments.

**Rezoning Area #6 – New Rochester Road**

Ron Cole stated that no way should this area be rezoned. He said if the residents are not concerned about 18,500 cars a day, and they are very comfortable with the community that they have there, then he does not see any reason to rezone.

**Rezoning Area #7 – Whittier Street and Sixth**

Mike Bobinsky said this location is quite close to the turnpike and in 10 or 15 years, if we don't approve this, there will be no other parcel close to the turnpike.

Margaret Stevenson stated that the house on the northern side of Sixth and Whittier Street should not be included in this area.

Ron Cole stated that he is not particularly in favor of rezoning this area.

**Rezone Area #8 – Central Avenue**

Ron Cole stated that this area is logical.

**Rezone Area #9 – Knox Marsh**

There were no comments.

**Rezoning area Locust/Cataract #28**

Margaret Stevenson said she is not in favor.

Jerry Reese stated that there are many traffic problems that need to be dealt with.

Karin Crittenden stated that the area is too congested, and it looks like spot zoning to her.

Frank Torr stated that not changing the zoning does not change the traffic problem and maybe the Council should look into the situation because it will not go away.

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Tony McManus stated that what the Planning Board does is going to be the final product because it will take a 2/3 vote of the Council to change the vote.

Jerry Reese made the motion to adjourn.

Tony McManus seconded.

**VOTE U/A**

The workshop ended at 8:50 PM.