

DOVER PLANNING BOARD  
MINUTES OF MEETING

HELD: Monday, Feb. 2, 1965  
7:30 p.m.  
Board Office

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

ALSO ATTENDING: Planning Director Henry Neil.

In the absence of Chairman Akerman, Vice-Chairman Tuttle called the meeting to order at 7:40 p.m.

Motion by Sheldon, seconded by DuBois that the Minutes of the November 23 Meeting be accepted as written. Motion adopted unanimously.

Chairman Tuttle then noted that the first item for the Board's consideration would be the annual election of officers. Vice-Chairman Tuttle called for nominations.

Mr. Sheldon asked whether Chairman Akerman had expressed his preference as to re-election or not for the coming year. Vice Chairman Tuttle informed Mr. Sheldon that while Mr. Akerman had indicated no such preference, Mr. Tuttle as a close friend of Mr. Akerman knew of Mr. Akerman's concern in the number of meetings he had been compelled to miss due to business reasons.

Motion by Bardwell, seconded by Sheldon, that Mr. Robert W. Lapointe be elected Chairman of the Planning Board for the year 1965. Mr. Arthur J. DuBois moved to close nominations. Mr. Sheldon seconded this motion. Motion adopted unanimously.

Vice-Chairman Tuttle called for a vote on the motion to elect Mr. Lapointe chairman. Mr. Lapointe was elected unanimously. Mr. Lapointe was declared chairman of the Dover Planning Board for the year 1965.

Motion by Sheldon, seconded by Bardwell, that Mr. Hugh C. Tuttle be elected Vice-Chairman of the Planning Board for the year 1965. Mr. Tuttle thanked Mr. Sheldon and Mr. Bardwell for their nomination but suggested that as a City Councilman he felt that the responsibilities as Vice-Chairman of the Planning Board might on occasion create the situation of a City Councilman presiding over a Planning Board public hearing. He therefore respectfully declined the nomination. Mr. Sheldon withdrew his motion. Mr. Bardwell agreed.

Motion by DuBois, seconded by Ouellette, that Mr. Robert T. Sheldon be elected Vice-Chairman of the Dover Planning Board for the year 1965. Motion by Chick, seconded by Lapointe that the nominations for Vice-Chairman be closed. Motion adopted unanimously. Mr. Sheldon was declared Vice-Chairman of the

Dover Planning Board for the year 1965.

Motion by DuBois, seconded by Lapointe, that Mr. Raymond Ouellette be elected clerk to the Dover Planning Board for the year 1965. Motion by Lapointe, seconded by DuBois, that the nominations be closed. Motion adopted unanimously. Vice-Chairman Tuttle called for a vote on the motion to elect Mr. Ouellette as Clerk. Motion adopted unanimously. Mr. Raymond R. Ouellette was declared Clerk to the Dover Planning Board for the year 1965.

Vice-Chairman Tuttle then surrendered the Chair to Chairman Lapointe.

Chairman Lapointe then called upon Planning Director Henry Neil for his report on the zoning amendments public hearing. Mr. Tuttle stated that prior to receipt of the report from the Planning Director he wished to note that the City Council had in no way violated the authority of the Planning Board in submitting proposed zoning amendments on the floor of the City Council. Mr. Tuttle noted that the City Councilmen are responsible to their constituents and had conformed to the law in submission of the proposed amendments.

Motion by Tuttle, seconded by DuBois, that in order that the Board Members might have a chance to vote in the caucuses to elect delegates to appoint a new State Senator from Dover, the Board would adjourn for a sufficient period of time to permit the Members to vote. Motion adopted unanimously.

The Chairman called the Meeting to order once again at 8:00 p.m. The Planning Director was asked to explain purposes and implications of the proposed zoning amendment submitted by Councilman Stocklan. Mr. DuBois declared himself against the proposed amendment. Mr. Neil noted that the provision presently in effect involving permission for a fifty foot extension where lots are divided had proven extremely useful over the past six months.

Motion by Tuttle, that the Planning Board restate its stand against both amendments to the Zoning Ordinance proposed by the City Council. Upon question Mr. Tuttle withdrew his motion to permit further discussion. Mr. DuBois suggested that the Board include more specific information in its motions in order that the Council might note the reasoning behind the Board's action. Further discussion on the amendments followed.

Motion by Tuttle, that the Planning Board recommend against adoption of the amendments submitted by Councilman Stocklan for reasons to follow. Further discussions followed concerning this proposed amendment and the clause presently in the Zoning Ordinance. Mr. Chick suggested that the Board might better be advised to permit the Zoning Board of Adjustment to rule on such occasions as special exceptions. Mr. Sheldon stated that he felt this latter procedure might prove the most logical if the existing provisions were simultaneously eliminated. Following some further discussion, Mr. DuBois seconded Mr. Tuttle's motion, offering as a reason the fact that the proposed amendment will compel the Zoning Ordinance to deal with situations more properly in the domain of the Zoning Board of Adjustment. He further stated that he felt this proposed amendment would open up the Zoning Ordinance and create undesirable situations. Mr. Chick suggested that the proposed amendment would permit excessive automatic adjustments in the terms of the Ordinance and that cases requiring such adjustments might better be handled by the Zoning Board of Adjustment.

Mr. Tuttle suggested that it might be proper for the Board in making its recommendation to the City Council concerning this proposed amendment to note the fact that the Board would give further consideration to this entire matter and its possible relationship to the Zoning Board of Adjustment and special exceptions at a later date. Mr. Neil stated his belief that there was little logic in the designation of a percentage limit prior to the granting of extension of a zone where a lot was divided and that the Board might wish to give consideration to eliminating the percentage requirement but restricted the expansion to not more than 50 feet. Mr. Tuttle moved the question. Mr. Bardwell asked that the motion be re-read.

Motion by Tuttle, seconded by DuBois, that the Planning Board recommend that the City Council not adopt the proposed zoning amendment submitted by Councilman Stocklan for the reasons that adoption would weaken the Ordinance, would grant excessive automatic adjustments and would incorporate in the Ordinance powers more properly administered by the Zoning Board of Adjustment. The Chairman called for a vote on the motion. The motion was adopted unanimously.

Chairman Lapointe called upon the Planning Director to review the second proposed amendment submitted by the City Council. Mr. Neil outlined the history of this proposal and informed the Board that the intent of the amendment had been to zone the area from the Dover Point Community Club to Moore's Boatyard inclusive. A great deal of discussion then followed concerning the Dover Point area.

Motion by Tuttle, that the Planning Board recommend that the zoning amendment submitted by Councilman McQuade not be accepted insofar as the Board has discovered no new evidence concerning any rezoning of this area since the area was last considered.

At this point Mr. DuBois offered to disqualify himself insofar as he is a Dover Point resident. The other Board Members declined to accept this disqualification. Mr. Sheldon seconded the motion. The motion was adopted unanimously.

Chairman Lapointe then called upon the Planning Director to outline the petition submitted by Mr. Hemon. Mr. Neil did so. Mr. Tuttle noted that he had been informed that many of the petitioners were not residents of the area involved. He declared himself in favor of the Office District Designation.

Motion by Chick, seconded by Bardwell, that after careful consideration the Planning Board recommend that Mr. Hemon's petition be denied and that the area be remained zoned in its present classification. Motion adopted unanimously.

Mr. Chick then noted that although he disagreed with Mr. Hemon's petition he would like to go on record as having stated that Mr. Hemon had every right to submit such petition and have it considered as would any other citizen of the community.

Chairman Lapointe then called for a discussion of the proposed rezoning in the Maple Street area. Planning Director Neil outlined the

various points of view with respect to this area.

Motion by DuBois, seconded by Tuttle, that the rezoning of land in the Maple — Hough Street area from residential to industrial include only that land presently occupied by the three industrial firms. Motion adopted unanimously.

Chairman Lapointe then asked the Board for their views on the proposed R-2B Apartment Areas. The Planning Director pointed out that in his drafting of these areas, he had extended the Garrison Hill area to the right of way of Central Avenue. He pointed out that this would eliminate the Office District on that side of the road.

Motion by Tuttle, seconded by Bardwell that the Board recommend the rezoning of the following four areas from their present classification to the new zone R-2B: 1) The area proposed between the Durham Road, Back River Road and Mast Road, 2) The area proposed adjacent to the Horne Street School and Redden Street Extension, 3) The area proposed opposite the Horne Street School and abutting Roosevelt Avenue, 4) The area proposed adjacent to the Dover Wentworth-Douglass Hospital and Oak Street but with the provision that this area not intrude upon the areas zoned for office use along Central Avenue. Motion adopted unanimously.

Mr. Tuttle then called for the Board's views upon the Littleworth -- Knox Marsh area which had been proposed by the Board for rezoning to R-2-B but which the Board had been asked by the Economic Commission to reserve for later industrial use. Considerable discussion followed upon this area.

Motion by Tuttle, seconded by DuBois, that the Littleworth, Knox Marsh area be retained in its present zoned classification. Motion adopted unanimously.

The Board then noted that should further information come to light on this area then it would review this decision.

Chairman Lapointe then called for the Board's views upon the matter of junkyards. Mr. Neil outlined the statements made at the public hearing with respect to this section. Mr. DuBois suggested that the proposal remain as submitted to public hearing. Mr. Chick suggested that the proposal be amended to include the State Law provisions in the interests of clarification.

Motion by Chick, seconded by DuBois, that the Planning Board recommend the change in zoning with respect to junkyards as proposed at public hearing with the addition of applicable State Law provisions. Motion adopted unanimously.

The Chairman then asked the Planning Director to review the comments made by Grant L. Davis at the public hearing with respect to the bulk regulations. Following such discussion, Mr. Tuttle suggested that rather than attempting to foresee each individual situation the Board attempt to introduce a general statement controlling yard depths.

Motion by Tuttle, seconded by Bardwell that in areas where two zones meet, side yards abutting streets be realigned to equal the front yards of the more restricted district fronting on that street. Motion adopted unanimously.

A considerable amount of discussion then followed upon Mr. Davis' proposal that one side yard be eliminated providing a side wall were installed. It was decided to delay any decision on this matter until the next meeting. The Chairman set the meeting for February 22.

Mr. DuBois then suggested that public notices with respect to zoning amendments be made more detailed and include sufficient information to acquaint the public of the proposals.

Motion by Sheldon, seconded by DuBois, that the meeting be adjourned. Motion adopted unanimously.

The meeting was adjourned at 11:45 p.m.

Respectfully submitted,

*Robert W. Repante*