

DOVER PLANNING BOARD
MINUTES OF MEETING

HELD: December 1, 1964
7:30 p.m.
Board Office

ATTENDING: Hugh C. Tuttle, Vice-Chairman, Robert W. Lapointe, Secretary,
Raymond H. Bardwell, Donald E. Chick, Arthur J. DuBois, Robert T.
Sheldon.

STAFF: Henry Neil, Planning Director.

The Meeting of the Dover Planning Board was called to order at 7:45 p.m.
by Vice-Chairman Tuttle in the absence of the Chairman.

Mr. Tuttle noted that this meeting had been called for the purpose of
reviewing proposed amendments to the Dover Zoning Ordinance.

Vice-Chairman Tuttle asked Mr. Neil to explain the first proposed
amendment. Mr. Neil explained that customary home occupations are permitted
as a matter of right in single family residential areas but are not permitted
in agricultural areas. Logic indicated that since the single family residential
area is a more exclusive area that customary home occupations should be permitted
in agricultural zones.

Motion by Sheldon, seconded by DuBois, that the Planning Board approve
the amendment to permit customary home occupations in agricultural districts.
Motion adopted unanimously.

Mr. Neil then explained that he had proposed that single family residences
be permitted in B-3 districts because of one particular district located between
the A & W Rootbeer Stand and Brodhead Ford which contains many single family
residences and which has a potential for more.

Motion by Chick, seconded by Bardwell, that the Planning Board accept
the amendment to permit single family residences in B-3 districts. Mr. Tuttle
then stated that he felt that the Planning Board had been correct in their
original decision to prohibit single family residential from B-3 districts in
order to prevent future problems. He stated that he saw no reason to change this
tule at this time. Mr. Chick pointed out that as non-conforming uses the
residential structures were prohibited from expansion even to the extent of
constructing garages onto existing structures. Mr. Tuttle then withdrew his
objection. Motion adopted unanimously.

Some discussion then followed as to the merits and demerits of the
next proposed amendment which would prohibit junkyards anywhere in the City
other than by variance. It was proposed that rather than prohibit junkyards
completely they be permitted in agricultural districts under certain stringent
conditions.

Motion by Bardwell, seconded by DuBois, that junkyards be permitted in agricultural districts only by special exception. Motion adopted unanimously.

Mr. Chick then questioned the wording of the motion. Mr. Bardwell accepted the rewording and proposed that the amendment be amended to read as follows:

Motion by Bardwell, seconded by DuBois, that the Zoning Ordinance be amended to strike the provision prohibiting junkyards in R-2 Districts and a class be inserted to permit junkyards in agricultural districts only by special exception to be granted by the Zoning Board of Adjustment following a public hearing and of such conditions as the Zoning Board of Adjustment shall feel necessary to protect adjacent property.

Mr. Chick then asked if it were either necessary or advisable to insert a requirement concerning the construction of fences around such junkyards. Mr. Tuttle asked whether the Board would require that such fences be properly maintained and not be permitted to become eyesores. After some discussion Mr. Bardwell asked that the motion be amended to read as follows: "Said conditions to include but not be limited to the provision of adequate and properly maintained screening. Some discussion then followed concerning the nature of special exceptions.

Mr. Chick then asked if it might not perhaps be better to leave the motion as it was originally worded. Mr. Bardwell asked that the floor be cleared by a vote on the proposal. Mr. DuBois accepted both amendments presented by Mr. Bardwell. Mr. Tuttle called for all in favor of Mr. Bardwell's motion. The motion was adopted unanimously.

After some explanation by Mr. Neil relative to the effects of the next proposed amendment, Motion by Sheldon, seconded by Lapointe, that the footnote concerning exception from the frontage requirements be accepted by the Board as an amendment to the Ordinance. Some discussion then followed and it was proposed that for clarification the phrase "Minimum Lot Width" in the first line be changed to read "Lot Width" and the same phrase in the last line be amended to read "Frontage". Mr. Sheldon and Mr. Lapointe accepted the amendments. The motion was adopted unanimously.

Mr. Neil then reviewed the proposed amendments to the Bulk Regulations.

Motion by Chick, seconded by Sheldon, that the proposed amendments to the Bulk Regulations be accepted with the amendment that the side yard abutting a street in a B-3 district be changed from 15 feet to 20 feet. There being no further discussion, the motion was adopted unanimously.

The next item to be considered was to permit existing lots to be used for any legal purpose permitted in a district no matter what size the lot if there were an existing lot at the time of passage of this amendment.

Motion by Chick, seconded by Bardwell that the Bulk Regulations be amended as proposed. Motion adopted unanimously.

Mr. Neil then explained that the proposed change of zoning in the Maple Street area was intended to incorporate Prosper-Shevenell, Peabody Heel and Capitol Products in an industrial zone while at the same time protecting adjacent residential development.

Motion by Bardwell, seconded by Ouellette that the proposed area between Maple Street and Horne Street be rezoned as proposed. Motion adopted unanimously.

Mr. Neil then explained to the Board the proposed new zone "middle density residential R-2B." This was proposed as an apartment house district which could be located within low density residential areas.

Mr. Chick pointed out that there were no provisions required to control the number of apartments within any area. Mr. Neil acknowledged this fact and suggested that the conversion requirement of 2,000 sq. ft. of lot per dwelling unit be applied to this zone.

Motion by Bardwell, that the areas described as Garrison Hill, Horne Street, Redden Street and Whittier Street be rezoned R-2B. There being no second to the motion, Mr. Bardwell accepted a proposed amendment that the Knox Marsh and Durham Road area be included in his motion. Some discussion then followed as to the suitability of the various areas for this zone. Mr. Bardwell asked Mr. Neil's opinion of the Middle Road, Durham Road and Knox Marsh Road areas. Mr. Neil stated that in his opinion the proposed use was the best possible use for the areas under discussion.

Motion by Chick, seconded by Bardwell, that the Planning Board accept the proposed new zone and rezone the areas identified as Garrison Hill, Horne Street, Redden Street, Knox Marsh Road and Durham Road. Motion adopted unanimously.

Mr. Neil then outlined the next amendment which involved sign area in the Central Business District on other than street levels.

Motion by Chick, seconded by Lapointe that the amendment to the sign regulations be accepted by the Planning Board. Motion adopted unanimously.

The next item for discussion concerned conversion of residential structures to great numbers of apartments.

Motion by Bardwell, seconded by Ouellette that the proposed amendment to the Zoning Ordinance concerning conversion requirements be accepted as proposed. Motion adopted unanimously.

There being no further business under the Agenda, Mr. Tuttle asked if Mr. Neil had any further reports for the Board. Mr. Neil informed Mr. Tuttle that Mr. Walter W. Fischer had spoken to him concerning the Board's conditions for the approval of the proposed Country Club Estates Subdivision. Mr. Fischer had informed Mr. Neil that the City Council Members have refused to sign any agreement with him concerning water flowing from the proposed subdivision onto the Country Club land. Mr. Fischer had asked whether the Board would modify their requirement in some way. Mr. Chick suggested that Mr. Fischer be informed that the Planning Board would be happy to consider any proposal which would not make the City responsible for any future damage to the Country Club.

Mr. Tuttle outlined for the Board Members the water shed problem in the area at the present. Mr. Tuttle further noted that both the Country Club and Mr. Fischer had drainage problems. He therefore suggested that it might be possible for them to arrange some mutual agreement concerning solution of these problems.