

MINUTES
SPECIAL MEETING / PUBLIC HEARING

JANUARY 27, 1999
DOVER CITY COUNCIL
COUNCIL CHAMBERS
7:00 P.M.

1. MOMENT OF SILENCE

2. PLEDGE OF ALLEGIANCE

Councilor Rawding led the pledge.

3. ROLL CALL

Members present: Councilor Rawding, Councilor Reese, Councilor Wilson, Councilor Berry, Councilor Johnson, Councilor Landry, Mayor Pro Tem Perry, Mayor Boc.

4. PUBLIC HEARING

A. Ordinance #25 – 12/9/98, Chapter 170, Zoning. Sponsored by Councilor Jerry Reese.

The Mayor explained the procedures. He stated there are 19 items before us tonight and he requested speakers should keep to the issues. The Mayor stated we may or may not vote tonight.

The Mayor opened the Public Hearing.

Pete Hamblett – Chairman of the Board of the Dover Chamber of Commerce. Mr. Hamblett is a resident of Rye and President of the Federal Savings Bank. Mr. Hamblett is in support of the rezoning proposals. He stated he sent a letter to the Chamber of Commerce in September 1998. He summarized the key points of rezoning; it will benefit the common good of the city, it will advance the economic well being of the citizens, and it will improve the general quality of life and vitality of the City of Dover.

Mr. Hamblett stated rezoning some residential land to commercial/industrial use will have the following impacts: First, the tax burden will be less with fewer new homes on Sixth Street. An example is Sixth Street which is generating almost \$800K in tax dollars. Second, there will be a better balance between residential and non-residential development. The third impact will be on local employment, 1700 jobs have been created on Sixth Street already. He stated residential developers are awaiting approval and are ready to file building permits.

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Ron Cole – 1 Evans Drive – Chairman of the Planning Board. Mr. Cole stated he is dismayed by articles in the newspaper. He stated this is 7 months of work in progress. You will not hear from the 20K+ people who will benefit from the rezoning. Mr. Cole stated the Planning Board takes its role very seriously. He stated the City Council should make an educated and unemotional decision.

Mr. Cole stated a balanced tax base had been mentioned by the councilors when they ran for office.

Mary Michelle Kay – 131 Columbus Avenue. Ms. Kay presented a highlighted map and letters from homeowners and landowners from the area that are against the rezoning. She stated there are 39 against the proposed rezoning. She stated you can clearly see we have the vast majority of homeowners in the area that are opposed to rezoning.

Ms. Kay stated there are currently no sewer lines in or near Columbus Avenue and only limited city water. The city has not stated how they will pay for these upgrades. Columbus Avenue and Tolend Road do not have the capacity to support rezoning in this area.

Ms. Kay stated she and many of her neighbors have attended many meetings, workshops and public hearings on this issue and they all agree this proposal is not for the good of Dover. She asked the City Council to please vote tonight against this proposal. Ms. Kay stated people need closure in order to plan their lives.

Erv Sparkman – 232 Tolend Road. Mr. Sparkman stated the rezoning will prohibit him from using his land as he wants. He stated he is opposed to the rezoning. He feels this has been mishandled. Mr. Sparkman stated this rezoning is a mistake and Dover residents do not agree with it. He stated proper procedures were not followed by the administration; this is not the will of the people and will hurt Dover residents. He urges the City Council to vote to disapprove this issue tonight.

Joanne Dodge – 17 Harmony Lane formerly Peacham Way. Ms. Dodge stated she is disappointed in the anger and name calling in this process. She stated we've been called Johnny-come-latelies. Ms. Dodge stated she has lived here for 26+ years and has been a taxpayer. She stated she bought 5 acres off Littleworth Road. Ms. Dodge stated the initial proposal was an I-2. This was discussed at the August 13, 1998 meeting, then an I-3 zoning came out and no one knew about the changes. Ms. Dodge stated she is opposed.

Robert Zubkus – 42 Wallace Drive. Mr. Zubkus stated this is regarding Littleworth Road and Columbus Avenue rezoning changes. He requested the City Council vote against this tonight. Mr. Zubkus stated he is against this. He thinks the City Council feels that less houses helps keep the tax base as it is.

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Mr. Zubkus stated the Claremont decision will change how we pay for education in New Hampshire. He stated we don't know what type of tax will be levied on each of us. It could be a state income tax, a property tax increase or a sales tax. Mr. Zubkus stated there is no hurry to implement this rezoning; next year would be soon enough. He stated the citizens of Dover would expect an informed decision would be made for something as important as rezoning. Please note Mr. Zubkus is against this.

Duane Kay – 131 Columbus Avenue. Mr. Kay stated there is no city sewer across Columbus Avenue and it will cost millions to do it. He stated he doesn't know where the money will come from.

Norm Lemoyne – 128 Columbus Avenue. Mr. Lemoyne stated he has a wife and 3 children. He stated he never thought industry would be built next to us. Mr. Lemoyne stated there is already a safety concern and traffic issues. He urges the City Council to think about this area and vote no against rezoning.

Bob Breneman – 74 Tolend Road. Mr. Breneman stated he is against the rezoning process tonight. He stated he feels the opposition deserves to be considered. Mr. Breneman stated it's intimidating to come speak at a public meeting. He urges the City Council to vote against the rezoning.

Bud Stillwagon – 20 Old Littleworth Road. Mr. Stillwagon stated Clarostat and Davidson are both gone. He stated we can't fill the empty buildings as it is. Mr. Stillwagon stated we have traffic and water problems. He wanted a nice, quiet neighborhood. He stated it's **not** quiet. Mr. Stillwagon asked, is the industry going to do something for the taxpayers in the City of Dover. He stated he's on a fixed income. He is opposed.

Joanne Fairchild – 77 Littleworth Road. Ms. Fairchild stated she has been a resident for 29 years. She stated we have been called nay sayers; it's not her back yard, it's her home. Ms. Fairchild stated we are concerned about decreased property values and the taking of property rights, the increased traffic, the cost of providing infrastructure for industry.

Ms. Fairchild stated there is no sewer; they are concerned about the manner that this rezoning was proposed. She stated it is apparent politics are in the decision making. Ms. Fairchild asked why are they not getting their way. She stated they have signed petitions, but it seems to have done no good. This may be the Dover way, but it's not the New Hampshire way. She is opposed.

Jim Scammon – Mr. Scammon is a realtor and former selectman from Stratham. Mr. Scammon stated that if sewerage is not put in, people will be hurt as far as the property values. He stated if homeowners try to sell their property, they will have to take a loss.

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Anna Kay – 45 Littleworth Road. Ms. Kay thanked the councilors for returning their calls. She stated that for 36 years she has been a resident. Ms. Kay used a map to point out their property. Ms. Kay stated this land was a grant from the King of England back in the 1600s.

Ms. Kay stated the Planning Board wants the City Council to control 150+ acres in this area. She stated they attended meetings in 1984 for the same reason; rezoning. Ms. Kay stated we are not the Johnny-come-latelies. Our family has been here for all the meetings. Let us get back to the normal lifestyle, vote no.

Mary Lou Staples – 11 Strafford Road. Ms. Staples requests that the City Council not rezone these residential areas of the city. She was here last night to discuss rezoning in her area by the Planning Board. Ms. Staples was not told about the lumberyard in her area. She stated once the property is sold, it is out of their control. They will cut down all the trees and they will be gone forever. She stated it will be hotter in the summer and colder in the winter, windier and noisier. Ms. Staples is opposed.

Attorney Nancy Quinlan – 89 Knox Marsh Road. Ms. Quinlan stated she is opposed to the proposed rezoning on Littleworth Road, Columbus Avenue, Knox Marsh Road and Mast Road. She explained New Hampshire's tax base situation and discussed the rezoning situation. Ms. Quinlan noted all the articles she had provided to the City Council. She read excerpts from the articles and summarized the results of the studies. Ms. Quinlan went on to discuss the Master Plan and the concerns of wetlands and Bellamy Park. She stated she hopes the City Council will give this some thought since there are as many people opposed to it.

There was applause from the audience.

Daniel Morse – 8 Pearson Drive. Mr. Morse stated he endorses the previous speaker. He stated rezoning has been undertaken with what is going to be the future tax rate in the city. Mr. Morse stated this is rational in this respect. He stated the rezoning will change the entire characteristic of the city. He stated the rezoning needs to be carefully reconsidered. Mr. Morse stated increasing the lot size is going to increase the sprawl. He asks that the City Council review the Master Plan and then send the amendments back to the Planning Board for reconsideration.

Todd Alberto – 10 Columbus Avenue. Mr. Alberto stated he is a single dad of 11 and 14-year-old sons. He stated he moved to this area about 10 years ago. He opened a small restaurant 5 years ago and sacrificed every dime of his earnings. Mr. Alberto stated 2 years ago he took all of his profits and bought a house on Columbus Avenue.

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Mr. Alberto stated currently, there is 35 acres by the turnpike zoned commercial and doesn't understand how that can be zoned that way. Mr. Alberto stated he is one of the naysayers. He found out about this two months ago what was going on. Mr. Alberto stated they already have to deal with truck traffic out there. He stated he is looking for any support the City Council can give.

Sherry Picardy – 155 Columbus Avenue. Mrs. Picardy stated her husband wanted to be here to speak. She stated she is officially on record totally opposed to rezoning since day 1 all over the city. Mrs. Picardy stated she feels it's disingenuous and reckless. She stated the City of Dover is "we the people" who are here tonight. She stated the objectives are not even close to being met by this rezoning. Mrs. Picardy stated she feels this is a crummy scheme – and requested the City Council vote, no.

Jeff White – 32 Piscataqua. Mr. White owns Wallace Woods on Columbus Avenue. He stated there is no sewer and the water line won't support any large development or commercial use. Mr. White stated there can't be any commercial or industrial development in that area. He stated as a developer, he could go into that 60 acres with wells and septic, but rezoning could not go into that area. Mr. White urges the City Council to vote, **no** tonight on rezoning and not to table it.

Katherine Wentworth Chalue – 12 Mast Road. Mrs. Chalue stated she is shocked and the rezoning reeks of bad politics. She stated other rezoning areas were deleted. Mrs. Chalue stated the source of these tracks of land have been in families for years. She stated the rights of Columbus Avenue and Littleworth Road residents have been violated. Mrs. Chalue asked the City Council to vote it down and do not table it!

Randy Ogleby – 175 Burns Street. Mr. Ogleby stated he doesn't live anywhere near it, but the last time he was here they had to vote for truck traffic on Columbus Avenue. He stated it doesn't make sense to develop an area residential and then try to rezone it commercial; now we want to rezone. Mr. Ogleby stated he doesn't see the necessity to push this through this evening.

Joe Twardus – 64 Tolend Road. Mr. Twardus stated he too is a Johnny-come-lately and a carpetbagger. He stated he has lived and worked in Dover since 1937. Mr. Twardus stated he built a home in 1962. He stated he and his colleagues have been here and spoke at least five (5) times on this issue. Mr. Twardus stated he supports all members from Littleworth Road and Columbus Avenue because they all had supported him years ago when they fought for the rezoning on Tolend Road. He stated he supports his neighbors in opposition to rezoning.

Applause from the audience.

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Dean Trefethen – 23 Corbin Drive. Mr. Trefethen is the Chairman of the Zoning Board of Adjustment. He stated he is in favor of the proposals tonight. Mr. Trefethen stated some of these amendments have been pending for years. He stated it is not their ability tonight to vote yes or no on a particular item. Its yes or no for all. He urges a yes vote tonight.

Tom Fairchild – 77 Littleworth Rd. Mr. Fairchild stated he was not going to speak. He stated except what he just heard, this is a threat of all or nothing. Mr. Fairchild stated this is all a sham.

The Mayor clarified the items would be split – grouped together for a vote.

Kevin Miller - 1 Bellamy Road and Rte. 155. Mr. Miller stated he received a pink notice from someone notifying him of this rezoning. He stated this does not make sense. Mr. Miller stated all of the people really don't know what is going on.

David Smith – 11 Westwood Circle. Mr. Smith stated he is opposed to rezoning Columbus Avenue and Littleworth Road. He stated they will put 60 houses there. Mr. Smith stated these people do not want the land rezoned. He stated let's not rezone their land.

Joe Twardus stated we have Industrial Parks on Littleworth Road and Enterprise Park is on Sixth Street and not once have we had a tax reduction.

A second time speaker regarding his opposition to a hotel zone.

Seeing no other speakers, the Mayor closed the Public Hearing.

The Mayor called the meeting back in session. He explained he wanted the option to vote and that was why there is a special meeting tonight.

Berry moved to refer to the February 10 meeting, seconded by Wilson.

Berry stated he is not prepared to vote. Berry wants to refer to the February 10 meeting – we are not doing that.

Johnson stated, he is also uncomfortable with a vote tonight. He stated he would like a workshop on February 3 to let the Planning Board know their concerns. This is a friendly amendment and accepted.

Rawding stated he does not wish to put it “all” off. He stated some city officials and city employees have taken some tough hits tonight; they are trying their best. Rawding stated he feels the issues need to be referred; they are Littleworth Road, Columbus Avenue, and Knox Marsh Road. He stated we could take the other items out and vote tonight.

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Landry stated he does not feel uncomfortable about voting tonight on the one. He stated he wants Littleworth Road, Columbus Avenue, and Knox Marsh Road to be referred to a workshop on February 3, 1999. Landry stated he wants to divide the questionable items and dispense with most of this. He stated we could focus on the issues.

Perry stated he echoes Rawding and Landry. He stated he is perfectly comfortable with voting tonight. Perry stated he wants to pull two (2) items from the agenda.

Johnson argues he wants to move the whole process ahead. He stated the issue could still be split at the February 10 meeting. Johnson stated this leaves it open for other citizens to speak.

Rawding agrees with Berry. Rawding stated he heard from several people who knew the council was going to vote on this tonight. Rawding supports this.

Reese stated he agrees with Berry. He stated most people didn't know the City Council was going to vote tonight. Reese stated we didn't tell people we were going to vote, so we should delay the vote.

Wilson wants to split the issues, but he feels his fellow City Council members are correct. He supports Berry's motion.

Landry still wants to vote on the issue tonight. He stated if two (2) people abstain, its not a good vote. Landry will reluctantly agree with Berry.

Motion to refer to a workshop on February 3 and a vote on February 10.
Motion passed on a roll call vote of 6-1. Perry opposed.

5. ADJOURNMENT

Rawding moved to adjourn, seconded by everyone.

Meeting adjourned at 9:05 p.m.

JUDY GAQUETTE
CITY CLERK

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