

DOVER PLANNING BOARD
MINUTES OF PUBLIC HEARING

HELD: Monday, Feb. 11, 1963
7:30 p.m.
City Hall Auditorium

ATTENDING: Wallace I. Akerman, Arthur J. DuBois, Paul D. Foxworthy, Robert W. Lapointe, E. Vincent McDonald, Hugh C. Tuttle

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

Chairman Arthur J. DuBois called the public hearing on the proposed zoning ordinance and map for Ward III to order at 7:55 p.m. on Monday, Feb. 11, 1963 in the City Hall Auditorium. He thanked the people for coming and welcomed any comments or questions relative to the Ordinance or Map.

Miss Doris M. Desautel was introduced, who reviewed the complete ordinance with the public. The floor was opened to questions or comments.

Mr. Arthur J. Grimes of Dover said he would like to have a map there showing how these areas are presently zoned. He also brought to mind that he thought we should have these hearings with the Planning Board listening to the people and then making recommendations to the Council, and that someone familiar with taxes should be present to analyze these situations. People living on pensions will be hit hard, he continued.

Miss Desautel pointed out that the present zoning ordinance was adopted in 1948, 14 years ago, and is now almost useless to the community as it stands today.

Mr. Frank Fioto of 118 Stark Avenue questioned the purpose of Special Permits. Miss Desautel answered that when an application for a Special Permit is submitted, the Planning Board will go over it in an effort of attempting to determine whether it will serve in the best interest of the City and be good for general development.

Mr. Norman Rogers questioned Miss Desautel's capacity at the hearing and asked if she was on the payroll of the City of Dover. Miss Desautel answered no. Mr. Rogers then stated that it was his opinion that the Chairman of the Planning Board should be the head, and problems and questions should be directed to him before referring to a "Employee of the State." Mr. Rogers, in finding a typographical error in the Ordinance text accused the Board of "putting this thing together in haste just before Miss Desautel's departure from the City." Miss Desautel replied that the text has been completed for a year, adding up to many working hours for the Board.

Miss Eloise Hemon brought to mind the fact that the zoning laws were not retroactive. She asked if a man sells his business to someone else does the zoning change. Miss Desautel replied that the use continues, not concerned with ownership. Miss Hemon said it should be seriously taken into consideration because new management or ownership is new business.

Mr. Walter W. Fischer of 17 Hull Avenue asked if off-street loading does have to have a loading platform 12' wide and headroom at least 14 ft. Miss Desautel replied that you must have space and it does not have to be constructed as a platform, but rather space available so that loading feasibility can take place.

Mr. Fischer mentioned the regulations pertaining to commercial trucks in R-1R Districts. He asked if people are allowed to drive into garages and store trucks on premises or if they had to leave them off premises. Miss Desautel questioned what type of truck Mr. Fischer was referring to. Mr. Fischer answered dump truck. Miss Desautel answered that such garage cannot be occupied by a commercial truck. Mr. Fischer asked if new homes have to have paved driveways. Miss Desautel answered yes. Mr. Fischer asked if he was to sell some topsoil would he have to submit to the Planning Board a detailed plan on what he is going to take off. "Everything has to be in detail?", he asked. Miss Desautel answered that soil is a very limited detail.

Mr. Charles White stated that the last statement fits in perfectly well with being a builder and subdivider. He said that the amount of land available with no sewerage is very limited as far as any large subdivisions are concerned. He pointed out that to increase this lot size to 15,000 sq. ft., perhaps won't hurt anyone in a week or month or year, but in the overall plan it will. He questioned the reason for setting these lots at 15,000 sq. ft. Miss Desautel replied that it was the opinion of the Sanitary Engineering Department of the State of New Hampshire that individual sewer systems would not work detrimentally with 15,000 sq. ft.

Mr. White continued that ~~if~~ a percolation test on the property isn't going to make any difference to increase lot sizes. He went on to say that increased lot size doesn't make one bit of difference. Once this Ordinance is enacted, and I'm working on a pit will it effect me, he asked. Miss Desautel replied that if it is extended beyond its operation it would apply. Before any excavation is continued, he asked. If the area presently in operation is expanded beyond the limits of operation it applies, Miss Desautel answered. Mr. White continued that nothing shows how far or how wide you can go, how much bond you can use, etc. The Board has quite a lot of authority, he continued. I still haven't got to any value on the thing, he said. Mr. White asked if he owned a pit partly excavated and he wanted to move what would happen. As far as this Ordinance is concerned it would be under the jurisdiction of the Ordinance, he continued, where do we get the dollar value of the Bond? Miss Desautel answered that the amount considered reasonable for a bond is in accordance with the amount of gravel or loam being excavated.

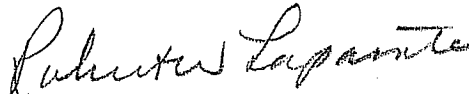
Mr. Norm Rogers stated that "If I want to sell three or four loads of loam, you mean to say that I have to go to the Building Inspector and get a permit for \$25 and then get in a qualified engineer to make a survey and then post a bond?" He questioned who would check these figures afterward. Miss Desautel replied the City had competent personnel to consider these matters. Mr. Rogers continued "If I sell five loads of loam to my neighbor. I have to go through all this and if I violate it and give my neighbor one spoonful more we must pay a fine or go to prison?" Miss Desautel replied that she was sure that the City would pass up one spoonful. Mr. Rogers then accused the Planning Board of trying to usurp the powers and duties of the Zoning Board of Appeals. Miss Desautel replied this power of zoning is used only as far as delegated by the State of New Hampshire. Mr. Tuttle advised the public that locally it is called the Zoning Board of Adjustment.

Mr. Norman Rogers inquired as to what will become of the City dump under these new zoning map and ordinance regulations. Miss Desautel advised Mr. Rogers that the hearing was concerning the zoning ordinance, and not refuse disposal.

In conclusion, Mr. Walter W. Fischer expressed his opinion on minimum lot sizes, stating that he was not against 100' or 200' lots, but that it depended on what kind of people you were talking about. He continued to say that 75' lots were ample. He stated that the City should think of the people that couldn't afford that type of lots.

There being no further comments or questions the hearing was adjourned at 9:30 p.m.

Respectfully submitted,



Robert W. Lapointe
Secretary