

DOVER PLANNING BOARD  
MINUTES OF MEETING

Meeting Held: Tuesday, July 29, 1986 in the Municipal Building in Dover, New Hampshire.

Members Present: George Maglaras-Chairman, Harold Preston, Reynold Perry, H. Les Elder, Otis Perry, Thomas Scharff, Pierre Bouchard, Nancy Sousane

Also Present: William Collins-Planning Director, Berrie Donovan-Recording Secretary

Craig Williams was seated on the Planning Board.

Mr. Maglaras stated that the City Council voted (5-2) to remove Craig Williams from the Planning Board effective July 23, 1986, and that Mr. Williams has received a certified letter informing him of that fact. Mr. Maglaras stated that it is not the Planning Board's position to judge but the decision was made by the City Council. He stated that he assumed Mr. Williams was taking a stand and asked him if he had anything to say.

Mr. Williams stated that he assumed he could remain on the Board until due process is over, with an appeal pending. He stated that he should be allowed to sit on the Board, that the City Attorney should be contacted for his opinion, or, if he is asked to step off, he will do so under protest.

Mr. Maglaras stated that he would like to receive a determination from the City Attorney, and until a determination is received and so that the business of the City can proceed, he asked Mr. Williams to step down.

Public hearing on revisions to the RM-12 zoning district.

Mr. Collins gave a brief description of the changes in the zone (copy of proposed ordinance attached).

Public hearing opened:

Bill Baber, Mast Road, stated that this is a healthy compromise for the residents in the Mast Road area and encouraged the Board to go forward with approval of the ordinance as presented.

John Ramsey, 64 Backriver Road, spoke against the ordinance stating that it is not fair for the small landowners in the area.

Malcolm McNeill, Attorney representing Hampstead Outlook, Inc. who has a proposal for 74 condo units in the RM-12 zone, stated that it was the original intent of the RM-12 zone to provide for diversity and development of backland thereby avoiding strip development. He noted that there have been no changes in the master plan and no reason for the RM-12 to change at the whim of abutter request. He further noted that if the zone change is made, then the Spur Road area should be removed from the RM-12 zone as it does not share the problems of Mr. Baber's neighborhood. He stated that the Bellamy River Green project has been in the works for months and would have to be double downzoned if this proposal passes.

David Field, 201 Mast Road, spoke for the zoning change.

Richard Lord, Mast Road, spoke for the proposal and the lower density.

Kerry Forbes, Longhill Road, spoke for the proposal as a positive opportunity for cluster housing and preservation of open space.

Barry Hager, Garrison Road, spoke for 20,000 square foot lots.

Bill Baber, Mast Road, stated that 20,000 square foot lots are too big a jump, and agrees with Forbes' idea on cluster housing, but would rather wait for the master plan to be completed. He stated that the Spur Road area should be even more restrictive because of the wildlife preserve, not less restrictive as Attorney McNeill suggests.

Jack McLeod, representing Landbuyer Unlimited, spoke against the proposal stating that it has been seven years since any changes have been made in the master plan and changing the zones should not be done in piecemeal fashion.

Attorney McNeill stated that it is important to have predictability in zoning and wrong to have popular demand take precedence over good planning.

Christine Baber, Mast Road, stated that the residents have been asking for a master plan for over one and one half

years, that the river is being polluted, the land exploited. She commended Mr. Collins on this change in the RM-12 zone and spoke for the amendment.

Public hearing closed.

Mr. Maglaras stated that this item would be listed under old business at the next scheduled meeting.

Mr. Collins stated that the Board should be concerned with creating too many zoning districts and that he would be opposed to creating additional districts. He also stated that as few changes as possible should be made before the master plan process is completed.

Mr. Collins inquired as to why Bellamy River Green would be against the changes in the RM-12 when they are only proposing 74 units where current zoning would allow 124.

Attorney McNeill explained that the difference for them would be in the number of units allowed per building; six currently, 4 proposed.

Item #2: Public hearing on the proposed revisions in the Site Review fee schedule.

Mr. Collins explained the changes.

Public hearing opened.

Kerry Forbes, Longhill Road, spoke against the increase stating that there has also been a recent increase in building permit fees and if they are being used to slow growth the increase is wrong.

Mr. Collins stated that the money goes to the general fund to offset Building Inspection and Planning Department costs. He noted that there is a need for more personnel in the offices and these fees would offset those costs as well.

Mr. Scharff stated that the City Council approved the extra staffing level based on the increase in these fees.

Craig Williams, Middle Road, stated that the commercial fees should relate to the cost of the time spent to review the projects.

Bill Baber, Mast Road, stated that he is for the proposed increase.

In response to a question from Kerry Forbes as to whether there will be a cap on residential because there is one on commercial, Mr. Collins stated that there will be no cap on residential.

Mr. Maglaras stated that this item will come under old business at the next regularly scheduled meeting, and that he has no problem with the proposed changes as long as the Building Inspection Division and Planning Department are not in the profit making business.

Mr. Collins stated that he is requesting an opinion from the City Attorney as to when the new fees should be applied if approved.

Discussion followed on Jensen's proposal for a mobile home park on Garrison Road.

Mr. Maglaras stated that Jensen's will be on the agenda August 5, 1986 for possible preliminary approval for the sole purpose of allowing them to go to the Zoning Board of Adjustment for a special exception. He stated that the applicant will not participate in any discussions on the improvement of the infrastructure on Garrison Road without the special exception being granted.

Mr. R. Perry noted that there is still some question as to whether they are actually proposing mobile homes.

Mr. Elder motioned to adjourn; Mr. O. Perry seconded.

Vote: U/A

Mr. Maglaras adjourned the meeting at 8:00 P.M.