

DOVER PLANNING BOARD
MINUTES OF PUBLIC HEARING

HELD: Monday, Jan. 28, 1963
7:30 p.m.
City Hall Auditorium

RE: PROPOSED ZONING ORDINANCE AND MAP -- WARD I

ATTENDING: E. Vincent McDonald, Robert N. Gillis, Arthur J. DuBois, Albert O. Bernard, Robert W. Lapointe, Hugh C. Tuttle, Paul D. Foxworthy

ALSO ATTENDING: Ex-Planning Director Miss Doris M. Desautel

Chairman Arthur J. DuBois called the public hearing relative to the proposed Zoning Ordinance and Map to order at 7:30 p.m. on Monday, January 28, 1963 in the City Hall Auditorium. He thanked the public for coming and welcomed any questions or comments concerning the Ordinance or Map.

Ex-Planning Director Miss Doris M. Desautel was introduced, and a brief discussion of the Ordinance ensued. Miss Desautel pointed out that this was a permissive Ordinance and that all uses not permitted were excluded. She continued that the Building Inspector is the enforcing Officer of this Ordinance.

Mr. Walter W. Fischer of 17 Hull Avenue asked Miss Desautel the reason for 100' frontage in R-1 Districts and 10,000 sq. ft. in R-2 Districts. Miss Desautel replied that the main objective of this Ordinance is to promote the general welfare of the community and this, in the best knowledge of the Planning Board, is the general welfare of the community.

Mr. John Gintautas of 70 Glenwood Avenue inquired of the south side of Central Avenue where there are relatively new homes. He asked if we could foresee the City taking over their business coming in on that side of the street, and he continued, "What would happen to the tax rate?" Miss Desautel stated that the Planning Board feels that business residence use will continue for some time, pointing out that in areas zoned commercial, the primary use is commercial. Mr. Gintautas stated that he would like to see it follow a natural boundary and that people building before business came in should have first consideration.

Mr. Walworth Johnson of Dover commented on the 200' minimum lot size, inquiring what would happen to the homes that have lots only 100' or 150'. Miss Desautel replied that the Zoning Ordinance only applies from the date enacted.

Mr. Norman Rogers of Dover asked if this was part of the Master Plan. Miss Desautel pointed out that this is a tool to implement the Master Plan and that the elements of the Plan are completed and the State of New Hampshire is now working on them. Mr. Rogers then asked Miss Desautel to read the Statutes of the State of New Hampshire regarding the duties of the Planning Board. Miss Desautel read Chapter 36, Sections 10, 11, 12, 13, 14 and 15. Mr. Rogers stated that he felt the general meaning of this Master Plan is to set up a program not only in Dover but the entire State of New Hampshire. Miss Desautel pointed out that people building a home in an area under the Master Plan would be given a great deal of protection for his future.

Mr. Rogers asked if this, as presented, will be the law of the City of Dover. Miss Desautel replied that this proposed Zoning Ordinance and Map, after the public hearings and after all necessary changes or adjustments in text or map have been complied with, will be presented to the City Council, who alone can take action. The Master Plan has no official status except with the Planning Board, to serve as a guide, Miss Desautel continued.

Mr. Rogers asked if the Master Plan is set down to protect people or to encourage homes, businesses, or industries in Dover. Miss Desautel replied that it was a guide to development and a controlling tool which establishes districts and regulations for control of uses within the districts.

Loading and unloading was brought to mind, which on Page 16 states "All office, business, commercial and industrial buildings and uses hereafter established shall provide off-street berths for loading and unloading as follows:

- (1) A loading berth in an off-street space available for the loading or unloading of goods at least 12 feet wide and 50 feet long, with clear headroom of at least 14 feet and having direct usable access to a street
- (2) In O-1, B-1 and B-2 Districts, loading berths shall be provided for any building hereafter constructed with a gross floor area of 5,000 sq. ft. or over, so that there shall be one such berth for each 100,000 sq. ft. or fraction thereof of gross floor area
- (3) In all other districts loading berths shall be provided for any building hereafter constructed with a gross floor area of 30,000 sq. ft. or over so that there shall be one such berth for each 100,000 sq. ft. or fraction thereof of gross floor area and may be provided on space required for off-street parking."

Mr. Rogers questioned the need of such berths in an office saying "How many times a month or a year does a 50 ft. trailer truck come up to unload a typewriter at an office?"

Mr. George Sherwood of Dover commented on the section concerning signs, and added that it was tying people's hands. Miss Desautel replied that what people want to do must be in the best interests of the neighborhood, and that she thought the provisions provided enough sign space for advertising, etc.

Councilman John Maglaras of 67 Cocheco St. brought to mind that the hearing was to discuss the proposed changes in Ward I, and that it should be restricted to only Ward I.

Mr. Walter W. Fischer stated that the changes in lot sizes would cost the new home owner \$7.00 a month or \$700 and added that these regulations formed a "Utopia". He continued to say that the average man was

greatly affected by this inasmuch as he is put out of reach of home ownership. Miss Desautel commented that there are many low ranch homes being constructed and it is reasonable when you say that you cannot have as much side yard. She went on to say that in the past couple of years, the subdivisions reviewed by the Planning Board, more often than not had 100' frontage.

Mr. Charles I. White of Bayview Rd., Dover, commented that he felt the 3,000 sq. ft. size is definitely a waste of land. Miss Desautel continued that this Ordinance was not prepared in a "glass cage" and that the Planning Board and staff talked with many builders in an effort to merely attempt to protect the general welfare.

Mr. Rogers questioned where the Planning Board got the 5,000 ft. on signs. "Did you go to any sign builders" he asked. Miss Desautel answered that the information was attained from a national zoning magazine delivered to the Planning Board periodically, which answer did not satisfy Mr. Rogers, insofar as he thought the builders should have been conferred with concerning this plan.

Mr. White stated that many cities have lot sizes of 100' with no percolation test tied to it. He added, "How can the City of Dover protect itself any better on 15,000 sq. ft. lots than 10,000 sq. ft. lots, and how can a septic tank work any better on 15,000 sq. ft. than 10,000 sq. ft.?"

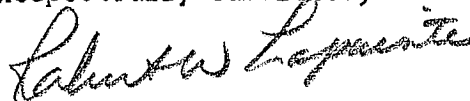
Mr. George Sherwood mentioned the billboards the Sherwood Motel has outside the City and asked "If any other motel comes into the City, does this mean that they couldn't have billboards outside the City? "Would you take away their right to advertise?", he asked.

Mr. Fischer said that with these regulations, a house that costs \$12,000 today will be \$14,000 tomorrow to meet the requirements that the City has in effect now.

In conclusion, Mr. Rogers stated that he would like to see a Master Plan come into being for which purpose the Planning Board was originally organized. He said he felt the property owners in Dover should have some idea of what is going to be in their area; residential, business, manufacturing, etc., and that the Master Plan would advise all people concerned that the area is for one purpose, period. He continued that we should stick to zoning and only zoning and that he felt the Planning Board should get to the Master Plan and forget other regulations, etc.

There being no further comments or questions the meeting was adjourned at 10:15 p.m.

Respectfully submitted,



Robert W. Lapointe
Secretary