

DOVER PLANNING BOARD  
MINUTES OF MEETING

HELD: Thursday, Dec. 3, 1970  
7:00 p.m.  
Council Chambers  
Dover, New Hampshire

ITEM NO. 1: ROLL CALL:

Acting Chairman Hugh C. Tuttle, Mr. Donald E. Chick, Mr. Armand J. Dimambro, Mr. Frank O. Estes, Mr. John H. Sowerby. Mr. Tuttle was appointed Acting Chairman.

Also attending were Jon Breen of Foster's Daily Democrat, Dick Lewis of WTSN, Mrs. Irene York, Mr. Michael Krajank, Economic Director, Mr. E. Vincent McDonald, Building Inspector, Mr. Anthony McManus, City Attorney.

ITEM NO. 2: ACCEPTANCE OF MINUTES OF MEETING HELD ON NOV. 5, 1970:

ITEM NO. 3: ACCEPTANCE OF MINUTES OF MEETING HELD ON NOV. 17, 1970:

ITEM NO. 4: ACCEPTANCE OF MINUTES OF MEETING HELD ON NOV. 19, 1970:

Moved by Chick, seconded by Dimambro, that the three sets of minutes be approved as written. Unanimously adopted.

ITEM NO. 5: PUBLIC HEARING ON LIMITED SUBDIVISION OF MR. HAROLD T. HANSON, MAST ROAD, ASSESSOR'S LOT I-51

The Board noted that the limited subdivision met all requirements of the City. The map was displayed. There was no-one in opposition of the subdivision.

ITEM NO. 6: PUBLIC HEARING ON LIMITED SUBDIVISION OF MR. RONALD DUDLEY, COUNTY FARM CROSS ROAD, LOT B-11:

The Board noted that the subdivision met all requirements of the City Subdivision Regulations and Zoning Ordinance and no-one appeared in opposition to the subdivision.

ITEM NO. 7: MEETING WITH MR. MCDONALD, BUILDING INSPECTOR, AND CITY ATTORNEY MCMANUS, REGARDING INDIVIDUAL SEWERAGE TREATMENT PLANTS AND MOBILEHOME PARKS IN DOVER:

Mr. McDonald and Attorney McManus were present. Mr. McDonald stated that he had an opportunity to visit

the Jensen Mobilehome Park in Concord recently. He stated that he was quite impressed. Mr. McDonald continued that he has reviewed the mobilehome ordinance and he feels that it should be updated insofar as there have been no changes made for two years. He stated that there is a demand for mobilehome parks in Dover and that he has had four different parties approach him asking information. He continued that he felt a lot of study should be done on the sewerage situation in Dover. He stated that Jensen's Inc. wanted to have retirement homes which would have 7,000 sq. ft. on a lot, but this wasn't allowed in this City - the City requires 10,000 sq. ft. He stated that he wanted to make certain that the Board didn't get mixed up with modular housing and mobilehomes. Mr. McDonald noted that everything in Jensen parks is on reduced taxes which isn't good. He continued that the people rent the land they're on which averages \$60 per month.

Mr. Tuttle asked Mr. McDonald if there was any distinction in Concord between modular housing and mobilehomes. Mr. McDonald stated that they are regulated as the same, which in his opinion was not a good feature.

Mr. Tuttle stated that he heard recently that quite a few mobilehome parks now have entrance fees and charge from \$100 to \$200 to come into. Mr. Dimambro stated that this was quite true and most of the parks use this fee to skirt the individual homes to conform to all the others in the park. He stated that the crew goes in and skirts the mobilehomes, puts it on a foundation with porch and patios and closelines which are all enclosed. He continued that even the gas bottles are enclosed. He noted that most of these parks are not low cost homes but really quite beautiful.

The Mobilehome Park Ordinance was then discussed at length. Mr. McDonald stated that he felt that insofar as the Planning Board made the Mobilehome Ordinance that the plans for such should be submitted to the Board.

Mr. Franklin Torr, Cushing Road, stated that he would like to explain the matter of entrance fees in mobilehome parks. He stated that they were originally set because of lack of lots in mobilehome parks. He continued that many parks pay the entrance fee if someone purchases a mobilehome from them. Mr. Torr stated that the rent in Pollyanne Mobilehome Park is \$35 for couples and \$37 for families and that he tried to restrict children.

City Attorney McManus stated that he would think that anyone planning a mobilehome park in Dover should come to the Planning Board first with plans.

Mr. Chick questioned whether or not it was practical to set up legal relationships with firms with respect to individual sewage treatment plants. He asked Attorney McManus if he felt that safe contractual arrangements could be made or if he felt that individual sewage treatment plants are good.

Attorney McManus stated that a lot would depend upon what the Firm had behind them but he felt that an agreement could be made tying all parties together.

ITEM NO. 8: COMMUNICATION FROM CITY ATTORNEY MCMANUS  
REGARDING OAK TREE -- PRESWARD SUBDIVISION:

Acting Chairman Tuttle then read a letter from Mr. McManus stating that he assumed that the tree is on land belonging to the Millers and not on the developer's property. He stated that if this was the case, it would be his opinion that neither the City nor Presward has any control over the tree, if the sole purpose for removal was to facilitate the placing of the proposed street. He continued that if the removal was as a part of a sidewalk project, the City would be responsible to the Millers for the value of the tree and any other portion of their property that was taken for that purpose.

Moved by Chick, seconded by Dimambro, to accept the communication and place on file and send another communication to Mr. McManus pointing out that the tree is on City property and ask for his answer on this. Unanimously adopted.

ITEM NO. 9: COMMUNICATION FROM CITY ATTORNEY MCMANUS  
REGARDING FOURTH STREET BEING A MAIN ROAD:

The Board accepted the letter stating that in his opinion City Attorney McManus felt this was a main road.

Moved by Chick, seconded by Sowerby, that the communication be accepted and placed on file with the Presward Subdivision. Unanimously adopted.

ITEM NO. 10: COMMUNICATION FROM ATTORNEY BARRETT,  
REPRESENTATIVE OF MR. AND MRS. PATRICK  
MILLER:

The Board accepted this communication.

Moved by Dimambro, seconded by Chick, to accept the communication and place on file until the Board finds out further from City Attorney McManus his recommendations with respect to the tree on the land. Unanimously adopted.

Mr. Chick noted that the Millers should be made aware of the fact that the Board is working on the problem and that copies of all correspondence regarding such should be sent to them.

The Board requested that this letter be re-submitted on the next Planning Board Agenda.

ITEM NO. 11: COMMUNICATION FROM ECONOMIC DIRECTOR KRAJNAK REGARDING THE RELOCATION OF A DISPOSAL COMPANY IN DOVER:

Mr. Krajnak addressed the Board stating that in view of the fact that the State of New Hampshire Industrial Park Authority in board action turned down a request by the Great Bay Disposal Company for permission to locate its terminal in what is known as the Northeast Millwork Building in the State Industrial Park along the Littleworth Road, Mr. Ray Bardwell, President of the Firm, asked his Office to investigate and pursue any alternate area in Dover in which he would be permitted to operate his business. Mr. Krajnak stated that he was seeking direction from the Planning Board as to where in Dover might be the best site for Great Bay Disposal Company to relocate.

Mr. Bardwell explained the unsatisfactory conditions of his present location stating that he would like to have a nice clean operation and he feels it is impossible to do so where he is now located. He stated that he could apply for a variance to remain in his present location but even then he couldn't expand, which is what he wishes to do.

Mr. Bardwell stated that he sometimes has a problem with access in the Wintertime. He stated that he would like a location with some access to the highway. He felt that if the Company had to move to another town, it would not be to its benefit. He continued that he preferred from a geographic standpoint to be in Dover.

Mr. Tuttle questioned why the Industrial Park Authority refused admittance. Mr. Krajnak answered that he has requested them to furnish a number of reasons.

Mr. Bardwell requested that the matter be placed on the next Planning Board Agenda.

Moved by Chick, seconded by Dimambro, that the matter be placed on the agenda for the next Planning Board Meeting and the Board be kept informed of the situation. Unanimously adopted.

ITEM NO. 12: REPORT OF JOHN SOWERBY REGARDING RUTLAND MANOR APARTMENTS:

Mr. Sowerby brought the Board up-to-date on this matter. He stated that he has submitted all information to the State. He continued that a building permit hasn't been

issued. The Board then discussed the matter of having two buildings on one lot.

Attorney McManus stated that in his opinion a lot is defined as area surrounding a principle building and continued that under that definition one could put as many buildings on a lot as desired. He stated that in his opinion Rutland Manor was a subdivision.

Mr. Dimambro questioned whether or not this could be classified as a subdivision.

Moved by Chick, seconded by Sowerby, that the report be accepted and that Mr. Fischer be notified that in the City Attorney's opinion, his development would require a subdivision plan filed with the Board. Unanimously adopted.

ITEM NO. 12: COMMUNICATION FROM PUBLIC WORKS DEPARTMENT STATING THAT THE AMOUNT OF THE WESTGATE SUBDIVISION BOND FOR THE TURNAROUND SHOULD BE \$3,000:

Moved by Chick, seconded by Dimambro, that the amount of \$3,000 be approved as the amount of the remaining bond. Unanimously adopted.

ITEM NO. 13: INDUSTRIAL REZONING PROPOSAL BY METCALF & EDDY:

The Report was discussed by the Board. Mr. Krajnak pointed out the three areas on the displayed map and informed the Board of the owners of each piece and its value. He stated that the Economic Commission had received such proposal and were quite enthused about it.

Moved by Chick, seconded by Estes, that this report be taken under consideration, read by the Board Members and discussed further with Mr. Ball when the next discussion on the comprehensive plan study is held. Unanimously adopted.

ITEM NO. 14: OLD BUSINESS:

a. Rezoning of Redden Property on Durham Road:

Mrs. Irene York then appeared in behalf of Mr. Yurgal. Mrs. York proposed that they build 300 feet back from the Durham Road. Mr. Dimambro stated that he felt the 300 feet setback would be a mistake. He continued that maybe no-one would take care of the land and he would rather see the space utilized and engineered right than left as a buffer zone. He continued that he felt this should be a variance rather than a rezoning petition.

Mr. Estes felt that the residents in the area would be against having the apartments nearer the road.

Mr. Chick wondered if this may be considered as "spot zoning".

Moved by Chick, seconded by Sowerby, to ask the City Attorney if, in his opinion, it is legal for the City to carry out this request for rezoning or if this rezoning would be considered as spot zoning and that the item be taken up at the next meeting of the Board. Unanimously adopted.

Mrs. York noted that in Portsmouth in cases such as this there is only one public hearing with both the Council and Planning Board attending.

ITEM NO. 15: COMMUNICATION FROM ATTORNEY OUELLETTE REGARDING THE REQUEST FROM JENSEN'S, INC.:

Moved by Chick, seconded by Alie, that the Planning Board send a report to the City Council stating that since Jensen's, Inc. has petitioned the City for a private sewerage disposal system, and since this was referred to the Planning Board for study, and since the matter has been withdrawn by the petitioner that the Planning Board will not continue to study it unless requested to do so by the City Council. Unanimously adopted.

Moved by Dimambro, seconded by Chick, to amend the above motion to show the urgency of a sewer study on the Dover Point area.

The Board then went over the proposed budget.

Moved by Chick, seconded by Dimambro, that the Planning Board request permission from the City Council to advertise for a professional planner at a proposed salary range of \$11,000 to \$14,000. Unanimously adopted.

The Board then agreed to engage the services of a college student to work for one week during the Holidays for \$1.90 per hour.

The Board then voted to go into executive session to hear a report from the Committee on the recruitment of a Planning Director.

Moved by Dimambro, seconded by Chick, to adjourn.

Respectfully submitted,

Raymond A. Bourque  
Clerk