

DOVER PLANNING BOARD
MINUTES OF MEETING

HELD: Monday, June 7, 1971
7:00 p.m.
Municipal Courtroom
Municipal Building
Dover, New Hampshire

ITEM NO. 1: ROLL CALL:

On Roll Call the following were present: Mrs. Lois Schofield, Mr. R. Normand Alie, Mr. Wallace I. Akerman, Mr. Donald E. Chick, Mr. Frank O. Estes, Mr. Hugh C. Tuttle, Mr. John H. Sowerby.

Also attending: Attorney T. Casey Moher, Angelo and Angela Marciano, Mr. Ben Page, Mr. Simes of McKenna Associates.

ITEM NO. 2: APPROVAL OF MINUTES OF MEETING OF MAY 10, 1971:

Moved by Tuttle, seconded by Akerman, to approve as written. Unanimously adopted.

ITEM NO. 3: APPROVAL OF MINUTES OF MEETING OF MAY 18, 1971:

Moved by Tuttle, seconded by Akerman, to approve as written. Unanimously adopted.

ITEM NO. 4: APPROVAL OF MINUTES OF MEETING OF MAY 25, 1971:

Moved by Tuttle, seconded by Akerman, to approve as written. Unanimously adopted.

ITEM NO. 5: PUBLIC HEARING ON PETITION FOR REZONING BY ANGELA AND ANGELO MARCIANO - RTE. 16 and RTE 16B:

Attorney T. Casey Moher represented the Marciano family. He stated that they wished to petition the Planning Board to amend the Zoning Ordinance and Zoning Map by changing the classification of part of Lot #1, Assessor's Map A to a B-3 classification.

He said that under present zoning classification about one-half of said lot is zoned as B-3 and the remainder is R-1. He continued that good zoning procedure avoids the division of one lot into two classifications and he felt that under ordinary circumstances such zoning is arbitrary and unreasonable. He noted that Thoroughfare Business was established to meet the needs of certain types of business activities for proximity to major traffic routes and large parking areas and that subject lot fits this description as it is of considerable area and located between Route 16 and Route 16B.

Attorney Moher quoted the intent of the Zoning Ordinance relative to R-1 areas stated that it is "to establish an area within the City of Dover wherein those conditions best suited to a low density residential atmosphere should be encouraged." He said it is apparent that the remaining portion of Lot #1 is not that type of area as it is surrounded on three sides with commercial establishments and is ill suited as a single residence area.

Attorney Moher pointed out the area on a proposed plan and asked that the Board rule in favor of the Marcianos.

Mr. Alie asked the dimensions of the land. He was told that the B-3 zone is 1.3 acres and the R-1 zone is 1.58 acres. Attorney Moher requested the Board Members to go to the location and inspect it.

No-one spoke in opposition to the rezoning.

The public hearing was then declared closed and the Board Members agreed to view the land and vote on the proposal at a later date.

ITEM NO. 6: RECEIPT OF SUBDIVISION OF RESIDENTIAL MORTGAGE CORP. - LAND OWNED BY MICHAEL J. SWEENEY, ASSESSOR'S LOT 21-5A (Sweeney Tract) - Set date for public hearing):

Mr. Ben Page was present representing Mr. Sweeney. He said that he wanted to start building this year - at least get the roads and sewer in.

Mr. Chick felt it would be advisable for the engineer for the subdivision to get together with Mr. Sowerby because the sewer and water pipes in the area may be too small.

Moved by Chick, seconded by Tuttle, to hold a public hearing on the subdivision at 7:30 on June 28 in the Municipal Courtroom. Unanimously adopted.

ITEM NO. 7: MEETING WITH MR. SIMES OF MCKENNA ASSOCIATES REGARDING SUBDIVISION OF LAND BY MR. & MRS. STANWOOD PUFFER:

Mr. Simes said he was representing Mr. & Mrs. Puffer in their subdivision. He brought in a print of the proposal, stating that Mr. Puffer had first intended to put six lots in with a definite right of way. Now Mr. Puffer is in the process of putting 4 or 5 in and will be going to the Water Supply and Pollution Control Commission with respect to "on-site disposal". He continued that Mr. Puffer wants to build one house for himself and sell the rest of the lots to relatives. He displayed the deed to the land.

Mr. Simes stated that as long as he was working with Mr. Puffer he would follow all regulations of the City of Dover.

The sewer situation was then discussed.

Mr. Chick warned about substandard lots.

ITEM NO. 8: REQUEST FOR SUGGESTIONS BY BOARD MEMBERS FOR MEMBERS OF A CITIZENS ADVISORY COMMITTEE FROM THE STRAFFORD REGIONAL PLANNING COMMISSION:

Chairman Alie suggested that the individual Board Members make suggestions to Mr. Noyes, Executive Director of the Commission.

ITEM NO. 9: LETTER FROM STATE PLANNING OFFICE REGARDING THE CUTTING OFF OF FUNDS FROM THE FEDERAL GOVERNMENT FOR LOCAL PLANNING PROGRAMS:

Mr. Alie read the communication. Mr. Tuttle asked what this meant in terms of our contract with Metcalf & Eddy. Mr. Chick said that Dover will have to pay for it if they go into Phase III. It was noted that the third phase would involve a school study, park and recreation study and a waste disposal study in addition to other studies.

Moved by Tuttle, seconded by Estes, to meet with Metcalf & Eddy on June 14 at 7:30 p.m. in the Municipal Courtroom to discuss the 701 program and the problems of funding Phase III. Unanimously adopted.

ITEM NO. 10: COMMUNICATIONS FROM CITY ATTORNEY MCMANUS REGARDING SPECIAL EXCEPTIONS IN OUR ZONING ORDINANCE, PARTICULARLY WITH REFERENCE TO TRAILER PARKS:

Moved by Tuttle, seconded by Akerman to accept the communications and place on file. Unanimously adopted.

Mr. Chick noted that the City Attorney said that Dover's present Zoning Ordinance is illegal in that the City Council hasn't instructed the Zoning Board of Adjustment in the criteria to use with respect to trailers. The City Attorney would have specific proposals for the Planning Board shortly.

Moved by Chick, seconded by Tuttle to amend the original motion by adding "and that the City Attorney be requested to submit specific proposals at his earliest possible convenience." Unanimously adopted.

ITEM NO. II: VOTE ON REZONING BY THOMAS HARDIMAN -- RUTLAND STREET:

Moved by Chick, seconded by Tuttle, that the petition be denied and that the area remain zoned as is and that the petitioner be so notified. Unanimously adopted.

ITEM NO. 12: POSSIBLE MEETING WITH METCALF & EDDY ON JUNE 14:

Moved by Chick, seconded by Tuttle, to meet with Metcalf & Eddy on June 14. Unanimously adopted.

ITEM NO. 13: REPORT FROM RECRUITMENT COMMITTEE FOR THE SELECTION OF A PLANNING DIRECTOR:

Mr. Tuttle stated that the Committee was going back to reactivate the entire file.

ITEM NO. 14: ADJOURNMENT:

Moved by Akerman, seconded by Alie to adjourn. Unanimously adopted.

Respectfully submitted,

Frank O. Estes
Clerk