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DOVER PLANNING BOARD  
MINUTES OF MEETING

Meeting Held: April 14, 1987, Municipal Building, Dover, New Hampshire.

Members Present: Harold Preston-Chairman, Otis Perry, H. Les Elder, Thomas Scharff, Michael McDonnell, Pierre Bouchard, Reynold Perry.

Alternates: Joseph Etelman, Paul Rinaldi

Also: William Collins-Planning Director, Linda Barbeau-Recording Secretary.

Meeting called to order at 7:05 PM

Mr. Preston introduced the Board.

Item #1: Consideration of acceptance of an application for site review of land owned by Wentworth Douglas Hospital, Assessor's Map 37, Lot 1, Zoned O (office) on Central Ave. (20,268 sq.ft. new space).

Mr. Charles Craven explained the proposed new space. There will be 2 sites of new construction on the 3rd. level. No impact will be created on water or sewage systems. Complex will finish project with new sprinkler system and updating all codes.

Mr. Elder asked what the impact will be adding 50 new beds.

Mr. Craven answered that the 50 beds will be added to new space where existing beds are will be made into office space. There will be no net increase in the ~~number of beds.~~

At this point the two alternates were asked to set in: Mr. Rinaldi and Mr. Etelman.

Mr. R. Perry arrived and stated he was a hospital trustee and will not vote.

Mr. O. Perry made a motion to accept the application.

Mr. Scharff seconded.

Vote: U/A to accept.

Public hearing opened. No comments.

Public hearing closed.

Mr. Scharff motioned to approve.

Mr. O. Perry seconded.

Vote: U/A to approve.

Item #2: Consideration of acceptance of minor lot line adjustment of land owned by Donald and Marjorie Kimball; Edmond Daigle and Ann Shine; and Stanley and Miriam Allen, Assessor's Map 8, Lot 8, Zoned R-20 on Dover Point Rd.

Mr. Collins reported that Kimball's application is withdrawn on request of Attorney Jim Nucous representing Kimball.

Item #3 New Business

a. Discussion on Executive and Technology Park ordinance, Sixth Street.

Mr. Collins explained draft in Ordinance form. Section 2: Previous modification of definition "Lot".

"Lot-A tract of land under single ownership and occupied by, or designed to be occupied by one (1) principal building and its accessory buildings of uses customarily incident to it, together with such open spaces and yards as are required by this chapter, exclusive of multifamily dwellings, Industrial I-1 and I-2 Zoning Districts and the Executive and Technology Park (ETP) Zoning District."

Section 4: Amendment. Chapter 170 of this Code of Dover, entitled Zoning, is hereby amended by revising 170-12, Table of Use Regulations, Table II: Accessory Uses by adding the use "other" and the ETP Zoning District to read as follows:

Section 6. Amendment. Chapter 170 of the Code of Dover, Zoning, is hereby amended by revising 170-32, Signs and Fences, by relettering subsections "L.

(at this point Ms. Torr arrived and Mr. Rinaldi moved over.)

Mr. Scharff asked if a new zone could be created to require child care space and questioned why reference has not been made based on earlier discussion.

Mr. Collins felt child care requirements had not been endorsed by the full Board.

Mr. Scharff stated that with the number of employees involved provisions should be made per sq. ft of space as on-site child care. Asked if this could be worked into new zoning as well as Industrial zone.

Mr. R. Perry agrees with concept but how has it been applied elsewhere in the Country. Isn't it a business decision and not something a municipality can set. He feels it should be a business decision.

Mr. Elder agrees with Mr. Scharff on concept but if this is to entice businesses could this not cause a problem. He asked why just in ETP zone.

Mr. McDonnell also liked the idea but did not want to tack on to just one zone.

Mr. O. Perry opposed to adding it to the zoning. Agrees that it should be a business decision.

Ms. Torr also was opposed to adding to zoning requirement.

Mr. R. Perry addressed minimum frontage and setback for large developments meeting these would not be a problem. If land is not adequate in size these setbacks would not work.

Mr. Collins explained, what the proposal attempts to take care of is what we have at present. Attempting to attract larger firms.

Mr. O. Perry agreed with Mr. Collins and made a reference to footnote 5. Asked if City has monitoring process to handle this.

Mr. Collins answered that City does not but a company would be required to have Federal EPA # required.

Mr. O. Perry questioned Section 6 referring to signs, part c. states sign area shall not exceed sixty (60) square feet, does this mean on one side or both.

Mr. Collins explained 60 sq. ft. of signage is allowed on each side.

Mr. O. Perry asked about set back to Cocheco River. Should this be more frontage than is required for Conservation District.

Mr. R. Perry remarked that he feels Conservation requirement alone is enough.

Mr. Bouchard asked what the frontage is required.

Mr. Collins replied that 400' is proposed. He also feels that landscaping would help in this case.

Mr. Scharff referring to footnote 5 addressing hazardous waste. Store of chemicals on site should be added.

Mr. Collins agrees storage should be identified.

Mr. McDonnell questioned water usage and quantity. Mr. Collins answered that site plan review would address this. Mr. Bouchard commented that site review addresses the water and sewerage.

Mr. Preston raised the question that he is afraid that creating this zone would hurt the current land owners.

Mr. Collins remarked that creating the new zoning districts is an attempt to entice other than residential.

Mr. Preston made it very clear he would not vote for anything if it means cutting out the "little guy".

Mr. Elder asked if a variance for this concern could be addressed through ZBA as a hardship case.

Mr. Collins said if a hardship can be proven, a variance can be gotten.

Attorney Malcolm McNeill commented from the audience concerning the uniqueness of this zone, in that it is the only zone in the city where homes can not be built. A hardship should be addressed for this purpose with ZBA.

Mr. R. Perry stated that no zone change can be made that won't hurt someone.

Mr. Preston feels there should be something they can fall back on.

Mr. R. Perry stated he had discussed with Mr. Collins the question of preventing a flood of residents coming into the proposed zone.

Mr. Preston remarked that there are 3 lots on County farm Road to Watson Road that would be affected. Maybe ZBA is the answer.

Mr. R. Perry asked if before official process if there is a possibility of having a meeting with parties affected. With such a small population, maybe a workshop could help.

Mr. Scharff does not agree with workshop, but instead would mail a cover letter, ordinance and other paperwork to owners involved.

Mr. Collins asked Mr. Scharff if workshop is needed.

Mr. Scharff said not the workshop per se, just the mailing.

Mr. Collins stated an ordinance summary will be in mail earlier than normal.

Mr. Scharff requested that in cover letter they state that the owners can ask questions of staff.

Mr. Collins will set aside a comment period and will bring comments back to Board.

Mr. Preston asked if there is a lot of response if they will then schedule a workshop.

Mr. Collins said mailing will go out in 2 days with a 2 week comment period. Will report back at May 5th meeting.

Mr. Scharff commented that cover letter should address concerns.

b. Discussion of Subdivision Regulation Amendment pertaining to soil type.

Mr. Collins stated this was a first draft of ordinance on soil analysis and Mr. Janelle, City Engineer, would make comments.

Mr. Janelle explained sections of draft ordinance as follows:

Explained section B pertaining to soils map accurate + or - within 20 feet. Will be classified with a 3 digit number and letter. Lot size is equivalent to this scale. Will be more conservative than state test.

Section (3) 155-62: In subdivisions where a community/municipal water supply and/or community wastewater system is to be provided, minimum lot sizes may be reduced by 33-1/3% of the minimum requirements as stated in Table 1A.

(delete waste water system and reduce lot size by 1/3 for community water supply.

Mr. O. Perry asked to clarify meaning of water system.

Mr. Janelle replied community water system is city water, not private well.

Mr. Collins stated he prefers not to cut lot size.

Mr. Bouchard stated there are 15 soil types; someone should manage well water supply.

Mr. Preston remarked he feels the Board should stay out.

Mr. Bouchard agreed.

Mr. Janelle said if municipal water supply, the lot size may be cut by 1/3 minimum lot size.

Mr. Collins referred to page 2, Table 1-A, and introduced the new process. This also needs to be addressed with zoning revisions that speak to zoning changes.

Mr. O. Perry mentioned adding another job, and the time of year for test pit.

Mr. Bouchard suggested that the Board move on.

Mr. Collins brought up old business and the workshop.

Mr. Preston suggested they discuss old business.

Mr. Scarff made a motion that the old business be discussed.

Mr. O. Perry seconded this motion.

Vote: U/A

Janelle spoke about the need to require 2% bonds for street maintainance.

O. Perry moved  
seconded by McDonnell and Elder - 2% land irrevocable line of credit for street maintainance of all city streets in approved subdivisions.

Vote: U/A

Mrs. Willard addressed the Board. Pictures were shown of the house. She bought the land 14 years ago. House got so bad, she obtained a permit to tear it down. Has built new garage. Wants to tear down old house to build new house according to city codes.

Preston: Tues ZBA to hear Willard's special exception request.

Mrs. Willard: City water and sewer put in.

Elder: recommendations to not oppose to ZBA.

Motion: Elder

Seconded: O. Perry, McDonnell

Conservation to ZBA

Vote: U/A

Collins will see ZBA will get copy of letter.

New Business:

Collins explained a proposal of the City Council that would require only a simple majority to override a Planning Board recommendation.

T. Scharff explained that recommendations have been going to City Council and a two-thirds vote has been needed to override it. The conservation district amendment for CWD passed with a 4-4 vote.

Collins will notify board when date set for workshop. Joint meeting of council and planning board may be planned.