

**DOVER PLANNING BOARD
MINUTES OF MEETING
SEPTEMBER 12, 1995**

MEMBERS PRESENT: Brian Preston, Reuben Hull, Martin Smith, Bob Corsetti, Mike Bobinsky, Paul Beecher, Charlie Reynolds, Scott Rawding, Ron Cole

MEMBERS ABSENT: Bob Belmore and Lionel Martel

STAFF PRESENT: Bruce Woodruff, City Planner, Steve Stancel, Planning Director, Jacqueline Freeman, Recording Secretary

The meeting was brought to order at 7:07 PM.

ITEM #1: Approval of minutes.

Charlie Reynolds made the motion to approve.

Mike Bobinsky seconded.

VOTE U/A

ITEM #2: Request for an amended site review approval for Forum Development/Dover Bingo (owner Michael Labrie), Assessor's Map 15, Lot 66, Zoned I-1, located on Cataract Avenue.*

Chairman Cole explained that this item is being treated as a new application and anyone wishing to speak may do so during the public hearing.

Malcolm McNeill passed out materials to the Board. He said he was not at the last hearing on July 1995, but was present at the hearing in 1990. He said read the 6th condition of approval for the bingo hall in 1990, which reads as follows: If the Police or Planning Departments feel that the traffic flow is not working, the developer will reappear before the Planning Board to develop a solution. He said they agreed to it at that time, there is no problem with this provision. Atty. McNeill said that despite the fears that were expressed by the public, there were no problems. He said this property is zoned Industrial, a factory working three shifts per day could go in. He said he is back here because of one sentence of the 1995 approval conditions "The applicant will come back before the Board in a year to review how the matinees are working out." He said the whole approval could be in jeopardy. He added that every department of the City had approved without this condition. He said he feels it is reasonable to completely delete this condition.

Atty. McNeill described the houses in the area to point out that the houses had buffers and he added that Mrs. Lapointe's house is fairly well buffered. Malcolm explained the flow of traffic. He said he is in Rotary and works at the bingo. He said at the end of the games, around 10:00 PM on weekdays and at 5:00 in the afternoon on Saturday there are a flock of people leaving. He said these are not peak traffic times and the impact on the neighborhood is nominal. He also said there is no diminution of value of their property. Atty. McNeill said that the level of traffic is at

Level C. He said the bingo hall is being held to a higher standard. He said the **proposed conditions of approval for the request for revision to the site plan** drawn by the City, plus the deletion of the applicant will come back before the Board in a year to review how the matinees are working out from the July 25, 1995 approval and the deletion of condition #6., from the 1990 approval, would be agreeable to them.

Ron Cole asked who would perform the traffic study.

Malcolm McNeill stated it would be done by a licensed traffic engineer.

Charlie Reynolds asked who drafted the conditions of approval for the revision to the site plan.

Malcolm McNeill said it was Steve Stancel and Bruce Woodruff with himself.

Charlie Reynolds asked that the licensed traffic engineer be approved by the City.

Atty. McNeill said that is agreeable to him.

Martin Smith made the motion to accept the request.

Paul Beecher seconded.

VOTE 7 - 1

Opposed - Charlie Reynolds

Steve Stancel said that the new conditions will establish a base line, and problems that arise will be based on scientific fact not just hearsay.

Scott Rawding said that the bingo is a bad situation and it is going to get worse.

The public hearing was opened.

Ron Cole read a letter from Jack Mettee suggesting that a condition be applied to require the applicant to quantitatively measure traffic, noise, and road quality at reasonable monthly increments for one year.

Mrs. Lapointe, 97 Rutland St., said they bought the house 45 years ago when the Bingo Hall was a swamp. She said Diamond International built a warehouse. They worked days and that was it. She said the area was spot zoned. She said the zoning changed in that area to allow Rutland Manor to be built. She said there is only a sidewalk on one side and the children walk to school. She said she is concerned with an existing swale that dumps water into the Bingo yard. She asked if it is necessary to destroy shrubs and trees for a parking lot. She said she noted empty parking spaces in the parking lot.

Malcolm McNeill said there is no impact to children during the week. He notes that the empty parking spaces show how extremely conservative they are in their studies. He added that Mrs. Lapointe's property is uphill from the bingo site.

Andy Albertson, Forum Development, stated that Mrs. Lapointe's property is 5 - 8 feet above the parking lot grade. The retaining wall is the reason they have to remove a small wedge of shrubs to attain the existing parking lot grade. He said there is no swale along that property, and explained the drainage.

a. Extension of approval for Spur Road Condos.

Steve Stancel stated the applicants got their Wetlands permit. He said it is over the 60 day provision and would like an extension until Sept. 30, 1995.

Mike Bobinsky made the motion to approve the extension.

Reuben Hull seconded.

VOTE U/A

b. Discussion on Weeks Traffic Circle rezoning.

Steve Stancel said that approximately 100 people were at the meeting and 24 of them made comments. He said the majority of the comments were negative. He said that most focused on the Old Rochester Road and were concerned with the adult entertainment use and traffic. Steve said that based on the comments of two weeks ago, we have come up with a new plan which will take a line of 150' off Old Rochester Road and will limit the traffic off Old Rochester Road. He said the department has looked at creating a new B-5 zone. It will allow buffer zones and will decrease the maximum coverage of the lot from 50 percent to 33 percent. He said this is a starting point. He said it will result in a reduction of probably 7 or 8 acres.

Ron Cole said that there are 15,000 cars every day on New Rochester Road. He added that the job of the Planning Board is to be non-political, based on the Master Plan, and what is best for the City. He said that the types of businesses that are looking to locate on Miracle Mile are not looking to develop downtown. He said he feels this proposal is probably best for the citizens.

Steve Stancel said this proposal will make it more difficult for large users. He said he feels B-3 is best but doesn't protect the neighborhoods as well. He said he hopes for a through road with primary access on New Rochester Road. He added that some of the houses on New Rochester Road have been on the market for a long time. The area is not conducive to residential. Steve said the lots on the East side are very small. Their property values will be affected.

The Board decided to hold a Workshop on Thursday, September 21, at 7:00 PM to further discuss ideas that individual members may have.

ITEM 4: New Business.

a. Speak Out Dover

Beverly Zendt, Graduate Student gave a report on **SPEAK OUT DOVER**, the neighborhood meetings that were held during the summer. Beverly compiled the information received from the questionnaires and wrote the final report.

ITEM #5: Adjournment

Bob Corsetti made the motion to adjourn.

Martin Smith seconded.

VOTE U/A