

**DOVER PLANNING BOARD  
MINUTES OF MEETING**

Held: May 21, 1985  
City Hall Auditorium  
Municipal Building  
Dover, NH

Members Present: Chair George Maglaras, Vice-Chair Harold Preston, R. Craig Williams, H. Les Elder, Robert Weisner, Stephanie Faria, Robert Steele, J. Andrew Galt.  
(Pierre Bouchard was away on City business.)

Alternate Member Present: Otis Perry.

Other: Planning Director Timothy Sheldon, Recording Secretary Kathleen Brown.

The Chair called the meeting to order at 7:00 p.m.

Mr. Sheldon explained the location of the the areas in the City currently designated as RM-12. He reviewed the history of the rezoning decision in 1979. The revisions developed by the Planning Board are in the response to some of the problems of the zone only now being realized. Mr. Sheldon explained the proposed changes to the RM-12 zone and contrasted them to the existing requirements.

Public Hearing Opened.

Irene York, Garrison Road, stated that she was opposed to the deletion of topographic slopes in excess of 20% from the gross acreage. She suggested that these slopes should be included in the density calculations, as they could be preserved as open spaces.

Bill Baber, Mast Road, raised concerns over what he perceives as a lack of responsiveness by the Planning Board to the issues raised by the citizens.

Ray Bardwell, Spur Road, stated that he was in favor of a plan for sensible growth in the City, however, he was opposed to the deletion of environmentally sensitive areas from a tract's gross acreage.

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Kerry Forbes, Longhill Road, stated that the revisions proposed by the Planning Board will have a significant impact on development within the RM-12 zone. He noted that for many tracts of land the result will be a 50% reduction in the permitted density. He stated that he was in favor of the provision which would delete the environmentally sensitive areas from a tract's gross acreage. He suggested that the proposal to provide for single-family development in the fashion of the R-20 zone will discourage this type of development and create for a poor mix with the multi-family development.

Grant Davis, Spur Road, stated that he believed that the deletion of environmentally sensitive areas from a tract's gross acreage constitutes a taking of land without proper compensation. He also raised concerns regarding what he perceives a lack of continuity in the zoning. He expressed his belief that the 1979 rezoning was in response to a 15-year policy of no growth within the City. He suggested that now that development is becoming possible, the City is attempting to take away the rights of property owners.

Jim Vershuren, Sixth Street, questioned the Board regarding the proposed setback requirements. Mr. Maglaras explained that the minimum side/rearyard setback would be 20', any building group greater than a duplex would be required to be set 10' per unit from the property line.

Irene York, Garrison Road, stated that she agreed with the comments made by Mr. Davis regarding the taking of land without compensation.

Grant Davis, Spur Road, inquired as to how the Board would define 20% slopes and if it would include the area of large boulders etc.

Burt Roux, Old Colony Road, stated that he also agreed with the statements made earlier by Mr. Davis. He stated that he was opposed to the revisions.

Ray Bardwell, Spur Road, stated that also agreed with Mr. Davis's statements. He suggested that the Board, by proposing revisions

to the zoning ordinance, is taking away what people have planned for.

Al Demers, Mast Road, stated that the deletion of 20% slopes had a place in the ordinance, as the intention was to control growth and preserve the characteristics of the existing area, including the soils and the shore line.

Skip Thomits, Back Road, stated that he was concerned about the impact of development on the school system, especially the Garrison School.

Peter Loughlin, Attorney representing John Gavin, stated that his client is not opposed to the revisions suggested by the Planning Board. He presented a plan which indicated the severe impact of the proposal on the Gavin project: a reduction in density from 156 units to 65 units. He suggested that the revisions, while they do not constitute a taking of land, do come very close.

Public Hearing Closed.

Mr. Galt, after reviewing the agenda for the next meeting, stated that, in his opinion, the Board should take action on this item tonight.

Moved by Mr. Steele, seconded by Mr. Galt, to approve the zone change as submitted and to forward it to the City Council for their consideration.

Mr. Galt stated that the revisions presented by the Board have addressed the many concerns raised by the residents regarding density.

Mr. Preston stated that he was opposed to permitting the development of single-family homes only under the provisions of the R-20 zone. He suggested that the larger lot size (20,000 square feet) may make this type of development undesirable to property owners. Mr. Maglaras noted that the R-20 zoning designation was chosen, among other reasons, so as to permit the clustering of homes, as outlined in the Alternative Design Subdivision.

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Mr. Sheldon stated that the character of the land, as well as the developer and the market will dictate the type of development in any area. He noted that the larger lot size for single family homes will not necessarily discount this type of developemnt.

Mr. Maglaras stated that he agreed with the statements made by Mr. Loughlin: the Board has gone as far as it can go without confiscating land without compensation.

Mr. Sheldon stated that both the State of New Hampshire and the Strafford Regional Planning Commission define steep slopes as those areas in excess of a 25% grade. He noted that any topographic area which supports slopes in excess of 15-25% may be problematic, however the Board has chosen to define steep slopes at 20%. He reminded the Planning Board of the discretion that they have when considering each project submitted and noted that decisions necessarily need to be made on a site by site basis. He requested that the Board vote to approve the recommendations.

Moved by Ms. Faria, seconded by Mr. Weisner to move the question.

u.A.

Vote on motion to approve the RM-12 revisions as submitted: 6-1 (Preston).

Moved by Mr. Galt, seconded by Mr. Steele, to adjourn the meeting at 7:45 p.m.

U.A.