

DOVER PLANNING BOARD
MINUTES OF MEETING

Meeting held: June 2, 1987 in the Council Chambers of the Municipal Building in Dover, New Hampshire.

Members present: Harold Preston-Chairman, Thomas Scharff, Michael McDonnell, Otis Perry, Pierre Bouchard, Patricia Torr, Reynold Perry

Alternates present: Claire Howe

Also present: Bill Collins-Planning Director, Steve Stancel-Planner

Mr. Preston called the meeting to order at 7:05 p.m.

Item #1: Public hearing on proposed revisions to Chapter 170 of The Code of the City of Dover, entitled Zoning, by creating a new zoning district entitled Executive and Technology Park (ETP).

Bill Collins explained the proposed Executive and Technology Park Zone. The zone was created for office complexes and high tech industries. The minimum lot size would be 10 acres. No new dwelling units would be allowed. Existing units may be expanded 20% in living area, accessory uses are allowed if placed within 75 feet of the primary structure.

Harold Preston opened the public hearing.

Martha Varney, 342 Sixth Street, questioned the effects of the ETP on area property taxes.

David McMullen, Tax Assessor, states that he anticipated no changes until re-evaluation.

Ms. Varney asked what the effects on land values would be with the development of the ETP zone.

Mr. McMullen felt that sales would dictate what land values would be.

Bill Collins stated that land values are market driven, and the ETP zone would probably raise property values.

Ms. Varney questioned whether Sixth Street would be widened.

Bill Collins explained that changes to streets, etc., are looked into during the site review process.

Lucy Silva, Sixth Street, felt that the new zone should have wording excluding any industries that may be "harmful to life".

Mr. Collins explained that the public's health is the overriding concern of any ordinance.

Kevin McEnany, Old Rochester Road, noted that there appeared to be no buffer zone allowing single family dwellings, but asked if there would be a one time exemption for allowing houses.

Bill Collins noted that minor subdivisions would be allowed to separate an existing house from the remaining acreage.

Mr. McEnany asked if there were any plans to bring water and sewer into the area.

Mr. Collins explained that water was already available in most of the area. Sewer lines are anticipated to be run up the old railroad easement.

Public hearing closed.

Item #2: Public hearing for proposed revisions to Chapter 170 of the Code of the City of Dover, entitled Zoning, by adding a new section 170-28.6 Interim Growth Management District IV-Aquifer Recharge Areas.

Bill Collins reviewed the ordinance explaining that it was a temporary ordinance while the city completes a more extensive mapping project. Mr. Collins also stated that any ongoing activities would not be affected.

Public hearing opened.

Daniel Callaghan, attorney representing Nash and Tamposi, spoke on their behalf in opposition of the proposed ordinance.

Mr. Callaghan requested the Board reject the ordinance in its present form for two reasons.

1. The proposed ordinance is too restrictive with the 10% maximum lot coverage. Mr. Callaghan feels that this constitutes a taking of land and,
2. The ordinance provides for no exceptions; if a piece of land can be scientifically shown not to affect the aquifer, then the land should be exempt.

Dan Gabriel, County Farm Cross Road, felt that his lot should not be included on the list. He showed soils analysis of his land which indicated that his land was 93% Group 5.

Bruce Pike, Central Avenue, expressed concern with holding back development on the Miracle Mile especially when most of the land is already almost 100% impervious.

Mr. Collins responded that with research, a strategy will be produced. The city might have to rely to a lesser extent on the well in that area.

Peggy McLaughlin spoke in favor of the ordinance. She felt that the ordinance was a step in the right direction and if the city is not careful, it may find itself without water someday.

Public hearing closed.

Reynold Perry pointed out the problems that the city has had with the well in aquifer number one.

Otis Perry wondered if the boundaries of the aquifer protection area ought to be based on the soils map instead of lots.

Harold Preston read a letter from Iafolla, Inc. which has land in the area affected. They are against the ordinance as it restricts them from any reasonable use of their land.

Otis Perry motioned to approve subject to two conditions.

1. That the city uses the boundaries on the soils maps rather than actual lots.
2. Some sort of relief mechanism be put in place so that a lot may be discounted if proper soils data proved that the lot was not a danger to the aquifer.

Pete Bouchard seconded.

William Collins reiterated that the extensive study being completed by B.C.I. would be ready in a few months and that the Board should keep in mind that this ordinance is only temporary.

Otis Perry withdrew his motion.

Thomas Scharff motioned to approve the ordinance subject to an amendment which would allow the exemption of lots proven not to affect the aquifers.

Harold Preston called for a 5 minute recess so that an amendment could be written.

After the recess, Thomas Scharff read his amendment.

"When site specific high intensity soils analysis as provided by a qualified soils scientist can be used to show that an area proposed for development does not constitute part of a defined aquifer recharge area, the proposed development site is exempt from the provisions of this ordinance."

Mike McDonnell seconded.

Brief discussion as to whom would be qualified to do soils testing.

Bill Collins suggested only soils scientists.

Vote on the amendment: U/A

Vote on main motion: U/A

Harold Preston suggested approval of the ETP.

Pete Bouchard motioned to recommend for adoption and send to the council. Patricia Torr seconded.

Vote: U/A

New Business: None

Old Business: None

Brief Discussion on Kimball subdivision and its status.

Mike McDonnell motioned to adjourn. Pete Bouchard seconded.

Vote: U/A.