

DOVER PLANNING BOARD
MINUTES OF MEETING

HELD: Monday, Sept. 23, 1963
7:30 p.m.
Board Office

ATTENDING: Chairman Arthur J. DuBois, Secretary Robert W. Lapointe, Albert O. Bernard, Donald E. Chick, E. Vincent McDonald.

ALSO ATTENDING: Planning Director Henry Neil, Public Works Director Raymond H. Bardwell, WTSN News Director John Evans.

The Meeting of the Dover Planning Board was called to order at 7:30 p.m. on Monday, September 23, 1963 in the Board Office.

Chairman DuBois announced to those present that before starting the business of the evening, he wished to clarify for the Board Members an article which had appeared in Foster's Daily Democrat and which had quoted some views expressed by him at a public hearing concerning a bond issue. Chairman DuBois stated that the Newspaper had stated that he had made these remarks as Chairman of the Planning Board. He wished to emphasize to Board Members that prior to speaking he had introduced himself as Arthur J. DuBois, Citizen and Taxpayer.

Chairman DuBois then asked the Board for their pleasure on the minutes of the previous meeting.

Motion made by Lapointe, seconded by Bernard that the minutes be accepted as written. Motion adopted unanimously.

Chairman DuBois then announced that the first item on the agenda would be discussion of the Knox Park Subdivision. He asked the Planning Director to report on his findings regarding this Subdivision Application. Mr. Neil informed the Board that he had checked at the Registry of Deeds and had found that the latest Subdivision Plat on file and with this name was dated July, 1956 and had been stamped with the approval of the Planning Board with the qualification that certain lots had not been approved. Mr. Neil then reminded the Board that Dr. Lavine, the owner of this Subdivision, had brought the Plat to the Board and had informed the Board that during his absence, his lawyer had sold two lots which did not conform to the Subdivision Plat as approved. Dr. Lavine had wished to know the Board's pleasure on this matter. Some discussion ensued.

Motion made by Chick, seconded by DuBois that Dr. Lavine be directed to take such action as would return the lots in question to the condition and the size which had originally been approved. Motion adopted unanimously.

Mr. Chick then excused himself from the meeting.

Mr. McDonald then asked whether the reports from the Director of Public Works and Water Superintendent for inclusion in the Subdivision Regulations had been prepared. Mr. Bardwell announced that he had prepared some specifications for the Subdivision Regulations. He briefly described these specifications informing the Board of reasons for them.

Chairman DuBois then announced that under new business, several items had arisen within the past two days. He asked the Board if it was their pleasure that these items be discussed prior to completion of the agenda. The Board gave their approval of this order. The Planning Director informed the Board that upon calling the New York Office of the Housing and Home Finance Agency, he had been informed that two problems had arisen with respect to the Dover Application.

The first problem had been caused by an order from Washington that all Community Renewal Program Applications be held until the Agency had been assured by the Community that all citizens would have equal opportunity in housing and that no discrimination would be permitted. The Director informed the Board that he had prepared a letter to this effect and had had this letter signed by the Mayor, the City Manager and the Planning Director.

The second problem had been raised by the legal staff of the Agency. This problem had originally been raised approximately six weeks previously and at that time had apparently been solved, however, it had arisen again and the Planning Director had been informed that the Agency could not accept a contract with the Planning Board as the original application had been submitted. The Agency had therefore requested that the Application be revised so that the contract be made between the City Council of the City of Dover and the Housing and Home Finance Agency and that the City Council then direct the Planning Board to prepare for it a Community Renewal Program. In accordance with this wish, the City Council would, at its next session, consider three resolutions submitted by Councilman Hugh C. Tuttle, which if adopted would make the City Council the applying body and would delegate to the Planning Board the responsibility for the preparation of the Program.

Motion made by Tuttle, seconded by Lapointe that if the City Council shall request the Planning Board to prepare for it a Community Renewal Program as described in the Community Renewal Program Application, then the Planning Board shall accept the responsibility. Motion adopted unanimously.

The Planning Director then informed the Board that he had been approached by Mr. Robert J. LaPointe, the Assistant Planner under consideration, and had been asked by Mr. LaPointe to request that the Board grant Mr. LaPointe an interview within the near future so that he might regard the Assistant Planner position with more security. Some discussion of the Applicant and the position ensued. Mr. McDonald then voiced his hesitancy in the salary involved, expressing his view that this salary was too high. The Planning Director and Mr. Bardwell assured Mr. McDonald that when compared to similar salaries for people with Mr. LaPointe's educational background, this salary was not exorbitant. After some additional discussion, the Planning Director was directed to have Mr. LaPointe appear before the Board at their next meeting to be held at 7:30 p.m. on Oct. 7, 1963.

Chairman DuBois then announced that the next item for consideration would be the proposed zoning ordinance. He asked Mr. Neil to report on any changes he felt were indicated in the ordinance. The Planning Director did so, asking the Board for their opinion on several possible changes. Some discussion ensued with several Members stating their views that care should be taken that the ordinance did not become overly complicated and overly detailed.

The Planning Director then informed the Board that within the past few weeks he had been encountering increasing difficulties because of the

uncertainty of the existing zoning map. He informed the Board that the existing Official Zoning Map of Dover did not cover the entire City and did not show in sufficient clarity even those sections within the bounds encompassed by the map. The Director then stated his view that it would be better for the Board to pass the best possible basic ordinance and to anticipate adding to it later rather than attempting to create an all encompassing ordinance at this time. The Board expressed general agreement with these sentiments. The Director then informed The Board that a question had been raised concerning mobilehomes as nonconforming uses. He informed the Board that at the present time, the owner of a mobilehome existing in the general residence district as a nonconforming use was removing the present mobilehome and replacing it with a new one. The Director asked the Board whether they felt this situation should be permitted under the new ordinance insofar as it did not conform to the intent of nonconforming uses and insofar as it discriminated against owners and users of normal structures as opposed to mobilehomes in that a nonconforming use in the standard structure may continue only as long as the structure remains sound, while a mobilehome if replaced completely at regular intervals may remain forever. The Board expressed concern with this situation and directed Mr. Neil to contact the City Solicitor for a legal ruling as to their powers in this matter.

There being no further discussion on the zoning ordinance at this time, Chairman DuBois announced that the next item for consideration would be the proposed zoning map.

It now being 9:30 p.m., the Planning Director asked if it might not ease the task of the Board and hasten approval of the zoning map if he were to use the two weeks between this meeting and the October 7 meeting to produce a map involving all sections now firmly agreed upon by the Board and those sections upon which no doubt existed. Such a map would pin-point controversial points and enable the Board to more rapidly complete their work with respect to the map. The Board expressed agreement with this proposal.

Motion made by Tuttle, seconded by Bernard that the meeting be adjourned at 9:40 p.m. Motion adopted unanimously.

Respectfully submitted,

Robert W. Lapointe

Robert W. Lapointe
Secretary